

RIDGEWAY, TOWN OF  
County of Henry.

Incorporation and charter, 1890, c. 186; repealed 1900, c. 371.

Charter, 1900, c. 371.

Amended 1977, c. 61 (§ 3; however, the amendment relates to the 1890 charter rather than the 1900 charter).

CHAPTER I.

The town of Ridgeway in the county of Henry, chartered by an act of the general assembly of Virginia, passed February seventh, eighteen hundred and ninety, and acts amendatory thereof since passed, shall by that name continue, and by that name shall have and exercise all the powers and be subject to all the duties which now belong to the said town, and have all the powers and be subject to all the provisions of the existing laws with regard to towns of less than five thousand inhabitants, except so far as the same may be changed and modified by this charter. (1900, c. 371)

§ 2. The mayor and councilmen of said town now in office and their successors shall continue to be a body politic and corporate, by the name and style of the town of Ridgeway, and by that name and style shall have perpetual succession, with the power in that name and style to sue and be sued, plead and be impleaded in any of the courts of law or equity of this Commonwealth, or before any justice of the peace of this county who has jurisdiction, with the same right of appeal as in case of individuals. The said town by this name and style shall have authority to purchase, receive, and hold lands and tenements, goods and chattels, either in fee simple or any less estate therein, and shall have power the same to lease, give, grant, and assign or sell the same: provided, the sale or purchase of real or personal property shall be by a two-thirds vote of the whole council, where the mayor does not assent thereto, and may place improvements on said real estate. (1900, c. 371)

§ 3. The boundaries of said town shall be as follows: Beginning at a dogwood on the road leading toward Madison, North Carolina, near the residence of the late Mistress George K. Jones; thence north six, east thirty-four poles to a peach tree; thence north twelve, east two hundred and forty poles, crossing the Roanoke and southern railroad, and two branches to a rock in the road leading to horse pasture; thence with said road as it meanders seventy-three poles to a rock in the road leading to Martinsville; thence south seventy-two and a half, east fifty poles crossing said railroad to an ash at a spring; thence south fifty-nine, east ninety-six poles to a rock on ridge; thence south fifty-four and a half, east one hundred and thirty-one poles, crossing a branch to a rock; thence south forty, east fifty-nine poles to a white oak on the Leaksville road; thence with the same as it meanders south thirty-one, west forty-two poles, south six, west thirty poles, south sixty-four, west twenty-nine poles to a chestnut stump; thence off south sixteen, west seventy-four poles to a rock; thence south seventy-five, west one hundred and sixty-eight poles to the northwest corner of a barn; thence north sixty-six, west one hundred and thirty poles, crossing a branch to pointers; and thence north seventeen, west thirty-eight poles to the beginning. (1900, c. 371)

[§ 3. John O. Coan is hereby appointed mayor of said town, and W. F. Perry, W. A. Garrett, John C. Jones, George J. Griggs, W. H. Norman, and George O. Jones

councilmen thereof; and they shall have and exercise all the powers and perform all the duties incident to such officers under the Constitution and Code of Virginia, and shall remain in office until the fourth Thursday in May, 1890, and until their successors shall be elected and qualified.

Successors to the mayor and six councilmen shall be elected to serve four-year terms of office commencing with the election to be held in May, 1978; provided, however, the mayor and councilmen elected in 1978 shall serve only three years ten months. Thereafter, the mayor and members of council shall qualify and take office on July one following their election. (1890, c. 186; 1977, c. 61, amending the 1890 charter, not the 1900 charter.)]

§ 4. The administration and government of said town shall be vested in one principal officer, to be styled the mayor, six other trustees, who shall constitute the council of said town, and such officers and agents as may be appointed by the council. The mayor and members of the council shall have resided in said town three months last preceding their election and be elected from among the electors of the town, and elected by the qualified voters, who shall have resided within the corporate limits of said town three months previous to the election, which next election for said town shall take place on the fourth Thursday in May, 1900, and every two years thereafter. The said mayor and councilmen shall hold their offices for the term of two years, commencing on the first day of July next after their election, and afterwards until their successors shall qualify, and members of the council shall receive no pay for their services as councilmen. And in the said council so composed, any four of whom shall constitute a quorum for the transaction of business, shall be vested the corporate powers of said town, and shall be known as the council of the town of Ridgeway. (1900, c. 371)

§ 5. The mayor and all other municipal officers of the said town, before entering upon the duties of their respective offices, shall be sworn in accordance with the laws of the state by any one authorized to administer oaths under the laws of the state. If any person elected to any office fail to qualify before the first day of July next, after such election, or any person appointed to any office by the mayor or council fail to qualify within thirty days after his appointment, or if any officer shall fail to give bond, with approved security, within thirty days for the commencement of his term as required to do, payable to the town of Ridgeway, Virginia, the office shall be deemed vacant. (1900, c. 371)

## CHAPTER II.

§ 6. Mayor.--The mayor shall preside over the deliberations of the council, and be entitled to one vote in case of a tie. His salary shall be fixed by the council, and shall not be diminished during his term of office, and shall be entitled to the like fees of a justice of the peace in civil and criminal cases. (1900, c. 371)

§ 7. The mayor shall, by virtue of his office, possess all the jurisdiction and exercise all the power and authority in civil and criminal cases, arising in said town or in one mile of the corporate limits, of a justice of the peace of Henry county, in addition to the power given him by this act. (1900, c. 371)

§ 8. It shall be the duty of the mayor to make to the council at the commencement of each month a written statement of all the fines imposed, the amount, and the offense, and the person or persons convicted, and fines received by him, to pay in the same to the sergeant; and shall annually at the commencement of each fiscal year, or oftener if

required by the council, make a statement of the condition of the town in relation to its government, finances, and improvements, with such recommendations as he may deem proper. (1900, c. 371)

§ 9. In case he deems it expedient, the mayor may appoint and swear in special policemen for any occasion: provided, they shall not serve longer than three days at a time, and receive no higher compensation than one dollar per day. (1900, c. 371)

§ 10. The mayor may at any time have a called meeting of the town council. (1900, c. 371)

§ 11. The mayor shall have authority to issue executions for fines and to enforce his judgment in civil cases. And he may issue capias pro fines for all fines due said town and the commonwealth, and imposed by the corporate authorities. (1900, c. 371)

§ 12. The mayor shall have power to administer oaths of office to any of the town officers or oaths to other persons. (1900, c. 371)

§ 13. The council may at any time be convened by the order in writing of any three members directed to the clerk of the council, who, through the sergeant, shall notify the mayor and councilmen. (1900, c. 371)

§ 14. The council shall fix the time for their stated meetings, which shall be public, except when the public welfare shall require secrecy, and no business shall be transacted at a special meeting but that for which it was called. (1900, c. 371)

§ 15. The council shall have all the general powers vested in it by the laws of this state in addition to the powers given by this charter. (1900, c. 371)

§ 16. No ordinance shall be passed or resolution adopted having for its object the appropriation of money, or the levying of a tax, except by the concurrence of at least four members of the council. (1900, c. 371)

§ 17. The town council shall have, subject to the provisions of this act, the control and management of the fiscal and municipal affairs of the town, and of all property, real and personal, belonging to said town; and it shall have power to make such ordinances, by-laws, and regulations, relating to same, as they may deem necessary to carry out the powers vested in them by this charter. (1900, c. 371)

§ 18. The council shall have authority to prevent the riding or driving of horses or animals at an improper speed, throwing stones, or the engaging in any employment or sport on the streets, sidewalks, or public alleys dangerous or annoying to passengers, and to prohibit and punish the abuse and cruel treatment of horses or other animals in said town. (1900, c. 371)

§ 19. To restrain and punish drunkards, vagrants, and street beggars; to prevent vice and immorality; to preserve the public peace and good order; to prevent and quell riots, disturbances, and disorderly assemblages; to prevent and punish lewd, indecent, and disorderly conduct or exhibitions in said town, and to expel therefrom persons guilty of such conduct who have not resided therein as much as one year. (1900, c. 371)

§ 20. To prevent the coming into the town persons having no ostensible means of support, and of persons who may be dangerous to the peace and safety of the town. (1900, c. 371)

§ 21. Where, by the provisions of this act, the council shall have authority to pass ordinances on any subject, they may prescribe any penalty not exceeding five hundred dollars and confinement in jail not exceeding ninety days for a violation thereof, and may provide that the offender on failing to pay the penalty recovered shall be imprisoned in

the county jail of Henry county for a term not exceeding ninety days, which penalty may be prosecuted and recovered with costs in the name of the town of Ridgeway, or shall compel them to work on the streets or other public improvements in said town, to pay said fines and costs. (1900, c. 371)

§ 22. The council may organize a chain-gang in conformity with the law in said town, with rules and regulations for its government. (1900, c. 371)

§ 23. The council shall appoint annually a sergeant, a clerk, and a commissioner of the revenue for the said town, and such other policemen and such other officers and agents for the proper conduct and business of the town as may be necessary; shall fix their compensation and prescribe their duties where this charter does not, and require from any or all of them such bonds as may be deemed proper, payable to the town in its corporate name, conditional for the faithful discharge of their duties, which shall be executed before the mayor and approved by the council. The terms of each of said officers shall expire on the thirtieth day of June of each year after their election or appointment, and any of said officers, with the consent of the council, may nominate and appoint a deputy or deputies, who shall have all the power and authority of their principal. (1900, c. 371)

§ 24. In all cases of vacancies in any office, they may be filled by the council. (1900, c. 371)

§ 25. The sergeant of said town, who shall from time to time be appointed under this act, shall be the treasurer for said town, and shall have the like rights of distress, and such power for the collecting of the taxes and levies made by said council, as a county treasurer in similar cases, and shall be entitled to like fees and commission. And said sergeant after he shall have executed bond before the mayor and approved by the council, he shall receive and hold the moneys belonging to the said town; shall pay out the same upon warrants signed by the mayor and countersigned by the clerk of the council, and shall make monthly reports to the council of his receipts and disbursements during that month and the balance in his hands, and shall make a full settlement with the council or its committee at the end of each year, or oftener if required; and if he so fails to settle, he may be fined by the mayor the sum of one hundred dollars, and may be removed by the council from said office. (1900, c. 371)

§ 26. The sergeant, as treasurer, shall keep his books, papers, and accounts, in such manner as the council may prescribe, and they shall at all times be open to the inspection of the mayor and council, or any committee thereof. He shall keep a register of all the warrants paid, their number, date, amount, to whom, and where paid, and surrender them on receipt of the mayor and clerk upon his final settlement. He shall keep the town's money in such bank or such other place as the council may designate, deposited to his credit as treasurer, and shall not use the same or any part for his private use or purposes of others; if he does, he may be fined by the mayor one hundred dollars, and be removed by the council from office. (1900, c. 371)

§ 27. The sergeant shall have power to execute all writs and processes, criminal and civil, original, mesne, or final, legally issued by the duly authorized officers of said town, anywhere in said town or county, and to serve notices and other papers in pais, usually served by ministerial officers. He shall be a conservator of the peace, and shall have authority to arrest parties for violation of law or town ordinance in his presence, or who are escaping or preparing to escape, without any process or warrant so directing him

to do, and so shall any policeman of said town. And in the service of process, arrest of parties, and the collection of fines arising under authority of this act or any bylaws or ordinances made in pursuance hereof, he shall have and possess the same rights and powers and be entitled to like fees and commissions as are now allowed by law to the sheriff for similar services. (1900, c. 371)

§ 28. The sergeant of said town may execute before the county court of Henry county a bond in the penalty of two thousand dollars, with approved security, by said court, and conditional and payable as bonds of constables are now required by law; and upon giving such bond and qualifying in court, he shall, by virtue thereof, have all the powers and be subject to all the liabilities of a constable of Henry county, both within said town and county. (1900, c. 371)

§ 29. The council shall appoint one commissioner of the revenue of said town, who shall give bond before the mayor, with approved security, subject to the approval of the council, payable to the town in such penalty as the council may determine. (1900, c. 371)

§ 30. He shall assess annually, as county assessors are required to do; all real and personal property in said town, and in the case of real estate his assessment shall be based on the assessment for state and county purposes. Where a license tax on any business is required to be paid to the town, the said commissioner shall issue the license upon the presentation of a receipt from the proper officer for the amount of the tax. (1900, c. 371)

§ 31. Finances.-The council of said town may annually levy a tax for roads, streets, sidewalks and other purposes, by a two-thirds vote of all the councilmen elected for said town, on all real and personal property and other things or business in said town, belonging to or carried on by any person, firm, company, or corporation, which on no property shall exceed fifty cents on the hundred dollars valuation, except that on a petition of freeholders representing two-thirds of the valuation within the corporation, the council may levy a corporation tax not to exceed seventy-five cents on the hundred dollars of valuation. The poll tax shall not exceed fifty cents on each male person in any one year. (1900, c. 371)

§ 32. Nothing in this act shall be construed to exempt property from all or any county levies levied or to be levied in Henry county, nor shall there be so exempt any person or property in said town on which county levies are now or may hereafter be made. (1900, c. 371)

§ 33. Any town process may run in the name of the commonwealth, but all warrants issued and tried before any officer for violation of any state laws or corporation laws, ordinances, or charter, shall run in the name of the commonwealth, and be directed to the sergeant or any policeman of the town, but when the offense is against any town ordinance or law, the offense shall be so stated in the warrant, and the recovery be in the name of the town of Ridgeway, and fieri facias and capias pro fine may be issued for its recovery. No offense against the laws of the town shall be charged and embraced in the same warrant with any offense against the laws of the commonwealth. Where there is any offense which is a violation of both town and state laws, and the accused is acquitted or convicted of a violation of the town law by the town authorities, the same may be pleaded in bar of any trial or conviction by the state authorities. (1900, c. 371)

§ 34. All acts and parts of acts inconsistent with this act are hereby repealed. (1900, c. 371)

§ 35. This act shall be in force from the time of its passage. (1900, c. 371)