

HOPEWELL, CITY OF  
City of First Class.

Formerly known as Charles City Point and City Point (*Hornbook of Virginia History*).

Established, 1613 (*Hornbook of Virginia History*).

City incorporation, 1916, c. 65.

Charter, 1950, c. 431.

- Amended 1952, c. 426 (Ch.I, § 2; Ch. IV, § 4; Ch. VIII, § 2; Ch. IX, § 2)  
1954, c. 248 (Ch. IX, § 1; Ch. XXIII, §§ 8, 9, 10)  
1960, c. 143 (Ch. IX, § 2; Ch. X, § 1; Ch. XXVII, § 1,  
§§ 2-15 [repealed])  
1962, c. 462 (Ch. II, § 2; Ch. II, § 17 [added]; Ch. IV, § 4; Ch. X,  
§ 1; Ch. XXVII, § 1, §§ 2-15 [repealed])  
1966, c. 114 (Ch. IV, § 1)  
1968, c. 120 (Ch. IX, § 2)  
1971, c. 144 (Ch. III, § 2)  
1973, c. 85 (Ch. III, §§ 1,2; Ch. VII, § 1; Ch. XIII, § 3;  
Ch. XIV, § 3; Ch. XXIII, § 3; Ch. XXV(A), § 1[added])  
1975, c. 332 (Ch. VI, §§ 1, 2 [added])  
1975, c. 454 (Ch. XXV(A), § 1 [repealed];  
Ch. XXV(A.1), §§ 1-3 [added])  
1978, c. 39 (Ch. III, §§ 1,3; Ch. IV, §§ 1,4; Ch. VII, § 1; Ch. VIII,  
§ 2 [repealed]; Ch. IX, §§ 1 and 2 [repealed]; Ch. X, § 1 [repealed];  
Ch. XI, §§ 1 and 2 [repealed]; Ch. XII, § 1 [repealed];  
Ch. XXIII, §§ 1 through 13 [repealed])  
1979, c. 317 (Ch. IV, § 4; Ch. XXIV, §§ 1 through 7 [repealed];  
Ch. XXV (A.1), § 1)  
1986, c. 17 (Ch. XVIII, § 1)  
1986, c. 18 (Ch. IXA, § 1 [added])  
1989, c. 20, 155 (Ch. II, § 2)  
1989, c. 22, 156 (Ch. XIII, § 3; Ch. XIV, § 3)  
1993, c. 321 (Ch. III, §§ 1, 2, 3)  
2009, c. 484 (Ch. IV, § 4; Ch. XVIII, §§ 1, 2 [added], 3 [added];  
Ch. XXII, § 1)  
2011, c. 797, 853 (Ch. III, §§ 1, 2; Ch. IV, § 4; Ch. VII, § 1).

Chapter I

Incorporation and Boundaries

§ 1. The inhabitants of the territory comprised within the limits of the City of Hopewell, as the same now are or may hereafter be established by law, shall be a body politic and corporate under the name of the City of Hopewell 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, renew or amend at its pleasure. (1950, c. 431)

§ 2. The boundaries of the said City are and shall be, unless and until changed by amendment, annexation, or otherwise, as follows:

Beginning at the mouth of Bailey's Creek at a point determined as that point where the mean low water line on the north side of said Bailey's Creek joins the mean low water line on the west side of the James River; thence in a westerly direction upstream along the mean low water line of Bailey's Creek as it meanders to a point near the lower fork of Cattail Creek where said low water line is intersected by a line projected due true south from a point on an iron pipe, the coordinates of which are 2500 N. and 7072.41 E, said coordinates being given with reference to a certain plat recorded in the Clerk's Office of the Circuit Court of Prince George County in Plat Book 3 at page 135; thence running in a westerly direction up Bailey's Creek, as it meanders, 6770 feet more or less, to a point at the southwestern corner of the subdivision of Dupont Gardens, thence along the property lines of said Dupont Gardens Subdivision N 21° 55' W 1113 feet, more or less; thence N 83° 41' E 245.6 feet, more or less; thence N 6° 19' W 1,027.6 feet, more or less, to a point in the northern right-of-way line of State Route 1324 (City Point Road); thence along the said northern right-of-way line of said State Route 1324 the following courses and distances: S 84° 40' W 97.7 feet; S 80° 04' W 54.38 feet; S 88° 46' W 189.94 feet; S 70° 26' W 204.83 feet; S 70° 58' W 243.86 feet; thence S 68° 46' W 243.20 feet; S 70° 31' W 139.37 feet; S 46° 29' W 50.8 feet; S 45° 22' W 369.7 feet; S 41° 42' W 51.7 feet; S 43° 30' W 128.4 feet; S 52° 43' W 327.6 feet; S 69° 32' W 54.9 feet; S 67° 27' W 453.5 feet; S 69° 58' W 119.0 feet; S 78° 09' W 148.1 feet; S 77° 50' W 59.3 feet; S 74° 02' W 402 feet; S 82° 19' W 83.04 feet; S 77° 23' W 212.2 feet; S 73° 26' W 398.2 feet; S 75° 52' W 97.75 feet; S 61° 20' 30" W 275.93 feet; S 73° 08' W 484.87 feet; S 77° 26' W 93.50 feet; S 79° 33' W 442.06 feet; N 64° 13' W 16.56 feet; S 74° 24' W 161.44 feet; S 62° 48' W 42.0 feet; S 61° 45' 30" W 417.56 feet; S 63° 45' W 52.78 feet; S 61° 20' 30" W 477.4 feet; to a point in the intersection of the said northern right-of-way line with the eastern right of way line of State Route 648, near its intersection with State Route 36; thence N 10° 55' W, along eastern line of State Route 648, crossing State Route 36, 1154.1 feet, to the southeastern line of the right-of-way of the Norfolk and Western Railway; thence N 45° 07' E along said southeastern right-of-way of said railway 1780.35 feet; thence N 0° 59' E crossing the said railway and along property line with Stephen Heretick, 1981.5 feet; thence S 82° 47' W along property line with said Heretick 100 feet; thence S 68° 11' W 101.0 feet; thence N 87° 54' W 256.1 feet; thence N 74° 14' W 992.4 feet to a point in the eastern right-of-way line of State Route 648; thence along the eastern and southern lines of State Route 648, the following courses and distances: N 23° 12' E 150.12 feet; N 34° 36' E 393.6 feet; N 34° 09' E 351.24 feet; N 26° 04' E 435.44 feet; N 25° 43' 30" E 395.8 feet; N 68° 13' E 58.32 feet; S 84° 51' E 350.3 feet; S 84° 02' E 515.50 feet; N 15° 32' E 1484.1 feet; N 6° 18' E 39.7 feet; to a point in the eastern line of said State Route 648 at the intersection of the southern boundary line of Buren Gardens Subdivision, Section B prolonged eastwardly; thence N 89° 40' W crossing State Route 648 and along southern boundary line of said Buren Gardens Subdivision Section B, 526.70 feet; thence along lines of said Buren Gardens Subdivision Section B, the following courses and distances: N 0° 30' E 150.0 feet; N 89° 30' W 26.84 feet; N 0° 30' E 571.80 feet to a point in the southern line of Sunset Drive; S 69° 34' E along the said southern line of Sunset Drive 45.18 feet; thence N 20° 26' E. crossing said drive and the right-of-way of Seaboard Air Line Railroad-Hopewell Branch, 300.0 feet to a point in the northern right-of-way line of the said railroad; thence along the northern and eastern right-of-way lines of the said

railroad the following courses and distances: N 69° 34' W 1036.1 feet; thence along the arc of a curve to the right, the radius of which is 904.93 feet, a distance of 774.39 feet; N 20° 32' 10" W 1754.2 feet; thence along the arc of a curve to the right; the radius of which is 904.93 feet for a distance of 789.70 feet; N 29° 27' 50" E 413.35 feet; thence along the arc of a curve to the left, the radius of which is 1482.40 feet for a distance of 782.22 feet; N 0° 46' 10" W 875 feet, more or less, to a point in the center line of the Appomattox River; thence in an easterly direction along the center line of the said Appomattox River, as it meanders, 6250 feet more or less to a point in the western corporate line of the City of Hopewell, prior to January 1, 1952; thence in a line N 16° 30' 46" E to its intersection with the southern boundary of Chesterfield County, said boundary being the mean low water line on the north side of the Appomattox River; thence in an easterly direction along said mean low water line of the Appomattox River, the boundary of Chesterfield County to a point 150 feet distant from and at right angles to the center line of the Appomattox River bridge on the Richmond-Hopewell highway; thence due true S 11° 32' E, a distance of 435 feet more or less to a point; thence due true N 78° 28' E 117 feet to a point; thence due true S 11° 32' E, a distance of 70 feet to a point in the mean low water line of the south side of the Appomattox River; thence eastwardly along the said mean low water line of the Appomattox River a distance of 66 feet more or less to a point; thence due true N 11° 32' W a distance of 70 feet to a point; thence due true N 78° 28' E, a distance of 117 feet to a point; thence due true N 11° 32' W, a distance of 435 feet more or less to a point in the mean low water line on the north side of the Appomattox River, said point being in the southern boundary of Chesterfield County, and said point being further described as being 150 feet distant and at right angles to the center line of above-mentioned Appomattox River bridge and being in an easterly direction therefrom; thence in an easterly direction along the said low water line of the Appomattox River, following the line of Chesterfield County to a point in the Appomattox River in the said boundary line of Chesterfield County where the said boundary line is intersected by a projection northwardly of the line of the east side of Bermuda Street; thence southerly along said projection of the line of the eastern side of Bermuda Street to a point in the mean low water line on the southern shore of the Appomattox River; thence down the said mean low water line of the Appomattox River to its intersection with the westerly mean low water line of the James River; thence down said mean low water line of the James River to its intersection with the mean low water line on the northerly side of Bailey's Creek, said point being the point of beginning. (1950, c. 431; 1952, c. 426)

## Chapter II

### Powers

§ 1. The city shall have and may exercise all powers which are now or may hereafter be conferred upon or delegated to cities under the Constitution and law of the Commonwealth and all other powers pertinent to the conduct of the city government, the exercise of which is not expressly prohibited by the said Constitution and laws and which in the opinion of the council are necessary and desirable to promote the general welfare of the city and the safety, health, peace, good order, comfort, maintenance and morals of its inhabitants, as fully and completely as though such powers were specifically enumerated in this charter, and no enumeration of particular powers herein shall be held to be exclusive but shall be held to be in addition to this general grant of power. (1950, c. 431)

§ 2. The city shall have the power to raise annually by taxes, licenses and assessments 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, and to appropriate the same to all legal municipal purposes, provided that such taxes, licenses and assessments are authorized by the general laws of the Commonwealth, and provided further that the present outstanding bonds of the city shall not be taxable by the said city. In addition to the other powers conferred by law the city shall have the power to levy, impose and collect, in such manner as the council may deem expedient, a consumer or subscriber tax at a uniform rate of levy as to all such consumers or subscribers upon the amount paid by such consumer or subscriber for the use within the city of water, electricity, gas, telephone and other public utility service or upon the amount paid for any one or more of such public utility service used within the city, and the council may provide that such tax shall be added to and collected with bills rendered consumers for such services. (1950, c. 431; 1962, c. 462; 1989, c. 20, 155)

§ 3. To acquire property within or without its boundaries for any municipal purposes, in fee simple, or any lesser interest or estate, by purchase, gift, devise, lease or condemnation and may sell, lease, hold, manage, improve and control such property as the interests of the city may require or as shall appear necessary and proper.

Provided, however, that the provisions of § 25-233 of the Code of Virginia, 1950, shall apply as to any property owned by a corporation possessing the power of eminent domain that may be sought to be taken by condemnation under provisions of this act. (1950, c. 431)

§ 4. To acquire, construct, hold, lease, use, maintain and operate any and all local public utilities and to enact such ordinances and resolutions as may be necessary for the proper protection, maintenance and operation of the same. (1950, c. 431)

§ 5. To fix, establish, enforce and collect, rates and charges for the use of any and all public utilities, whether by inhabitants of the city or those located outside of said city using the same. (1950, c. 431)

§ 6. Subject to the provisions of the Constitution and laws of Virginia, to borrow money and issue evidences of indebtedness. (1950, c. 431)

§ 7. To establish, obtain, close, widen, narrow, extend, improve, construct, maintain, supervise and control streets, roads, lanes, alleys, avenues, boulevards, parks and public squares in the said city. (1950, c. 431)

§ 8. To compel the abatement and removal of all nuisances in the said city or upon property owned by the said city beyond its limits at the expense of the person or persons causing the same, or the owner of said premises, or to remove and abate the same by city means and charge the person or persons causing the same, or the owner with the costs of such removal and/or abatement. (1950, c. 431)

§ 9. To grant franchises for public utilities. (1950, c. 431)

§ 10. To compel the abatement of smoke and dust and unnecessary noises. (1950, c. 431)

§ 11. To prevent the running at large of animals and fowl in said city and to regulate and control the keeping and raising of animals and/or fowl therein. (1950, c. 431)

§ 12. To establish, organize and control public libraries and public schools in said city. (1950, c. 431)

§ 13. To establish and maintain a Board of Public Welfare and to provide for the care, support and maintenance of orphans, aged, sick, insane or poor persons or paupers. (1950, c. 431)

§ 14. To establish and maintain a police department and a fire department in the said city. (1950, c. 431)

§ 15. To provide in or near the city lands to be used as burial places for the dead, to improve and care for the same and the walks, roads and approach thereto and to charge for and regulate the use of grounds therein; to control the burial of the dead within the said city and to regulate public cemeteries. (1950, c. 431)

§ 16. To regulate and control pursuant to general law the manufacturing, transportation, sale, keeping or storing for sale, advertising or exposing for sale, receiving, giving away or dispensing ardent spirits. (1950, c. 431)

§ 17. To enact and enforce such ordinances, rules, by-laws, regulations or resolutions as may be necessary to enforce the foregoing powers or any other powers granted by this charter. (1962, c. 462)

### Chapter III

#### Elections

§ 1. Election of councilmen; number, time of holding election, etc. The city shall be divided into seven election wards, with the qualified voters of the city who are residents of each ward electing one councilman to represent their respective ward. Elections and terms of the councilmen in each of the seven wards of the city shall be as follows:

(a) Beginning with the election held on the first Tuesday after the first Monday in November 2012, the qualified voters of the city who are residents of Wards 4, 5 and 6 shall elect one councilman per ward to represent their respective wards for a four-year term, with subsequent elections to be held every four years thereafter;

(b) Beginning with the election held on the first Tuesday after the first Monday in November 2014, the qualified voters of the city who are residents of Wards 1, 2, 3 and 7 shall elect one councilman per ward to represent their respective wards for a four-year term, with subsequent elections to be held every four years thereafter. (1950, c. 431; 1973, c. 85; 1978, c. 39; 1993, c. 321; 2011, c. 797, 853)

§ 2. Terms of councilmen. The terms of the councilmen so elected shall be for a period of four years, beginning on the first day of January next following their election, and ending midnight, December 31, four years later, or until his or their successor or successors shall have been elected or appointed and qualified. (1950, c. 431; 1971, c. 144; 1973, c. 85; 1993, c. 321; 2011, c. 797, 853)

§ 3. Requirements for nominations. The requirements for nomination shall be:

(a) Any qualified voter of the city may be nominated by filing not less than sixty days before such election with the clerk of the Circuit Court of the City of Hopewell a petition signed by not less than 125 qualified voters of the city, each signature to which has been witnessed by a person whose affidavit to that effect is attached thereto, together with a notice of candidacy as provided by the general laws of the Commonwealth relating to elections.

(b) The petition shall state the name, street address and ward of residence of the person whose name is presented thereby as a candidate.

(c) A candidate must be a resident of the election ward he seeks to represent. (1950, c. 431; 1978, c. 39; 1993, c. 321)

§ 4. Vacancies in the office of councilmen, from whatsoever cause arising, shall be filled for the unexpired portion of the term by a majority vote of the remaining members of the council, or, if the council shall fail to fill any vacancy in its membership within thirty days of the occurrence of a vacancy, by appointment by the Judge of the Circuit Court of the City of Hopewell. (1950, c. 431)

§ 5. All other city officers required by the laws of the Commonwealth to be elected by the qualified voters of the said city shall be elected on the first Tuesday following the first Monday in November preceding the expiration of the terms of their respective predecessors, and for such terms as are prescribed by law. All such elective officers shall be nominated and elected as provided in the general laws of the Commonwealth. (1950, c. 431)

#### Chapter IV Council

§ 1. Composition; compensation. The council shall consist of seven members elected as provided in Chapter III. They shall receive in full compensation for their services a salary to be fixed as provided the general laws of the Commonwealth. (1950, c. 431; 1966, c. 114; 1978, c. 39)

§ 2. All powers vested in the city shall be exercised by the council except as otherwise provided herein. (1950, c. 431)

§ 3. The said council shall be a continuing body and no measure pending before the council shall abate or be discontinued by reason of the expiration of the term of office or removal of the members of the council, or any of them. (1950, c. 431)

§ 4. Election and terms of president (ex officio mayor), vice-president (ex officio vice-mayor) and members of boards and commissions; quorum; journal; etc.

(a) On the first Tuesday in January next following the regular municipal election, or as soon thereafter as may be practicable, the newly elected council shall proceed to choose by majority vote of all the members thereof one of their number to be president, who shall be ex officio mayor, and another as vice-president, who shall be ex officio vice-mayor, of the council, each of whom shall serve for a period of two years from the first day of the January next following the election and until their successor or successors have been elected and qualified; provided, however, that the terms of the president and vice-president set to expire on June 30, 2012, shall be extended to December 31, 2012, and until their successors have been elected and qualified.

(b) Appointment of boards and commissions; enumeration, term. The school board, library board, and dock commission shall each consist of five members of the board of such regional free library system as are permitted under the inter-jurisdictional contract establishing the regional library system as that contract may be amended from time to time.

The council shall appoint the members of such boards and commissions as are provided for in this charter, or as may be established by the council or by general law on a date and for such terms as may be established by ordinance.

The members of the boards and commissions shall serve until their successors have been appointed and qualified.

(c) Elections to be by viva voce vote; rules of procedure; punishment of members for misconduct, etc.; quorum; eligibility of members for other office; journal of proceedings. 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; in the absence of established rules of procedure, Robert's Rules of Order shall prevail. Council may punish its members for misconduct and may compel the attendance of members in such manner and under such penalties as may be prescribed by ordinance. 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.

No person, now a member or who may hereafter be elected to the council, shall during his tenure of office, or during the term for which he was elected as such member, be eligible to any office to be filled by the council by election or appointment. (1950, c. 431; 1952, c. 426; 1962, c. 462; 1978, c. 39; 1979, c. 317; 2009, c. 484; 2011, c. 797, 853)

§ 5. The president of the council shall preside at meetings of the council, and perform such other duties consistent with his office as may be imposed by the council. He shall be entitled to a vote, but shall possess no veto power. He shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor for military purposes. He may use the title of mayor in any case in which the execution of contracts or other legal instruments in writing, or other necessity arising from general laws of the Commonwealth may so require; but this shall not be construed as conferring upon him the administrative or judicial functions, or other powers or functions, of a mayor, under the general law of the Commonwealth. In time 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 his absence or disability his duties shall be performed by the vice-president of the council.

The powers and duties of the president of the council shall be such as are conferred upon him by this charter, and by general law, together with such others as may be conferred by the council in pursuance of the provisions of general law and of this charter. (1950, c. 431)

§ 6. The council shall have power, subject to the provisions of this charter, to adopt its own rules of procedure. Such rules shall provide for the time and place of holding regular meetings of the council, which shall not be less frequently than one in each month. They shall also provide for the calling of special meetings by the mayor, the city manager, or any member of the council, and shall prescribe the method of giving notice thereof, provided that the notice of each special meeting shall contain a statement of the specific item or items of business to be transacted and no other business shall be transacted at such meetings except by the unanimous consent of all members of the council.

No ordinance, resolution, motion or vote shall be adopted by the council except at a meeting open to the public, and except motions to adjourn, to fix the time and place of adjournments, and other motions of a purely procedural nature, and except where the public interests may require executive sessions.

No member of the council shall participate in the vote on any ordinance, resolution, motion or vote in which he, or any person, firm or corporation for which he is attorney, officer, director, or agent, has a financial interest other than as a minority stockholder of a corporation, or as a citizen of the city. (1950, c. 431)

§ 7. 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 at the 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 rates to be charged for any public utilities shall be so passed. (1950, c. 431)

§ 8. 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 the 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 authorizing the contracting of indebtedness or the issuance of bonds 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 Hopewell." No ordinance unless it be an emergency measure, shall be passed until it has been read at two regular meetings not less than one week apart, or the requirement of such reading has been dispensed with by the affirmative vote of four of the members of the council. 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 and every ordinance or resolution shall require, on final passage, the affirmative vote of at least three of the members. 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 or the issuance of bonds or other evidences of indebtedness (except temporary loans in anticipation of taxes or revenues or of the sale of bonds lawfully authorized), or authorizing the sale of any property or rights in property of the City of Hopewell, 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 ordinance; provided, however, that after any such ordinance shall have taken effect, all subsequent proceedings incident thereto and 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. (1950, c. 431)

§ 9. A record of all ordinances and resolutions shall be kept by the city clerk and authenticated by the signature of the presiding officer and of the said clerk, and when so

made shall be prima facie evidence of the terms thereof and may be read as evidence in all legal and other proceedings in which the same shall be necessary. (1950, c. 431)

#### Chapter V City Manager

§ 1. City Manager. There shall be a city manager who shall be the chief executive officer of the city and shall be responsible to the council for the proper administration of the city government. He shall be appointed by the council for an indefinite term, and shall be chosen solely on the basis of his executive and administrative qualifications. He shall receive such compensation as the council may provide by ordinance or resolution, and shall be bonded as the council may deem necessary. (1950, c. 431)

§ 2. The city manager shall appoint for an indefinite term and remove, subject to the provisions of this charter and except as herein provided, the heads of all departments and all other officers, (except executive officers), and employees of the city. He shall have the power to remove any officer or employee appointed by him for good cause and, pending final action, may suspend any such officer or employee from duty for not more than sixty days. (1950, c. 431)

§ 3. In the event of such appointment, suspension or removal the city manager shall report the same to the council at the next meeting thereof. (1950, c. 431)

§ 4. It shall be the duty of the city manager to

(a) Attend all meetings of the council with the right to speak but not to vote.

(b) Keep the council advised of the financial condition and the future needs of the city, and all matters pertaining to its proper administration, and make such recommendations as to him may seem desirable.

(c) Prepare and submit the annual budget to council and be responsible for its administration after its adoption.

(d) Perform such other duties as may be prescribed by this charter or be required of him in accordance therewith. (1950, c. 431)

§ 5. The council may designate some properly qualified person to perform the duties of the city manager in case of a vacancy or the absence or disability of the said city manager. (1950, c. 431)

#### Chapter VI

##### City Clerk and Director of Finance (1975, c. 332)

§ 1. There shall be appointed by the city council as hereinbefore provided a city clerk whose qualifications shall be such, who shall receive such compensation, and who shall perform such duties as the council, by ordinance or resolution may provide. (1950, c. 431; 1975, c. 332)

§ 2. The city manager may, if authorized by the city council, appoint a director of finance whose qualifications shall be such and who shall perform such duties as the city manager may direct. (1975, c. 332)

#### Chapter VII City Attorney

§ 1. City attorney; appointment; qualifications; compensation; duties. There shall be a city attorney appointed by the council for an indefinite term, who shall be qualified to practice law in the Commonwealth of Virginia. The city attorney shall receive such

compensation and have such qualifications as the council may provide by ordinance or resolution.

The city attorney shall be the chief legal advisor of the council and to the chief administrative officer. As designated by council, the city attorney also shall serve as the chief legal advisor to other departments, boards, commissions, and agencies of the city in all matters affecting the interests of the city. The city attorney also shall perform particular duties and functions as assigned by the council.

The city attorney shall have the power to appoint and remove legal assistants, or any other employees as shall be authorized by the council, and said employees shall be under the sole direction and authority of the city attorney. The city attorney also shall be authorized to engage any assistant or special counsel to perform any of the duties imposed upon the city attorney in this charter or under general law subject to budgetary appropriation by the council. (1950, c. 431; 1973, c. 85; 1978, c. 39; 2011, c. 797, 853)

Chapter VIII  
Circuit Court

§ 1. The Circuit Court of the City of Hopewell as now established and created by law shall continue and shall have and exercise the jurisdiction and powers as now constituted by general law. (1950, c. 431)

§ 2. (1950, c. 431; 1952, c. 426; repealed 1978, c. 39)

Chapter IX  
Civil and Police Justice and Substitute Civil  
and Police Justice

§ 1. (1950, c. 431; 1954, c. 248; repealed 1978, c. 39)

§ 2. (1950, c. 431; 1952, c. 426; 1960, c. 143; 1968, c. 120; repealed 1978, c. 39)

Chapter IXA  
Assessment and Reassessment of Real Estate

§ 1. The city council may, in its discretion, in lieu of the means and methods now prescribed by law, provide by ordinance for the annual, biennial, triennial, or quadrennial assessment and reassessment and equalization of assessments of real estate for local taxation, and to that end may establish a city real estate assessment office or authorize the city manager to establish a city real estate assessment office and appoint as assessors one or more persons whose duty it shall be to assess and reassess for taxation the real estate within the city, to equalize such assessments, to perform those duties in connection with such assessments and reassessments imposed by general law upon the commissioner of the revenue, and to discharge such other duties in connection therewith as may be prescribed. (1986, c. 18)

Chapter X  
Bailing Justices

§ 1. (1950, c. 431; 1960, c. 143; 1962, c. 462; repealed 1978, c. 39)

Chapter XI  
Juvenile and Domestic Relations Court

§ 1. (1950, c. 431; repealed 1978, c. 39)

§ 2. (1950, c. 431; repealed 1978, c. 39)

Chapter XII  
Clerk of the Civil, Police and Juvenile and Domestic

Relations Court

§ 1. (1950, c. 431; repealed 1978, c. 39)

Chapter XIII

Police Department

§ 1. There shall be a police force composed of a superintendent or chief of police and of such officers, patrolmen and other employees as the city manager may deem necessary for the proper enforcement of the law. (1950, c. 431)

§ 2. The superintendent or chief of police shall have the immediate direction and control of the said force, subject to the supervision of the city manager. (1950, c. 431)

§ 3. The qualifications of the said superintendent or chief of police, police officers, and other employees shall be such as the council may prescribe, and their duties shall be such as the city manager may direct. (1950, c. 431; 1973, c. 85; 1989, c. 22, 156)

Chapter XIV  
Fire Department

§ 1. There shall be a fire department composed of a chief and such other officers, firemen and employees as the city manager may deem necessary for the proper operation of the said department. (1950, c. 431)

§ 2. The chief of the said fire department shall have immediate direction and control of the said force, subject to the supervision of the city manager. (1950, c. 431)

§ 3. The qualifications of the said chief, other officers, firefighters, and employees shall be such as the council may prescribe, and they shall perform such duties as the city manager may direct, and they shall have such authority as is provided by the general laws of the Commonwealth of Virginia. (1950, c. 431; 1973, c. 85; 1989, c. 22, 156)

Chapter XV  
City Treasurer

§ 1. There shall be elected as hereinbefore provided, a city treasurer, who shall give bond as the council may prescribe, and whose duties and obligations shall be such as is provided by the general law of the Commonwealth and as shall be prescribed by the council. (1950, c. 431)

Chapter XVI  
Commissioner of Revenue

§ 1. There shall be elected as hereinbefore provided a commissioner of revenue, who shall give such bond as the council may prescribe, and whose duties and obligations shall be such as is provided by the general law of the Commonwealth of Virginia. (1950, c. 431)

Chapter XVII  
Budget

§ 1. At least sixty days before the end of each fiscal year the city manager shall prepare and submit to the council an annual budget for the ensuing fiscal year. (1950, c. 431)

§ 2. The said budget shall contain such information as the council may desire, and in all other respects, both with reference to the preparation and publication of the said budget, the same shall be governed by general law. (1950, c. 431)

Chapter XVIII  
Bond Issues

§ 1. Bonds, within the limits provided by general law, shall be issued by the City of Hopewell upon the affirmative vote in a referendum of voters pursuant to §§ 15.2-2610 and 15.2-2611 of the Code of Virginia of 1950, as amended. (1950, c. 431; 1986, c. 17; 2009, c. 484)

§ 2. The following bonds shall be exempted from the requirement to be approved by a referendum of voters: (i) bonds issued for improvements to existing public buildings; (ii) bonds not exceeding \$10 million, as adjusted for inflation based upon increases in the annual All Items Consumer Price Index for Urban Consumers, as published by the U.S. Bureau of Labor Statistics, issued for economic development purposes as determined by the city council; (iii) revenue bonds; (iv) refunding bonds; and (v) tax and revenue anticipation obligations that mature within one year from the date of their issue. Such

bonds so excepted may be issued upon an affirmative vote of a majority of all members of city council. (2009, c. 484)

§ 3. The issuance, execution, and terms of such bonds shall be governed by Chapter 26 (§ 15.2-2600 et seq.) of Title 15.2, of the Code of Virginia of 1950, as amended. (2009, c. 484)

#### Chapter XIX Sinking Fund

§ 1. There shall be a sinking fund for the payment, retirement or amortization of the outstanding bonds of the said city. It shall consist of the cash and securities in the sinking fund at the effective date of this charter, the sums hereinafter required to be paid into the said fund and the interest earned on investments. There shall be paid into the said fund annually the sum determined by the city council. The said fund may be invested only in bonds or other direct obligations of the city, the Commonwealth or the United States.

The management of the said fund from the effective date of this charter shall be entrusted to a sinking fund commission which shall consist of the president of the council, the city treasurer and the city manager, who shall submit to the council reports as to the condition of the said fund as the council may require. (1950, c. 431)

#### Chapter XX Tax Anticipation Loans

§ 1. The council may from time to time borrow money, in anticipation of the collection of the revenues for the then current year, and to issue from time to time, certificates, bonds, notes or other obligations therefor, provided, that the certificates, bonds, notes or other obligations mature within one year from the date of their issue, and the total issue of said certificates, bonds, notes or other obligations does not exceed the estimated revenue for such year. (1950, c. 431)

#### Chapter XXI School Board

§ 1. There shall be a school board of the City of Hopewell, which shall consist of five trustees who shall be residents of the City of Hopewell, who shall be appointed by a majority vote of the whole membership of the city council as hereinbefore provided. (1950, c. 431)

§ 2. Any vacancy occurring in said school board by expiration of term of office or other reason shall be filled by a majority vote of the said city council. The said school board shall have all the powers and duties relating to the management and control of the public schools of the city provided by the general laws of Virginia. (1950, c. 431)

§ 3. The said school board shall make such reports to the city manager as the said city manager and council may require. (1950, c. 431)

#### Chapter XXII Library Board

§ 1. At the election of city council, (i) a library board of the City of Hopewell that shall consist of five members, who shall be residents of the City of Hopewell, shall be appointed by a majority of the city council as hereinbefore provided, whose qualifications shall be such and who shall perform such duties as the city council may prescribe, or (ii) the City of Hopewell shall join and participate in a regional free library system pursuant to

§§ 42.1-37 to 42.1-45, inclusive, of the Code of Virginia of 1950, as amended. (1950, c. 431; 2009, c. 484)

### Chapter XXIII

#### City Planning and Zoning Commission

- § 1. (1950, c. 431; repealed 1978, c. 39)
- § 2. (1950, c. 431; repealed 1978, c. 39)
- § 3. (1950, c. 431; 1973, c. 85; repealed 1978, c. 39)
- § 4. (1950, c. 431; repealed 1978, c. 39)
- § 5. (1950, c. 431; repealed 1978, c. 39)
- § 6. 1950, c. 431; repealed 1978, c. 39)
- § 7. (1950, c. 431; repealed 1978, c. 39)
- § 8. (1950, c. 431; 1954, c. 248; repealed 1978, c. 39)
- § 9. (1950, c. 431; 1954, c. 248; repealed 1978, c. 39)
- § 10. (1950, c. 431; 1954, c. 248; repealed 1978, c. 39)
- § 11. (1950, c. 431; repealed 1978, c. 39)
- § 12. (1950, c. 431; repealed 1978, c. 39)
- § 13. (1950, c. 431; repealed 1978, c. 39)

### Chapter XXIV

#### Public Recreation and Parks Commission

- § 1. (1950, c. 431, repealed 1979, c. 317)
- § 2. (1950, c. 431, repealed 1979, c. 317)
- § 3. (1950, c. 431, repealed 1979, c. 317)
- § 4. (1950, c. 431, repealed 1979, c. 317)
- § 5. (1950, c. 431, repealed 1979, c. 317)
- § 6. (1950, c. 431, repealed 1979, c. 317)
- § 7. (1950, c. 431, repealed 1979, c. 317)

### Chapter XXV

#### Dock Commission

§ 1. There shall be a dock commission, whose number, qualifications, period of service, compensation and duties shall be such as the said council may prescribe. (1950, c. 431)

§ 2. The said dock commission shall consist of five members, who shall be residents of the City of Hopewell, and who shall be appointed by a majority vote of the whole membership of the city council as hereinbefore provided. (1950, c. 431)

§ 3. It shall be the duty of the said dock commission to develop, govern and maintain a port and harbor for the said city, and to that end:

(a) To delimit and fix the harbor and port lines, having regard to the acts of Congress of the United States pertaining thereto, and in so doing to have regard for the depths and widths of the James and Appomattox Rivers, to the probable future growth of commerce, the location of terminals, piers, wharves and docks.

(b) To fix and determine head and bulkhead lines, having regard to Federal regulations governing the same.

(c) To acquire all necessary land or property for the purpose of developing port facilities.

(d) To improve, maintain and operate municipal wharves, docks, terminals, slips, warehouse elevators, tracks and railroad and steamship facilities.

(e) To fix the rates of, to charge and collect reasonable wharfage fees, tolls or dues for the use of municipal terminals, warehouses or facilities.

(f) To appoint a harbor master for the port or harbor of the City of Hopewell, whose qualifications, tenure of office and compensation shall be such as the council may ordain, and whose duties, powers and responsibilities shall be such as is provided by the general law of the Commonwealth. (1950, c. 431)

Chapter XXV (A)

Hopewell Regional Wastewater

Treatment Facility Commission

§ 1. (1973, c. 85; repealed 1975, c. 454)

Chapter XXV (A.1)  
Hopewell Regional Wastewater  
Treatment Facility Commission

§ 1. There shall be a regional wastewater treatment facility commission which shall be known as the Hopewell Regional Wastewater Treatment Facility Commission (hereinafter in this chapter referred to as the "Commission"), which shall act on behalf of the City of Hopewell as hereinafter provided, with respect to a regional wastewater treatment facility to be owned by the City of Hopewell to provide treatment for disposal of sanitary and industrial waste from the City of Hopewell and vicinity. The Commission shall consist of eight members who need not be residents of the city and who shall be appointed by a majority of city council. Five of such members shall be from nominees submitted by five manufacturers (each nominating with respect to one membership) which provide assistance in the planning and financing of the regional wastewater treatment facility or which are or will be users of said facility. Any vacancy in the appointive membership of the Commission, however occurring, shall be promptly filled by the city council for the unexpired term in the same manner and from the same source as the original appointment to the vacated position.

Council may provide for additional nominees to the Commission by manufacturers not involved in planning assistance as aforesaid who contract with the city to provide a capital contribution of four per centum or more of the original capital cost of the facility by increasing the Commission membership to provide for one nominee from each such manufacturer. (1975, c. 454; 1979, c. 317)

§ 2. The City of Hopewell may contract with manufacturers as provided in § 1 above for appointment of members of the Commission from the nominees of such manufacturers and for maintenance of their majority representation. Any such contract within the scope of this chapter shall be valid and enforceable. (1975, c. 454)

§ 3. The Commission shall help and assist in the planning and construction of the facility. The Commission shall exercise full authority and responsibility in the operation, maintenance, improvement and repair of the facility, subject, however, to overrule of any of its actions by the city council. The Commission shall have such further duties as the city council may from time to time direct. (1975, c. 454)

Chapter XXVI  
Working Prisoners

§ 1. 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 Hopewell. (1950, c. 431)

Chapter XXVII  
Pension Funds

§ 1. The council of said city shall establish a fund or funds for the relief or pensions of persons in the service of the 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, subject to the provisions of this chapter, to make rules and regulations for the management and administration of such fund or funds. (1950, c. 431; 1960, c. 143; 1962, c. 462)

- § 2. (1960, c. 143; repealed 1962, c. 462)
- § 3. (1960, c. 143; repealed 1962, c. 462)
- § 4. (1960, c. 143; repealed 1962, c. 462)
- § 5. (1960, c. 143; repealed 1962, c. 462)
- § 6. (1960, c. 143; repealed 1962, c. 462)
- § 7. (1960, c. 143; repealed 1962, c. 462)
- § 8. (1960, c. 143; repealed 1962, c. 462)
- § 9. (1960, c. 143; repealed 1962, c. 462)
- § 10. (1960, c. 143; repealed 1962, c. 462)
- § 11. (1960, c. 143; repealed 1962, c. 462)
- § 12. (1960, c. 143; repealed 1962, c. 462)
- § 13. (1960, c. 143; repealed 1962, c. 462)
- § 14. (1960, c. 143; repealed 1962, c. 462)
- § 15. (1960, c. 143; repealed 1962, c. 462)

Chapter XXVIII  
Transitional Provisions

§ 1. All ordinances of the city and all rules, regulations and orders legally made by any department, board, commission or office of the city in force at the effective date of this charter insofar as they, or any portion thereof, are not consistent therewith, shall remain in force until amended or repealed in accordance with the provisions of this charter. (1950, c. 431)

§ 2. Except where this charter otherwise provides, the city bureaus, divisions and other units of the city shall remain in full force and effect until altered or amended in accordance with the provisions of this charter.

All acts and parts of acts in conflict with this charter are hereby repealed insofar as they affect the provisions of this charter and former charters and all amendments thereto for the City of Hopewell are hereby repealed; provided, however, that nothing contained in this act shall be construed to invalidate or in any manner affect the present existing indebtedness and liabilities of the City of Hopewell, whether evidenced by bonded obligations or otherwise. (1950, c. 431)