

REMINGTON, TOWN OF
County of Fauquier.
Formerly known as Millview (until 1850), Bowenville (until 1853),
and Rappahannock Station (until 1890) (Heritage of Virginia).

Incorporation, charter and name change, 1890, c. 481.

Charter, 1932, c 182; repealed 1972, c. 793.

Charter, 1972, c. 793.

Amended 1977, c. 235 (§§ 6-1, 9-1 through 9-3 [repealed]).

Article I. Creation.

§ 1-1. Incorporation.

The inhabitants of the territory comprised within the limits of the Town of Remington, as the same are now or may hereafter be established by law, shall continue to be a body politic and corporate under the name of the Town of Remington 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. (1972, c. 793)

§ 1-2. Boundaries.

The boundaries of the Town shall be the boundaries of the Town of Remington, its predecessor as established by Chapter 182, of the Acts of Assembly of 1932, approved March 22, 1932. (1972, c. 793)

Article II. Corporate Powers.

§ 2-1. General powers.

The Town of Remington shall have and may exercise all powers which are now or may hereafter be conferred upon or delegated to cities and towns under the Constitution and laws of the Commonwealth, and all other powers pertinent to the conduct of municipal government, the exercise of which is not prohibited by the Constitution and laws of the Commonwealth, and which in the opinion of the Council are necessary to promote the general welfare of the inhabitants of the Town. It is intended that the Town shall possess all powers which, under the Constitution, it would be competent for this Charter to enumerate specifically, and no enumeration of particular powers shall be held to be exclusive, but in addition to this general grant.

The powers which are now or may hereafter be conferred upon or delegated to the Town under the Constitution and laws of the Commonwealth and this Charter shall be construed liberally when such powers are exercised by the Town and in case of doubt as to the existence of a power such doubt shall be resolved in favor of the Town. (1972, c. 793)

§ 2-2. Financial powers generally.

The Town of Remington shall have the power to raise annually by taxes and assessments in said Town such sums of money as the Council thereof shall deem necessary for the purposes of the Town, and in such manner as the Council may deem expedient in accordance with the Constitution and general laws of the Commonwealth and of the United States, and to expend, the money of said Town for all lawful purposes. (1972, c. 793)

§ 2-3. Special assessments.

The Town of Remington shall have the power to impose special or local assessments for local improvements and to enforce the payment thereof, subject to the limitations prescribed by the Constitution and laws of the Commonwealth as may be in force at the time of the imposition of such special or local assessments. (1972, c. 793)

§ 2-4. Borrowing power.

The Town of Remington may incur indebtedness by issuing its negotiable bonds and notes for the purposes and in the manner provided in the Constitution and general laws of the Commonwealth. (1972, c. 793)

§ 2-5. Eminent domain.

The Town of Remington is hereby empowered to acquire by condemnation or otherwise, property, real or personal, or any interest or estate therein, either within or without its corporate limits, for any of its proper purposes, and may sell, lease, manage, and control such property as its interests require, and in such manner as Council deems expedient. (1972, c. 793)

§ 2-6. Enactment, etc., of ordinances.

The Town of Remington shall have the power to enact and enforce ordinances to carry into effect all powers granted by this Charter. (1972, c. 793)

§ 2-7. Adoption of certain provisions of Title 15.1, Code of Virginia.

The powers set forth in §§ 15.1-837 through 15.1-907 of Chapter 18 of Title 15.1 of the Code of Virginia as in force on January 1, 1972, are hereby conferred on and vested in the Town of Remington. (1972, c. 793)

Article III. The Council Generally.

§ 3-1. Composition; members to be qualified voters.

The Town of Remington shall be governed by a Town Council composed of the Mayor and six Councilmen who shall be residents and qualified voters of the Town. (1972, c. 793)

§ 3-2. Elections and terms of members.

The Councilmen shall be elected at large from the Town of Remington on the first Tuesday in May, 1972, and every two years thereafter.

The members of the Council in office at the effective date of this act shall continue in office for the terms for which they were elected, except that such terms of office shall end on June 30th rather than August 31st in such years.

All elections shall be conducted pursuant to and in accordance with the general laws of the Commonwealth governing the holding of elections in towns. (1972, c. 793)

§ 3-3. When Councilmen take office.

All Councilmen shall take office on the first day of July next following their election. (1972, c. 793)

§ 3-4. Compensation.

The Council may by ordinance authorize the payment of an annual salary to Councilmen, subject to such limitations as may be imposed by the general laws of the Commonwealth. (1972, c. 793)

§ 3-5. Filling vacancies.

Vacancies on the Council shall be filled for the unexpired portion of the term by a majority vote of the remaining members of the Council, within forty-five days after such vacancy. The Town Council may appoint any one eligible to fill such vacancy. (1972, c. 793)

§ 3-6. Appointment, etc., of Recorder.

The Council shall appoint a Recorder from the Council membership. The Recorder shall keep the journal of the proceedings of the Town Council and have charge of and preserve the records of the Town. (1972, c. 793)

Article IV. Councilmanic Procedures, etc.

§ 4-1. Regular meetings.

The Council shall meet in regular session at least once each month. (1972, c. 793)

§ 4-2. Special meetings.

The Council shall provide for the calling of special meetings by the Mayor or any four members of the Council, and shall prescribe the method of giving notice thereof, provided such notice shall contain a statement of the specific item or items of business to be transacted, and no other business shall be transacted at such meetings except by the unanimous consent of all the members of Council; provided, however, that a special meeting may be held at any time without notice if all members of the Council attend said meeting or waive notice thereof. (1972, c. 793)

§ 4-3. Quorum.

A majority of the voting members of the Council shall constitute a quorum for the transaction of business. (1972, c. 793)

§ 4-4. Prerequisite to passage of ordinances, etc.

No ordinance, resolution, motion or vote shall be adopted by the Council except at a meeting open to the public and unless it shall have received the affirmative votes of the majority of the members present. (1972, c. 793)

§ 4-5. Reconsideration, etc., of vote at special meeting.

No vote shall be reconsidered or rescinded at any special meeting unless at such special meeting there are present as large a number of members as were present when such vote was taken. (1972, c. 793)

§ 4-6. Financial interest as limitation on voting power.

No member of the Council shall participate in the vote on any ordinances, resolutions, motions or other proceedings in which he, or any person, firm, or corporation for which he is attorney, officer, director, employee, or agent has a financial interest other than as a minority stockholder of a corporation or as a citizen of the Town. (1972, c. 793)

Article V. The Mayor.

§ 5-1. Election and term.

The Mayor in office at the effective date of this act shall continue in office for the term for which he was elected except that such term of office shall end on June 30th rather than August 31st of such years. On the first Tuesday in May, 1972, and every two years thereafter, there shall be elected from the Town at large a Mayor, who shall be a qualified voter of the Town and who shall serve for a term of two years. The Mayor shall take office on the first day of July next following his election. (1972, c. 793)

§ 5-2. Duties generally.

The Mayor shall preside over the meetings of the Council and shall have the same right to speak therein as Councilmen, however, he shall not have the right to vote except in the case of a tie, in which event he shall be entitled to cast one vote. He shall be recognized as the head of the Town Government for all ceremonial purposes, the purposes of military law and the service of civil process. (1972, c. 793)

§ 5-3. Compensation

The Council may by ordinance authorize the payment of an annual salary to the Mayor, subject to such limitations as may be imposed by the general laws of the Commonwealth. (1972, c. 793)

Article VI. Appointive Officers.

§ 6-1. Appointment.

The Town Council may appoint such officers of the Town as they may deem necessary. Such officers may include, but shall not be limited to Town Attorney, Town Treasurer, Town Assessor, Town Sheriff, Building Inspector and Zoning Administrator. The enumeration of officers in this section shall not be construed to require the appointment of any such officer herein named. Officers appointed by the Town Council shall perform such duties as may be specified in this Charter or by the Town Council.

The Town Council shall appoint a vice or deputy mayor from its membership immediately upon assuming office. The vice or deputy mayor shall preside over the meetings of the council during the absence of the mayor and while serving in this capacity, he shall be subject to the provisions of § 5-2 of this Charter. (1972, c. 793; 1977, c. 235)

§ 6-2. Deputies and Assistants.

The Town Council may appoint such Deputies and Assistants to appointive offices as the Council may deem necessary. (1972, c. 793)

§ 6-3. Term of office.

Officers, Deputies and Assistants appointed by the Council shall be appointed for a term of two years, unless otherwise provided by this Charter or by ordinance of the Town Council. Such term shall begin on the first day in July in each even-numbered year. (1972, c. 793)

§ 6-4. Vacancies in office.

The Town Council shall fill any vacancy in any appointive office for the remainder of the unexpired term. (1972, c. 793)

§ 6-5. Appointment of one person to more than one office.

The Town Council may appoint the same person to more than one appointive office. (1972, c. 793)

Article VII. Appointment, etc., of Treasurer.

§ 7-1. Treasurer.

The Council shall appoint a Town Treasurer, who shall serve at the pleasure of the Council. The Treasurer shall receive such compensation and give such bond as may be prescribed by the Council, and perform such duties as may be prescribed by the general laws. The Town Treasurer need not be a resident of the Town of Remington. (1972, c. 793)

Article VIII. Financial Administration Generally.

§ 8-1. Fiscal year.

The fiscal year for the Town of Remington shall begin on July 1st, and end June 30th of the following year. (1972, c. 793)

§ 8-2. Procedure as to budget, etc.

Not later than the first day of May annually, the Town Treasurer shall prepare and submit to the Council a budget presenting a financial plan for conducting the affairs of the Town for the ensuing fiscal year. Such budget shall be set up in the manner provided

by law and shall include such information as the Council by ordinance or resolution may require. Hearings on the budget shall be held and notice thereof given and the budget adopted in accordance with the general laws of the Commonwealth, provided that the tax levy for each fiscal year shall be made, and the budget for each fiscal year shall be adopted prior to the first day of the fiscal year for which made or adopted. (1972, c. 793)

§ 8-3. Annual audit.

Prior to the end of each fiscal year, the Council shall designate a qualified auditor, who, as of the end of the fiscal year, shall make an independent audit of accounts and other evidence of financial transactions of the Town Government and shall present copies of the report to each member of the Town Council. (1972, c. 793)

Article IX. Municipal Court.

§ 9-1. (1972, c. 793; repealed 1977, c. 235)

§ 9-2. (1972, c. 793; repealed 1977, c. 235)

§ 9-3. (1972, c. 793; repealed 1977, c. 235)

Article X. Continuation and Repeal Provisions.

§ 10-1. Repeal of former charters.

All former Charters and amendments thereto for the Town of Remington, Virginia, are hereby repealed. (1972, c. 793)

§ 10-2. Succession of Town to rights and duties.

The town of Remington shall succeed to all the rights, duties, obligations and contracts of the former Town of Remington. (1972, c. 793)

§ 10-3. Continuance in force of ordinances.

All ordinances of the former Town of Remington not inconsistent with this Charter shall remain in full force and effect until amended or repealed by the Town Council. (1972, c. 793)

§ 10-4. Continuity of terms of officers.

The appointive officers of the Town of Remington who were in office immediately prior to the adoption of this Charter shall remain in office until the expiration of their several terms and until their successors have been duly appointed and qualified. (1972, c. 793)

§ 10-5. Severability.

In the event that any portion, section or provision of this Charter shall be declared illegal, invalid or unconstitutional by final judgment of any court of competent jurisdiction such judgment shall not invalidate any other portion, section or provision hereof, but all parts of this Charter not expressly held to be invalid shall remain in full force and effect. (1972, c. 793)