

GOSHEN, TOWN OF
County of Rockbridge.
Incorporated by an 1883-84 Act of Assembly.

Charter, 1883-84, c. 284; repealed 1980, c. 77.
Charter, 1980, c. 77.

CHAPTER 1.
INCORPORATION AND CORPORATE LIMITS.

§ 1.1. Incorporation.--The inhabitants of the territory comprised within the present limits of the town of Goshen, in the county of Rockbridge as such limitations are now, or may hereafter be altered and established by law, shall constitute and be a body politic and corporate, to be known and designated as the town of Goshen and as such shall have perpetual succession, may sue and be sued, implead and be impleaded, contract and be contracted with, and may have a corporate seal which it may alter, renew, or amend at its pleasure by proper ordinance. (1980, c. 77)

§ 1.2. The territory embraced within the limits of the town of Goshen is as follows:

All that territory set forth and described in Paragraph 2, of Chapter 284 of the Acts of Assembly of 1883-1884, which paragraph is incorporated herein by reference, as such limits are now or hereafter may be altered and established by law. (1980, c. 77)

CHAPTER 2.
POWERS.

§ 2.1. General grant of powers.--The town of Goshen shall have and may exercise all powers which are now or hereafter may be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth of Virginia, as fully and completely as though such powers specifically were enumerated herein, and no enumeration of particular powers by this chapter shall be held to be exclusive, and the town shall have, exercise and enjoy all the rights, immunities, powers and privileges and be subject to all the duties and obligations now appertaining to and incumbent on the town as a municipal corporation. (1980, c. 77)

§ 2.2. Adoption of powers granted by the Code of Virginia.--Powers granted in § 2.1 of this charter include specifically, but are not limited to, all powers set forth in §§ 15.1-837 through 15.1-907, inclusive, of the Code of Virginia and all acts in furtherance thereof and supplemental thereto. (1980, c. 77)

CHAPTER 3.
MAYOR AND COUNCIL.

§ 3.1. Election, qualification and term of office for mayor and council.--The town of Goshen shall be governed by a town council composed of five councilmen and a mayor, all of whom shall be qualified voters of the town and shall be elected by the qualified voters of the town in the manner provided by law from the town at large. The councilmen and mayor in office at the time of adoption of this charter shall continue in office until the expiration of the terms for which they were elected or until their successors are duly elected and qualify. An election for councilmen and mayor shall be held on the first Tuesday in May, nineteen hundred eighty-two. The mayor and the three councilmen polling the highest number of votes shall be elected for a four-year term. The

two councilmen polling the fourth and fifth highest number of votes shall serve an initial term of two years and such offices shall be subject to reelection on the first Tuesday in May, nineteen hundred eighty-four, for a term of four years. All elections thereafter shall be for a term of four years. (1980, c. 77)

§ 3.2. Vacancies.--Vacancies on the council shall be filled for the unexpired term from among the qualified voters of the town by a majority vote of the remaining members of council. A vacancy in the office of mayor shall be filled for the unexpired term from among the qualified voters of the town by a majority vote of the council. (1980, c. 77)

§ 3.3. Council a continuing body.--The council shall be a continuing body, and no measure pending before such body nor any contract or obligation incurred shall abate or be discontinued because of the expiration of the term of office or removal of any council members. (1980, c. 77)

§ 3.4. Mayor.--The mayor shall be the chief executive and administrative officer of the town. He shall have and exercise all the privileges and authority conferred by general law not inconsistent with this charter. He shall preside over the meetings of the town council and shall have the right to speak therein as members of the council but shall not vote except in the case of a tie vote. He shall be the head of the town government for all ceremonial purposes and shall perform such other duties consistent with his office as may be imposed by the town council. He shall see that the duties of the various town officers are faithfully performed and shall authenticate his signature on such documents or instruments as the council, this charter or the laws of the Commonwealth shall require. (1980, c. 77)

§ 3.5. Vice-mayor.--The town council shall, by a majority of all of its members, elect a vice-mayor from its membership at its first meeting to serve for a term of two years. In the absence of or during the disability of the mayor, the vice-mayor shall be the presiding officer of the council and possess the powers and discharge the duties given him by the council. (1980, c. 77)

§ 3.6. Meetings of council.--The council shall fix the time of its regular meetings, which shall be at least once each month, and, except as herein provided, the council shall establish its own rules of procedure and such rules as are necessary for the orderly conduct of its business not inconsistent with the laws of the Commonwealth of Virginia. A journal shall be kept of its official proceedings, and its meetings shall be opened to the public in accordance with Chapter 21 of Title 2.1 of the Code of Virginia. Three members of the council in addition to the mayor or vice-mayor shall constitute a quorum for the transaction of business at any meeting. Special meetings may be called at any time by the mayor or by any two members of the council, provided that the members of the council are given six hour's notice in writing of such meetings, and no business shall be transacted at a special meeting except that for which it shall be called. If the mayor and all members of the council are present, the notice provisions may be waived by a majority vote of the council. The notice provisions also may be waived on declaration of an emergency by the mayor and one councilman. Any action taken at an emergency session shall be subject to review at the next regular meeting of council. (1980, c. 77)

§ 3.7. Ordinances and resolutions.--On final vote on any ordinance or resolution the name of each member voting and how he voted shall be recorded, and, in addition, no ordinance or resolution appropriating money exceeding the sum of five hundred dollars,

imposing taxes or authorizing the borrowing of money shall be passed except by affirmative vote of a majority of all members of the council. (1980, c. 77)

§ 3.8. Salaries.--The salaries of the mayor, councilmen, members of boards or commissions and all appointed officers and employees of the town shall be authorized and fixed by the council at a sum not to exceed any limitations placed thereon by the laws of the Commonwealth of Virginia. (1980, c. 77)

CHAPTER 4.

APPOINTIVE OFFICERS.

§ 4.1. Appointments.--At the first meeting in July following each election or as soon thereafter as practicable, the council shall appoint or reappoint the following officers whose duties shall be as prescribed by the council not inconsistent or in conflict with general law: a town treasurer, a town clerk who also may be the town treasurer, a town attorney who shall be an attorney at law licensed to practice under the laws of the Commonwealth of Virginia and who shall be actively practicing within the geographical limits of Rockbridge County. (1980, c. 77)

§ 4.2. Deputies and assistants.--The council may appoint such deputies and assistants to appointive offices as it may deem necessary. (1980, c. 77)

§ 4.3. Term of office.--Appointees under this chapter shall serve at the pleasure of the council. (1980, c. 77)

§ 4.4. Bonds.--Appointees may be required to execute such bonds as general law may require or the council may deem necessary. (1980, c. 77)

§ 4.5. Appointment of one person to more than one office.--The council may appoint the same person to more than one appointive office. (1980, c. 77)

§ 4.6. Boards and commissions.--The council may, in its discretion, appoint such boards and commissions as it deems necessary or as may be authorized by the laws of the Commonwealth of Virginia. (1980, c. 77)

CHAPTER 5.

ENACTMENTS.

§ 5.1. Ordinances and resolutions generally.--Each proposed ordinance or resolution shall be introduced in written or printed form. The enacting clause of all ordinances passed by the mayor and council shall be substantially "BE IT ORDAINED AND ENACTED by the mayor and council of the town of Goshen, Virginia." Except as otherwise may be provided in this charter or general laws of the Commonwealth of Virginia, an affirmative vote of a majority of the members elected to the council shall be necessary to adopt any ordinance or resolution. An ordinance or resolution may be presented and enacted at the same meeting. (1980, c. 77)

§ 5.2. Recordation and authentication of ordinances.--Every ordinance when enacted by the mayor and council shall be recorded and indexed by the clerk of the council in a book kept for that purpose and shall be authenticated by the signature of the presiding officer and the clerk of the council. (1980, c. 77)

§ 5.3. Publication of ordinances.--Every ordinance of a general or a permanent nature shall be published in full once within ten days after its enactment, either by posting a copy thereof at one of the public entrances to the building utilized by the mayor and council for its public meetings, one copy at the United States Post Office at Goshen, one copy at the front door of the Rockbridge County Court House and one copy at two other public places in the town, or upon order of the council, by publication in a newspaper

having a general circulation within the town for such time as the council may direct. No ordinance or resolution having the effect of an ordinance enacted by the mayor and council for the violation of which any penalty is imposed shall take effect unless and until the same shall have been published as hereinbefore provided and a certificate of such publication filed with the clerk of the council. (1980, c. 77)

CHAPTER 6.

FINANCIAL ADMINISTRATION.

§ 6.1. Taxes.--The town of Goshen shall have the power to raise annually by taxes and assessments in the town such sums of money as the council shall deem necessary for the purposes of the town and in such manner as the council may deem expedient in accordance with the Constitution and general law of Virginia and of the United States. (1980, c. 77)

§ 6.2. Licenses.--The town of Goshen may enact ordinances requiring the licensing of commercial and business establishments and professional and other services rendered within the town and fix the fees to be paid for such privilege not inconsistent with the statutory and general laws of Virginia. (1980, c. 77)

§ 6.3. Fines, costs and fees.--The town of Goshen may fix fines, penalties and costs for violations of its ordinances and charge fees for administrative services not inconsistent with the laws of the Commonwealth of Virginia. (1980, c. 77)

§ 6.4. Special assessments.--The town of Goshen shall have the power to impose special or local assessments for local improvements and to enforce the payment thereof, subject to the limitations prescribed by the Constitution and laws of the Commonwealth as may be in force at the time of the imposition of such special or local assessments. (1980, c. 77)

§ 6.5. Appropriations.--The town of Goshen shall have the right to appropriate and expend the money of the town for all lawful purposes. (1980, c. 77)

CHAPTER 7.

MISCELLANEOUS.

§ 7.1. Fiscal year.--The fiscal year of the town shall begin on July one in each year and end on June thirty of the following year. (1980, c. 77)

§ 7.2. Elections.--All town elections shall be held and conducted in the manner prescribed by the laws of the Commonwealth of Virginia. (1980, c. 77)

§ 7.3. Applicability of laws outside of the town.--All ordinances of the town, so far as they are applicable, shall apply on, in or to all land, buildings and structures owned by or leased or rented to the town and located outside the town. (1980, c. 77)

§ 7.4. Ordinances continued.--All ordinances now in force in the town and not inconsistent with this charter shall be and remain in force until altered, amended or repealed by the council. (1980, c. 77)

§ 7.5. Legislative procedure.--Except in dealing with parliamentary procedure, the council shall act only by ordinance or resolution, and with the exception of ordinances making appropriations or authorizing the contracting of indebtedness, shall be confined to one general subject. (1980, c. 77)

§ 7.6. Office of sergeant.--The office of sergeant for the town shall be established in the discretion of the council and if established shall be filled by appointment by the council. (1980, c. 77)

§ 7.7. Severability.--If any clause, sentence, paragraph or part of this charter shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of the charter. (1980, c. 77)