

BEDFORD, CITY OF
Formerly the Town of Liberty.
City of second class by court order, August 31, 1968.

Charter, 1889-90, c. 440; repealed 1969, c. 6.

Charter, 1969 Ex. Sess., c. 6.

Amended 1972, c. 9 (§ 8)
 1980, c. 60 (§ 7)
 1988, c. 517 (§§ 9, 48, 49, 51).

§ 1. Incorporation.

The inhabitants of the territory included within the municipal boundaries of the former Town of Bedford on August 31, 1968, shall continue to be a body politic and corporate under the name of the City of Bedford and as such shall have perpetual succession, may sue and be sued, contract and be contracted with, and may have a corporate seal which it may alter at its pleasure. (1969, c. 6)

§ 2. Territorial Limits.

The boundaries of the City of Bedford shall be as set forth by decree of a certain Annexation Court sitting at Bedford, Virginia, said decree having been entered on the 14th day of October, 1959, recorded in the Bedford County Clerk's Office in Deed Book 288 beginning at page 545 in a certain annexation proceeding involving the Town of Bedford and the County of Bedford, said boundary encompassing a total area of 6.7675 square miles. (1969, c. 6)

§ 3. Powers.

The powers set forth in §§ 15.1-837 through 15.1-915 of Chapter 18 of Title 15.1 of the Code of Virginia as in force on the date that this Act takes effect, and all acts amendatory thereof, and all other powers which are now or may be conferred upon or delegated to cities under the Constitution and laws of the Commonwealth and all other powers pertinent to the conduct of a city government the exercise of which is not expressly prohibited by said Constitution and laws and which, in the opinion of the City Council are necessary and desirable to promote the general welfare of the City and the safety, health, peace, good order, comfort, convenience and morals of its inhabitants are fully and completely conferred upon the City of Bedford as though such powers specifically were enumerated in this charter, and no enumeration of particular powers in this charter shall be held to be exclusive but shall be held to be in addition to this general grant of powers.

In addition to other powers conferred by law, the City of Bedford shall have the power to supply electric public utility service and to construct, enlarge or acquire, by lease or otherwise, any electric utility services, outside its political boundaries within the territory now served by the present municipal electric system as determined by § 56-265.4:1 of the Code of Virginia or as hereafter determined by the general laws; and the power to provide cable antennae television service to customers within and without the city as feasible or grant franchises therefor.

In addition to the powers granted by other sections of this charter, the city shall have the power to raise annually by taxes and assessments, as permitted by general law, in the city, such sums of money as the council shall deem necessary to pay the debts and

defray the expenses of the city, in such manner as the council shall deem expedient. In addition to, but not as a limitation upon, this general grant of power the city shall have power to levy and collect ad valorem taxes on real estate and tangible personal property and machinery and tools; to levy and collect taxes for admission to or other charge for any public amusement, entertainment, performance, exhibition, sport or athletic event in the city, which taxes may be added to and collected with the price of such admission or other charge; to levy and collect taxes on hotel and motel rooms; to levy and collect privilege taxes, local general retail sales and use tax as provided by law, and capitation taxes; unless prohibited by general law to require licenses, prohibit the conduct of any business, profession, vocation or calling without such a license, require taxes to be paid on such licenses in respect to all businesses, professions, vocations and callings which cannot, in the opinion of the council, be reached by the ad valorem system; and to require licenses of all owners of vehicles of all kinds for the privilege of using the streets, and other public places of the city, require taxes to be paid on such licenses and prohibit the use of streets, alleys and other public places in the city without such license, said city to have the power to require as a condition precedent to the issuance of motor vehicle licenses the exhibiting by the motor vehicle license applicant of adequate proof of the payment of all personal property taxes then due and payable to the city by the license applicant.

In addition to the other powers conferred by law, the City of Bedford shall have the power to impose, levy and collect, in such manner as its council may deem expedient, a consumer or subscriber tax upon the amount paid for the use of water, gas, electricity, telephone, and any other public utility service within the city or upon the amount paid for any one or more of such public utility services, and may provide that such tax shall be added to and collected with bills rendered consumers and subscribers for such services. (1969, c. 6)

ADMINISTRATION AND GOVERNMENT THE MAYOR

§ 4. Chief Executive

Each member of council, including the Mayor, shall be a qualified voter and a bona fide resident of the city. By virtue of his office the Mayor shall be the chief executive officer of the city. He shall receive such annual compensation as may be fixed by the council in accordance with this charter. (1969, c. 6)

§ 5. Duties.

The Mayor shall preside over the meetings of the council, shall have the same right to speak therein as other members of council and shall have a vote as other members of council, but shall have no power to veto. He shall have authority to appoint such committees of the council as deemed necessary and expedient in the proper administration of the city government.

The Mayor shall be recognized as the head of city government for all ceremonial purposes, the purpose of military law and the service of civil process. He shall authenticate, by his signature, such instruments as the council, this charter or the laws of the State may require. (1969, c. 6)

§ 6. How Mayor and Vice-Mayor chosen.

The council of the City of Bedford, at its first meeting after its election, shall elect from its membership one of its members as Mayor of the city. The council at said meeting also shall elect from its membership one of its members as Vice-Mayor, who shall in the absence or inability of the Mayor to act, have all of the powers and duties of the Mayor and shall perform all of his functions.

At the first meeting of each new and succeeding council elected hereunder, such Mayor and Vice-Mayor shall be elected. (1969, c. 6)

§ 7. Mayor and Council.

The City of Bedford shall be governed by a city council which shall be composed of seven (7) members elected at large.

Vacancies on the council shall be filled within thirty (30) days by a recorded majority vote of council for the unexpired term.

In case of the absence or disability of both the Mayor and Vice-Mayor, one of the other councilmen selected by a majority vote of the council shall have all of the powers conferred by this charter and by general law upon the Mayor and Vice-Mayor.

The salary of each member of council, including the salary of the Mayor and the salary of the Vice-Mayor, shall be as the same may be fixed by council with the limitation that the salary of any member of council except the Mayor and Vice-Mayor shall not exceed \$2,400 per year, the salary of the Mayor shall not exceed \$3,600 per year and the salary of the Vice-Mayor shall not exceed \$3,000 per year. The salary of the members of council shall be payable out of the Treasury of the City of Bedford in monthly installments. The Council may, from time to time, by five-sevenths vote of all members elected to council change the salaries of the members of council, including the salary of the Mayor and the salary of the Vice-Mayor but not so as to exceed the limitations above provided. (1969, c. 6; 1980, c. 60)

§ 8. Election and Terms of Members of Council.

The members of City Council in office at the time of the passage of the amendment to this charter shall continue in office until their present terms expire or until their successors are elected and qualify.

At the General Municipal Election held in May, 1972, as provided by § 24.1-90 of the Code of Virginia, or any such date as may be specified by future amendments to the Code of Virginia, and every four years thereafter, four members of Council, consisting of the four members whose terms will expire in 1972, shall be elected for a term of four years. At the General Municipal Election held in May, 1974, and every four years thereafter, three members of Council shall be elected for terms of four years.

The persons so elected shall take office on the first day of July following such election. In the event of a vacancy on Council and the casting by the remaining membership of Council of a tie-vote on the election of a new member of Council or in the event that the remaining members of Council otherwise shall be unable to agree, the Clerk of Council, after the expiration of a thirty-day period from the date of such vacancy, shall certify this fact to the Judge of the Circuit Court of Bedford County, who shall enter an order appointing a qualified person or persons to fill such vacancy or vacancies. (1969, c. 6; 1972, c. 9)

§ 9 Powers of Council.

All powers of the City of Bedford as a body politic and corporate shall be vested in the city council.

The council shall be the policy-determining body of the city and shall be vested with all of the rights and powers conferred on councils in cities, not inconsistent with this charter. In addition to the foregoing, the council shall have the following powers:

(a) To have full power to inquire into the official conduct of any office or officer under its control and to investigate the accounts, receipts, disbursements, and expenses of any city employee; for these purposes it may subpoena witnesses, administer oaths and require the production of books, papers, and other evidence; and in case any witness fails or refuses to obey any such lawful order of the council, he shall be deemed guilty of a misdemeanor.

(b) To provide for the performance of all the governmental functions of the city; and to that end to provide for and set up all departments and agencies of government that shall be necessary, expressly including a Director of Finance. Whenever it is not designated in this charter what officer or employee of the city shall exercise any power or perform any duty conferred upon or required of the city or any officer thereof, by general law, then any such power shall be exercised or duty performed by that officer or employee of the city so designated by ordinance or resolution of council. Any activity which is not assigned by the provisions of this charter to specific departments or agencies of the city government shall be assigned by the council to the appropriate department or agency. The council may further create, abolish, reassign, transfer or combine any city functions, activities, or departments. The council, in its discretion, may appoint the same person to more than one appointive office.

(c) To fix a schedule of compensation for all city officers and employees. The council may by ordinance define certain classes of city employees whose salaries shall be set by the city manager, except that this provision shall not apply to the constitutional officers, the heads of city departments, and judges.

(d) To prescribe the amount and condition of surety bonds to be required of such officers and employees of the city as the council may designate.

(e) To discharge any officer or employee of the city for good cause; provided, that the City Manager, the Clerk of the Council, the City Attorney, and all employees who report directly to the City Manager as department heads shall serve at the pleasure and will of their appointing authority. Where the selection and tenure in office of officers and employees are otherwise specified in this charter, the Constitution of Virginia, or state statute, those provisions shall govern. (1969, c. 6; 1988, c. 517)

COUNCIL PROCEDURES

§ 10. Oath of office.

The mayor and other municipal officers of the city, before entering upon the duties of their respective offices, shall be sworn in according to the laws of the State by anyone authorized to administer oaths, which said oaths shall be subscribed in writing and filed with the Clerk of the Council.

The failure of any person elected or appointed to an office under this charter to qualify within thirty (30) days after the commencement of the term for which he was elected or appointed, or if elected or appointed to a vacancy, for thirty (30) days after such election or appointment shall vacate his office. (1969, c. 6)

§ 11. Council meetings generally.

The council shall, by ordinance, fix the time and place of its meeting. It shall have authority to adopt such rules as it may deem proper for the regulation of its proceedings and may compel the attendance of its members, punish its members for disorderly behavior, and by a vote of two-thirds of its members, may expel a member for malfeasance or misfeasance in office. All elections and appropriations of money shall be by oral vote and the vote shall be recorded in the minutes of the council. (1969, c. 6)

§ 12. Quorum.

Four (4) members of the council shall constitute a quorum for the transaction of business; but no ordinance or resolution having for its object the levying of taxes or the appropriating of money shall be adopted except by an affirmative vote of five of the members of council. (1969, c. 6)

§ 13. Forfeiture of office upon conviction of felony.

Any member of the council or other officer of the city who shall have been convicted of a felony while in office shall thereby forfeit his office. (1969, c. 6)

§ 14. Organization Meeting.

On the first day of September following each regular municipal councilmanic election, or if such day be on Sunday or on a legal holiday, then on the first business day thereafter, the council shall meet for its organization meeting, at which time the newly elected councilmen shall be sworn in and shall assume the duties of their office. At the same meeting council shall elect a mayor and vice-mayor. Thereafter the Council shall meet regularly at such time as may be prescribed by ordinance or resolution, such regular meetings to be not less than once each month. (1969, c. 6)

§ 15. Special Meetings.

The mayor or any three members of the council may call special meetings of the council, at any time, after a written notice of at least six (6) hours, with the purpose of the meeting stated therein, served personally on each member of the council and the mayor, or left at his usual place of business or residence if he be not found with due diligence, or such meeting may be held at any time, without any service of notice, provided all members of the council attend. No business other than that mentioned in the call shall be considered at such meeting unless all members of council are present. (1969, c. 6)

§ 16. Clerk to the Council.

The council shall appoint a clerk to the council to serve at the pleasure of the council. He shall keep the journal of the council's proceedings and shall record all ordinances in a book kept for the purpose. He shall be the custodian of the corporate seal of the city and shall be the officer authorized to use and authenticate it. He shall receive such compensation as clerk to the council as may be determined by the council. (1969, c. 6)

ENACTMENTS

§ 17. Ordinances and Resolutions.

Except as otherwise provided in this charter an affirmative vote of a majority of the members of council present shall be necessary to adopt any ordinance or resolution. An ordinance or resolution may be presented and enacted at the same meeting. (1969, c. 6)

§ 18. Recordation and authentication of ordinances.

Every ordinance or resolution having the effect of an ordinance when enacted by the council shall be recorded and indexed by the clerk of the council in a book kept for that purpose, and shall be authenticated by the signature of the presiding officer and the clerk of the council. (1969, c. 6)

§ 19. Publication of Ordinances.

Every ordinance involving a penalty for its violation shall be published one time, immediately following its passage, in some newspaper published in the city, or posted at three or more public places in the city for one week, and no such ordinance shall be effective until the same has been so published.

This section shall not be construed to require the publication or posting of any revision or codification of the ordinances of the city. It shall be sufficient, in the case of any such revision or codification of the city ordinances and any new material or ordinances included therein, to publish or post the adopting ordinance as required herein. (1969, c. 6)

§ 20. Final Passage of Ordinance on day of presentation and first reading.

When it is proposed to place an ordinance on its final passage on the same day on which it was first presented and read, and objection is made to so doing, the ayes and noes shall be ordered on the question of so doing. In such case the ordinance shall not be placed upon its final passage at that meeting, except by the concurrence of two-thirds of the members present. (1969, c. 6)

THE CITY MANAGER

§ 21. Appointment.

There shall be a city manager who shall be responsible to the council for the proper administration of the city 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 at the pleasure of the council. At the time of his appointment he need not be a resident of the city or the Commonwealth, but during his tenure of office he shall reside within the city. (1969, c. 6)

§ 22. Duties.

- (1) To see that all laws and ordinances of the city are enforced.
- (2) To exercise supervision and control over all administrative departments and divisions, unless otherwise provided by resolution or ordinance of the council.
- (3) To attend all regular meetings of council with the right to take part in the discussion but having no vote.
- (4) To recommend to the council for adoption such measures as he may deem necessary or desirable.
- (5) To execute all contracts on behalf of the city.
- (6) To prepare and submit to the council the annual budget.
- (7) To keep the council advised as to the present and future needs of the city and as to all operations of its government.
- (8) To perform all such duties as may be prescribed by the charter or be required of him by the council. (1969, c. 6)

§ 23. Absence or Disability.

During the absence or disability of the city manager or in case of a vacancy, the council shall designate some properly qualified person to perform the duties of the office during such absence, disability or vacancy. (1969, c. 6)

§ 24. Council-Manager Relationship.

Except for the purpose of conducting administrative inquiries and hearings by the council or a committee thereof, the Mayor and members of the council shall deal with the administrative service solely through the city manager and neither the council nor any member thereof shall give orders to any subordinates of the city manager, either publicly or privately. (1969, c. 6)

§ 25. Councilmen not to succeed to office of city manager.

No councilman shall be appointed as city manager during the term for which he shall have been elected nor within one year after the expiration of his term. (1969, c. 6)

FINANCIAL ADMINISTRATION

§ 26. Fiscal Year.

The fiscal year of the city shall be from July 1 through June 30 inclusive. (1969, c. 6)

§ 27. Submission and adoption of budget, hearings and tax levy.

No later than the first day of May annually the city manager shall prepare and submit to the council a budget presenting the financial plan for conducting the affairs of the city for the ensuing fiscal year. Such budget shall be set up in the manner provided by law and shall include such information as council, by ordinance or resolution, may require. Hearings on the budget shall be held and notice thereof given and the budget adopted in accordance with general laws of the Commonwealth.

The tax levy for each fiscal year shall be made and a budget for the fiscal year shall be adopted prior to the first day of the fiscal year for which they were made or adopted. (1969, c. 6)

§ 28. Borrowing Powers.

The council may, in the name of and for the use of the city, incur indebtedness by issuing its bonds or notes for the purposes, in the manner, and to the extent provided for in this charter and by the general law of Virginia. (1969, c. 6)

§ 29. Purpose for which bonds or notes may be issued; manner of issuance.

Bonds and notes in anticipation of bonds when the issuance of bonds has been authorized as hereinafter provided may be issued for any purpose for which cities are authorized to issue bonds by the Constitution or general laws of the State.

Notes in anticipation of collection of revenue may be issued when authorized by the council at any time during the fiscal year. Bonds and notes of the city may be issued in any manner provided by general law. (1969, c. 6)

§ 30. Audits generally.

At the close of each fiscal year the council may cause to be made an independent audit of the accounts, books, records, and financial transactions of the city by the auditor of public accounts of the Commonwealth or by a firm of independent certified public accountants to be selected by the council. The report of such audit shall be filed within such time as the council shall specify and one copy thereof shall always be available for public inspection in the office of the clerk of the council during regular business hours. Upon the death, resignation or termination of employment of any city officer or

employee, council may order an audit of the accounts, books, records and financial transactions of that office. (1969, c. 6)

§ 31. City Attorney.

There shall be a city attorney appointed by council and shall hold office at the pleasure of the council and he shall receive such compensation as council may determine. He shall be an attorney at law licensed to practice under the laws of the Commonwealth. The city attorney shall be the chief legal adviser of the council, the city manager, and of all departments, boards, commissions and agencies of the city including the school board in all matters affecting the interest of the city. He shall represent the city in all civil proceedings. It shall be his duty to perform all services as may be required by the laws of the Commonwealth, this charter or by ordinance. (1969, c. 6)

MUNICIPAL COURT

§ 32. Municipal Court Judge and Qualifications.

There may be within the City of Bedford a municipal court which shall have jurisdiction and other judicial powers as are conferred on such courts by general law.

There shall be a judge of the municipal court of the City of Bedford and such associate and substitute judges as may be deemed necessary by the council. Such judges shall be appointed by the council for terms of four (4) years. Vacancies in the office of the judge of the municipal court or associate or substitute judge shall be filled by the council for the unexpired term. The municipal court judge, associate or substitute judge shall be an attorney at law qualified to practice in this State.

The judge, associate and substitute judges of Bedford County Court may be appointed as judge, associate or substitute judge of the Municipal Court of the City of Bedford. (1969, c. 6)

§ 33. Municipal Judge, Compensation.

The municipal judge shall receive such compensation as council may determine, which salary is to be paid in the same manner as salaries of other officials are paid and he shall receive no other compensation for his services as municipal judge. (1969, c. 6)

§ 33a. The Council by resolution or ordinance may vest the Bedford County Court with full territorial jurisdiction for the trial of civil and criminal cases as defined by general law, including the violation of City ordinances. (1969, c. 6)

§ 34. Juvenile and Domestic Relations Court.

The municipal judge, associate and substitute judge, at the time of his appointment and during his term of office, may also serve as judge, associate or substitute judge of the juvenile and domestic relations court. The council may appoint a judge of the juvenile and domestic relations court of the City of Bedford in the same manner and for the same term as the judge of the municipal court.

The juvenile and domestic relations court shall possess such jurisdiction and other judicial authority as is conferred on juvenile and domestic relations court by general law.

The Judge, associate and substitute judges, of the Juvenile and Domestic Relations Court of Bedford County may be appointed as Judge, associate and substitute judges of the Juvenile and Domestic Relations Court of the City of Bedford. (1969, c. 6)

§ 35. Fees, costs, and fines.

Fees, costs and fines shall be assessed, fixed and collected by the municipal court in the manner provided by general law. All such fees, costs and fines shall be paid into the city treasury for the benefit of the city; provided that fines, costs and fees due to the State shall be paid to the proper officials of the State. (1969, c. 6)

§ 36. Municipal Court Clerk.

The clerk of the municipal court and of the juvenile and domestic relations court shall be appointed by the city council and serve at the pleasure of the judge of said court. The clerk of the municipal court may also serve as clerk of the juvenile and domestic relations court. The clerk shall receive such compensation as the council may prescribe, take such oath and give such bond as may be prescribed by general law. The powers, authority and duties of the clerk shall be the same as are now or may hereafter be conferred or imposed upon clerks by the laws of the State in civil and criminal matters including violations of city ordinances.

The clerk and deputy clerk of Bedford County Court may be appointed as clerk and deputy clerk of the Municipal Court of the City of Bedford and as clerk and deputy clerk of the Juvenile and Domestic Relations Court of the City of Bedford. (1969, c. 6)

§ 36a. Circuit Court.

The City of Bedford shall be and continue in every respect within the jurisdiction of the circuit court of Bedford County and there shall be one and the same circuit court for the County of Bedford and the City of Bedford. There shall be for said County of Bedford and the City of Bedford but one Circuit Courthouse and Circuit Court Clerk's Office and the Circuit Court Clerk of the County of Bedford shall continue in all respects as the clerk of such circuit court. Such court shall have the same jurisdiction in the City of Bedford in all respects as corporation courts have in other cities of its class. (1969, c. 6)

DEPARTMENT OF HEALTH

§ 37. Department of Public Health.

At the discretion of city council there may be a department of public health which shall consist of the director of public health, to be appointed by the Council upon the recommendation of the City Manager and such other officers and employees organized into such bureaus, divisions, and other units as may be provided by ordinance or by the orders of the director consistent therewith. (1969, c. 6)

§ 38. Functions.

The Department of public health shall be responsible for the exercise of all health functions imposed on municipalities by general law and such other functions as may be assigned to the department. (1969, c. 6)

§ 39. Director of Public Health.

The head of the department of public health shall be the director of public health. He shall have general management and control of the several bureaus, divisions, and other units of the department. He shall have all the powers and duties with respect to the preservation of the public health which now are or may hereafter be conferred or imposed on municipal boards of health and health officers by the laws of the Commonwealth, as well as the powers and duties conferred or imposed on him by this charter and the ordinances of the city. (1969, c. 6)

§ 40. Board of Health.

The council may select two or more qualified citizens of the city, who together with the director of public health shall constitute the board of health. The board of health shall advise and cooperate with the department of health and shall have power to adopt necessary rules and regulations, not in conflict with law, concerning the department. The provisions of general law relating to the establishment of local boards of health shall not apply to the City of Bedford. (1969, c. 6)

§ 41. Contractual Services.

The council may, in its discretion, effectuate the powers, duties, and functions assigned to the department of public health in this charter through contractual agreements with the State Department of Health or neighboring cities or counties. (1969, c. 6)

DEPARTMENT OF PUBLIC WELFARE

§ 42. Department of Public Welfare.

There may be a department of public welfare consisting of three (3) members, elected by the council of the City of Bedford at large, one of whom shall be appointed annually, and consisting of such other employees as may be employed by council from time to time. The first appointment hereunder shall be for one (1) year, one appointment for two (2) years, and one appointment for three (3) years, beginning July 1, 1969, and thereafter all appointments shall be for terms of three (3) years. The duties of the Department of Public Welfare are to be as provided by State law for cities or counties as may be amended from time to time. (1969, c. 6)

CITY CONSTITUTIONAL OFFICERS

§ 43. Election, terms, powers, duties and compensation.

On the first Tuesday after the first Monday in November, 1969, and every four (4) years thereafter, the qualified voters of the city shall elect a Treasurer, City Sergeant and a Commissioner of the Revenue for the city who shall have such powers and perform such duties and receive such compensation as are provided by general law, and who shall be elected at large. (1969, c. 6)

§ 44. Vacancies.

Vacancies in the office of Treasurer, City Sergeant and Commissioner of the Revenue shall be filled by the council for the unexpired portion of the term of office. (1969, c. 6)

§ 45. Duties of Commissioner of Revenue.

The commissioner of revenue 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 the council in the assessment of license taxes or other taxes for the city. He shall make such reports in regard to the assessment of both property and licenses, or either, as may be required by the Council or by the director of finance. He shall perform such other duties as may be required of him by the council. (1969, c. 6)

§ 46. Duties of Treasurer.

The city treasurer shall collect and receive, all money due the city by the State and all taxes and levies due the State and collected within the city, and disburse the same as provided by the general laws of the Commonwealth relating to city treasurers, and may be authorized by the council also to collect and receive all money, taxes and levies due the city and disburse the same according to this charter and the ordinances enacted by the

city. He shall make such reports in regard to collections and disbursements of the revenue as may be required by the Council or by the Director of Finance. (1969, c. 6)

§ 46a. Duties of City Sergeant.

The city sergeant and any deputy city sergeants shall have the authority and powers and jurisdiction which are granted to sergeants of other cities of the class of Bedford by the general laws of the Commonwealth of Virginia and the ordinances of the City of Bedford and they shall perform such duties as may be prescribed by the State laws and the ordinances of the City of Bedford. The Chief of Police may be eligible for election as City Sergeant, and if so, any police officer may be appointed as deputy sergeant. (1969, c. 6)

SCHOOLS

§ 47. School Division and District.

The City of Bedford shall have the right and authority to enter into contract with a neighboring political subdivision for furnishing public school facilities and the operation of schools for the City of Bedford. (1969, c. 6)

§ 48. Number and Qualification of Board.

The school board of the City of Bedford shall consist of seven members, each of whom shall be a bona fide resident and qualified voter of the City and not a member of the City Council. (1969, c. 6; 1988, c. 517)

§ 49. Appointment and Term.

Members of the school board for the City of Bedford shall be appointed by the city council at large for a term of three years. Three members shall be appointed to serve terms commencing July 1, 1988, and expiring June 30, 1990; two members shall be appointed for terms commencing July 1, 1988, and expiring June 30, 1991; and two members shall be appointed to serve terms commencing July 1, 1988, and expiring June 30, 1992.

The terms of all present school board members shall terminate at midnight June 30, 1988. Their successors shall be appointed as provided above for the terms shown to establish the desired rotation. (1969, c. 6; 1988, c. 517)

§ 50. Tie-Breaker.

In the event of the inability of the members of the school board to agree upon any question, then and in that event the clerk of the school board shall notify the city council in writing of such fact, and within thirty days after such notification city council shall elect a qualified voter and bona fide resident of the City, not a member of council, who shall act as tie-breaker for the school board upon the question before the school board as to which the board is not able to agree. (1969, c. 6)

§ 51. Compensation.

The compensation to be paid each school board member shall be fixed by a majority vote of City Council. (1969, c. 6; 1988, c. 517)

§ 51a. Powers.

The city school board shall have all powers and duties required for the proper establishment and operation of the city school system, including those powers set out in § 22-97 and in § 22-97.1 of the Code of Virginia of 1950, as amended, and as such Sections may be amended from time to time. (1969, c. 6)

CONSTITUTIONAL OFFICERS

§ 52. Constitutional Officers and Election Thereof.

In addition to the municipal officers provided for by the preceding provisions of this charter there shall also be a sheriff, an attorney for the Commonwealth and a clerk of the said circuit court of Bedford County elected conjointly for the city and the County of Bedford by the qualified voters of said city and county. The sheriff, attorney for the Commonwealth and clerk of said circuit court of Bedford County at the effective date of this charter are hereby continued in office for the terms for which they were appointed or elected and until their successors have been appointed or elected and qualified. Subsequent elections for any of the three above-mentioned offices shall be held at the times, in the manner, and for the terms provided by general law. (1969, c. 6)

§ 53. Powers and Duties of Sheriff, Attorney for Commonwealth and Clerk of Circuit Court.

The sheriff, attorney for the Commonwealth and clerk of said circuit court of Bedford County shall exercise and have the same rights and privileges, perform the same duties, have the same jurisdiction and receive the same fees therefor in the city as they, respectively, exercise and have and receive in the County of Bedford, and shall receive such compensation as is prescribed by the general law. (1969, c. 6)

GENERAL PROVISIONS

§ 54. Contractual Relationships.

The City of Bedford may, at the option of the city council, enter into contractual relationships with the Commonwealth and/or its departments, bureaus, boards and agencies, neighboring political subdivisions, and private agencies for the performance of any part of or all of the functions, or purposes of the city, on such terms and for such periods as the council may determine to be in the public interest, where such contractual relations are not specifically prohibited by the Constitution and general laws of the Commonwealth. The school board may, with the approval of the city council, enter into contractual relationships with the Commonwealth or its departments, bureaus, boards and agencies, neighboring political subdivisions, and private agencies for the performance of any part of or all of the functions, or purposes of the school board, on such terms and for such periods as the school board may determine to be in the public interest, where such contractual relations are not specifically prohibited by the Constitution and general laws of the Commonwealth. (1969, c. 6)

§ 55. Residence of Employees.

Except as otherwise provided in this charter, the Council shall have the power to provide by resolution or ordinance the length of prior residence in the city, if any, which shall be required as a qualification for employment of officers and employees of the city, or any of them; and whether such officers and employees, or any of them, shall be required to reside within the city during their tenure in such office or employment. (1969, c. 6)

§ 56. Present Ordinances and Rules and Regulations Continued in Effect.

All ordinances and resolutions of the city and all rules, regulations and orders legally made by any department, board, commission or officer of the city, in force at the effective date of this charter, insofar as they or any portion thereof are not inconsistent herewith, shall remain in force until amended or repealed. (1969, c. 6)

§ 57. Continuance of Officials and Officers.

Except where this charter may otherwise provide, all officials and officers of the city holding office immediately prior to the effective date of this charter, whether such

office be elective or appointive, may continue in such office until the expiration of their respective current term of office or until their successors shall have been elected or appointed and qualified or until such office may be lawfully terminated. (1969, c. 6)

§ 58. Continuance of Internal Organization of the City.

Except where this charter may otherwise provide, the several departments, commissions, boards and other administrative units of the city functioning at the effective date of this charter are hereby continued until otherwise provided by ordinance. (1969, c. 6)

§ 59. Continuance of Contracts.

All contracts entered into by the city or 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 may 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. (1969, c. 6)

§ 60. Applicability of State law; conflicts with jurisdiction of State Corporation Commission.

If there shall be omitted from this charter any provision essential to the valid sale or granting, renewing, extending or amending of any franchise, privilege, lease or right of any kind to use any public property in the city, the provisions of the general law with reference to this subject shall supply such omissions; provided, that nothing contained in this charter shall affect any franchise heretofore granted or any contract heretofore made with a public utility corporation, nor shall anything contained in this charter be construed to conflict with the jurisdiction of the State Corporation Commission. (1969, c. 6)

§ 61. Partial Invalidity.

If any clause, sentence, paragraph, or part of this charter 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 charter, but shall be confined in its operations to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

This act may for all purposes be referred to or cited as The City of Bedford Charter of 1969. (1969, c. 6)

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