

NORTON, CITY OF

City of Second Class.

Incorporated as the Town of Norton by a 1936 Act of Assembly.

Incorporated as the City of Norton by Court Order on January 18, 1954.

Town incorporation and charter, 1894, c. 276; repealed 1937, c. 42.

Town charter, 1937, Extra Session, c. 42; repealed 1954, c. 565.

Incorporated as the City of Norton by court order on January 18, 1954.

City charter, 1954, c. 565; repealed 1988, c. 134 (except § 1.3).

Charter, 1988, c. 134.

Amended 1996, cc. 212, 814 (§ 5.2)

2001, cc. 283, 290 (§ 3.4)

2003, c. 863 (§ 3.4).

CHAPTER 1.

INCORPORATION AND BOUNDARIES.

§ 1.1. Incorporation.--The inhabitants of the territory included within the present boundaries of the City of Norton shall continue to be a body politic and corporate under the name of the City of Norton, and as such shall have perpetual succession, may sue and be sued, contract and be contracted with, and may have a corporate seal which it may alter at its pleasure. (1988, c. 134)

§ 1.2. Boundaries.--The boundaries of the City of Norton shall be as described in § 1.3 of Chapter 565 of the Acts of Assembly of 1954 as modified by decrees of the Circuit Court of Wise County, Virginia, in the annexation proceedings styled City of Norton, Virginia versus Wise County, Virginia, Case No. 22042, by an order dated 10-10-62; in the annexation proceedings styled City of Norton versus Wise County, Case No. 20,000 by an order dated 12-28-74; and in the annexation proceedings styled Boco, Ltd., et al. versus City of Norton, et al., Case No. C83-134 by an order dated 4-19-84, as the same from time to time may be amended. (1988, c. 134)

§ 1.3. Boundaries of the City of Norton.

The corporation limits shall remain the same as they now are until changed as provided by law, provided, however, that the territories described in this section which were annexed to the Town of Norton by an order of the Circuit Court of Wise County, Virginia, on August 31, 1950, shall be subject to the terms, conditions and provisions of said Order.

The corporate limits of the City of Norton are described by metes and bounds as follows:

The territory, described in an Act of the General Assembly of Virginia, approved January 15, 1937:

Beginning at a chestnut oak and birch on the north side of Stone Mountain, which was the southwest corner of the old corporation line; thence north seventy degrees no minutes west ten hundred sixty-five feet to two black gums and birch on the second cliff of Stone Mountain; thence north two degrees thirty minutes east nine hundred seventy-five feet to a large boulder in the notch of the first cliff of Stone Mountain; thence north seven degrees five minutes east twelve hundred eighty feet crossing the Louisville and Nashville Railroad to a stake, or point at the base of a stone wall, northeastern corner to

the W. T. Hopkins property, and on the southern side of the present State highway, just west of the concrete culvert over Benges branch; thence crossing the State highway, and Interstate Railroad north seven degrees fourteen minutes east six hundred five feet to a locust post on top of Back Bone Ridge, and corner of the Meador lands; thence along the center of the top of Back Bone Ridge; with its several meanders north fifty-eight degrees fifteen minutes east two hundred sixty-six and eight-tenths feet to a stake in Greasy Gap; thence north eighty-six degrees east three hundred one and three-tenths feet to a stake; thence north seventy-four degrees twenty-eight minutes east one hundred twenty-eight feet to a stake; thence north eighty degrees thirty five minutes east five hundred eleven feet to a stake; thence north seventeen degrees east four hundred thirty feet to a stake; thence north seventeen degrees thirty minutes east two hundred eighty-six and six-tenths feet to a stake; thence north forty-five degrees forty minutes east two hundred seventy-four and nine-tenths feet to a stake and corner of the two and one-hundredths acre tract now owned by the Norton Water Company; thence leaving the top of the ridge, and with the lines of the said water company south seventy-four degrees west ninety-four feet to a spruce stump at a ledge of rocks and corner of the Hagen-Snodgrass lands; thence north nineteen degrees east five hundred eighteen feet to a stake; thence north eighty-five degrees east one hundred ninety-five feet to a stake; (white oak stump) on top of said ridge; thence along the top of the same with its several meanders, north five degrees east seven hundred thirty feet to a chestnut oak; thence north forty-two degrees ten minutes east one hundred twenty-eight and two-tenths feet to a set stone on top of the ridge, and corner to the Princess Flat Tract (now lands of the Fleming Land Corporation); thence still along top of the ridge north forty-nine degrees fifty minutes east two hundred and nine feet to a water oak; thence north seventy-five degrees thirty minutes east three hundred fifty-three feet to a stake; thence north forty-three degrees thirty minutes east two hundred nineteen and four-tenths feet to a stake; thence north thirty-eight degrees east two hundred seventy-two feet to a stake; thence north sixty-seven degrees east two hundred sixty-eight feet to a stake; thence north seventy-four degrees no minutes east one hundred fifty feet to a stake; thence north thirteen degrees no minutes east three hundred thirty-three feet to a stake; corner to the lands formerly known as the Green B. Jones lands, and still along the top of the ridge, north seventeen degrees no minutes east one hundred ninety feet to a stake; thence north thirty-nine degrees no minutes east one hundred sixty feet to a stake; thence north nine degrees no minutes east two hundred twenty feet to a black gum, another corner of the said Jones lands; thence north forty degrees no minutes west two hundred fifty feet to a stake; thence north three hundred six feet to a white oak corner; thence north fifty-five degrees no minutes east four hundred five feet to a stake; thence north eighty-five degrees ninety minutes east two hundred eight and seven-tenths feet to a stake; thence north fifteen degrees no minutes east one hundred fifty-three feet to a stake; thence still continuing with the top of Back Bone ridge north sixty degrees forty-five minutes east two hundred seventy-five and two-tenths feet to a stake; thence east one hundred thirty-six feet to a stake in Vernon's orchard; thence north forty-five degrees no minutes east one hundred seventy-five feet to a stake in the orchard; thence north fifty-six degrees no minutes east one hundred eighty-five feet to a stake in the orchard; thence north four degrees thirty minutes west one hundred thirty-six feet to a stake in the orchard; thence north fifty-three degrees thirty minutes east four hundred twenty-nine feet to a stake, near the road and top of said ridge; thence north

eleven degrees thirty minutes east six hundred eighty feet to a stake at road; thence north sixty-six degrees fifteen minutes east eight hundred eight feet to a stake at a maple, black oak and two chestnuts on top of said ridge; thence north seventy-six degrees fifteen minutes east four hundred sixty-four feet to a double poplar in a field, and near the top of the ridge; thence north one degree thirty minutes east two hundred seven feet to a stake, at a light pole; thence leaving the top of the ridge, and in the southeastwardly direction and round the side of the spur, and along the W. T. Province line and Garner Hubbard line; thence south seventy-one degrees east four hundred sixty feet to a stake on said spur; thence north eighty-nine degrees east four hundred ten feet to a stake on the ridge; thence north sixty degrees east two hundred feet to a black gum, corner to the W. T. Province tract, south eighty-eight degrees east one hundred twenty-four feet to a small black gum, another corner to the W. T. Province tract; thence south thirty-two degrees thirty minutes east one hundred ninety-five feet to a stake on top of a low ridge; thence south six degrees east three hundred sixty-five feet to a stake on said low ridge; thence south thirty-eight degrees east four hundred sixty feet to a stake on the side of the low ridge back of the J. M. Short property; thence south forty-eight degrees east ten hundred seventy-five feet passing along the center of Riner alley crossing the Pike road and Guest River to a point in the center line of Interstate Railroad; thence leaving said railroad south no degrees thirty minutes west twenty-five hundred fifty feet to a stake on top of the ridge east of Guest river, five feet northward from an electric light pole, (large chestnut oak and small black oak marked as reference trees); thence crossing the pole line right of way south twelve degrees thirty minutes east twenty-two hundred sixty feet to a point in the center of Guest river and corner of the old corporation; thence south twenty-four degrees east, crossing the Norfolk and Western Railroad five hundred eighty feet to a stake on the division line of the Virginia Coal and Iron Company, thence south sixty-seven degrees west fifteen hundred twenty-seven and six-tenths feet along the division line of the Virginia Coal and Iron Company to a point; thence south thirty-seven degrees fifteen minutes east, fifty hundred sixty-two and seven-tenths feet passing through the lands of the Virginia Coal and Iron Company and Mistress L. D. S. M. Frazier and the lands of the Norton Land and Improvement Company to the "lone rock"; thence south eighty-nine degrees forty minutes west thirty-nine hundred fifteen feet to a pitch pine near a cliff or rocks and corner to the lands of the Norton Land and Improvement Company and Patrick Hagen; thence north fifty-seven degrees seven minutes west five hundred forty-four and six-tenths feet to a chestnut oak and birch on the north side of Stone Mountain to the point of beginning.

Annexation of 1950:

The territory described in a certain order entered by the Circuit Court of Wise County, Virginia, on the 31st day of August, 1950, in the annexation proceedings of town of Norton against Board of Supervisors of Wise County, Virginia:

That tract located on the west side of the present corporate limits of the Town of Norton, beginning as a large boulder in the notch of the first clift of Stone Mountain a corner of the old corporation line; thence N 42° 17 W 461.08 feet to a two inch iron pipe on a spur chest oak reference; thence S 89° 05 W 566.71 feet to a two inch iron pipe on the side of a spur 180 feet west of hollow, poplar reference; thence N. 68° 32 W 380.04 feet to a two inch iron pipe on spur maple reference; thence S 59° 46 W 609.73 feet to a two inch iron pipe on the side of a spur 150 feet west of a hollow large poplar reference;

thence S 56° 36' W 502.81 feet to a two inch pipe in a hollow on the west edge of a road below a reservoir; thence S 83° 20' W 417.92 feet to a two inch iron pipe on a spur; thence N 7° 16' W 755.13 feet to a two inch iron pipe on a spur south of the L & N R. R. Also near a cemetery; thence crossing the L & N Railroad N 1° 27' E 273.69 feet to a two inch iron pipe near the west end of Andy Johnson's stone wall in the southern line of highway; thence crossing highway and the Interstate Railroad N 23° 18' E 689.69 feet to a two inch iron pipe on the western end of the Backbone Ridge and 30 feet east of the Interstate Railroad to Dorchester; thence up the Backbone Ridge S 75° 56' E 578.15 feet to a two inch iron pipe; thence N 69° 15' E 1007.41 feet to a two inch iron pipe; thence N 55° 52' E 586.49 feet to a two inch pipe; thence S 79° 41' E 662.68 feet to a locust post on top of the Backbone Ridge and corner to the Meador land and the northwestern corner of the old corporation line; thence with the old corporation line crossing the Interstate Railroad and highway S 6° 37' W 729.50 feet to a point at the base of a stone wall in the southern line of highway also the northeastern corner of the W. T. Hopkins property; thence crossing the L & N S 7° 05' W 1208.0 feet to the beginning containing 91.56 acres.

That tract or parcel of land located, lying and being on the eastern side of the present corporate boundary line, beginning at a two inch iron pipe on top of the ridge east of Guest River a corner to the old corporation and seven feet northward from a power pole; thence leaving the old corporation line and along the north side of the power line N 89° 26' E 152.97 feet to a two inch iron pipe; thence S 84° 25' E 2936.35 feet to a two inch pipe; thence leaving the power line N 71° 35' E 1038 feet to an iron pipe in a hollow north of the Hawthorne Road; thence S. 83 1070 ft. crossing the Interstate Railroad to a point in the center of Bear Creek 40 feet south of the center line of the said Interstate Railroad and in the southern line of the right of way of said Interstate Railroad; thence running parallel and 40.0 feet from the center line of Interstate Railroad 2722.15 feet to a two inch iron pipe 40.0 feet south of the center line of the Interstate Railroad located east of the underpass where the State Highway goes under said railroad; thence leaving the Interstate Railroad S 3° 42' W 322.85 feet to a two inch iron pipe in a bottom north of Guest River; thence S 51° 27' W 1009.37 feet crossing Guest River and the N & W Railroad to a two inch iron pipe on a bank south of the N & W Railroad, thence S 11° 42' E 1117.22 feet to a two inch iron pipe on the East bank of Clear Creek; thence crossing Clear Creek S 22° 45' E 887.19 feet to a two inch iron pipe in a hollow; thence S 41° 28' W 275.36 feet to a two inch iron pipe on a spur 14 inch chestnut oak reference; thence around the base of the Stone Mountain N 78° 06' W 1741.10 feet to a two inch iron pipe 15 inch hickory reference; thence S 86° 35' W 527.75 feet to a two inch iron pipe in a flat 10 inch lynn reference; thence leaving the base of the Stone Mountain N 14° 40' W 772.97 feet crossing the N & W Railroad to a point in the center of Guest River; thence up the center of Guest River S 58° 15' W 587.0 feet to a point; thence S 82° 15' W 600.0 feet to a point near the Hawthorne Coal Company store; thence leaving the center of Guest River and crossing the N & W Railroad S 19° 24' W 676.42 feet to a two inch iron pipe on a hillside 4 inch sourwood reference; thence around the side of Stone Mountain S 81° 51' W 1613.26 feet to a two inch iron pipe two hemlock references; thence S 81 47 W 1055.41 feet to a two inch iron pipe on the north side of Stone Mountain an 8 inch poplar reference, thence S 67 50 W 117.43 feet to a stake, a corner to the old corporation line, and with same N 24 W 580.0 feet to a stake in the center of Guest River, thence N 12 46 W 2451.08 feet to the beginning corner, containing 378.53 acres.

That tract or parcel of land located lying and being on the northeastern side of the present corporate boundary line, beginning at a point in the center of Guest River, said point bears N 48 W 50.0 feet from a point in the center line of the Interstate Railroad, the corner of the old corporation line that runs through the center of Riner Alley; thence with the old corporation line N 48° W 1018.0 feet crossing the highway and through the center of the Riner Alley to a point back of the S. M. Short property; thence N 21 W 535.0 feet to a point thence N 6 W 365.0 feet to a two inch iron pin on the top of a spur; thence leaving the old corporation line and down the top of said spur S 69 30 E 106.0 feet to a two inch iron pipe; thence N 44 01 E 198.59 feet to a two inch iron pipe; thence N 54 37 E 146.25 feet to a two inch iron pipe; thence N 12 06 E 759.12 feet to a two inch iron pipe; thence leaving the top of said spur N 30 37 E 423.16 feet to a two inch iron pipe in western line of highway two feet south of the southern corner of the Lawson stone wall; thence N 73 43 E 185.75 feet to a point in the center of Guest River; thence with the center of Guest River 4800.0 feet to the beginning, containing 79.26 acres. (1954, c. 565)

CHAPTER 2. POWERS.

§ 2.1. General grant of powers.--The powers set forth in §§ 15.1-837 through 15.1-907 of Chapter 18 of Title 15.1 of the Code of Virginia (1950) as now exist and as hereafter amended, and all other powers which are now or may hereafter be conferred upon or delegated to cities under the Constitution and laws of the Commonwealth are hereby conferred upon the City of Norton. (1988, c. 134)

§ 2.2. Eminent domain.--The powers of eminent domain set forth in Title 33.1, Chapter 1, Title 15.1 and Title 25, Chapter 1.1 of the Code of Virginia (1950), as amended, and all acts amendatory thereof and supplemental thereto, mutatis mutandis, are hereby conferred upon the City of Norton.

A. Certificates issued pursuant to §§ 33.1-1 through 33.1-132 of the Code of Virginia (1950), as amended, and acts amendatory thereof and supplemental thereto may be issued by the city council, signed by the mayor and countersigned by the city treasurer or director of finance. Such certificates shall have the same effect as certificates issued by the Transportation Commissioner, under the aforesaid laws, and may be issued in any case in which the city proposes to acquire property of any kind by the exercise of its powers of eminent domain for any lawful public purpose, whether within or without the city.

B. In addition to the powers conferred by the aforesaid laws, such certificates may be amended or cancelled by the court having jurisdiction of the proceedings, upon petition of the city, at any time after the filing thereof, provided that the court shall have jurisdiction to make such order for the payment of costs and damages, if any, or the refund of any excessive sums theretofore paid pursuant to such certificate as shall, upon due notice and hearing, appear just. The court shall have jurisdiction to require refunding bonds, for good cause shown by the city or any other person or party in interest, prior to authorizing any distribution of funds pursuant to any certificate issued or deposit made by the city. (1988, c. 134)

§ 2.3. Financial powers.--In addition to the powers granted elsewhere in this charter, the city shall have the power to raise by taxes and assessments, as permitted by general law, in the city, such sums of money as the council shall deem necessary to pay the debts and defray the expenses of the city. In the event the fees, rents or charges

payable for the use and services of any public utility or public service supplied by the City of Norton for or in connection with any real property shall not be paid when due, interest may be charged on such unpaid balance at the legal rate of interest. Such fees, rents or charges and the interest due thereon shall constitute a lien against such property, and shall also be recoverable by the city in an action at law or a suit in equity. In addition to, but not as a limitation upon, this general grant of power the city shall have the power to levy and collect ad valorem taxes on real estate and tangible personal property and machinery and tools; to levy and collect taxes for admission to or other charge for any public amusement, entertainment, performance, exhibition, sport, or athletic event in the city, which taxes may be added to and collected with the price of such admission or other charge; to levy and collect taxes on hotel and motel rooms; to levy and collect privilege license taxes, including tipping tax, decal tax and utility tax, as provided by law; to require licenses, coal tipping license, prohibit the conduct of any business, profession, vocation or calling without such a license, require taxes to be paid on such licenses in respect to all businesses, professions, vocations and callings which cannot, in the opinion of the council, be reached by the ad valorem system; and to require licenses of all owners of vehicles or trailers of all kinds for the privilege of using the streets, and other public places of the city, require taxes to be paid on such licenses and prohibit the use of streets, alleys and other public places in the city without such licenses, and to have the power to require as a condition precedent to the issuance of motor vehicles licenses the exhibiting by the motor vehicle license applicant of adequate proof of the payment of all personal property taxes then due and payable to the city of the license applicant. (1988, c. 134)

CHAPTER 3.

ADMINISTRATION AND GOVERNMENT.

§ 3.1. City council.--The administration and government of the City of Norton shall be vested in a city council and such administrative offices as may herein be provided. (1988, c. 134)

§ 3.2. Composition of council.--The city council of the City of Norton shall consist of five members elected at large. The members of the city council shall each have one vote. (1988, c. 134)

§ 3.3. Who may become candidates for city council.--Any citizen who is a qualified voter and a bona fide resident of the City of Norton may become a candidate for the city council. (1988, c. 134)

§ 3.4. Elections.

A. The members of council in office at the time of the adoption of this charter shall continue in office until the expiration of the term for which they were elected, or until their successors are elected and qualified. An election for two council members shall be held on the first Tuesday in May, 1988, and every four years thereafter, and for three council members on the first Tuesday in May 1990 and every four years thereafter. Elections shall be held on the first Tuesday in May every two years thereafter. The council members shall serve for a term of four years, or until their successors are elected and qualified. The term of each person elected under this section shall begin on the first day of July next following their election. No candidate for election to city council shall be identified on the ballot by political affiliation.

B. Notwithstanding the provisions of this charter, the city may by ordinance, and in accordance with the provisions of general law, elect its city council and school board at

the November general election. Such ordinance shall detail the method and timing by which the city shall make the transition to November elections. (1988, c. 134; 2001, cc. 283, 290; 2003, c. 863)

§ 3.5. Vacancies.--Vacancies on the council shall be filled for the unexpired term from among the qualified voters of the city by a majority vote of the remaining members of council. (1988, c. 134)

§ 3.6. A continuing body.--The council shall be a continuing body, and no measure pending before each body or any contract or obligation incurred shall abate or be discontinued because of the expiration of the term of office or removal of any council member. (1988, c. 134)

§ 3.7. Mayor and vice-mayor.--At its first meeting in July, 1988, and biennially thereafter following the regular municipal election, the council shall elect on a majority vote one of its members as mayor and another as vice-mayor. Vacancies hereunder shall be filled for the unexpired term by council from its membership. The mayor shall preside over the meetings of the council, have the right to speak therein as other members and shall have a vote, but no veto. In the absence of the mayor the vice-mayor shall carry out the duties of the mayor. (1988, c. 134)

§ 3.8. Constitutional officers.--At the general election to be held on the first Tuesday following the first Monday in November in the year 1989, and on the said date every four years thereafter, there shall be elected by the qualified voters of the city, a commissioner of the revenue, a treasurer, and a sheriff. In case of a vacancy in these offices, the council, by a majority vote, shall select a qualified person, who must be an elector of the city, to fill the office in which such vacancy occurs for the unexpired term. The said officers shall have such power and perform such duties and receive such compensation as provided by general laws for cities. (1988, c. 134)

CHAPTER 4.

POWERS OF COUNCIL.

§ 4.1. Generally.--All powers of the city and the determination of all matters of policy shall be vested in the council. Except as otherwise provided in this charter, the council shall:

1. Exercise all powers granted to the city by general law and this charter.
2. Appoint the city manager who shall be the chief administrative officer of the city to supervise the administration of the affairs of the city and to perform such duties as prescribed by council.
3. Inquire into the conduct of any office, department or agency of the city and make investigations as to municipal affairs through the city manager.
4. Appoint the members of the city school board and fill any vacancy thereon.
5. Provide for the performance of all the governmental functions of the city, and to that end provide for and set up all departments and agencies of government that shall be necessary.
6. Pass all ordinances relating to its municipal affairs, subject to the Constitution and general laws of the Commonwealth and of this charter and may from time to time amend, reamend, or repeal any or all of its ordinances for the proper regulation, management, and government of the city and impose fines and penalties for the violation or nonobservance thereof.

7. Compel the attendance of its members and suspend or expel its members for improper behavior by vote of two-thirds majority of the whole council.

8. Fix salaries and wages of all officers and employees of the city, unless otherwise provided by this charter or by the general laws of the Commonwealth. (1988, c. 134)

§ 4.2. Compensation of council members.--The salaries of the mayor and councilmen shall be as established by ordinance from time to time in accordance with general law. (1988, c. 134)

§ 4.3. Rules of procedure.--The council is empowered, subject to the provisions of this charter, to adopt its own rules of procedure under the guidelines of the current Roberts Rules of Order. Such rules shall provide for the time and place of holding regular meetings of the council which shall not be less frequently than once each month. They shall also provide for the calling of special meetings by the mayor, or any two members of council, and shall prescribe the method of giving notice thereof, provided that the notice of each special meeting shall contain a statement of the specific item or items of business to be transacted and no other business shall be transacted at such meeting except by the unanimous consent of all the members of council present. A majority of the council shall constitute a quorum for the transaction of business. (1988, c. 134)

§ 4.4. Ordinances and regulations; how council to act, title and subject.--Except in dealing with questions of parliamentary procedure the council shall act only by ordinance or resolution, and all ordinances except ordinances making appropriations, or authorizing the contracting of indebtedness or issuance of bonds or other evidences of debt, shall be confined to one subject, which shall be clearly expressed in the title. Ordinances making appropriations or other obligations and appropriating money to be raised thereby shall be confined to those subjects respectively. (1988, c. 134)

§ 4.5. Same-enacting clause, reading and amendment of ordinances, taking, etc., ayes and nays, vote required for passage.--The enacting clause of all ordinances passed by the council shall be "Be it ordained and enacted by the Council of the City of Norton." No ordinance, unless it be an emergency measure, shall be passed until it has been read at two regular meetings or one regular and one special meeting, or two special meetings, not less than seven days apart in any case, unless the requirement of such reading has been dispensed with by the affirmative vote of three of the members of council. No ordinance or section thereof shall be revised or amended by its title or section number only, but a new ordinance shall contain the entire ordinance, or section as reused or amended. The ayes and nays shall be taken upon the passage of all ordinances or resolutions and entered upon the journal of the proceedings of the council, and every ordinance or resolution shall require, on final passage, the affirmative vote of at least a majority of members present. (1988, c. 134)

§ 4.6. Same-effective date; emergency measures.--All ordinances and resolutions passed by the council shall be in effect from and after thirty days from the date of their passage, except that the council may, by affirmative vote of three-fifths of its members present, pass emergency measures to take effect at the time indicated therein. Ordinances appropriating money for any emergency may be passed as emergency measures, but no measure providing for the sale or lease of city property, or making a grant, renewal or extension of a franchise or other special privilege, or regulating the rate to be charged for its service by any public utility, shall be passed as an emergency measure. (1988, c. 134)

§ 4.7. Same-recording and authentication.--Every ordinance or resolution upon its final passage shall be recorded in a book kept for the purpose, and shall be authenticated by the signature of the presiding officer and the city clerk. (1988, c. 134)

§ 4.8. Duty of members to vote.--Every member, when present, when a question is put, shall vote unless excused by the council. But no member who has any personal or financial interest in the result of any ordinance or resolution before the council shall vote thereon. (1988, c. 134)

§ 4.9. When certain officers appointed; provisions particularly applicable to city manager.--At the first meeting in July following each councilmanic election, or as soon thereafter as practicable, the council shall appoint the officers provided for in this charter and general laws. (1988, c. 134)

CHAPTER 5. SCHOOLS.

§ 5.1. Creation of separate division.--The territory embraced within the corporate limits of the City of Norton as hereinabove described or as may be extended or contracted in the future, shall constitute a separate division for school purposes and government. Such division shall be known as the Norton City School, City of Norton, Virginia, and shall be a separate and distinct unit within itself, insofar as the Constitution of Virginia permits. (1988, c. 134)

§ 5.2. Election of school board members; terms and compensation.

The school division shall have a board of five members elected at large by the qualified voters of the city for staggered terms of four years. The election and terms of school board members shall coincide with those of council members such that two school board members shall be elected at the general election in May 1996, and every four years thereafter, and three school board members shall be elected at the general election in May 1998, and every four years thereafter.

The appointed members whose terms expire on June 30, 1996, shall be replaced by the members elected in May 1996. The remaining appointed members shall have their terms extended until June 30, 1998, and will be replaced by the members elected in May 1998.

All candidates shall be nominated only by petition as provided by general law. No employee of the school board shall be eligible to serve as a school board member. (1988, c. 134; 1996, cc. 212, 814)

§ 5.3. Persons disqualified to serve.--No school board member can be a member of the city council. (1988, c. 134)

CHAPTER 6. GENERAL PROVISIONS.

§ 6.1. Officers to hold over until successors appointed and qualified.--Whenever under the provisions of this charter any officer of the city or member of any board or commission is elected or appointed for a fixed term, except the mayor and vice-mayor, such officer or member shall continue to hold office until his successor is appointed and qualified. (1988, c. 134)

§ 6.2. Continuation in effect of city ordinances, etc.--All ordinances of the City of Norton, and all rules, regulations and orders legally made by any duly constituted authority empowered to pass such ordinances, and make such rules and regulations, insofar as they or any portion thereof are not inconsistent herewith, shall remain in force

until amended or repealed in accordance with the provisions of this charter. (1988, c. 134)

§ 6.3. Application of general law to city and city officers.--The City of Norton and all the officers thereof elected or appointed in accordance with the provisions of this charter shall be clothed with all the powers and subject to all the provisions of general law not in express conflict with the provisions of this charter. (1988, c. 134)

§ 6.4. Citation of charter.--This charter may for all purposes be referred to or cited as the City of Norton Charter of 1988. (1988, c. 134)

§ 6.5. Severability clause.--If any clause, sentence, paragraph, section or part of this charter shall, for any reason, be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this charter, but shall be confined in its operations to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which the judgment shall have been rendered. (1988, c. 134)