

WYTHEVILLE, TOWN OF
County of Wythe.
Originally known as Evansham.

Incorporation, charter, and name changed to Wytheville, 1839, c. 237.

Charter, 1853, c. 489.

Charter, 1886, c. 263; repealed 1910, c. 56.

Charter, 1910, c. 56; repealed 1946, c. 18.

Charter, 1946, c. 18.

Amended	1950, c. 33 (§§ 2-a [added], 2-b [added])
	1954, c. 166 (§ 9)
	1960, c. 155 (§ 2)
	1966, c. 234 (§ 9)
	1975, c. 65 (§ 2)
	1977, c. 273 (§ 2)
	1979, c. 247 (§ 9-a [added])
	1983, c. 122 (§ 2).

§ 1. The inhabitants of the territory embraced within the present limits of the Town of Wytheville, in Wythe County, Virginia, as hereinafter defined, or as the same may be hereafter altered and established by law, shall constitute and continue a body politic and corporate, to be known and designated as the Town of Wytheville, and as such shall have and may exercise all powers which are now, or may hereafter be, conferred upon or delegated to towns under the Constitution and laws of the Commonwealth of Virginia as fully and as completely as though said powers were specifically enumerated herein, and no enumeration of particular powers herein shall be held to be exclusive. The territory embraced within the present limits of the Town of Wytheville is described by metes and bounds in an act approved February 26, 1896, as follows:

Beginning at a stone on the western side of Tazewell Turnpike, near William Huffard's blacksmith shop; thence along his line with the Caughlin and Peirce property north fifty and one-half degrees east nine hundred and seventeen feet to the northeast corner of D. S. Peirce's property; thence south eighty-one degrees east, crossing the Wytheville Development Company's land, twenty-two hundred fifty feet to a gate post on the west side of a lane and a corner with Mistress Betty F. Ewald and the said Wytheville Development Company; thence along the west side of said lane south fifty and one-half degrees east nine hundred and fifty-nine feet to a corner of the Wytheville Development Company with the Moyer's property; thence north sixty-two and one-half degrees east seven hundred and fifty-nine feet, crossing Mistress Campbell's land and the Raleigh and Grayson Turnpike, to the eastern side of the road leading to the Eastern Cemetery and with C. J. Noel's line; thence with said line south fifty-one and one-quarter degrees east eight hundred and eighty-three feet to the southeast corner of said cemetery and on R. A. Caffee's line; thence north eighty-seven and three-quarter degrees east seventeen hundred and sixty feet, crossing Caffee's land and the S. W. association land to the upper northeast corner of the fair ground's stables; thence with the S. W. association line south four degrees east ten hundred and fifteen feet to the southeast corner of the fair grounds; thence south six degrees west five hundred and fifty-one feet to the east side of McAdam

Road and intersection of old fair grounds road; thence along the east side of McAdam Road with meanders of the same south fifty-two and one-half degrees east two hundred and twenty-two and five-tenths feet south sixty-seven degrees forty-five minutes east four hundred and ninety-seven feet, south fifty-one and one-half degrees east two hundred and forty-one and thirty-eight five-tenths feet, south twenty-four degrees forty-five minutes east five hundred and twenty-eight and eight-tenths feet to a stone, a corner of old fair grounds; thence south seventy-six degrees west fifty-five feet, crossing McAdam Road to stake on west side corner of Marshall Street and Schrader; thence south thirty-three degrees east thirteen hundred and sixty feet to northern line of Norfolk and Western Railroad Company, and with said northern line westwardly south fifty-five and one-quarter degrees west six hundred and ninety-one feet; thence south sixty-four degrees west four hundred and eleven feet to cattle guard at Samuel Woolwine's house; thence south thirty-nine degrees west eleven hundred and thirty-two feet, crossing the railroad to J.W. Caldwell's southeast corner; thence south fifty-one degrees west twenty-five hundred and fifty-four feet, crossing the Stuart Crockett and Barrett land to a stone on James Williams' line in the rear of the Episcopal chapel; thence north eighty-one degrees west twenty-one hundred and ninety-two feet to the southeast corner of Samuel Smithers' lot at the intersection of Twelfth Street and Jackson Street; thence with the north line of Jackson Street south sixty-two and one-half degrees west eleven hundred and twenty feet to the west corner of the Fulton property; thence south eighty-six degrees west thirteen hundred and sixty feet to the southwest corner of Mrs. Nanie Brown's property; thence north eighty and three-quarter degrees west fourteen hundred and thirty-eight feet to a stone, a corner of Doctor Leach, with south line of Norfolk and Western Railroad Company and with said line south sixty-three and one-quarter degrees west ten hundred and sixty-two feet to a stone opposite the line of south Main and the Wytheville Development Company, crossing the Norfolk and Western, and with said line north thirty-one and one-half degrees west twenty-eight hundred and twenty-eight feet to the north side of Ridge Street (extended); thence along Ridge Street north forty-six and three-quarter degrees east twenty-three hundred and three feet to the intersection of the south side of the McAdam Road; thence crossing the McAdam Road at right angles north fifteen and one-half degrees west nineteen hundred and eighty feet, crossing Pine Ridge through the Wytheville Development Company's land to the north side of the Ridge Gap Road, and with it north seventy-eight and one-half degrees east seven hundred and sixty-three feet, crossing Harkrader's Branch to a stone; thence crossing said Ridge Gap Road north fourteen degrees east eleven hundred and seventy-six feet to the blacksmith shop at the beginning. (1946, c. 18)

§ 2. The government of the Town of Wytheville shall be vested in one body to be known as the council of the Town of Wytheville, which body shall consist of five members, one of whom shall also be mayor, to be elected at large and all of whom shall be residents and qualified voters of the town. The council shall be elected, in the manner provided by law, as follows: At the regular municipal election to be held on the first Tuesday in May, 1976, and every four years thereafter, two councilmen shall be elected each for a term of four years beginning on the first day of July next following their election. At the regular municipal election to be held on the first Tuesday in May, 1978, and every four years thereafter, two councilmen shall be elected each for a term of four years and one additional councilman shall be individually elected to serve for a term of

four years as both councilman and mayor of the Town of Wytheville, the term of each of the three beginning on the first day of July next following their election. Each councilman shall serve until his successor shall have been elected and qualified.

Vacancies in the office of mayor or on council shall be filled by majority vote of the remaining members, and the person so elected shall serve the remainder of the unexpired term, or, if the vacancy is subsequently filled for the unexpired term by popular election as hereafter provided, until his successor is elected and has qualified. Notwithstanding any contrary provision of general law, if a vacancy occurs in the office of mayor during the first two years of the term, and more than 120 days prior to the next regular municipal election, a successor shall be elected for the unexpired term at the next regular municipal election and the council shall petition the circuit court for a writ of election for that purpose. If a vacancy occurs in the office of councilman under the same circumstances, then three rather than two members of council shall be elected at the next regular municipal election and the council shall petition the circuit court to so order the election. Those three persons receiving the largest number of votes shall be elected. Of those three, the person receiving the least number of votes shall be elected to serve the unexpired term of the vacancy.

The council shall be a continuing body, and no measure pending before such body shall abate or be discontinued by reason of expiration of term of office or removal of any of its members. The council shall, by ordinance, fix the time for their regular meetings. Special meetings shall be called by the clerk of the council upon request of the mayor or any three councilmen; reasonable notice of each special meeting shall be given each member of the council; no business shall be transacted at a special meeting except that for which the special meeting is called, except by a majority vote of all of the members of the council. The council itself shall elect one of its members as vice-mayor, who shall perform the duties and functions of the mayor when the mayor is absent or otherwise unable to perform. In addition to their other duties, the mayor, vice-mayor, town manager and all members of the council shall be ex officio conservators of the peace within the town and within one mile of the corporate limits thereof. The mayor shall preside over the council. (1946, c. 18; 1960, c. 155; 1975, c. 65; 1977, c. 273; 1983, c. 122)

§ 2-a. The mayor of the town, or in his absence or inability to perform, the vice-mayor, in addition to the powers heretofore granted them, shall have power to fix bail, take bonds and pass upon the qualifications of sureties thereto in all trials for violations of ordinances of the Town of Wytheville. (1950, c. 33)

§ 2-b. The town council, by resolution adopted by a majority of its members, may designate such person or persons as it may see fit to issue warrants and search warrants, to summons witnesses, to fix bail, take bonds and pass upon the qualification of sureties thereto in all trials for violations of ordinances of the Town of Wytheville. (1950, c. 33)

§ 3. The council shall appoint a clerk, a treasurer, a town manager and such other officers as the council may deem necessary or proper, all of who shall hold office at and during the pleasure of the council, and shall qualify for their respective offices as required by law, and shall furnish such bonds as may be required by the council. Officers so appointed by the council shall perform such services, in addition to the services herein enumerated, and shall receive such compensation, as the council may provide. (1946, c. 18)

§ 4. All contracts and obligations heretofore made by the council of the Town of Wytheville, while in office, not inconsistent with this charter, or the Constitution, or the general laws of this Commonwealth shall be, and are hereby declared to be, valid and legal. (1946, c. 18)

§ 5. The administrative and executive powers of the town, including the power of appointment of officers and employees, are vested in an official to be known as the town manager, who shall be appointed by the council at its first meeting or as soon thereafter as practicable, for such term as the council may by its appointment prescribe, but who shall be subject at all times to removal by the council on proven charges of malfeasance, misfeasance, neglect of duty or incompetency. He shall receive such compensation as shall be fixed by the council by ordinance, and shall devote his entire time to the business of the town

The town manager shall be responsible to the council for the proper administration of all the general law or the ordinances or resolutions of the council. He shall have power and it shall be his duty:

(a) To see that all laws and ordinances are enforced.

(b) To see that such town officers and employees as the council shall determine are necessary for the proper administration of the town be appointed, and any of such officers may be removed by the town manager, except the clerk, treasurer and the clerical and other attendants of the council; but the town manager shall report each appointment and removal to the council at the next meeting thereof following any such appointment or removal; to see that all terms and conditions imposed in favor of the town or its inhabitants in any public utility franchise or any contract are faithfully kept and performed; upon knowledge of any violation thereof to call the attention of the same to the council, whose duty it shall be forthwith to direct such steps as are necessary to protect and enforce the same.

(b-1) To appoint, subject to confirmation by the council, the town sergeant. The town sergeant so appointed shall be subject to removal at will by the council or the town manager, and shall qualify as provided by law, and furnish such bond as may be requested by the council.

(c) To exercise supervision and control over all departments and divisions created herein, or that may be hereafter created by the council and have general supervision over all public improvements, works and undertakings, except as otherwise provided in this charter, or by the council.

(d) To attend all meetings of the town council with the right to take part in the discussion, but he shall have no vote.

(e) To recommend to the council for adoption such measures as he may deem necessary or expedient.

(f) To prepare the annual budget and keep the town council fully advised as to financial conditions and needs of the town.

(g) To make all such contracts in behalf of the town as may be authorized by this charter, or the council or under continuing contracts or loans authorized under the provisions of this charter, or pursuant to resolution or ordinance of the council.

(h) Unless and until otherwise provided by the council, he shall act as town purchasing agent.

(I) To perform such other duties as may be prescribed by this charter or be required of him by ordinance or resolution of the town council.

(j) Except as may be otherwise provided by the council, the town manager shall have and may exercise all of the powers, and perform all of the duties, which are now, or may hereafter be, conferred upon or delegated to town managers under the laws of the Commonwealth of Virginia. (1946, c. 18)

§ 6. The town sergeant shall have the same powers and perform the duties both in civil and criminal cases prescribed by the state law for sergeants of towns, and he shall be subject to like penalties. He shall also perform such duties in relation to streets and water works of the town and such other duties as may be required of him by the council. He shall especially see that all ordinances are observed, and he shall report to the mayor any violation of the same, and for any violation occurring in his presence he may arrest for the same forthwith. Said sergeant may at any time, with the approval of the town manager appoint one or more deputies, who shall perform the duties of the sergeant hereinabove set out. He or they shall hold office at the pleasure of the sergeant, the town manager or the council, and shall be paid such compensation as the council may prescribe. (1946, c. 18)

§ 7. The treasurer shall be the collector and custodian, except as otherwise ordered by the council, of all town taxes, levies, licenses and of all revenue and other monies of the town from water or any other source, and shall disburse the same as ordered by the council. He shall have all the powers vested by the state law in county and city treasurers, and shall be subject to like penalties. He shall make off all tax tickets and water tickets, and shall keep such books of account and records and perform all such duties in relation to the collection and disbursement of the monies of the town as may be prescribed by the council, and he shall make his settlements at the time and in the manner prescribed by the council. (1946, c. 18)

§ 8. The town clerk shall attend all meetings of the council, keep its minutes, preserve and keep on file all papers pertaining to the business of the town; he shall keep such books of account and any and all records which the council may require to be kept; he shall perform the duties of commissioner of the revenue for the town, extend assessments, make off and deliver to the treasurer annually at such time as the council may prescribe the land and property book or books of the town, assess all license taxes required by the ordinances and report such assessments to the treasurer for collection; keep such records of delinquent taxes as may be required by the council; he shall keep such records concerning the water works of the town as may be required by the council, and he shall especially issue permits to water takers, keep a complete record of all water takers and of all contracts and permits, and shall furnish to the treasurer, as such times as the council may prescribe, a list of such water takers, with rates to be paid by each, and amount due or to be paid, whether by meter or flat rate, and he shall perform such other and further duties as clerk of the council, as commissioner of the revenue, and in respect to the water works, as may from time to time be prescribed by the council. (1946, c. 18)

§ 9. In addition to the powers elsewhere enumerated in this charter and the powers conferred by general law and the Constitution, the Town of Wytheville shall have the following powers:

(1) To raise annually, by levy of taxes and assessments in the said town, on all such property, real and personal, as is now or may be subject to taxation by towns by the

laws of this Commonwealth, such sums of money as the council thereof shall deem necessary for the purpose of the said town, in such manner as the said council shall deem expedient in accordance with the Constitution of this Commonwealth and of the United States; provided, however, that it shall impose no taxes on the bonds of the said town.

(2) To impose special or local assessments for local improvements and to force payment thereof, subject to such limitations prescribed by the Constitution and laws as may be in force at the time of the imposition of such special or local assessments.

(3) To own, operate and maintain water works and to acquire in any lawful manner in any county of the Commonwealth, such water, lands, property rights, and riparian rights as the council of the said town may deem necessary for the purpose of providing an adequate supply to the said town and of piping and conducting the same; to lay, erect and maintain all necessary mains and service lines, either within or without the corporate limits of the said town, for the distribution of water to its customers and consumers, both within and without the corporate limits of the said town and to charge and collect water rents therefor; to erect and maintain all necessary dams, pumping stations and other works in connection therewith; to make reasonable rules and regulations for promoting the purity of its said water supply and for protecting the same from pollution; and for this purpose to exercise full police powers and sanitary control over all land comprised within the limits of the water shed tributary to any such water supply wherever such lands may be located in this Commonwealth; to impose and enforce adequate penalties for the violation of any such rules and regulations; and to prevent by injunction any pollution or threatened pollution of such water supply, and any and all acts likely to impair the purity thereof.

(4) (a) The town may, in the name of and for the use of the town, contract debts and make and issue, or cause to be made and issued, as evidence thereof, bonds, notes or other obligations, within the limitations prescribed by the Constitution, and in accordance with the provisions of law concerning bond issues by towns, upon the credit of the town, or solely upon the credit of specific property owned by the town, or solely upon the credit of income derived from property used in connection with any public utility owned and operated by the town.

(b) Pending the issuance and sale of any bonds, notes or other obligations by this act authorized, or in anticipation of the receipt of taxes and revenue of the current fiscal year, it shall be lawful for the town to borrow money temporarily and to issue notes or other evidences of indebtedness therefor, and from time to time to renew such temporary loans or to use current funds to be ultimately repaid from the proceeds of the said bonds, notes or other obligations or from the town taxes and revenues, as the case may be.

(5) To expend the money of the town for all lawful purposes.

(6) To collect and dispose of sewage, offal, ashes, garbage, carcasses of dead animals and other refuse, and to make reasonable charges therefor; to acquire and operate reduction or any other plants for the utilization or destruction of such materials, or any of them; to require or regulate the collection and disposal thereof.

(7) (a) To acquire by purchase, gift, devise, condemnation or otherwise, real or personal property, or any estate therein, within or without the town for any of the purposes of the town, including but not limited to, the condemnation of real and personal property for purposes of higher education, and including the power to give and convey such property acquired by condemnation to state-supported institutions of higher

learning; and to hold, improve, sell, lease, mortgage, pledge or otherwise dispose of the same, or any part thereof, including any real or personal property, now owned by the town.

(b) In addition to the powers herein otherwise provided to exercise the same powers as to condemnation as are provided in Title 25 and Title 15.1 of the Code of Virginia and other general laws, and as are conferred on the State Highway Commissioner under Article 5 of Chapter 1 of Title 33 of the Code of Virginia, and as may be provided in amendments to such titles and article. In the exercise of such authority as is granted in Article 5 of Chapter 1 of Title 33 of the Code of Virginia, as amended, the town may use such authority in connection with the acquisition, construction, operation or maintenance of water or sewage disposal systems, airports, streets, roadways, alleys, schools, or for other educational purposes, including purposes relating to institutions of higher learning and facilities related thereto.

The powers granted in this paragraph (7) are subject to the provisions of § 25-233 of the Code of Virginia when the interest sought to be condemned is held by another corporation having the powers of eminent domain.

(8) To license and regulate the holding and location of shows, circuses, public exhibitions, carnivals, and other similar shows or fairs, or prohibit the holding of the same, or any of them, within the town or within one mile of the corporate limits thereof.

(9) To inspect, test, measure and weigh any commodity or commodities, or articles of consumption for use within the town; and to establish, regulate, license and inspect weights, meters, measures and scales.

(10) To require every resident of the town who shall own, or have in his custody or under his control, a vehicle of any kind which shall be operated on the streets, alleys, or public ways of the town, and every person not a resident of the town, who shall habitually operate on the streets, alleys, or public ways of the town a vehicle of any kind for the purpose of pickup or delivery in connection with the conduct of a business, wherever located, other than a transportation business to annually register such vehicles on a date to be designated by the council and to obtain a license to operate the same by making application to the treasurer of the town, or such other person as may be designated by the council of the town, to require the said owner or custodian to pay an annual license fee therefor to be fixed by the council, and to prohibit the use of streets, alleys, or public ways of the town without such license. No such license shall be required of a nonresident of the town who shall use a vehicle exclusively for his personal transportation to and from a place of business within the town.

(11) To construct, establish, purchase, or to otherwise acquire, maintain, regulate and operate public utilities and facilities of all kinds, including bus lines, transportation systems, cemeteries, municipal and other buildings, armories, sewage disposal plants, jails, comfort stations, markets, and all buildings and structures necessary or appropriate for the use and proper operation of the various departments of the town; and to acquire by condemnation or otherwise, all lands, riparian and other rights, and easements necessary for such improvements or any of them; either within or without the town, and to construct, maintain, or aid therein, roads and bridges to any property owned by the said town and situate beyond the corporate limits thereof, and to acquire land necessary for the aforesaid by condemnation or otherwise.

(12) To acquire, establish, enter, open, widen, extend, grade, improve, construct, maintain and clean public highways, streets, sidewalks, boulevards, parkways, and alleys, and to alter, vacate, or close the same; to establish and maintain parks, golf courses, playgrounds, and public grounds, to keep them lighted and in good order; to construct, maintain and operate bridges, viaducts, subways, tunnels, sewers and drains and to regulate the use of all such highways, parks, public grounds and works; to plant and maintain or remove shade trees along the streets and upon such public grounds; to prevent the obstruction of such streets and highways; to regulate the operation and speed of cars, and vehicles upon said streets and highways, within the town and for a distance of one mile from the limits thereof; and to do all other things whatsoever adapted to make said streets and highways safe, convenient and attractive.

(13) To construct in such parks, playgrounds, and public grounds, as it may maintain, or upon any town property, stadium, swimming pools, gymnasias, and recreation or amusement buildings, structures, or inclosures of every character, refreshment stands, restaurants, et cetera; to charge admissions for use of the same, and to rent out or lease the privileges of construction or using such stadiums, swimming pools, recreation or amusement buildings, structures, or inclosures of every character, refreshment stands, or restaurants, et cetera.

(14) To establish, impose, and enforce the collection of water and sewage rates, and rates and charges for public utilities, or other services, products, or conveniences, operated, rented or furnished by the town; and to assess, or cause to be assessed, after reasonable notice to the owner or owners, water and sewage rates and charges directly against the owner or owners of the buildings or against the proper tenant or tenants; and in event such rates and charges shall be assessed against a tenant then the council may by ordinance, require of such tenant a deposit of such reasonable amount as it may by such ordinance prescribe before furnishing such service to such tenant.

(15) To establish, construct, and maintain sanitary sewers, sewer lines and systems, and to require the abutting property owners to connect therewith and to establish, construct, maintain and operate sewage disposal plants, and to acquire by condemnation or otherwise, within or without the town, all lands, rights of way, riparian and other rights, and easements necessary for the purposes aforesaid, and to charge, assess, and collect reasonable fees, rentals, assessments or costs of service for connection with and using the same.

(16) To own, operate and maintain electric light and gas works, either within or without the corporate limits of the town and to supply electricity and gas whether the same be generated or purchased by said town, to its customers and consumers both without and within the corporate limits of the said town, at such price and upon such terms as the council may prescribe, and to that end it may contract and purchase electricity and gas from the owners thereof upon such terms as it may deem expedient.

(17) Subject to the provisions of the Constitution and general laws of Virginia and this charter, to grant franchises for the public utilities; provided, however, the town shall at any time have the power to contract for, own, operate, manage, sell, encumber or otherwise dispose of, either within or without the town any and all public utilities for the town and to sell the services thereof.

(18) To charge and to collect fees for permits to use public facilities and for public services and privileges. The said town shall have the power and right to charge a

different rate for any service rendered or convenience furnished to citizens without the corporate limits from the rates charged for similar service to citizens within the corporate limits.

(19) To compel the abatement and removal of all nuisances within the town or upon property owned by the town beyond its limits at the expense of the person or persons causing the same, or of the owner or occupant of the ground or premises whereon the same may be, and to collect said expense by suit or motion or by distress and sale; to require all lands, lots and other premises within the town, to be kept clean and sanitary and free from stagnant water, weeds, filth and unsightly deposits, or to make them so at the expense of the owners or occupants thereof, and to collect said expense by suit or motion or by distress and sale; to regulate, or prevent slaughter houses or other noisome or offensive business within the said town, the keeping of hogs, or other animals, poultry or other fowl therein, or the exercise of any dangerous or unwholesome business, trade or employment therein; to regulate the transportation of all articles through the streets of the town; to compel the abatement of smoke and dust and prevent unnecessary noise; to regulate the location of stables and the manner in which they shall be kept and constructed; to regulate the location, construction, operation and maintenance of billboards, signs, advertising, and generally to define, prohibit, abate, suppress and prevent all things detrimental to the health, morals, safety, convenience and welfare of the inhabitants of the town; and to require all owners or occupants of property having sidewalks in front thereof to keep the same clean and sanitary, and free from all weeds, filth, unsightly deposits, ice and snow.

(20) To extinguish and prevent fires, to abate fire hazards, and to establish, regulate and control a fire department or divisions, to regulate the size, height, materials and construction of buildings, fences, walls, retaining walls and other structures hereafter erected, in such manner as the public safety and conveniences may require; to remove or require to be removed or reconstructed any building, structure or addition thereto which by reason of dilapidation, defect of structure or other causes may have become dangerous to life or property, or which may be erected contrary to law; to establish and designate from time to time fire limits, within which limits wooden buildings shall not be constructed, removed, added to, enlarged or repaired and to direct that any or all future buildings within such limits shall be constructed of stone, natural or artificial, concrete, brick, iron or other fireproof materials; and may enact stringent and efficient laws for securing the safety of persons from fires in halls and buildings, used for public assemblies, entertainments or amusements.

(21) To direct the location of all buildings for storing explosives or combustible substances; to regulate the sale and use of gun powder, nitroglycerin, fireworks, gasoline, kerosene, oil or other like materials; to regulate the exhibition of fireworks, the discharge of firearms, and the making of bonfires in the streets and yards.

(22) To provide for regular and safe construction of houses in the town for the future, and to provide a building code for the town, to provide set back lines on the streets beyond which no building may be constructed, to require the standard of all dwelling houses be maintained in residential section in keeping with the majority of residences therein and to require the standard of all business houses be maintained in business sections in keeping with the majority of the business houses therein.

(23) To provide for the preservation of the general health of the inhabitants of said town, make regulations to secure the same, inspect all food stuffs and prevent the introduction and sale in said town of any article or thing intended for human consumption, which is adulterated, impure or otherwise dangerous to health, and to condemn, seize and destroy or otherwise dispose of any such article or thing without liability to the owner thereof; to prevent the introduction or spread of contagious or infectious diseases, and prevent and suppress disease generally; to provide and regulate hospitals within or without the town limits, and if necessary to the suppression of disease, to enforce the removal of persons afflicted with contagious or infectious diseases to hospitals provided for them; to construct and maintain or to aid in the construction and maintenance of a hospital or hospitals for the use of the people of the town; to provide for the organization of a department or bureau of health, to have the powers of a board of health for said town, with the authority necessary for the prompt and efficient performance of the duties, with the power to invest any or all the officials or employees of such department of health with such powers as the police officers of the town have, to establish quarantine ground within or without the town, and establish such quarantine regulations against infectious and contagious diseases as the council may see fit, subject to the laws of the Commonwealth and of the United States; and to provide for a bureau of vital statistics and require physicians, midwives or parents to make reports thereto.

(24) To provide and maintain, either within or without the town, charitable, recreative, curative, corrective, detentive or penal institutions.

(25) To prevent fowls and animals being kept in or running at large in the town, and to subject the same to such regulations and penalties as the council may provide.

(26) To prevent the riding or driving of horses or other animals at an improper speed; to prevent the flying of kites, throwing of stones, or engaging in any sort of employment in the public streets which is dangerous or annoying to passersby, and to prohibit and punish the abuse of animals.

(27) In so far as not prohibited by general law to control, regulate, limit and restrict the operation of motor vehicles carrying passengers for hire upon the streets or alleys of the town; to regulate the use of automobiles and other automotive vehicles upon the streets; to regulate the routes in and through said town to be used by motor vehicle carriers operating in and through said town and to prescribe different routes for different carriers; to prohibit the use of certain streets by motor trucks; and generally to prescribe such regulations respecting motor traffic therein as may be necessary for the general welfare.

(28) To acquire, by condemnation, purchase or otherwise, provide for, maintain, operate and protect aircraft landing fields either within or without the corporate limits of the town.

(29) To exercise full police powers and establish and maintain a department or division of police.

(30) To restrain and punish drunkards, vagrants and street beggars, to prevent and quell riots, disturbances and disorderly assemblages; to suppress houses of ill-fame and gambling houses; to prevent and punish lewd, indecent and disorderly exhibitions in said town; and to expel therefrom persons guilty of such conduct who have not resided therein as much as one year.

(31) To make and enforce ordinances, in so far as not prohibited by the general laws of this Commonwealth, to regulate, control, license and/or tax the manufacture, bottling, sale, distribution, transportation, handling, advertising, possession, dispensing, drinking and use of alcohol, brandy, rum, whiskey, gin, wine, beer, lager beer, ale, porter, stout, and all liquids, beverages and articles containing alcohol by distillation, fermentation or otherwise.

(32) To do all things whatsoever necessary or expedient and lawful to be done for promoting or maintaining the general welfare, comfort, education, morals, peace, government, health, trade, commerce, or industries of the town, or its inhabitants. (1946, c. 18; 1954, c. 166; 1966, c. 234)

§ 9-a. Powers of the town.--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, 1978, and all other powers which are now or may be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth are hereby specifically conferred on and vested in the Town of Wytheville, and no enumeration of particular powers in the charter shall be held to be exclusive but shall be in addition to and supplement general grant of powers. (1979, c. 247)

§ 10. A lien shall exist on all real estate within the corporate limits for taxes, levies and assessments in favor of the town, together with all penalties and interest due thereon, assessed thereon from the commencement of the year for which the same were assessed and the procedure for collecting the said taxes, for selling real estate for town taxes and for the redemption of real estate sold for town taxes shall be the same as provided in the general law for the Commonwealth to the same extent as if the provisions of said general law were herein set out at length. The said town and its treasurer shall have the benefit of all other and additional remedies for the collection of town taxes which are now or hereafter may be granted or permitted under the general law. (1946, c. 18)

§ 11. If any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, said judgment shall not affect, impair or invalidate the remainder of said act, but shall be confined in its operation to the part of the act directly involved in the controversy in which said judgment shall have been rendered. (1946, c. 18)

§ 12. This act may be referred to or cited as the Wytheville Charter of 1946. (1946, c. 18)