

## RADFORD, CITY OF

City of First Class.

Previous names: Lovely Mount, English Ferry,  
Ingles's Ferry, Central Depot, and Central City.

Town of Central City established in 1885.

Name changed to Radford in 1890; incorporated as a city in 1892.

Charter, Town of Central City, 1887.

Charter, 1892, c. 85; repealed 1910, c. 192.

Charter, 1910, c. 192; repealed 1946, c. 375.

Charter, 1946, c. 375; repealed 1968, c. 209.

Charter, 1968, c. 209.

Amended 1973, c. 291 (§§ 1.2, 1.3, 2.2, 2.7, 2.9, 2.10, 2.12, 2.17, 2.28, 3.1 [repealed], 3.1:1 [added], 6.3, 6.4, Art. VII, Art. X, 11.1, 13.6 [added])  
1974, c. 61 (§§ 2.9, 2.28)  
1980, c. 590 (§§ 1.2 [repealed], 1.2:1 [added], 2.2, 2.2:1 through 2.2:4 [added], 2.2:5 [added], 2.4 [repealed], 2.4:1 [added], 2.9 [repealed], 2.9:1 [added], 2.10 [repealed], 3.1:1, 3.2 through 3.7 [repealed], 6.7 [repealed], 6.7:1 [added], 6.8, 13.3 [repealed])  
1985, c. 349 (§§ 2.1, 2.2, 2.2:2 through 2.2:4 [repealed], 2.2:4.1 through 2.2:4.4 [added], 2.3, 2.4:1, 2.5, 2.6, 2.7 [repealed], 2.7:1 [added], 2.8 [repealed], 2.12)  
1997, c. 536 (§ 2.7:1)  
2004, c. 632 (§§ 1.1, 1.2:1, 2.9:1, 2.12, 2.13, 2.23, 2.27, 2.29, 6.7:1, 6.9, 6.14, 11.1, 13.6)  
2008, c. 312 (§§ 2.28, 2.29).

### ARTICLE I. IN GENERAL

§ 1.1. Body politic and corporate; powers generally; boundaries.

The inhabitants of the territory comprised within the present limits of the City of Radford, as hereinafter prescribed, or as the same may be hereafter altered and established by law, shall continue to be a body politic and corporate, to be known and designated as the City of Radford and as such shall have and may exercise all powers which are now or hereafter may be conferred upon or delegated to cities of its class under the Constitution and laws of the Commonwealth of Virginia, as fully and completely as though said powers were specifically enumerated herein, and no enumeration of particular powers by this charter shall be held to be exclusive and the said City of Radford 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, renew or amend at its pleasure by a proper ordinance.

The boundaries of said city shall remain as now established and as set forth in an act of the General Assembly of Virginia approved March 28, 1946, as amended (Acts of Assembly of 1946, Chapter 375, page 654 et seq.), and as expounded by a Decree of

Annexation in annexation proceedings under the style of Bondurant Insurance, Inc., et al. vs. City of Radford, et al., a copy of which is recorded in the clerk's office of the Circuit Court of the City of Radford, Virginia, in Deed Book 74 at page 466; and by Decree of Annexation in annexation proceedings under the style of Allen E. Cloyd, et al. v. County of Montgomery and City of Radford, a copy of which is recorded in the clerk's office of the Circuit Court of the City of Radford in Deed Book 93, Page 628; and by Decree of Annexation in annexation proceedings under the style of Bondurant Development Corporation, et al., vs. County of Montgomery and the City of Radford, a copy of which is recorded in the clerk's office of the Circuit Court of the City of Radford, Virginia, in Deed Book 104, Page 360; and by Voluntary Settlement Agreement by and between the City of Radford and the County of Montgomery, a copy of which is recorded in the clerk's office of the Circuit Court of the City of Radford, Virginia, in Deed Book 121, Page 503 and corrected by Deed Book 121, Page 771, and said boundaries as set forth in said act and decree are incorporated herein by reference. (1968, c. 209; 2004, c. 632)

§ 1.2. (1968, c. 209; 1973, c. 291; repealed 1980, c. 590)

§ 1.2:1. Enumeration of powers.

In addition to powers specifically granted by other provisions of this charter, the city shall have the power:

(a) to establish, organize and administer public libraries and public schools, subject to the general laws of the Commonwealth.

(b) to acquire, by purchase, gift, devise, condemnation or otherwise, lands either within or without the city, to be used, kept and improved as a place for the interment of the dead, and to make and enforce all necessary rules and regulations for the protection and use of places for the interment of the dead, whether owned by the city or by others, and generally to regulate the burial and disposition of the dead.

(c) to enjoin and restrain the violation of any city ordinance or ordinances, even though a penalty is provided upon conviction of such violation.

(d) by vote of council, to utilize profits from the operation of its utilities, above the cost of maintenance and operation, and sufficient reserves for depreciation, replacement, repairs, debt retirement (if any), etc., as determined by accepted accounting practices, for industrial development within the city.

(e) and in general to have, exercise and possess all of the rights, powers and privileges heretofore or hereafter conferred upon or delegated to cities by the Constitution and laws of the Commonwealth of Virginia, specifically those powers set forth in Title 15.2 of the Code of Virginia and all other powers pertinent to the conduct of its affairs not expressly prohibited by the Constitution and general laws of the Commonwealth, and which are necessary or desirable to secure and promote the general welfare of the inhabitants of the city and the safety, health, peace, good order, comfort, convenience, morals, trade, commerce and industry of the city and the inhabitants thereof, and the enumeration of powers, in this charter, or in Title 15.2 of the Code of Virginia, or in the general laws of the Commonwealth shall not be construed or held to be exclusive or as a limitation upon any general grant of power, but shall be construed and held to be in addition to any general grant of power. (1980, c. 590; 2004, c. 632)

§ 1.3. Power of eminent domain.--In order to carry out effectually the powers conferred by this charter, the City of Radford is hereby expressly authorized to acquire by condemnation proceedings instituted in the Circuit Court of the City of Radford, Virginia,

if the subject lies or is situated within the city, or if not within the city, in the circuit court of the county in which lies such subject, such lands or any interest therein, any right, easement or estate of any person or corporation therein as the city may need for its public purposes. If the subject is situated partly within the city and partly within a county, the circuit court of such county shall have concurrent jurisdiction in such condemnation proceedings with the Court of the City of Radford hereinbefore mentioned, which condemnation proceedings shall conform to and be conducted in accordance with the general laws of the Commonwealth applicable to condemnation by cities. (1968, c. 209; 1973, c. 291)

§ 1.4. Pension funds.--The council of said city shall have authority to establish a fund or funds for the relief or pensions of persons in the service of said city; to receive gifts, devises and bequests of money or property for the benefit of such fund or funds; to make contributions of public moneys thereto on such terms and conditions as it may see fit; and to make rules and regulations for the management, investment and administration of such funds or fund. (1968, c. 209)

§ 1.5. Working prisoners.--Subject to the general law of the Commonwealth regulating the working of those convicted of offenses against the Commonwealth, the council shall have the power to provide by ordinance for the employment or the working, either within or without the city limits, or within or without any city prison or jail, of all persons sentenced to confinement in said prison or jail for the violation of the laws of the Commonwealth of Virginia or the ordinances of the City of Radford. (1968, c. 209)

§ 1.6. Existing ordinances.--All ordinances and resolutions in force at the time of the taking effect of this charter not inconsistent with its provisions, shall continue in force until amended or repealed. (1968, c. 209)

§ 1.7. Continuance of contracts.--All contracts entered into by the city for its benefit prior to the taking effect of this charter shall continue in full force and effect. All public works begun prior to the taking effect of this charter shall be continued and completed hereunder. Public improvements for which legislative steps shall have been taken under laws in force at the time this charter takes effect may be carried to completion in accordance with the provisions of such laws. (1968, c. 209)

§ 1.8. Power to appoint boards or commissions of citizens.--The council may provide for the appointment of boards or commissions, to be composed of such number of citizens as the council may deem expedient. The members of all such boards and commissions shall serve with or without compensation, as council shall determine, and the city may furnish secretarial service, at the city's expense, and the city may pay all expenses of all boards and commissions, including travel. The council may prescribe the powers and duties of such boards and commissions consistent with the general law. The board of zoning appeals, planning commission and zoning commission, if the last be created, shall be appointed in the manner and perform such duties as are prescribed by general law and in all respects be governed thereby. (1968, c. 209)

§ 1.9. All general laws of the Commonwealth applicable to municipal corporations now in existence or hereafter enacted which are not in conflict with the provisions of this charter or with ordinances or resolutions hereafter enacted by the council pursuant to the authority conferred by this charter shall be applicable to said city; provided, however, that nothing in this charter shall be construed as limiting the power of

the council to enact any ordinance or resolution not in conflict with the Constitution of this Commonwealth or with the express provisions of this charter. (1968, c. 209)

## ARTICLE II.

### THE COUNCIL

§ 2.1. Creation and powers of the council.--There is hereby created a city council, composed of the mayor and four other members, which shall have full power and authority, except as herein otherwise specifically provided, to exercise all of the powers conferred upon the city, and to pass all laws and ordinances relating to its municipal affairs, subject to the Constitution and general laws of the Commonwealth and of this charter, and shall have full control of all fiscal and municipal affairs of the city and all of its real and personal property and may from time to time amend, reamend or repeal any or all of the ordinances, for the proper regulation, management and government of the city and may impose fines and penalties for the violation or nonobservance thereof. It shall by ordinance or resolution fix the salaries of all officers and employees of the city elected or appointed by it, or appointed by its authority, and their rates of pay, and may so far as is not inconsistent with the provisions of this charter, define the powers and prescribe the duties of all such officers and employees. To effectuate the powers conferred by general law as well as the powers herein specifically granted, the council may employ all such persons as may be necessary. (1968, c. 209; 1985, c. 349)

§ 2.2. Composition of council; election of mayor; terms; powers of mayor; election and terms of other members of council; coincidental election for mayor and council.--(a) The council.--The council shall consist of the mayor and four other members to be elected and to serve for the terms set forth in this section.

(b) The mayor.--The mayor of the City of Radford shall be elected at large by the voters of the City of Radford beginning with the regular councilmanic election in the year 1986, to serve for a term of four years from the first day of July next following the date of the election and until a successor is elected and qualified, and his successor shall be elected each four years thereafter for the term commencing on the first day of July next following the date of the preceding regular councilmanic election.

(c) Status and duties of mayor.--The mayor shall be in all respects equal in status with other members of council, and except as provided for herein, of no greater status, and the mayor shall be entitled to vote on all ordinances, resolutions and issues before city council, shall be entitled to make and second motions, and to otherwise exercise all rights and privileges of a member of city council.

The mayor shall preside at meetings of council and perform such other duties consistent with his office as may be imposed by the council, and while entitled to vote, shall possess no power of veto over any action of the council. He shall be recognized as the official head of the city for all ceremonial purposes, and by the Governor for military purposes. The title of mayor shall be used by the occupant of that office in any case in which the execution of contracts or other legal instruments in writing, or other necessity arising from the general laws of Virginia, or the city council, so require, but this shall not be construed as conferring upon him the administrative, judicial functions, or other powers or functions of a mayor under the general laws of Virginia unless specifically set forth herein. In times of public danger or emergency he may, with the consent of the council, take command of the police and maintain order and enforce the laws, and for this

purpose may deputize such special policemen as may be necessary. During the absence or disability of the mayor, the duties of the office shall be performed by the vice mayor.

The mayor shall enforce council's rules of procedure and preserve order and decorum at all meetings of the city council. He shall decide questions of order and may, without vacating the chair, give reasons for his decision.

The powers and duties of the mayor as a member of council shall be the same as any other member of council, and his powers and duties as mayor shall be such as are conferred by this charter, and by general laws not inconsistent herewith, together with such others as may be conferred by the council pursuant to the provisions of this charter.

(d) Other members of city council.--In addition to the mayor, the council of the City of Radford shall consist of four members, who shall be elected at large and shall serve for a term of four years from the first day of July next following the date of their election and until their successors are duly elected and qualified. Nothing herein contained shall be construed to affect the terms of council members elected or appointed under the provisions of this charter prior to the regular councilmanic election in the year 1986, or thereafter until their then term expires. At the regular councilmanic election in 1986, two persons shall be elected as members of council, and at the regular councilmanic election in 1988, two persons shall be elected as members of council, and in each case their successors shall be elected every four years thereafter.

(e) Elections of mayor and council members coinciding.--When the election for mayor coincides with the election of two other members of council, a candidate may run only for mayor, or for one of the council seats being voted upon, and cannot be qualified or appear on the ballot for both positions.

An incumbent member of council whose term will not expire until after the beginning of the term for which the mayor's election is being voted upon may, without vacating the council seat for which such member was elected, be a candidate for mayor for the term for which the election is held, but, upon that person's commencement of service of the mayor's term for which elected, the council seat occupied by such member shall become, ipso facto, vacant, and the provisions herein contained for filling such vacancy shall thereafter apply. (1968, c. 209; 1973, c. 291; 1980, c. 590; 1985, c. 349)

§ 2.2:1. Council a continuing body.--The council shall be a continuing body, and no measure pending before such body shall abate or be discontinued by reason of the expiration of the terms of office or removal of the members of the body, or any of them. (1980, c. 590)

§ 2.2:2. (1980, c. 590; repealed 1985, c. 349)

§ 2.2:3. (1980, c. 590; repealed 1985, c. 349)

§ 2.2:4. (1980, c. 590; repealed 1985, c. 349)

§ 2.2:4.1. Vice mayor; how elected; term; powers and duties.--Beginning in the year 1986, the council, on the first business day in July next following the regular councilmanic election, or as soon thereafter as may be practicable, shall elect one of its members as vice mayor, who shall serve for a term extending from the first day of July, next following said councilmanic election to the thirtieth day of June, 1988, and for a like term in each year in which a councilmanic election is held. During the absence or disability of the mayor, the vice mayor shall have and perform all of the powers, duties, privileges and responsibilities of the office of mayor, and, in the event of a vacancy in the office of mayor, shall temporarily serve as acting mayor until the vacancy is filled as

provided in this charter. During such temporary service, the councilmanic seat held by him shall not be deemed to have been vacated. (1985, c. 349)

§ 2.2:4.2. Vacancy in office of mayor; how filled; vacancies on council; how filled.--When a vacancy occurs on the city council, including the case of a vacancy in the office of mayor, then the office of mayor or the vacancy in the other members of council, in either case, shall be filled within thirty days of such vacancy by majority vote of the remaining members of council for the period from the date of appointment until the next regular councilmanic election; however, if such vacancy occurs less than 120 days prior to the next regular councilmanic election, then the appointment by the remaining members of council shall be for the period remaining until the councilmanic election which first occurs more than 120 days after the vacancy. In any case, the unexpired term shall be filled by the voters at the next succeeding regular councilmanic election which occurs more than 120 days after such vacancy.

In the event the remaining members of council cannot or do not fill such vacancy in the office involved within the time and in the manner herein provided, then such vacancy shall be filled by a majority of the circuit judges of the judicial circuit of which the City of Radford is a part, or if there be only one such judge, then by the judge of such circuit. If a majority of the judges cannot agree, if there be more than one such judge, then the senior judge of the circuit shall make the appointment.

An appointment to fill a vacancy in the office of mayor, or on council, as the case may be, made by the judge or judges of the circuit court shall expire at the next regular councilmanic election; however, if the vacancy occurs within 120 days of the next election, then the appointment shall expire at the time of the second ensuing regular councilmanic election. (1985, c. 349)

§ 2.2:4.3. Writ of election to fill vacancy.--When a vacancy occurs in the office of mayor or in city council, the council shall, within thirty days of the occurrence of the vacancy, cause a petition to be filed with the Circuit Court of the City of Radford for issuance of a writ of election to fill such vacancy in accordance with the applicable sections of Title 24.2 of the Code of Virginia, and, upon receipt of such petition, the court shall issue the writ of election. When the vacancy has been filled by appointment by the remaining members of council the election shall be held at the next ensuing regularly scheduled councilmanic election or, if the vacancy occurred within 120 days of the date on which the next such election is scheduled, then at the second such election, provided, that when such vacancy has been filled by the remaining members of council, no such election shall be held if the regular councilmanic election at which the vacancy would be filled hereunder is scheduled in the calendar year in which that term expired; provided, further, that no such election shall be held if the regular councilmanic election at which a vacancy would otherwise be filled is scheduled within sixty days of the end of the term of office to be filled.

The person appointed by the circuit court to fill the vacancy shall hold office until the qualified voters shall fill the same by election as provided by Title 24.2 of the Code of Virginia, and the person so elected shall have qualified. (1985, c. 349)

§ 2.2:4.4. Method of election by voters to fill vacancy.--If the vacancy in the office of mayor is to be filled at a regular councilmanic election, the office shall be listed on the ballot separately from any other councilmanic office for which the election is also being held, and no candidate for a seat on council at such election may also be a

candidate for mayor. The candidate receiving the highest number of votes for that vacancy shall fill the vacancy for the unexpired term. If, at the same time, a vacancy in council's other membership is also being filled by the voters, no candidate may run for both offices.

In cases in which a vacancy or vacancies on city council (other than mayor) is or are to be filled at a regular councilmanic election, the number of candidates equal to the number of seats to be filled for full terms receiving the highest number of votes shall be entitled to such full terms, and the candidate receiving the next highest number shall fill the unexpired term caused by such vacancy, and so on in similar fashion until the vacancies are filled. (1985, c. 349)

§ 2.2:5. Qualifying of appointees.--Any person appointed under § 2.2:2 of this charter, or by the circuit judges in the event the remaining members of council cannot agree or do not act, shall, within thirty days of their appointment, qualify before any judge of the Circuit Court of the City of Radford, or before the clerk of such court, in like manner as is required of such council member when elected by the voters. (1980, c. 590)

§ 2.3. Qualification of members.--Any person qualified to vote in the city shall be eligible to the office of mayor or councilman. (1968, c. 209; 1985, c. 349)

§ 2.4. (1968, c. 209; repealed 1980, c. 590)

§ 2.4:1. Oath of councilmen and mayor; compensation.--Members elected or appointed to council shall, before entering upon the performance of their duties, take the oath of office prescribed by law.

Members of council and the mayor shall receive as compensation such sums as council may determine within ranges provided by general law, and a reasonable differential between compensation paid to the mayor and other members shall be established consistent with the responsibilities of the mayor. No increase in salary shall take effect, however, for a given member of council or the mayor until after the end of the term for which such member or mayor was elected. Such compensation shall be paid in monthly or equal semi-monthly installments as council may direct. (1980, c. 590; 1985, c. 349)

§ 2.5. Votes for councilmen.--In any election for mayor and councilman, each elector shall be entitled to vote for the office of mayor and for as many persons as there are seats on council to be filled, and no more, and no elector shall cast more than one vote for the same person. The candidates at any regular municipal election for the election of councilmen, equal in number to the places to be filled, who shall receive the highest number of votes at such election shall be declared elected as council member, and, when the election is also for mayor, the candidate with the highest member of votes cast for that office shall be declared elected mayor. (1968, c. 209; 1985, c. 349)

§ 2.6. Limitation of the powers.--Neither the mayor, the council nor any of its members shall dictate the appointment of any person to office or employment by the city manager, or prevent him from exercising his own judgement in the appointment of officers or employees in the administrative service. Except for the purpose of inquiry, the mayor, the council and its members shall deal with the administrative service solely through the city manager and neither the mayor nor council nor any member thereof shall give orders to any subordinate of the city manager, either publicly or privately. (1968, c. 209; 1985, c. 349)

§ 2.7. (1968, c. 209; 1973, c. 291; repealed 1985, c. 349)

§ 2.7:1. Ineligibility of the mayor and council members to hold other office.--No member of city council, including the mayor, shall be eligible during his or her term of office as such member to hold any office to be filled by the council, by election or by appointment, except that the mayor and other members of city council may be named as a member of such other boards, commissions, and bodies as may be permitted by general law; provided, however, that a member of the city council may be elected or appointed to fill a vacancy in the office of mayor. (1985, c. 349; 1997, c. 536)

§ 2.8. (1968, c. 209; repealed 1985, c. 349)

§ 2.9. (1968, c. 209; 1973, c. 291; 1974, c. 61; repealed 1980, c. 590)

§ 2.9:1. Appointment of boards and commissions, city attorney, city clerk, city physician.--Council shall appoint the members of such boards and commissions as are provided by this charter, by the general laws of the Commonwealth, or as are established by council. The council may further appoint a city attorney, city physician and city clerk, and fix their salaries, compensation and term of office. Such term may be established for a time certain, or at the will of council. (1980, c. 590; 2004, c. 632)

§ 2.10. (1968, c. 209; 1973, c. 291; repealed 1980, c. 590)

§ 2.11. All elections by the council shall be viva voce and the vote recorded in the journal of the council.

The council may determine its own rules of procedure. It shall keep a journal of its proceedings. A majority of all the members of the council shall constitute a quorum to do business, but a smaller number may adjourn from time to time. (1968, c. 209)

§ 2.12. Meetings of council.

On the first business day in July (or as soon thereafter as may be practicable) next following the regular municipal election, the council shall meet at the usual place for holding meetings of the legislative body of the city for the purpose of organizing for the ensuing term. Thereafter the council shall meet at such times as may be prescribed by ordinance, resolution or motion of its members. The mayor, any member of council, or the city manager may call special meetings of the council at any time upon reasonable notice to each member, or such meeting may be held at any time without notice, provided, all members of the council attend. All meetings of the council shall be public, except where the public interest may require executive sessions, and any citizen may have access to the minutes and records of all public meetings at all reasonable times. The requirements of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) of the Code of Virginia shall be observed in calling any meeting of council. (1968, c. 209; 1973, c. 291; 1985, c. 349; 2004, c. 632)

§ 2.13. Legislative procedure.

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 the money to be raised thereby shall be confined to those subjects respectively.

The enacting clause of all ordinances passed by the council shall be "Be it ordained by the council of the City of Radford." No ordinance, unless it be an emergency measure, shall be passed until it has been read at two regular or special meetings not less than three days apart, or the requirement of such reading has been dispensed with by the



affirmative vote of four of the members of the council. Any ordinance may be amended at any reading without the necessity of again reverting to a first reading thereof, and council may then proceed to consider the ordinance as amended on the subsequent readings. No ordinance or section thereof shall be revised or amended by its title or section number only, but the new ordinance shall contain the entire ordinance, or section as revised 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. All readings of ordinances shall require an affirmative vote of the majority of the members present and voting to pass. In the event that an ordinance or resolution fails to gain an affirmative vote of the majority of the members present and voting on either the first or second reading, said ordinance or resolution shall fail. No member shall be excused from voting except on matters involving the consideration of his official conduct, or where his financial or personal interests are involved.

In authorizing the making of any public improvement or the acquisition of real estate or any interest therein, or authorizing the contracting of indebtedness, (except temporary loans in anticipation of taxes or revenues or of the sale of bonds), or authorizing the sale of any property or rights in property in the City of Radford, or granting any public utility franchise, privilege, lease or right of any kind to use public property or easement of any description or any renewal, amendment or extension thereof, the council shall act only by ordinances; provided, however, that after such ordinances shall have taken effect, all subsequent proceedings incident thereto, providing for the carrying out of the purposes of such ordinance may, except as otherwise provided in this charter, be taken by resolution of the council. (1968, c. 209; 2004, c. 632)

§ 2.14. 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 the affirmative vote of four of its members, pass emergency measures to take effect any 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 services by any public utility (unless the same be wholly owned by the City of Radford) shall be so passed. (1968, c. 209)

§ 2.15. Record of ordinances and resolutions.--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. (1968, c. 209)

§ 2.16. Ordinances and resolutions, et cetera, as evidence.--A record of entry made by the city clerk of a copy of such record or entry duly certified by him shall be prima facie evidence of the terms of the ordinance, resolution, record or entry and its adoption. All ordinances and resolutions of the council may be read in evidence in all courts and in all other proceedings in which it may be necessary to refer thereto, either from a copy thereof certified by the city clerk or from the volume of ordinances printed by authority of the council. (1968, c. 209)

§ 2.17. Time of holding municipal elections.--A municipal election shall be held on the first Tuesday in May, 1974, and every second year thereafter, which shall be known as the regular election for the election of councilmen. (1968, c. 209; 1973, c. 291)

§ 2.18. General provisions relating to elections, elections, how conducted.--All elections provided for in this charter, except as otherwise provided herein, shall be conducted, and the result canvassed and certified by the regular selection of officials provided for by the general election laws of the Commonwealth and all such elections shall be governed by such general election laws. (1968, c. 209)

§ 2.19. Qualification of members of the council and other officials.--The members of the council before entering upon the duties of their respective offices shall each take the oath prescribed by the laws of this Commonwealth for state officers. Such oaths shall be administered as provided by general law and the certificate thereof shall be filed with the city clerk and entered upon the journal of the council. Every other person elected or appointed to any office under this charter or under any ordinance of the council, except clerks, and laborers, shall, before entering upon the duties of his office, take and subscribe said oath, together with such other oaths as may be required by ordinance, before any person authorized to administer an oath, and the certificate of the same shall be filed in the office of the said clerk.

The clerk of the circuit court of said city shall notify all persons elected by the people, under this charter, or their election and the city clerk shall notify all persons elected by the council of their election. If any person elected to any office in the said city shall, after receiving notice of election, fail to take such oaths and give such bonds, with security, as may be required by law or ordinance, prior to the day on which their term of office begins, he shall be considered as having declined said office, and the same shall be deemed vacant, and such vacancy shall be filled according to the provisions of this charter. (1968, c. 209)

§ 2.20. Bonds of officers.--Except in the case of officers whose bonds are specially provided for by this charter, the council in fixing the salary of any officer, clerk or employee of the city, shall determine whether such officer, clerk or employee shall give bond and the amount of penalty thereof. All officers required by this charter to give bond, and all officers and employees and clerks of whom bond is required by the council shall, before entering upon their respective duties, give bond with surety to be approved by the council, conditioned for the faithful performance of the duties of their respective offices, which bond, unless otherwise specially provided by this charter or by general law, shall be payable to the said city and in such penalty as the council may by ordinance prescribe. The council shall accept as surety on any such official bond a good, solvent, surety, or fidelity company authorized to do business in this Commonwealth, and may provide by proper ordinance that bonds other than corporate surety may be accepted in which event the council may increase the penalty thereof to such sum as it may deem necessary and as provided in such ordinance. The council may provide that the premium on any such bond shall be paid by the city. The sureties on the bond of any such officer shall be equally liable for the acts of any deputy or deputies of such officer as for those of such officer himself. Unless otherwise specially provided in this charter, all such bonds shall be filed with and preserved by the city clerk. The parties to bond taken in pursuance of this section shall be subject to the same proceedings on said bonds for enforcing the conditions and terms thereof, by motion or otherwise, before the circuit court of said city, as are now or may hereafter be provided by law in the case of collectors of the county levy and the sureties on their bonds for enforcing payment of the county levies. (1968, c. 209)

§ 2.21. Compensation of fee officers.--The council may, by ordinance conformable to the general law, provide and fix annual compensation to be determined by the council, but not in excess of the compensation provided by general law, for the officers herein named, except the city attorney, which annual compensation shall be in lieu of all salary, fees, commissions and/or other emoluments of office, which but for this section would or could accrue to such officers, shall, unless accruing from said city, be collected and accounted for and paid into the city treasury by such officers.

In providing and fixing such annual compensation the council shall make proper allowance for the payment of deputies, assistants, clerical and/or stenographic help. In the event of a disagreement between the officer and the council as to the proper allowance, then and in that event the same shall be determined by the State Compensation Board or such other boards or commissions, now or hereafter established, having authority in the premises.

The compensation of any of the officers herein named shall not be diminished during the term for which they are elected, except pursuant to general law. (1968, c. 209)

§ 2.22. Books, records, et cetera.--All books, records and documents used by any city officer in his office or pertaining to his duties shall be deemed to be the property of said city, and the chief officer in charge of such office shall be responsible therefor. Any such officer or person made by this section responsible for the keeping of such books, records and documents shall, within ten days after the end of his term of office, or within ten days after the date of his resignation or removal from office, as the case may be, deliver to the city clerk all such records and documents. Any such officer or person failing to deliver such books, records, or documents, as required by this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than \$100 and not more than \$500, or imprisoned not exceeding six months, or both, in the direction of the court or jury before whom the case is tried. (1968, c. 209)

§ 2.23. General qualification.

The provisions of Chapter 31 (§ 2.2-3100 et seq.) of Title 2.2 of the Code of Virginia relative to the disqualification of certain officers, agents, officials and employees from dealing with and claiming against the cities are hereby expressly adopted herein by reference, as now in effect and as said Article, Chapter and Title may be amended subsequent to the adoption of this charter, and the prohibitions, forfeitures and penalties are hereby adopted, as are the exceptions and exclusions. (1968, c. 209; 2004, c. 632)

§ 2.24. The city manager, appointment, qualifications, et cetera.--The city manager shall be administrative and executive head of the municipal government. He shall be chosen by the council without regard to his political beliefs and solely upon the basis of his executive and administrative qualifications. He shall be appointed for an indefinite period and shall hold office during the pleasure of the council, or for an initial term of two years, if the council so provides, unless sooner removed by the council upon proven charges preferred for malfeasance or misfeasance, neglect of duty or incompetency. The council may reappoint said city manager for a term not exceeding four years, but such appointee shall be subject at all times to be removed by the council on proven charges of malfeasance, misfeasance, neglect of duty or incompetency. He shall receive such compensation as shall be provided by the council by ordinance or resolution. He shall be bonded as the council may deem necessary. During the absence or disability of the city manager, or in case of a vacancy, the council may designate some

properly qualified person to perform the duties of the office during such absence, disability or vacancy.

Powers and duties of the city manager.

The city manager shall be responsible to the council for the efficient administration of all officers of the city elected, appointed or designated by council or by its authority. He shall have powers and it shall be his duty:

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

(b) Except as otherwise provided in this charter to appoint such city officials and employees, as the council shall determine and authorize, as are necessary for the proper administration of the affairs of the city, with the power to discipline and remove any such officer or employee. Any person so removed shall have right of appeal to the council within thirty days after his removal and after notice to the city manager and the action of the council on such appeal shall be final.

(c) To attend all meetings of the council, with the right to take part in the discussion, but having no vote.

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

(e) To make reports to the council from time to time upon the affairs of the city and to keep the council fully advised of the city's financial condition and its future financial needs.

(f) To prepare and submit to the council a tentative budget for the next fiscal year as provided by general law and by the provisions of this charter.

(g) To perform such other duties as may be prescribed or requested by council. (1968, c. 209)

§ 2.25. Investigation.--The council, the city manager and any other officers, boards or commissions, authorized by them or either of them shall have power to make investigations as to city affairs and for that purpose to subpoena witnesses, administer oaths, and compel attendance and the production of books and papers. (1968, c. 209)

§ 2.26. Creation of departments.--The council may, by ordinance, create administrative departments, and when such departments are created, may define the functions which such departments are to administer, may provide for the appointment of heads for such departments and define their duties and responsibilities. (1968, c. 209)

§ 2.27. City clerk. The city clerk shall be appointed at the time, in the manner and for the term provided by the provisions of this charter. He may, by and with the consent of the council, appoint one deputy and such number of assistants as may be provided for by ordinance or resolution. He shall be the clerk of the council, shall keep a record of its proceedings, and either he or his deputy shall attend all meetings thereof. He shall keep all books and papers which by the provisions of this charter or by discretion of the council, or by general law, are required to be kept by or filed with him. He shall be the custodian of the city seal, and shall affix and attest the same when so directed by the council. He shall transmit copies of all ordinances or resolutions to such officers and persons as are particularly affected thereby. He shall give information to persons presenting communications or petitions to the council of the final action of the council thereon. He shall, except as otherwise expressly provided in this charter, publish or cause to be published, all reports, ordinances and other documents required by law to be published, and also such other reports as the council of the city may by ordinance or

resolution direct. He shall perform such other duties as are required by this charter, and in general shall perform such acts and duties as the council shall by ordinance or resolution require of him. Any of the duties of said city clerk may be performed by his deputy. The city clerk and his deputy shall receive such compensation as the council may by ordinances or resolution provide and give such bond as the council may by ordinance require. (1968, c. 209; 2004, c. 632)

§ 2.28. Director of finance.--The city manager shall appoint a director of finance, who shall have such powers, duties and obligations in connection with the management and supervision of the fiscal affairs of the city as the city council shall direct by ordinance. (1968, c. 209; 1973, c. 291; 1974, c. 61; 2008, c. 312)

§ 2.29. City attorney.

The city attorney may be appointed or employed at the time, in the manner, and for the term provided by the provisions of this charter or by ordinance. The city attorney shall at the time of his appointment be a practicing attorney qualified in the Commonwealth of Virginia for the practice of law. The city attorney shall be the legal adviser of and the attorney and counsel for the city, and defend all suits, actions and proceedings against the same, and shall prepare all contracts, bonds and other instruments in writing, in which the city is interested or concerned, and shall endorse on each his approval of the form and correctness thereof, provided that in the case of bonds to be issued by the city, it shall be sufficient if the city attorney certify to the council his approval thereof as to form in a separate writing, to be filed and preserved with the records of the council.

The council, the city manager, or any officer, board or commission may require the written opinion of the city attorney upon any question of law involving their respective powers and duties.

The city attorney upon request of the council shall apply in the name of the city to a court of competent jurisdiction for such injunction or injunctions as may be necessary to restrain and prevent the misapplication and/or misuse of the funds or property of the city, or the evasion or abuse of its corporate powers, or the usurpation of authority by any city official, or the execution or performance of any contract made in behalf of the city in contravention of law, or which was procured by fraud or corruption.

When an obligation or contract made on behalf of the city granting a right or easement or creating a public duty is being evaded or violated, the city attorney, when directed by council, shall institute and prosecute such suit or suits as may be necessary to enforce the forfeiture thereof, or the specific performance thereof, as the nature of the case may require.

In case any officer, board or commission shall fail to perform any duty required by law the city attorney, upon request of the council, shall apply to a court of competent jurisdiction for a writ of mandamus to compel the performance of such duty. Wherever the city shall purchase or otherwise acquire real estate or any interest therein, unless other provision is made by the council, the city attorney shall examine and certify the title thereto before the purchase price thereof shall be paid. The city attorney shall perform such other duties as may be required by him by ordinance or resolution of the council, and shall be paid such salary or compensation as the council may from time to time prescribe, including earned fees above the retainer fee or salary established by council. (1968, c. 209; 2004, c. 632; 2008, c. 312)

### ARTICLE III.

#### COURTS

§ 3.1. (1968, c. 209; repealed 1973, c. 291)

§ 3.1:1. Courts.--The courts for the city shall be those provided for in the Constitution and general laws of the Commonwealth of Virginia. (1973, c. 291; 1980, c. 590)

§ 3.2. (1968, c. 209; repealed 1980, c. 590)

§ 3.3. (1968, c. 209; repealed 1980, c. 590)

§ 3.4. (1968, c. 209; repealed 1980, c. 590)

§ 3.5. (1968, c. 209; repealed 1980, c. 590)

§ 3.6. (1968, c. 209; repealed 1980, c. 590)

§ 3.7. (1968, c. 209; repealed 1980, c. 590)

### ARTICLE IV.

#### POLICE FORCE

§ 4.1. Composition.--The police force shall be composed of a chief of police or such officers, patrolmen, and other employees as the city manager may determine and as may be authorized by the council, and they shall be appointed and may be removed by the city manager. The chief of police shall have immediate direction and control of the said force, subject however, to the supervision of the city manager as to such rules, regulations and orders as the city manager may prescribe. The chief of police shall issue all orders, rules, and regulations for the government of the whole force. (1968, c. 209)

§ 4.2. Powers and duties.--The members of the said police force of said city shall be, and they hereby are vested with all of the power and authority which pertains to the office of constable and sheriff at common law and as empowered by the laws of this Commonwealth in taking cognizance of and in enforcing criminal laws of the Commonwealth and the ordinances and regulations of said city. Such patrolmen shall have no power in civil matters, but shall execute any criminal warrant or warrants of arrest and summons in criminal cases that may be placed in his hands by any duly authorized person and make due return thereof, and shall generally carry out the duties of the police force of the city as defined by state law. (1968, c. 209)

§ 4.3. Each member of the police force shall, before entering upon the duties of his office, take such oath as the council directs before the clerk of the circuit court, and should council by ordinance require, give bond with surety approved by said clerk. Uniforms, badges and arms shall be as prescribed by the city manager. (1968, c. 209)

### ARTICLE V.

#### FIRE FORCE

The fire force shall be composed of a chief and such other officers, firemen and employees as the council may authorize. The fire chief shall have immediate direction and control of the said force, subject, however, to the supervision of the city manager, and to such rules and regulations and orders as the said city manager may prescribe. The city manager shall issue all orders, rules and regulations for the government of the whole force. The members of the fire force shall be appointed by the city manager and may be removed by him. In case of riot, conflagration, or emergency, the city manager may appoint additional firemen and officers for temporary service. (1968, c. 209)

The chief of the fire department and his assistants are authorized to exercise the powers of police officers while going to, attending or returning from any fire or alarm of fire.

Whenever any building in said city shall be on fire it shall be lawful for the chief of the fire department to order and direct such building or any other building which he may deem hazardous and likely to communicate fire to other buildings, or in any part of such buildings, to be pulled down or destroyed; and no action shall be maintained against said chief or any other person acting under his authority or against the city therefor; provided, however, that any person interested in the property so destroyed may within one year thereafter apply in writing to the council to assess and pay the damages he has sustained. The council may thereupon pay to the claimant such sum as may be agreed upon between him and the council. If no agreement be effected, such claimant may give to the city attorney of said city ten days' written notice of his intention to apply to the circuit court of the city for relief in the premises, and if such court holds that liability exists, it may appoint five commissioners to ascertain and assess his said damage, who shall be freeholders and residents of the City of Radford, Any three or more of whom may act, for the purpose of ascertaining and assessing the amount of such damages. Nothing herein contained shall impose upon the City of Radford any liability greater than that provided by the general laws of this Commonwealth. (1968, c. 209)

#### ARTICLE VI.

#### BUDGET, TAXATION AND FINANCE

§ 6.1. Annual budget.--On or before the first day of April of each year, the city manager shall cause to be prepared and submitted to council an estimate of revenues and borrowings and a complete itemized and classified plan of all contemplated expenditures, based upon estimates furnished by the several officers of the city government, according to classification, and as nearly uniform as possible. The budget shall present the following information:

(a) An itemized statement of the appropriations recommended, with comparative statement of parallel columns, showing appropriations made for the then current and next preceding year.

(b) An itemized statement of the taxes required and of the estimated revenues of the city from all other sources for the ensuing fiscal year, with comparative statements in parallel columns of the taxes and other revenues for the then current and next preceding year, and of the increases or decreases estimated or proposed.

(c) An itemized and complete financial balance sheet for the close of the last preceding fiscal year, which may be incorporated with any other required item herein set forth.

(d) A statement of the contemplated revenue and disbursements, liabilities, reserves and surplus or deficit of the city as of the date of the preparation of the budget.

(e) A fund statement showing the conditions of the various appropriations, the amount of appropriations remaining unencumbered, and the amount of revenues remaining unappropriated.

(f) Explanatory text, relative to the conditions, reasons, et cetera, connected with the estimates for the ensuing year.

(g) Such other information as council may direct. (1968, c. 209)

§ 6.2. A public hearing shall be held by the council on any such proposed budget, for informative and fiscal planning purposes only, with notice thereof being published within the time and manner, and containing the information required by state law as now or hereafter provided. As contained in said budget as published, the contemplated expenditures shall be deemed to be for informative and fiscal planning only and shall not be deemed to be an appropriation. (1968, c. 209)

§ 6.3. Annual appropriation.--At least fourteen days before the end of the fiscal year, the council shall publish a brief synopsis of the proposed budget for the next ensuing fiscal year together with a notice of a public hearing thereon, which said hearing shall be held within the time required by law; thereafter, the council shall adopt a budget for the fiscal year and pass an annual appropriation ordinance which shall be based on the budget so adopted, and shall levy such tax for said year, to be based upon the evaluations of the properties subject to taxation as of January 1 of the then current year as in its discretion shall be sufficient to meet all just demands against the city on any account. (1968, c. 209; 1973, c. 291)

§ 6.4. Fiscal year, maturing of local levies, et cetera.--The council may determine when the fiscal year of the city, shall begin and end and may change the same from time to time. In the event the same begins other than on July 1, the budget shall be submitted as required by state law. The council may also, determine when city licenses, taxes and other local levies shall be payable, and assessable, and may by ordinances or resolution, make the same payable in equal installments, either monthly, quarterly, semiannually or annually, this provision including city license taxes aggregating fifty dollars or more per year, and may further prescribe penalties for nonpayment thereof on time. The said city shall have the power to allow a discount on taxes paid in advance, to be fixed by ordinance. (1968, c. 209; 1973, c. 291)

§ 6.5. Unencumbered balances.--At the close of each fiscal year, or upon the completion or abandonment, at any time within the year, of any work, improvement, or other object for which a specific appropriation has been made, the unencumbered balance of each appropriation shall revert to the respective fund from which it was appropriated and shall be subject to further appropriation. No money shall be drawn from the treasury of the city nor shall any obligation for the expenditure of money be incurred except pursuant to appropriations made by the council. (1968, c. 209)

§ 6.6. Refunding bonds.--The council shall have the authority to issue bonds for the purpose of refunding, so far as is necessary, any bonds of the city at maturity, but no such refunding bonds shall be issued for a greater period than thirty years. Such refunding bonds shall be sold by the council, and the proceeds from such sale shall be used for the purpose of paying the maturing bonds and for no other purpose. Such refunding bonds shall be signed and executed in the same manner as other bonds. (1968, c. 209)

§ 6.7. (1968, c. 209; repealed 1980, c. 590)

§ 6.7:1. Issuance of bonds, notes and evidence of debt.

For the execution of its powers and duties the city council may, in the name and for the use of the city, contract loans and cause to be issued certificates of debts or bonds, provided no such certificate of debt or bonds shall be issued except by ordinance adopted in accordance with Section 7 of Article VII of the Constitution of Virginia, and otherwise in accordance with the requirements of the Virginia "Public Finance Act," Chapter 26 (§



15.2-2600 et seq.) of Title 15.2 of the Code of Virginia, but such bonds, certificates or loans shall not be irredeemable for a period greater than 40 years; provided, however, that the council shall not issue any such bonds, certificates of indebtedness or other interest bearing obligations which, including existing indebtedness, shall at any time exceed 10 per centum of the assessed valuation of the real estate in the City of Radford subject to taxation as shown by the last preceding assessment for taxes. In determining the debt limitation herein provided, there shall not be included the following classes of indebtedness:

(1) Certificates of indebtedness, revenue bonds, or other obligations issued in anticipation of the collection of the revenues by the city for the then current year; provided that such certificates, bonds, or other obligations mature within one year from the date of their issues, be not past due, and do not exceed the revenue for such year.

(2) Bonds pledging the full faith and credit of the city authorized by an ordinance enacted in accordance with Section 7 of Article VII of the Constitution of Virginia, and approved by the affirmative vote of the qualified voters of the city voting upon the question of their issuance, for a supply of water or other specific undertaking from which the city may derive a revenue; but from and after a period to be determined by the city council not exceeding five years from the date of such election, whenever and for so long as such undertaking fails to produce sufficient revenue to pay for cost of operation and administration, including interest on bonds issued therefor, the cost of insurance against loss by injury to persons or property, and an annual amount to be placed into a sinking fund sufficient to pay the bonds at or before maturity, all outstanding bonds issued on account of such undertaking shall be included in determining such limitation.

(3) Bonds of the city the principal and interest on which are payable exclusively from the revenues and receipts of a water system or other specific undertaking or undertakings from which the city may derive a revenue, or secured, solely or together with such revenues, by contributions of other units of government. (1980, c. 590; 2004, c. 632)

§ 6.8. Borrowing to meet current expenses.--To meet the current expenses of the city government the council is authorized and empowered to borrow on behalf of the city such sum or sums of money as in its judgment is required, not exceeding the estimated revenues to be received during the then current year, including the revenue derived from taxation or from the operation of its utilities, and may issue such obligations of the city as may be required, payable out of the current revenues of the city to be derived from taxation or the operation of its utilities, provided such obligations mature within one year from the date of their issue; provided further that nothing in this section or in the charter of the city shall be construed to require such obligation or obligations to be ratified by either the freehold or qualified voters of the city. (1968, c. 209; 1980, c. 590)

§ 6.9. Power and duty to assess taxes; purposes. For the execution of its powers and duties, the city council may raise taxes annually by assessment in said city on all subjects taxable by the Commonwealth, the taxation of which by cities and towns is not forbidden by general law, such sums of money as they shall deem necessary to defray the expenses of the same, and in such manner as they shall deem expedient (in accordance with the laws of the Commonwealth and the United States). It shall be the duty of the said city council to levy annually on taxable property in said city a tax sufficient to pay the interest on all bonds of the said city, as such interest falls due, and also sufficient to pay

the principal of said bonds, as such principal falls due, or to provide a sufficient sinking fund for the payment of said principal at maturity. (1968, c. 209; 2004, c. 632)

§ 6.10. Special assessments.--All local or special assessments shall be made and collected as council shall prescribe by ordinance and in accordance with law, and such special assessments shall have priority over all claims or liens whether prior or subsequent thereto. (1968, c. 209)

§ 6.11. Liens for taxes, et cetera.--There shall be a prior lien on all real estate and on each and every interest therein for the city taxes assessed thereon, from the commencement of the year for which they were assessed, and also for all local assessments which may be made thereon according to law. There shall also be a lien on any land or premises for the amount of expense incurred by said city in abating any nuisance thereon or cutting or removing weeds or rubbish therefrom, after notice to the owner thereof by publication or otherwise as may be provided by ordinance, to abate the same, to cut weeds and/or remove rubbish therefrom; provided, however, that the lien for the amount of any such local assessment or for the expense of abating any nuisance or cutting or removing weeds and rubbish from any premises shall not be good against a purchaser of such land or premises for value without notice except and until from the time that the same shall be docketed in the judgment lien docket in the office of the clerk of the Circuit Court of the City of Radford, and indexed in the name of the person or persons owning such estate or land by a "claim of lien" filed with the clerk by the city manager or his authorized representative, setting forth the amount, reason for, and time from which said lien is claimed. The council may require such real estate in the city, delinquent for the nonpayment of taxes, or assessments of expenses incurred as above provided, to be sold for said taxes or assessments or expenses, with interest thereon at the rate of six per centum per annum, and such percentage as may be prescribed for such charges; and the council may regulate the terms on which the real estate so delinquent may be sold or redeemed, provided, such sales shall be made subject to the prior lien of the Commonwealth for taxes, if any. The lien above mentioned may be enforced as provided by general law. (1968, c. 209)

§ 6.12. Levy for taxes.--All goods and chattels of any person against whom taxes for the city are assessed may be distrained and sold for state taxes.

A tenant by whom payment is made or from whom payment is obtained by distress or otherwise of taxes or levies due the city by a person under whom he holds, shall have credit for the same against such person out of the rents he may owe him, except when the tenant is bound to pay such taxes and levies by an express contract with such person. And where taxes or levies are paid to the city by a fiduciary on any estate in his hands or for which he may be liable, such taxes and levies shall be refunded out of the said estate. (1968, c. 209)

§ 6.13. License taxes.--(a) License taxes may be imposed by ordinance on business, trades, professions, and callings and upon the persons, firms, associations and corporations engaged therein and the agents thereof, except in cases where taxation by the localities shall be prohibited by the general law of the Commonwealth and nothing herein shall be construed to repeal, or amend any general law of the Commonwealth with respect to taxation.

(b) The council may require every person, firm or corporation using or operating a vehicle on the streets of the city to secure a license tag and to pay a tax therefor, whether

such vehicle is used or operated for compensation or not, so long as such vehicle is principally parked or garaged in said city.

(c) The council may subject any person, firm or corporation who or which without obtaining a license therefor, shall follow any business, occupation, vocation, trade, pursuit, calling, or shall do any other act for which a license is required, to such fine or penalty as it is authorized to impose for any violation of its laws.

(d) The council may, in its discretion, determine whether or not the commissioner of the revenue shall receive fees for issuing and transferring city licenses, and it may fix the amount of such fees and change the same from time to time, provided, however, that no such fees shall be payable out of the city treasury, but shall be paid by the person obtaining the license or transfer, and such license or transfer may be withheld by the commissioner of the revenue until such fees are paid.

(e) Council may provide by ordinance for revoking any license for failure to comply with conditions upon which same is granted.

(f) In addition to other remedies provided by general law, or provided by ordinance enacted pursuant to general law, the city shall have a lien from January 1 of each tax year prior to any other lien except for other taxes, on any and all vehicles, fixtures, furniture, books of account and of the accounts therein, and all stock in trade, or effects used in, or in connection with, any business for which a license is required for the amount of such license or licenses, plus fees, interest, penalties and costs. The council may by ordinance provide for the enforcement of such lien by levy or otherwise as the council may determine. (1968, c. 209)

§ 6.14. Public finance. By this charter, the Public Finance Act of 1991, and all acts amendatory thereof, as now in effect or as the same may be amended in the future, are incorporated in this charter by reference as permissive to the city and not be construed as limiting the financial and borrowing powers of the city in any way, all as the same is set forth in Chapter 26 (§ 15.2-2600 et seq.) of Title 15.2 of the Code of Virginia. (1968, c. 209; 2004, c. 632)

§ 6.15. The council may impose, levy and collect admission tax on any place of amusement, entertainment, sport, exhibition or athletic event held in the city and may require the same to be added to the admission price and remitted to the city by the sponsor or promoter of such event. (1968, c. 209)

§ 6.16. There shall be a prior lien on any and all vehicles, fixtures, furniture, books of account and of the accounts therein, and all stock in trade or effects used in or in connection with any business for the amount of all taxes assessed against such vehicles, fixtures, furniture and stock and for the amount of any license or licenses imposed thereon, plus fees, interest, penalties and costs. The foregoing liens may be enforced as council may prescribe by ordinance, and shall be in addition to any other remedies provided by general law. (1968, c. 209)

## ARTICLE VII.

### OTHER OFFICERS

Election of other officers.--There shall be elected by the qualified voters of said city, on the Tuesday after the first Monday in November, 1973, and quadrennially thereafter, the following officers: One attorney for the Commonwealth, one commissioner of revenue, one city treasurer and one city sheriff who shall hold their respective offices for a term of four years from the first day of January ensuing their

election and until their successors are duly elected and qualified, unless sooner removed from office. (1968, c. 209; 1973, c. 291)

#### ARTICLE VIII.

##### TREASURER

City treasurer.--The city treasurer, shall be elected at the time, in the manner and for the term provided in Article VII of this charter. He shall take the oath prescribed by law and shall give bond in such sum as the council may by ordinance prescribe, but not less than \$30,000 nor more than \$100,000, with surety to be approved by the council, conditioned for the faithful discharge of his official duties in relation to the revenues of the city, and of such other official duties as may be imposed upon him by general law and by this charter and the ordinances of the city. He shall collect and receive all city taxes, levies, assessments, license taxes, rents, school funds, fees and other revenue or moneys accruing to the city, except such as council shall by ordinance make it the duty of some other office to collect, and for that purpose shall be vested with any and all powers which are now or may hereafter be vested in said city treasurer as collector of state taxes. He shall be the custodian of all public money of the city, and all other money coming into his hands as city treasurer. He shall perform such other duties, have such powers and be liable to such penalties as are now or may hereafter be prescribed by general law or ordinance. For such service the city treasurer shall receive such compensation as may be fixed under the provisions of general law. (1968, c. 209)

#### ARTICLE IX.

##### CITY COMMISSIONER OF REVENUE

The commissioner of revenue shall be elected at the time, in the manner and for the term provided in Article VII of this charter. He shall give bond in such sum as the council may by ordinance prescribe, not to exceed \$5,000, with surety to be approved by the council, conditioned for the faithful performance of all of his duties under the general law, and this charter, and under any ordinances of the city. He shall perform such duties not inconsistent with the laws of the Commonwealth in relation to the assessment of property and licenses as may be required by the council for the purpose of levying city taxes and licenses. He shall have power to administer such oaths as may be required by general law or by the council in the assessment of licenses, taxes or other taxes for the city. He shall make such report in regard to the assessment of both property and licenses, or either, as may be fixed under the provisions of general law. (1968, c. 209)

#### ARTICLE X.

##### COMMONWEALTH ATTORNEY AND SHERIFF

The attorney for the Commonwealth and the city sheriff shall be elected at the time, in the manner and for the terms provided in Article VII of this charter. Such officers shall perform such duties as may be required of them respectively by general law, and in addition shall perform such other duties as the city may require of them respectively by ordinance not in conflict with the laws of this Commonwealth. (1968, c. 209; 1973, c. 291)

#### ARTICLE XI.

##### CLERK OF COURT

§ 11.1. Clerk of Court; generally.

There shall be elected by the qualified voters of the City of Radford on the Tuesday after the first Monday in November, 1979, and every eight years thereafter, a

clerk for the Circuit Court of the City of Radford, whose term shall begin on the first day of January following his election, and continuing for eight years thereafter. (1968, c. 209; 1973, c. 291; 2004, c. 632)

ARTICLE XII.  
VACANCIES

§ 12.1. Vacancies in the elective offices.--In case of any vacancy in office of the elective offices of the city, the same shall be filled as provided by general law. (1968, c. 209)

ARTICLE XIII.  
MISCELLANEOUS

§ 13.1. The city shall be composed of one ward only, to be divided into precincts as the council by ordinance may provide or as may be provided by general law. (1968, c. 209)

§ 13.2. The entire city shall comprise one school district. (1968, c. 209)

§ 13.3. (1968, c. 209; repealed 1980, c. 590)

§ 13.4. Wherever power is conferred upon said city by this charter to adopt ordinances, rules and/or regulations, and impose and enforce penalties for offenses committed thereon or for the protection of any property owned by the said city, but situated more than one mile beyond the corporate limits thereof, the county court wherein such property is located shall have exclusive jurisdiction of all offenses committed in such county against such ordinances, rules and regulations, imposing such penalties, unless otherwise specifically provided by general law, and jurisdiction of injunction suits for the protection of any such property shall be as is now, or may hereafter be, provided by general law. (1968, c. 209)

§ 13.5. Partial Invalidity.--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, such judgment shall not affect, impair or invalidate the remainder of said act, but shall be confined in its operation the clause, sentence, paragraph, or part thereof directly involved in the controversy in which said judgment shall have been rendered. (1968, c. 209)

§ 13.6. Incorporation of General Law.--Any and all powers and rights set forth in Title 15.2 of the Code of Virginia as now in effect and as hereafter amended, are hereby conferred on and vested in the City of Radford unless the same be inconsistent with the provisions of the charter of the City of Radford or any amendment thereto. (1973, c. 291; 2004, c. 632)