

SCOTTSBURG, TOWN OF  
County of Halifax.

Incorporated by order of Circuit Court of Halifax County, March 22, 1926.

Circuit Court Order, March 22, 1926; repealed 1975, c. 351.  
Charter, 1975, c. 351.

ARTICLE I.  
INCORPORATION AND BOUNDARIES.

§ 1.01. Incorporation.--The inhabitants of the territory embraced within the present limits of the town of Scottsburg, in the county of Halifax, Virginia, as the same now, or may hereafter be established by law, shall continue to be a body politic and corporate under the name of the town of Scottsburg; and as such, and by that name, shall have perpetual succession, may sue and be sued, contract and be contracted with, and may have a corporate seal which it may alter, renew or amend at its pleasure. (1975, c. 351)

§ 1.02. Boundaries.--The boundaries of the town of Scottsburg shall be as set forth in the metes and bounds description as set forth on the map of said town dated January, 1926, made by S. H. Farmer, SHC, as filed in the Clerk's Office of the Circuit Court of Halifax County, Virginia, in Farmer's File 34, #827, and are incorporated herein by reference. (1975, c. 351)

ARTICLE II.  
POWERS.

§ 2.01. General Grant of Powers.--The powers set forth in §§ 15.1-837 through 15.1-907, inclusive, of Chapter 18 of Title 15.1 of the Code of Virginia, as in force on July 1, 1974, and subsequent amendments thereto, and all other powers which are now or may be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth and all other powers pertinent to the conduct of a town government are hereby specifically conferred upon and vested in the town of Scottsburg, and no enumeration of the particular powers in this charter shall be held to be exclusive but shall be in addition to the general grant of powers. (1975, c. 351)

§ 2.02. Additional Powers.--In addition to the powers granted by other sections of this charter, the town shall have the power to raise annually by taxes and assessments, as permitted by general law, in the town such sums of money as the council shall deem necessary to pay the debts and defray the expenses of the town, in such manner as the council shall deem expedient. In addition to, but not as a limitation upon, this general grant of power, the town shall have power to levy and collect ad valorem taxes on real estate, tangible personal property and machinery and tools; to levy and collect taxes for admission to or charge for any public amusement, entertainment, performance, exhibition, sport or athletic event in the town, 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 taxes; to levy and collect taxes from purchasers of any public utility service used within the town, which taxes may be added to and collected with bills rendered purchasers of such service; unless prohibited by general law, to require licenses, prohibit the conduct of any business, profession, vocation, or calling without such a license, require taxes to be paid on such licenses in respect of 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 of any kinds for the privilege of using the streets and other public places in the town, require taxes to be paid on such licenses, and prohibit the use of streets, alleys and other public places in the town without such license. (1975, c. 351)

§ 2.03. Grants and Gifts.--The town shall have the power to receive and accept from any federal or State agency grants of any kind and to do all things and to make any covenants or agreements which may be necessary or required in order to obtain and use such federal or State grants. The town may receive and accept aid, contribution or gifts from any source of money, property, labor or other things of value. (1975, c. 351)

§ 2.04. Contractual Relationship.--In the public interest the town may enter into contractual relationships with the federal government or any agency or department thereof; the Commonwealth, its departments, bureaus, boards and agencies; other political subdivisions; and special authorities, whether regional or not, on such terms and for such periods as the council may determine. (1975, c. 351)

§ 2.05. Eminent Domain.--Generally. (a) The powers of eminent domain set forth in Title 15.1, Chapter 1.1 of Title 25 of the Code of Virginia, as amended, and all acts amendatory thereof and supplemental thereto, mutatis mutandis, are hereby conferred upon the town of Scottsburg.

(b) In any case in which a petition for condemnation is filed by or on behalf of the town, a true copy of the ordinance or resolution duly adopted by the council, declaring the necessity for any taking or damaging of any property within or without the town, for the purpose of the town, shall be filed with the petition. (1975, c. 351)

### ARTICLE III.

#### MAYOR AND COUNCIL.

§ 3.01. Election, Qualification and Term of Office of Councilmen and Mayor.--(a) The town of Scottsburg shall be governed by a town council composed of five councilmen and a mayor, all of whom shall be qualified voters of the town. The terms of the councilmen and mayor shall be four years.

(b) The mayor and councilmen in office at the time of the passage of this act shall continue in office until the expiration of the terms for which they were elected and until their successors are elected and qualified. An election for mayor and councilmen to fill the vacancies caused by the expiration of the terms of the mayor and councilmen shall be held on the day specified by general law for the holding of municipal elections in every even-numbered year. The mayor and councilmen elected under this act shall enter upon the duties of their office on the first day of July next succeeding his or their election. (1975, c. 351)

§ 3.02. Vacancies on Council.--Vacancies on the council shall be filled for the unexpired portion of the term by a majority vote of the members of the council. (1975, c. 351)

§ 3.03. Vacancy in Office of Mayor.--A vacancy in the office of mayor shall be filled for the unexpired portion of the term by a majority vote of the members of the council. (1975, c. 351)

§ 3.04. Council a Continuing Body.--The town council shall be a continuing body, and no measures pending before such body, or any contract or obligation incurred, shall

abate or be discontinued by reasons of the expiration of the term of office or removal of any of its members. (1975, c. 351)

§ 3.05. General Grant of Power to Council.--The town council shall have all powers and authority that are now or may hereafter be granted to councils of towns by the general laws of the Commonwealth and by this charter, 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 the Commonwealth to town councils, but not herein specified. (1975, c. 351)

§ 3.06. Powers and Duties of Mayor.--The mayor shall be the chief executive officer of the town. He shall have and exercise all power and authority conferred by general law not inconsistent with this charter. He shall preside over the meetings of the town council, but shall not vote, except in the case of tie. He shall have the power of veto over the ordinances and resolutions of the council, but such ordinances and resolutions may be passed over such veto by a two-thirds vote of the members of the town council present and voting. He shall be recognized as the head of the town government for all ceremonial purposes. He shall perform such other duties consistent with his office as may be imposed by the council. He shall see that the duties of the various officers are faithfully performed. In times of public danger or emergencies, he may take command of the police and maintain order and enforce laws, and for this purpose, may deputize such assistant policemen as may be necessary. He, or the person acting as mayor, shall authenticate, by his signature, such documents or instruments as the council, this charter, or the laws of the Commonwealth shall require. (1975, c. 351)

§ 3.07. Vice-Mayor.--The town council shall elect from its members by a majority of the members present, a vice-mayor. During the absence or inability of the mayor to act, the vice-mayor shall possess the powers and discharge the duties of the mayor. While serving in the place of the mayor, the vice-mayor may vote as a member of the town council. (1975, c. 351)

§ 3.08. Meetings of Council.--The town council shall fix the time of their stated meetings, and they shall meet at least once a month. The council shall keep a journal of its official proceedings and its meetings shall be open to the public. Three members of the town council shall constitute a quorum for the transaction of business at any meeting. Special meetings may be called at any time by the mayor or by three members of the council; provided that the mayor and all council members are duly notified a reasonable period of time prior to such meeting, and no business shall be transacted at a special meeting thereof, except that for which it shall be called. If all members are present, this provision may be waived by a majority vote of the council. (1975, c. 351)

§ 3.09. Rules of Order and Procedure.--The town council shall establish its own rules of order and procedure, and may take appropriate action against its own members and other persons for violations thereof. (1975, c. 351)

§ 3.10. Council to Fix Salaries.--The town council is hereby authorized to fix the salary of the mayor, members of the town council, members of boards or commissions, and all appointed officers and employees of said town, at a sum not to exceed any limitations placed by the laws and Constitution of the Commonwealth of Virginia. (1975, c. 351)

#### ARTICLE IV. TOWN MANAGER.

§ 4.01. Appointment.--The town council may appoint a chief administrative officer of the town who shall be called the town manager, fix his salary and delegate to him such administrative duties, powers and responsibilities as it believes to be in the best interest of the town. During his tenure of office the town manager shall reside within the town. The town manager shall serve at and during the pleasure of the town council. (1975, c. 351)

§ 4.02. Duties.--It shall be the duty of the town manager to (a) attend all meetings of the town council with the responsibility to counsel and advise but with no voting rights; (b) keep the town council advised of the financial condition and the future needs of the town and of all matters pertaining to its proper administration and make such recommendations as he deems desirable; (c) prepare and submit the annual budget to the town council and be responsible for its administration after its adoption; (d) prepare in suitable form for publication and submit to the town council at a regular meeting in September of each year a concise, comprehensive report of the financial transactions and administrative activities of the town government during the immediately preceding fiscal year; (e) present adequate financial and activity reports as required by the town council; (f) arrange for an annual audit by a certified public accountant, the selection of whom shall be approved by the town council; and (g) perform such other duties as may be prescribed by this charter or required in accordance therewith by the mayor or the town council or which may be required of the chief administrative officer of a town by the general laws of the Commonwealth other than the duties conferred on the mayor by this charter. (1975, c. 351)

§ 4.03. Temporary Transfer of Personnel between Departments and Removal of Personnel.--The town manager shall have the power, whenever the interests of the town require, to assign employees of any department, bureau, office, or agency under his supervision to the temporary performance of duties in another department, bureau, office or agency. The town manager shall not have the right or power to appoint, transfer, or remove the town clerk, town sergeant, chief of police, town attorney, town treasurer, but the town council may delegate to the town manager the authority to appoint and remove other personnel. (1975, c. 351)

§ 4.04. Relations with Boards, Commissions and Agencies.--The town manager shall have the right to attend and participate in the proceedings of, but not to vote in, the meetings of all boards, commissions, or agencies created by this charter or by ordinance and any other board or commission the town council may designate. (1975, c. 351)

§ 4.05. Acting Town Manager.--The town council may designate a person to act as town manager in case of the absence, incapacity, death or resignation of the town manager, until his return to duty or the appointment of his successor. (1975, c. 351)

#### ARTICLE V.

#### APPOINTIVE OFFICERS.

§ 5.01. Appointments.--The town council shall appoint a town clerk, a chief of police, a town attorney and a town treasurer and may appoint such other officers of the town as they deem necessary. Each and every officer appointed under this section shall be directly responsible to the town council and mayor. Such officers shall perform such duties as are required by general law as well as such additional duties not inconsistent with general law as this charter or the council may prescribe. (1975, c. 351)

§ 5.02. Deputies and Assistants.--The town council may appoint such deputies and assistants to appointive offices as they deem necessary. (1975, c. 351)

§ 5.03. Term of Office.--Officers and deputy and assistant officers appointed by the town council shall serve at and during the pleasure of the town council. (1975, c. 351)

§ 5.04. Bonds.--Officers and deputies and assistants appointed by the town council shall execute such bonds as may be required by resolution of the town council. (1975, c. 351)

§ 5.05. Vacancies in Office.--The town council may fill any vacancy in any appointive office. (1975, c. 351)

§ 5.06. Appointment of One Person to More than One Office.--The town council may appoint the same person to more than one appointive office. (1975, c. 351)

§ 5.07. Town Clerk.--The town clerk shall be the clerk of the town council and shall keep the journal of its proceedings and shall record all ordinances and resolutions in a book or books kept for the purpose. He shall be the custodian of the corporate seal of the town and shall be the officer authorized to use and authenticate it. He shall perform such other duties and keep such other records as the town council or the general laws of the Commonwealth require of town clerks. All records in his office shall be public records and open to inspections business hours. (1975, c. 351)

§ 5.08. Town Treasurer.--The town treasurer shall have the custody of all the funds and securities of the town, and shall receive and discharge all of its moneys and funds in accordance with the instructions of the town council. The treasurer shall enter or cause to be entered regularly, in the books of the town to be kept for that purpose, full and accurate accounts of all moneys received and disbursed by him on account of the town, and of all business transactions of the town involving the receipts or disbursement of moneys by him, and shall exhibit his books and accounts to the council and mayor whenever called upon to do so. (1975, c. 351)

#### ARTICLE VI.

#### MISCELLANEOUS.

§ 6.01. Elections Governed by State Law.--All town elections shall be held and conducted in the manner prescribed by the laws of the Commonwealth. (1975, c. 351)

§ 6.02. Fiscal Year.--The fiscal year of the town shall begin on July one of the year and end on June thirtieth of the year following. (1975, c. 351)

§ 6.03. Present Officials to Continue.--The present elected officials of the town shall be and remain in office until the expiration of their several terms, and until successors have been duly elected and qualified. (1975, c. 351)

§ 6.04. United States Government Employees.--No person, otherwise eligible, shall be disqualified, by reason of his accepting or holding an office, post, trust or emolument under the United States government, from serving as an officer or employee of the town, or as a member, officer, or employee of any board or commission. (1975, c. 351)

§ 6.05. Ordinances in Force.--All ordinances now in force in the town of Scottsburg, not inconsistent with this charter, shall be and remain in force until altered, amended or repealed by the town council. (1975, c. 351)

§ 6.06. Severability.--If any provision of this charter or the applicability thereof to any person or circumstances is held invalid, the remainder of this charter and the

applicability thereof and of such provision thereof and of such provision to other persons or circumstances shall not be affected thereby. (1975, c. 351)