

HILLSVILLE, TOWN OF  
County of Carroll.

Charter and incorporation, 1878, c. 47; repealed 1888, c. 353.

Charter and incorporation, 1900, c. 760; repealed 1940, c. 64.

Charter, 1940, c. 64; repealed 1992, c. 37.

Charter, 1992, c. 37.

Chapter 1

Incorporation and Boundaries

§ 1.1. Incorporation.--The inhabitants of the territory comprised within the present limits of the town of Hillsville, as such limitations are now or may hereafter be altered and established by law, shall constitute a body politic and corporate to be known and designated as the town of Hillsville, and 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. (1992, c. 37)

§ 1.2. Boundaries.--The territory embraced within the town of Hillsville is that territory in Carroll County, Virginia, as set forth in Book 38, page 266 et seq., in the Clerk's Office for the Circuit Court of Carroll County, Virginia. (1992, c. 37)

Chapter 2

Powers

§ 2.1. The town of Hillsville shall have all powers that may be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth of Virginia, including, but not limited to, those powers set forth in §§ 15.1-837 through 15.1-907 of the Code of Virginia. (1992, c. 37)

Chapter 3

Mayor and Council

§ 3.1. Election, qualification and term of office.--A. The town of Hillsville shall be governed by a town council composed of a mayor and four members, all of whom shall be qualified voters of the town.

B. The council in office at the time of the passage of this act shall continue until the expiration of the terms for which they were elected or until their successors are duly elected and qualified. The council shall be elected in the manner provided by law, as follows: At the regular municipal election to be held on the first Tuesday in May 1992, four members shall be elected. Two members, one of which has received the most votes and one of which shall have received the fewest votes, of the newly elected council shall serve as members of council for terms of four years each. The remaining two members shall serve for terms of two years each until the election on the first Tuesday in May 1994, at which time, and every two years thereafter, two councilmen shall be elected each for a term of four years beginning on July 1 following their election. Each councilman elected as hereinabove provided shall serve for the term stated or until his successor shall have been elected and qualified. The council by ordinance shall establish the salary of the mayor and council in accordance with statute. The council shall be a continuing body, and no measure pending before such body shall abate or be discontinued by reason of expiration of term of office or removal of any of its members.

C. At the regular municipal election to be held on the first Tuesday in May of 1992, and every two years thereafter, the qualified voters shall elect a mayor to serve for a term of two years or until his successor shall have been elected and qualified. The mayor shall preside at meetings of the council and shall be recognized as head of the town government for ceremonial purposes and by the Governor for purposes of military law. He shall have the same powers and duties as other members of council; however, the mayor shall vote only in case of a tie and shall have no veto powers.

D. The mayor shall be elected by the legally qualified voters of the town at large, and the four members of the council shall be elected as follows: One from each of four districts which have a population approximately one-fourth of the population of the town (Laurel Fork, Pipers Gap, Sulphur Springs and Pine Creek) by the legally qualified voters of such districts respectively. (1992, c. 37)

§ 3.2. Vacancies.--Vacancies on the council and in the office of mayor shall be filled for the unexpired term by a majority vote of the remaining members of council. (1992, c. 37)

§ 3.3. Qualification of members.--Any person qualified to vote in the town shall be eligible for the office of councilman or mayor. (1992, c. 37)

§ 3.4. Powers of council.--The council along with the mayor shall make such rules as are necessary for the orderly conduct of their business not inconsistent with the laws of Virginia and shall have the powers in their discretion to appoint a vice-mayor, town manager, clerk, treasurer, town attorney, and a chief of police, who shall have such duties as are prescribed by statute and ordinance and serve at the pleasure of the council and at such compensation as the council may determine, consistent with general law. (1992, c. 37)

#### Chapter 4 Miscellaneous

§ 4.1. Eminent domain.--The powers of eminent domain as set forth in Title 15.1 and Title 25 of the Code of Virginia are hereby conferred upon the town of Hillsville. (1992, c. 37)

§ 4.2. Fiscal year.--The fiscal year of the town shall begin on July 1 of each year and end on June 30 of the following year. (1992, c. 37)

§ 4.3. Ordinances continuing.--All ordinances now in force in the town of Hillsville, not inconsistent with this charter, shall remain in force until altered, amended, or repealed by the council. (1992, c. 37)

§ 4.4. 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.

The council may adopt such rules of procedure as it deems necessary to administer its affairs that are not in conflict with statutory law. (1992, c. 37)

§ 4.5. Office of town sergeant not to be created.--In accordance with the provisions of § 15.1-796 of the Code of Virginia, there shall not be created in the town the office of town sergeant. (1992, c. 37)