

LURAY, TOWN OF  
County of Page.  
Established by an 1812 Act of the General Assembly.

Incorporation and charter, 1871, c. 191; amended and reenacted in 1879, 1886, and 1894; repealed 1928, c. 338.

Charter, 1879, c. 4; repealed 1928, c. 338.

Charter, 1886, c. 86; repealed 1928, c. 338.

Charter, 1894, c. 742; repealed 1928, c. 338.

Charter, 1928, c. 338.

Amended        1940, c. 412 (§ 43)  
                     1954, c. 29 (§§ 61, 62, 63)  
                     1962, c. 191 (§ 5)  
                     1973, c. 92 (§§ 5, 12, 23)  
                     1978, c. 102 (§ 45)  
                     1985, c. 51 (§ 71A [added]).

§ 1. Be it enacted by the general assembly of Virginia, That the inhabitants of the territory in the county of Page, contained within the boundaries prescribed and defined in the section immediately following, shall continue to be, and they are hereby declared to be, a body politic and corporate, in fact and in name, under the name and style of the town of Luray, and as such shall have and exercise all the powers conferred by law and be subject to all the laws of the State of Virginia now in force or that may hereafter be enacted for the government of towns, so far as the same are not inconsistent with the provisions of this act. (1928, c. 338)

§ 2. The boundaries of said town shall be as follows: beginning at a planted stone in the rear of the lot now owned by J. A. Racer on the east side of Brumback avenue, thence south two degrees and five minutes, west two thousand nine hundred and forty feet to a planted stone on the lot now owned by James F. Berry, in block fifty-eight of the Valley Land and Improvement Company, thence north eighty-seven degrees and fifty-five minutes, west two thousand and seventy-nine feet to a planted stone on the E. C. Harnsberger farm, thence leaving the south line and running even lines north two degrees, east two hundred and one feet to another stake on said farm, thence north eighty-seven and fifty-five minutes, west eight hundred and forty-one feet to another stake on said farm, thence south two degrees, west two hundred and one feet to a stone on said farm; thence north eighty-seven degrees and fifty-five minutes, west three thousand and eight hundred feet to a planted stone in the field of he H. V. Hudson estate southwest of the road, thence north two degrees and five minutes, east two thousand nine hundred and forty feet to a planted stone in the rear of the Julia Goodrich lot, now owned by Jackson Patterson, on the west side of the Bixley's ferry road; thence south eighty-seven degrees and fifty-five minutes, east six thousand seven hundred twenty feet to the place of beginning, which boundaries are fully described and set forth on a plat of said town made by E. A. Wilson and filed in the clerk's office of Page county, Virginia. (1928, c. 338)

§ 3. The government of the said town of Luray shall be vested in a mayor and council. (1928, c. 338)

§ 4. The municipal officers of the said town shall consist of a mayor, six councilmen and a justice of the peace, each of whom shall be a qualified voter within the said town. (1928, c. 338)

§ 5. The mayor shall be elected at large and shall hold office for four years from the first day of July next following the date of his election, and until his successor has been duly elected and qualified. A municipal election for the election of a mayor shall be held on the first Tuesday in May in 1976, and every fourth year thereafter. The term of office of the mayor previously elected in 1971 shall expire on June 31, 1976. The mayor elected at the municipal election to be held on the first Tuesday in May, 1976, shall hold office for a term of four years from the first day of July next following date of his election. The council members shall be elected at large and shall hold office for four years from the first day of July next following the date of their election, and until their successors have been duly elected and qualified. A municipal election for the election of council members shall be held on the first Tuesday in May in 1974, and every second year thereafter. The terms of office of the three council members previously elected in 1969 shall expire on June 31, 1974, and the terms of office of the three council members previously elected in 1971 shall expire on June 31, 1976. Three council members shall be elected at a municipal election for the election of council members to be held on the first Tuesday in May, 1974, and shall hold office for a term of four years from the first day of July next following the date of their election. Three council members shall be elected at a municipal election for the election of council members to be held on the first Tuesday in May, 1976, and shall hold office for a term of four years from the first day of July next following the date of their election. A justice of the peace shall be elected at large and shall hold office for two years from the first day of July next following the date of his election, and until his successor has been duly elected and qualified, The term of office of the justice of the peace previously elected in 1971 shall expire on June 31, 1974. A justice of the peace shall be elected at the municipal election to be held on the first Tuesday in May, 1974, and shall hold office for a term of two years from the first day of July next following the date of his election.

The council shall be a continuing body, and no measure pending before such body shall abate or be discontinued by reason of expiration of the term of office or removal of the members of said body or any of them. (1928, c. 338; 1962, c. 191; 1973, c. 92)

§ 6. The qualified voters shall register and vote at the place or places prescribed by the council. (1928, c. 338)

§ 7. The council shall appoint a town clerk and a town treasurer, who may be either a member of said council or not, and a town sergeant, and may also appoint such other officers, agents, and employees as may be necessary to conduct the business of the town, fix their compensation and prescribe their duties, and may appoint such committees of the council, and create such boards and departments of town government and administration, with such duties and powers, and subject to such regulations as it may see fit, consistent with the provisions of this act. The terms of all officers, agents and employees appointed or employed by the council, unless sooner removed from office as provided herein, shall expire with the council. The duties and compensation of all municipal officers, except as herein defined or provided for, shall be defined and prescribed by the town council. (1928, c. 338)

§ 8. In addition to the power to appoint such officers as are herein expressly mentioned, the council shall have the power and authority to appoint a health officer, chief of the fire department and two wardens, a commissioner of streets and public works, and such officers and employees as the council may deem proper, and any committees of the council, any municipal board, the mayor of the town and any head of a department of the town government may appoint such officers and employees as the town council may determine. The duties and compensation of such officers and employees shall be fixed by the council, except so far as the council may authorize such duties to be fixed by such committee or other appointing power. (1928, c. 338)

§ 9. The council may require of any of the officers and employees appointed under the two preceding sections, bond with surety in proper penalty, payable to the town in its corporate name, with provisions for the faithful performance of said duties, and the town in its name and for its benefit shall have the same remedies in the event of default on any bond so given, as the State has in like cases. (1928, c. 338)

§ 10. All officers, agents and employees appointed by the council of said town may be removed at its pleasure, and where appointment is made by a committee or board, by a vote of such committee or board, or where such appointment is made by the mayor or head of a department, such removal may be made by order of the mayor or head of the department. (1928, c. 338)

§ 11. If any person having been an officer, agent or employee of said town shall not within ten days after he shall have vacated, or been removed from office and upon notification or request of the clerk of the council, or within such time thereafter as the council may allow, deliver over to his successor in office, or the clerk of the council, all property, books and papers belonging to the town or appertaining to such office in his possession or under his control, he shall forfeit and pay to the town the sum not exceeding five hundred dollars, to be sued for and recovered by the said town, with cost, and all books, records and documents used in any office by virtue of any provision of this act, or any ordinance or order of the town council, or any superior officer of the said town, shall be deemed the property of said town, appertaining to said office, and the chief officer thereof shall be held responsible therefor. (1928, c. 338)

§ 12. The mayor shall be the chief executive officer of the town, and shall receive as compensation for his services such amount as the council may determine, not to exceed one hundred fifty dollars a month. (1928, c. 338; 1973, c. 92)

§ 13. The mayor shall see that the by-laws and ordinances of the town are fully executed and enforced, and shall preside over the meetings of the town council, voting only in case of a tie. (1928, c. 338)

§ 14. Every ordinance or resolution having the effect of an ordinance shall before it becomes operative be presented to the mayor. If he approve he shall sign it, but if not, he may return it to the clerk of the council with his objection, or objections, and the council shall enter the same at length on its journal and proceed to reconsider it. If after such reconsideration, two-thirds of all the members elected to the council shall agree to pass the ordinance or resolution, it shall become operative, notwithstanding the objections of the mayor. If any ordinance or resolution shall not be returned within five days (Sunday excepted), after it shall have been presented to him, it shall become operative in like manner as if he had signed it, unless his term of office, or that of the council, shall expire with said five days. The mayor shall have the power to veto any

particular item or items of any appropriation ordinance or resolution, but such veto shall not affect any item or items to which he does not object. The item or items objected to shall not take effect except in the manner provided in this section as to ordinances or resolutions not approved by the mayor. (1928, c. 338)

§ 15. The mayor shall see that the duties of the various town officers, agents, employees, members of the police force, and fire department, whether elected, or appointed, are faithfully performed. He shall have power to investigate their accounts, have access to all their books and documents in their office, and may examine them or their subordinates on oath, but the evidence given by persons so examined shall not be used against them in any criminal proceeding. (1928, c. 338)

§ 16. The mayor shall have power to remove any officer appointed by him, and to suspend any municipal officer, agent or employee, other than the councilmen, whether elected by the people or appointed by the council, or any appointing power designated by the council, for misconduct in office, inefficiency or neglect to duty, to be specified in the order of suspension. (1928, c. 338)

§ 17. Of the suspension of any officer not appointed by the mayor, the mayor shall report the same to the town council at their next stated meeting for their consideration, but in no case shall the suspension or removal by the mayor of any officer not appointed by him be binding until ratified by the council by a two-thirds vote of all members elected thereto, after reasonable notice to the officer complained of, and an opportunity be afforded him to be heard in his defense. (1928, c. 338)

§ 18. The mayor shall communicate to the town council annually at the beginning of each fiscal year, or oftener if he be required by the council, a general statement of the condition of the town in relation to its government, finances, and improvement, with such recommendations as he may deem proper, and may from time to time communicate with the council such suggestions and recommendations as he shall deem proper. (1928, c. 338)

§ 19. In case of the absence, illness, or inability of the mayor, the president pro tempore, who shall be chosen by a majority of the council at its first meeting in September for a term of two years, or in his absence or inability, some other member of the council chosen by the majority of the council present at a regular meeting, shall possess the same power and discharge the municipal duties of the mayor during such absence, illness or inability; and when so discharging the municipal duties of the mayor during his absence, illness or inability, the said president pro tempore, or in the case of his inability, the other member of the council so chosen for the purpose, shall receive a reasonable compensation to be fixed and allowed by the town council. (1928, c. 338)

§ 20. In case a vacancy shall occur in the office of mayor, the vacancy shall be filled by appointment by the town council of anyone eligible to such office. (1928, c. 338)

§ 21. The mayor shall have power to call a meeting of the council whenever he deems it necessary, and in case of the absence, inability, or refusal of the mayor, the council may be convened by the order of any two members thereof. (1928, c. 338)

§ 22. The mayor shall by virtue of his office possess no power, authority or jurisdiction to try violations of the ordinances of the town or to act as a justice of the peace in either civil or criminal matters, and all such powers, authority and jurisdiction as

is customarily exercised by the mayor of towns shall be vested in the justice of the peace to be elected by the said town of Luray as hereinafter more fully set forth. (1928, c. 338)

§ 23. The town council, in addition to the mayor, shall be composed of six members, to be elected by popular vote of the qualified electors of the town. The addition to, alteration or diminution of the area of the town shall not increase or diminish the number of councilmen. The councilmen shall receive as compensation for their services such amounts as the council may determine, not to exceed fifty dollars per month for councilmen. No member of the council shall be appointed to any office of profit under the town government during the term for which elected and for one year thereafter. (1928, c. 338; 1973, c. 92)

§ 24. The town council shall by ordinance fix the time of their stated meetings, and they shall meet at least once a month, and no business shall be transacted at a special meeting thereof, except that for which it shall be called, unless all members of the council be present. (1928, c. 338)

§ 25. Four members of the council, of whom for the purpose of constituting a quorum the mayor shall be counted as one, shall constitute a quorum for the transaction of business. No vote shall be reconsidered or rescinded at a special meeting unless at such special meeting there be as large a number of members of the council present as were present when such vote was taken. At least one councilman must be present who was present when the vote was taken. (1928, c. 338)

§ 26. The meetings of the council shall be presided over by the mayor, or in his absence or inability to act, the president pro tempore, or in his absence, or inability, some other member of the council chosen by a majority of that body. (1928, c. 338)

§ 27. The meetings of the town council shall be open to the public except when by a recorded vote of two-thirds of those members present shall declare that the public welfare requires secrecy. (1928, c. 338)

§ 28. The town council shall have authority to adopt rules for the regulation of their proceedings, and appoint such officers, agents, committees, and employees as they may deem proper; to compel the attendance of absent members; to punish its members for disorderly behavior and by a vote of two-thirds of the whole council to expel a member for malfeasance or misfeasance in office. (1928, c. 338)

§ 29. A journal or minute book shall be kept of the proceedings of the town council, and, at the request of any member present, the yeas and nays shall be recorded on any question. At the next meeting the proceedings shall be read and signed by the person who was presiding when the previous meeting adjourned; or if he be not then present by the person presiding when they were read. (1928, c. 338)

§ 30. The clerk of the council shall keep the said journal and shall record the proceedings of the council at large thereon, and keep the same properly indexed. (1928, c. 338)

§ 31. The town council shall judge of the election, qualification and returns of its members. (1928, c. 338)

§ 32. All vacancies occurring from any cause whatsoever in the office of mayor, councilman, or any other office, whether filled by appointment or by election, shall be filled for the unexpired term by the council. (1928, c. 338)

§ 33. The council shall have power to suspend and remove all officers and employees, whether elected or appointed, for misfeasance, malfeasance, inefficiency, or

neglect of duty, to be specified in the order of suspension or removal, but no such removal shall be made without reasonable notice given to the person so suspended, or removed, and an opportunity afforded for a defense thereto; and no removal of any town officer, agent, or employee, other than an officer appointed by the mayor, shall be final until the same shall be ratified by a two-thirds vote of the town council. (1928, c. 338)

§ 34. The town council shall have all powers and authority that is now or may hereafter be granted to councils of towns by the general laws of this State and by this act; and the recital of special powers and authorities herein shall not be taken to exclude the exercise of any power and authority granted by the general laws of this State to town councils, but not herein specified. (1928, c. 338)

§ 35. And the said council shall have power to enact ordinances providing for the exercise within its jurisdiction of all police powers which the State itself may exercise under the circumstances, except such as may be specifically denied towns by the acts of the general assembly. (1928, c. 338)

§ 36. And it shall have the further power to control and manage the fiscal and municipal affairs of the town and all property, real and personal, belonging to the said town, and may make such ordinances, orders and resolutions relating to the same as it may deem proper and necessary. (1928, c. 338)

§ 37. And it shall have the further power to acquire by purchase, condemnation or otherwise, or to construct or lease and operate its own plant, factory and equipment for supplying its inhabitants, streets, grounds, and buildings with water, light, power, fuel, and sewerage, and to that end it may acquire by purchase or lease any plant existing in or near the town and may acquire lands, and franchise outside of the limits of the said town, and may by purchase, condemnation or otherwise acquire easements and rights of way, and to pass all necessary and needful rules and regulations for the operation of said public works. (1928, c. 338)

§ 38. And it shall have the further power to purchase, condemn, or otherwise acquire one or more locations for a site for fire engine houses, stables, town buildings, parks, playgrounds, and for all municipal uses and purposes, within or without the town. (1928, c. 338)

§ 39. And it shall have the power to provide for the regular and safe construction of houses in the town for the future; to designate and prescribe from time to time the part of the town in which no buildings of wood shall be erected, and to regulate the construction of buildings in the town, so as to protect it against danger of fire; to remove or require to be removed any building, structure or addition thereto, which by reason of dilapidation, defects of structure, fire or other causes may become dangerous to life or property and also refuse a permit to repair any such building or structure; and to require the standard of dwelling houses to be maintained in residential sections in keeping with the majority of residences therein. (1928, c. 338)

§ 40. And it shall have the power to lay off streets, walks or alleys, to alter, improve and light the same, and to govern and regulate the uses thereof, for the purposes and to the extent as provided by the general laws of this State. (1928, c. 338)

§ 41. And it shall have the power to require the owners of real estate abutting upon paved or concrete sidewalks to remove the snow therefrom, to prevent skating or riding of bicycles thereon, and of all other improper uses thereof, and to punish such violation by fine. (1928, c. 338)

§ 42. The town of Luray shall constitute a separate road district and no property in the town shall be liable for any assessment for road purposes in the county of Page. (1928, c. 338)

§ 43. And it shall have the power to pass all resolutions and enact all ordinances not repugnant to the Constitution and the laws of the State, or in conflict with this act, which it may deem necessary for the good order and governments of the said town, the management of its property, the conduct of its affairs, and to secure and promote the general welfare of the inhabitants of the town, including the right to appropriate and pay over to any person, firm, corporation or association, as an inducement for the location of any plant, manufacturing establishment or industry within its corporate limits or adjacent thereto, such reasonable sum or sums as may be necessary for such purpose, or, in lieu of such payment or in addition thereto, to acquire such lands and buildings, or to acquire such lands and erect such buildings thereon, as may be necessary for the use of such plant, establishment or industry, and to lease or sell such land and buildings to such person, firm, corporation or association at such price and on such terms and conditions as it may be deemed advisable; and to pass such other resolutions and ordinances deemed necessary for the peace, comfort, convenience, order, morals, health and protection of its citizens or of their property, and do such other things and pass such other laws as may be necessary or proper to carry into full effect any power, authority, capacity, or jurisdiction, which is or shall be granted to or vested in the said town or in the council, or the officers thereof, or which may be necessarily incident to a municipal corporation. (1928, c. 338; 1940, c. 412)

§ 44. The treasurer of said town shall be appointed for a term of two years, and shall collect and receive all money belonging to the town, and shall perform such other duties as are prescribed by the council. He shall keep his office at some convenient place in the town, provided by the town council. He shall keep his books and accounts in such manner as the town council may prescribe, and such books and accounts shall always be subject to the inspection of the mayor and council, or any committee or committees of the council. He shall receive for his services such compensation, either in fees or salary, as the town council may from time to time allow, and when such compensation has been fixed by the council, the same shall not be diminished during the term of his office. (1928, c. 338)

§ 45. No money shall be paid by the town treasurer except by order of the council, countersigned by the mayor. (1928, c. 338; 1978, c. 102)

§ 46. The town treasurer or his deputy duly appointed by the council and qualified, or by order of the council of the said town sergeant, or any other person appointed by the town council, shall collect all the taxes, revenues and assessments, which may be levied by the said town council, and for this purpose shall be vested with all the powers provided by the general laws of this State. (1928, c. 338)

§ 47. The treasurer shall be required to keep all money in his hands belonging to the town in such place or places of deposit as the town council by ordinance may provide or direct. (1928, c. 338)

§ 48. The treasurer shall report to each stated meeting of the council the amount of cash then on deposit to the order of the town, and in what depositories deposited, and shall annually at the end of each fiscal year publish, either in the newspapers or by posting in front of the treasurer's office, a statement showing all the receipts and income

of the said town and from what sources, and all disbursements made and for what purpose. (1928, c. 338)

§ 49. The treasurer shall execute bond with satisfactory surety, payable to the town for the faithful performance of all duties of his office, and to account for all money coming into his hands. (1928, c. 338)

§ 50. The clerk shall attend the meetings of the council and keep the record of its proceedings; he shall have the custody of the corporate seal; he shall keep all the papers that, by the provisions of this act, or the direction of the council, are required to be filed with or kept by him; he shall give notice to all parties presenting communications or petitions to the town council of the final action of the council on such communication or petition; he shall publish such reports and ordinances as the council is required to publish, and such other reports and ordinances as it may direct, and shall, in general, perform such other acts and duties as the council may from time to time prescribe and require of him. He shall receive such compensation as the council may direct. (1928, c. 338)

§ 51. The offices of town clerk and town treasurer may be held by the same person, provided the council does not appoint one of its own members to said offices. (1928, c. 338)

§ 52. The town council shall have the power and authority to prescribe for the town sergeant such general and other duties as it may see fit, and shall fix his compensation, and in all civil and criminal cases arising under the State laws, the sergeant shall receive the same fees as are provided by law for constables, and in all cases arising under the town ordinances where not otherwise provided, he shall receive the same fees as constables receive in similar cases arising under the State laws, and he receive such other compensation as may be prescribed by the council. (1928, c. 338)

§ 53. The town sergeant may perform the duties, receive the compensation and be subject to the liabilities prescribed by this act, the ordinances, by-laws and regulations of the town council, and by the laws of this State, and also shall have the powers and discharge the same duties as constables within the corporate limits of the town, and be subject to the same liability touching all process lawfully directed to him, as constables are subject to under the laws of this State. (1928, c. 338)

§ 54. The town council shall have the power and authority to appoint a chief of police, and such additional police officers as it may deem necessary or proper. Until the town council shall appoint said chief of police, the town sergeant shall perform the duties of such office. (1928, c. 338)

§ 55. The policemen of the town shall have no power or authority in civil matters, but shall in all other cases execute such warrants or summonses as may be placed in their hands by the justice of the peace of said town and shall make due return thereof. (1928, c. 338)

§ 56. The sergeant and the police officers of the town shall have the power to arrest without warrants and carry before the justice of the peace of said town or other proper authority, to be dealt with according to law, any and all persons who shall violate any ordinance of the town or laws of the State in their presence and it shall be their duty to swear out warrants of arrest for any person where they have reason to believe any offense has been committed. (1928, c. 338)

§ 57. The sergeant shall be collector of all fines and penalties imposed for the violation of town ordinances, by-laws, rules and regulations, and of delinquent town



levies, and all tax tickets declared delinquent by the town council, and allowed the treasurer in his settlement with the town council, shall be turned over to the sergeant to collect, and for that purpose he shall have the power and authority and be subject to the same liabilities and penalties as are prescribed by the general law of the State. (1928, c. 338)

§ 58. The sergeant shall pay over to the treasurer monthly or oftener if he thinks proper all money which comes into his hands for taxes, or levies, or otherwise, belonging to the town. (1928, c. 338)

§ 59. He shall be required to give bond with satisfactory surety, payable to the said town for the faithful performance and discharge of all his duties as sergeant, and to faithfully account for all money coming into his hands by virtue of his office. (1928, c. 338)

§ 60. A justice of the peace shall be elected by the qualified voters of the said town, as hereinbefore provided, for a term of two years. (1928, c. 338)

§ 61. The said justice of the peace shall be a conservator of the peace within the corporate limits of the town of Luray, and within one mile beyond the corporate limits of said town, except as otherwise provided by law, and shall be vested with jurisdiction to issue warrants for violations of town ordinances, acts and resolutions; admit accused persons to bond, and fix the amount thereof, or remand them to jail pending trial, and shall be vested with all the jurisdiction or authority within the town, and within one mile of its corporate limits, under the ordinances, acts and resolutions of the town council, with which justices of the peace for counties are vested under the laws of the Commonwealth of Virginia. The compensation of the justice of the peace shall be the same fees as are fixed by statute for justices of the peace for counties. (1928, c. 338; 1954, c. 29)

§ 62. The council may appoint a trial justice for the town who shall serve at the pleasure of the council and until his successor is appointed by the council and qualifies, who shall be vested with all the power, authority and jurisdiction and charged with all the duties within and for the town of Luray, in the trial of violations of town ordinances, acts and resolutions which are, or may hereafter be conferred upon trial justices by the laws of the Commonwealth, as heretofore or hereafter amended, so far as may be applicable and not in conflict with the provisions of the town charter.

The provisions of the general law shall govern procedure before, and removals and appeals from the trial justice.

Subject to the provisions of general law, the council shall prescribe the qualifications and compensation appertaining to the office of trial justice, such compensation to be paid by the town.

The Council may provide for a clerk and a substitute trial justice for the trial justice court, and may fix their duties and their salaries or compensation which shall be paid by the town.

All fees and costs shall be assessed and collected as may be authorized by law, by the trial justice, which, together with all fines for violations of town laws ordinances shall be paid to the town for its use and benefit. (1928, c. 338; 1954, c. 29)

§ 63. The council may designate the trial justice of Page County as the trial justice for the town. (1928, c. 338; 1954, c. 29)

§ 64. The town treasurer shall, by virtue of his office, also be the town assessor, and he shall perform all duties in relation to the assessment of property for the purpose of levying the town taxes or levies, shall see to it that all persons, firms and corporations chargeable with a town license tax are assessed with such license tax; tax all dogs within the corporate limits which are assessed for taxation, and shall perform such other duties in relation to the assessment of property and other subjects of taxation as may be ordered by the town council. (1928, c. 338)

§ 65. For the performance of his duties, the assessor of the town shall be vested with all the power and authority that county commissioners of revenue are vested with under the general laws of the State of Virginia, and shall have the power and authority to propound interrogatories to any person subject to taxation, and may use such other evidence as he may be in position to procure; such interrogatories shall be answered under oath and any applicant refusing to answer such interrogatories under oath, shall be fined not less than five dollars, nor more than one hundred dollars, for each offense. (1928, c. 338)

§ 66. It shall be the duty of the assessor to assess for taxation all persons and property subject to town taxation, whether the same shall have been omitted from the assessment of the commissioner of revenue for Page county or not. (1928, c. 338)

§ 67. The assessor may procure from the commissioner of revenue of Page county the assessment of all property which is subject to taxation by the town of Luray, and in so far as said commissioner's books show the property subject to taxation by the said town, said assessor may base his assessment for the purpose of levying town taxes and levies thereon. If said assessor should find any property subject to taxation by the said town omitted from said commissioner's books he shall proceed to assess the same for town purposes in the manner hereinbefore provided in § 65. (1928, c. 338)

§ 68. All books, schedules and records, and papers pertaining to the office of assessor shall be open to and subject to the inspection of the mayor, the members of the town council, or any committee thereof, and of the collector of town taxes. (1928, c. 338)

§ 69. For the execution of its powers and duties the council may tax all property, both real and personal, in the said town not exempt by law from taxation, and not segregated and made subject to State taxation only by the general laws of this State. (1928, c. 338)

§ 70. The council may impose a tax of fifty cents per annum upon each resident of the town who has obtained the age of twenty-one years. (1928, c. 338)

§ 71. The council may require a license tax for anything for which a State license tax is required, and for which under the general laws of the State a license tax may be required by a city or town and in addition thereto, within the limitations imposed by the Constitution and laws of the State and of the United States, the council may impose a license tax on any business or thing carried on or done in the town, whether a license tax is required therefor by the State or not. This section shall not render it legal to conduct within the town any business, calling, or vocation which but for this section would be illegal. (1928, c. 338)

§ 71A. The town has the power to raise annually by taxes and assessments in the town such sums of money as the council shall deem necessary to pay the debt and defray the expenses of the town, in such manner as the council shall deem expedient, provided

that such taxes and assessments are not prohibited by the laws of the Commonwealth. (1985, c. 51)

§ 72. The council may subject any person, who without having obtained a license therefor shall do any act or follow any employment or business in the town for which a license may be required by ordinances, to such fine or penalty as it is authorized to impose for any violation of its laws. (1928, c. 338)

§ 73. The town council may exempt from all municipal taxation bonds and other obligations or indebtedness issued by the town. (1928, c. 338)

§ 74. The council shall not appropriate any part of any sinking fund or its accrued interest thereon for any other objects or purposes than that for which the said sinking fund is collected. (1928, c. 338)

§ 75. There shall be a lien on real estate for the town taxes as assessed thereon from the commencement of the year for which they are assessed. (1928, c. 338)

§ 76. It shall be the duty of the treasurer of the town to make out and deliver to the council at its regular meeting in July in each year following the passage of this act, a list of all the real estate whereupon delinquent taxes or assessments are due and unpaid for the previous year, and thereupon the council of said town may proceed to have said real estate sold for the payment of said delinquent taxes or assessments in the manner provided by the general laws of the State. (1928, c. 338)

§ 77. The town council shall have no power nor authority to contract any indebtedness, or issue any bonds or other interest bearing obligations for any purpose except in the manner provided by the Constitution of Virginia and the general laws enacted in pursuance thereof, provided, however, that new bonds for the redemption and liquidation of any lawfully issued bonds now outstanding or that may be issued under the provisions of this section may be issued according to the provisions of the section immediately following. (1928, c. 338)

§ 78. The town council shall have the power and authority, without reference to a vote of the people, to provide by ordinances for the issuance of new bonds, for the redemption and liquidation of any lawfully issued bonds, when they fall due, become subject to call, or can for any reason be refunded or redeemed. Said new bonds shall not exceed in amount, the original bonds to be redeemed, liquidated or refunded, may be registered, serial or coupon, and shall be sold at not less than par, to the highest bidder for case, provided no such new bonds shall bear a higher rate of interest than six per centum per annum, and provided, further, that the proceeds of the sale of the new bonds so issued shall be used only in the payment of the old bonds, which are subject to call, redemption or can otherwise be refunded or redeemed. Such bonds shall be payable in lawful money of the United States and a sinking fund shall be created and maintained sufficient to redeem such bonds at maturity, and shall be applied to such redemption and to no other purpose. (1928, c. 338)

§ 79. All criminal and civil writs and process issued by the justice of the peace of the town under the general laws of the State of Virginia shall run in the name of the "Commonwealth of Virginia," and all criminal and civil writs or process issued by the said justice for violation of or under ordinances of the said town shall run in the name of "town of Luray," and writs and process issued in the name of the town shall conform as near as may be to the form for similar writs and processes issued under the general State laws. (1928, c. 338)

§ 80. The jurisdiction of the corporate authorities of the town in criminal matters, except as otherwise provided by law, and for imposing and collecting a license tax on all shows, performances and exhibitions shall extend one mile beyond the corporate limits of the town. (1928, c. 338)

§ 81. Appeals from decisions rendered by the justice of the peace of the town shall lie to the circuit court of Page county, when permitted or allowed, and upon similar and subject to like conditions as is provided by law in such cases, unless otherwise provided for herein. (1928, c. 338)

§ 82. If any section or provision of this act or any part of any section shall be declared unconstitutional, the part so declared unconstitutional shall cease to be operative, but the remainder of this act and every section or part thereof not so declared unconstitutional shall continue to be the law governing this town. (1928, c. 338)

§ 83. In case of default on the part of any bonded municipal officer, the town shall have the same remedies against him and his sureties as are provided for the State in enforcing the penalty of any official bond given to it. (1928, c. 338)

§ 84. The same person shall be eligible to, and if elected, or appointed, may hold a county office and a town office if the said offices be of the same nature, at the same time; provided, such officer lives within the town limits; and a person otherwise qualified who is a resident of the said town shall be eligible to election or appointment to any county office of Page county. (1928, c. 338)

§ 85. Where by the provisions of this act or the general laws of this State, the council has the authority to pass an ordinance, resolution, or regulation on any subject, it may prescribe a penalty not exceeding five hundred dollars or confinement in jail not exceeding twelve months, or both, for the violation thereof and any other form of punishment provided for by the laws of this State for the punishment of misdemeanors. (1928, c. 338)

§ 86. All ordinances now in force as the ordinances of the town of Luray not inconsistent with this act shall be and remain in force until altered, amended, or repealed by the town council. And if the town council of Luray amend an ordinance continued in effect by this section, and such amendment affects only the amount of fine provided as a penalty for the violation of said ordinance, the said ordinance shall be valid and binding without a republication thereof. (1928, c. 338)

§ 87. The present mayor, four councilmen and sergeant of the town shall be and remain in office until the expiration of their several terms. (1928, c. 338)

§ 88. The council shall fill by appointment vacancies and new offices created by this act. (1928, c. 338)

§ 89. All acts or parts of acts in conflict with this act are hereby repealed, but only in so far as they affect the provisions of this act. (1928, c. 338)

§ 90. An emergency is hereby declared to exist and this act shall be in effect from and alter the date of its passage. (1928, c. 338)