

## Chapter 2

### ADMINISTRATION\*

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\* **Charter References:** Town to constitute school district, § 15.

**Cross References:** Building inspection department, § 14-2; community development, ch. 22; administration and enforcement of fire prevention code, § 30-48; law enforcement, ch. 38; personnel, ch. 46; planning, ch. 50; administration and enforcement of zoning regulations, § 50-181 et seq.; taxation, ch. 62; utilities, ch. 74.

**State Law References:** State and Local Government Conflict of Interests Act, Code of Virginia, § 2.2-3100 et seq.; The Virginia Freedom of Information Act, Code of Virginia, § 2.1-3700 et seq.; Virginia Public Procurement Act, Code of Virginia, § 2.2-4300 et seq.; counties, cities and towns, Code of Virginia, title 15.2; Virginia Public Records Act, Code of Virginia, § 42.1-76 et seq.

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**IN GENERAL**

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**ARTICLE II.**

## TOWN COUNCIL\*

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\* **Charter References:** Council generally, § 3; mayor generally, § 4; election and term of councilmen, §§ 4.1, 4.2; adoption of ordinances, § 18; powers and duties of council, §§ 23 et seq., 36.

**State Law References:** Powers of council, Code of Virginia, § 15.2-1100 et seq.; governing bodies of localities, Code of Virginia, § 15.2-1400 et seq.; powers of town vested in governing body, Code of Virginia, § 15.2-1401; residence of town officers, Code of Virginia, § 15.2-1525; removal of public officers from office, Code of Virginia, § 24.2-230 et seq.; election of mayor and council, Code of Virginia, § 24.2-222 et seq.

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### Sec. 2-26. Regular meetings.

Regular meetings of the town council shall be held on the second and fourth Tuesdays of each month, in the town hall, to be called to order at 7:00 p.m. However, should any such day fall

upon a holiday, the council may by resolution fix another day for such meeting. Should the town hall be unavailable for any meeting, the council may by resolution fix another place within the town for such meeting.

(Code 1992, § 2-26)

**Charter References:** Council meetings, quorum, § 23.

**State Law References:** Public and closed meetings, Code of Virginia, §§ 2.2-3707, 2.2-3711.

### **Sec. 2-27. Annual budget estimate meeting; duty of town officers and department heads to submit information.**

All town officers and heads of departments, offices, divisions, boards, commissions, and agencies shall, on or before April 1 of each year, prepare and submit to the town council an estimate of the amount of money deemed to be needed during the ensuing fiscal year for the department, office, division, board, commission or agency. If any such person does not submit an estimate in accordance with this section, the town clerk or another person designated by the mayor or by the town council shall prepare and submit an estimate for that department, office, division, board, commission or agency. The town council, at its first regular meeting in April of each year, shall prepare a budget for informative and fiscal planning purposes only, containing a complete itemized and classified plan of all contemplated expenditures and all estimated revenues and borrowings for the town for the ensuing fiscal year. The council shall approve such budget no later than the date for the beginning of the fiscal year and shall fix a tax rate for the budget year at that time.



(Code 1992, § 2-27)

**Charter References:** Annual tax levy meeting, § 26.

**State Law References:** Similar provisions, Code of Virginia, § 15.2-2503; local taxes, Code of Virginia, § 58.1-3000 et seq.

**Sec. 2-28. Procedure in absence of quorum.**

If a quorum fails to attend any regular or special meeting of the town council within 20 minutes following the hour fixed for convening of the council, those members present may direct any town police officer to apprehend the absent members, if they are found within the town or at any place within one mile beyond the town limits, and bring them to the council chamber forthwith, or those members present may adjourn to another day, in which case the town clerk shall give notice of such adjournment to the absent members at least 12 hours prior to the time fixed for such adjourned meeting. In either case, the town clerk shall enter in the minute book the proceedings taken.

(Code 1992, § 2-28)

**State Law References:** Extraterritorial jurisdiction, Code of Virginia, § 19.2-250.

**Sec. 2-29. Duties of presiding officer; preservation of order.**

(a) At all meetings of the town council, the presiding officer shall preserve order and decorum and shall discharge all duties prescribed by state law for presiding officers of town council meetings and such other duties usually pertaining to presiding officers.

(b) If any person behaves in a riotous or disorderly manner in any public meeting of the town council or any division, committee, agency, or authority thereof or causes any unnecessary disturbance therein, by force, shouting or any other action calculated to disrupt such meeting, or shall refuse to obey any ruling of the presiding officer of such meeting relative to the orderly process thereof, he shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided in section 1-9.

(Code 1992, § 2-29)

**Charter References:** Mayor presides over council, § 8; president pro tempore, § 10.

**State Law References:** Penalties for violation of ordinances, Code of Virginia, § 15.2-1429; disorderly conduct in public places, Code of Virginia, § 18.2-415.

**Sec. 2-30. Majority governs unless otherwise provided; duty of members to vote on questions.**

In all matters pending before the town council, a majority shall govern, except when it is otherwise specially provided. Every member who shall be present when any question is put or ballot taken shall vote or ballot, as the case may be, unless personally interested or having another reason for abstaining, in which case the reason shall be given and entered in the minutes.

(Code 1992, § 2-30)

**Sec. 2-31. Voting; dissents.**

(a) On the call of any member of the town council, the vote on any question shall be taken by yeas and nays and recorded.

(b) Any member of the town council shall have the liberty to dissent from, or protest against, any ordinance, resolution or order of the council and have the reason of his dissent entered upon the record.

(Code 1992, § 2-31)

**Charter References:** Duty of clerk to keep record of proceedings of town council, § 19.

**Sec. 2-32. Town depository.**

(a) Biennially, as soon as may be practicable following the election and qualification of a new town council, the town council shall, by ordinance or resolution, designate the place of deposit for all town funds, which shall be kept by the town treasurer separate and apart from his personal funds.

(b) Nothing in this section shall be construed to prevent the designation of such a depository at any other time or to prevent any change being made, by ordinance or resolution of the town council.

(Code 1992, § 2-32)

**State Law References:** Security for public deposits, Code of Virginia, § 2.2-4400 et seq.

**Sec. 2-33. Presentation of requests for franchises.**

Every proposed franchise asked for from the town council shall be presented in printed or typewritten form at the expense of the petitioner and a copy thereof provided for each member of the council at the meeting when such franchise is so presented. No request shall be considered as having been presented to the council until so presented.

(Code 1992, § 2-33)

**State Law References:** Franchises, Code of Virginia, § 15.2-2100 et seq.

**Sec. 2-34. General requirements for adoption, amendment and repeal and effective date of ordinances.**

(a) No ordinance shall be adopted, amended or repealed except by an ordinance legally introduced and adopted, provided that the rules of the town council may be suspended in the manner therein provided.

(b) Every ordinance shall take effect from the date of its passing unless otherwise provided.

(Code 1992, § 2-34)

**Sec. 2-35. Ordinances amendatory of Code; maintenance of Code in current status.**

(a) Each ordinance amendatory of this Code shall be so drafted as to indicate clearly the chapter, article, division, section, subsection or paragraph added, deleted or altered thereby. Where feasible, chapter or article headings or section or subsection catchlines shall be supplied.

(b) It shall be the duty of the town clerk to maintain in his office one volume of this Code in current status at all times, with deleted portions omitted therefrom, amended portions included therein so as to replace the portions superseded by such amendments, and new portions included therein, each at its proper place. He shall amend the index accordingly. In making each insertion in or removal from such volume, the town clerk shall make an appropriate note in the margin as to the number and date of passage of the amendatory ordinance and the effective date thereof and, if publication or a public hearing was required, the date and manner of such publication and the date of such public hearing.

(Code 1992, § 2-35)

**State Law References:** Amending a town code of ordinances, Code of Virginia, § 15.2-1433.

#### **Sec. 2-36. Filing of ordinances and resolutions.**

The town clerk shall preserve the original copies of all ordinances and resolutions of the town council in appropriate files in his office and shall maintain a record thereof in the form of an index so as to facilitate ready access to each ordinance and resolution. He shall transcribe such originals in the minutes of the meetings at which they were adopted or, if the town council so orders, in appropriate ordinance and resolution books, in which case the council minutes shall clearly indicate the book and page number where each ordinance or resolution is transcribed.

(Code 1992, § 2-36)

#### **Sec. 2-37. Rules of council.**

The town council may from time to time adopt and amend:

- (1) Resolutions for the transaction of its business;
- (2) The procedure and order of business at its meetings;
- (3) The appointment and jurisdiction, powers and duties of standing and special committees;
- (4) The official conduct of its members;
- (5) The manner of calling and conducting hearings and investigations and the issuance of subpoenas for the attendance of witnesses and the production of books and papers;



(6) The presentation of petitions and other communications to the council and recognition of nonmembers to address the council thereon; and

(7) Such other matters not inconsistent with state law, this Code or other ordinances as may be deemed appropriate to facilitate the execution of the powers and the performance of the duties of the town council, as provided by state law and the town Charter.

(Code 1992, § 2-37)

**Charter References:** Committees of council, § 25; bylaws of council for carrying into effect provisions of Charter, § 26.

**State Law References:** Investigations by councils, Code of Virginia, § 15.2-1409.

**Secs. 2-38--2-65. Reserved.**

## ARTICLE III.

### OFFICERS AND EMPLOYEES\*

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\* **Charter References:** Town officers generally, § 5 et seq.; filling vacancies in town offices, § 24.

**Cross References:** Any ordinance relative to position classification, salaries, wages or compensation or bonds of town officers or employees and of members and employees of town boards or commissions saved from repeal, § 1-17(10); town sergeant; chief of police, § 38-2.

**State Law References:** State and Local Government Conflict of Interests Act, Code of Virginia, § 2.2-3100 et seq.; qualification of officers, Code of Virginia, § 15.2-1522 et seq.; residence of officers, Code of Virginia, §§ 15.2-1525, 15.2-1526; suspension and removal of town officers, Code of Virginia, § 24.2-230 et seq.

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### DIVISION 1.

## **GENERALLY**

### **Sec. 2-66. Residency requirements.**

Pursuant to the authority of Code of Virginia, § 15.2-1525(B), all nonelected town officers are exempted from all residency requirements of Code of Virginia, § 15.2-1525(A), and all acts, decisions and actions taken of all nonelected town officers are hereby affirmed, ratified and approved in all respects.

(Code 1992, § 2-56)

### **Sec. 2-67. Concurrent office holding; designation of deputies and assistants.**

The following actions shall be in conformity with Va. Const. art. VII, § 6, and Code of Virginia, §§ 15.2-1534 and 15.2-1535:

(1) The town council or the mayor, with the approval of the town council, may designate one person to hold two or more appointive town offices concurrently.

(2) Any deputy or assistant to any town officer who holds two or more offices concurrently shall be designated according to the offices in which he is to serve as such deputy or assistant. For example, should the town clerk at any time be also the town treasurer, his assistant shall be designated as "assistant town clerk-treasurer," if he is in fact the assistant in both of those offices; otherwise, he shall be designated as "assistant town clerk" or as "assistant town treasurer," according to the fact.

(Code 1992, § 2-57)

**Sec. 2-68. Limited authority to administer oaths; false swearing.**

(a) The mayor; the presiding officer of the town council or any committee thereof; the presiding officer of any board, commission or other body of the town government; the town clerk; the town treasurer; and each other town officer, deputy or assistant officer to whom any sworn statement, whether oral or in writing, is required to be made or submitted by any person pursuant to any section of this Code or other ordinance or resolution of the town council shall have authority to administer the oath so required. However, nothing in this subsection shall be

construed as purporting to authorize the administration of any oath which, by law, is required to be administered by a judicial officer, notary public or other officer authorized by statute to administer oaths, nor shall this section be construed as purporting to authorize the taking of any acknowledgment of any signature or seal for the purpose of recording elsewhere than in the office of the town clerk or some other office of this town.

(b) It shall be unlawful for any person to whom an oath has been administered pursuant to this section to knowingly make any false certificate, affidavit or statement, oral or written, concerning any matter whatsoever in violation of such oath.

(Code 1992, § 2-58)

**State Law References:** Officers who may administer oaths, Code of Virginia, § 49-4.

## **Sec. 2-69. Official bonds.**

(a) Each town officer, employee and agent who, in the course of his official duties, will have in his possession, custody or control any money, negotiable instruments, securities or other liquid assets belonging or due to the town which at any time exceeds in value the sum of \$100.00 shall, before entering upon the discharge of his duties, give bond payable to the town, with corporate surety and in such amount as shall be determined by the town council, conditioned upon the faithful performance of his duties and to make a true accounting of all town assets coming within his possession, custody or control. However, the bond of the town treasurer, his deputies and assistants shall be in amount of not less than \$5,000.00, and the

bond of the town sergeant shall be in amount of not less than \$5,000.00. Further, any person holding two or more offices or positions concurrently shall give bond in amount of not less than the highest amount which may be specified for any such office or position.

(b) Each town officer, employee and agent who, in the course of his official duties, is authorized to carry any firearm shall, before entering upon the discharge of his duties, give bond to the town, with corporate surety and in amount as may be fixed by the town council, but not less than \$30,000.00, conditioned upon the payment of all claims, judgments and decrees resulting from the negligent or unlawful use of such firearm by himself or by any other person with his knowledge and consent.

(c) In lieu of individual bonds, the town council may provide for a system of blanket bonding covering all persons who, by this section, are required to be bonded.

(d) All bonds required by this section shall be approved by the town attorney as to legality and form and by the town council as to sufficiency, and the premiums thereon shall be paid by the town. Bonds shall be filed in the office of the town clerk.

(Code 1992, § 2-1)

**Charter References:** Bonds of town officers, § 5.

**State Law References:** Bonds of town officers, Code of Virginia, § 15.2-1532.

**Sec. 2-70. Compensation; fees.**

Town officers and employees shall receive such compensation for their services as may be fixed in the annual budget or as may be fixed from time to time by other ordinances or resolutions of the town council. All fees collected by town officers and employees shall be paid into the town treasury, and no town officer or employee shall have any personal interest therein except as may be specifically provided otherwise by the town council.

(Code 1992, § 2-2)

**Charter References:** Salary of mayor, § 7; compensation of town sergeant, § 21.

**State Law References:** Salary of councilmembers and mayor, Code of Virginia, § 15.2-1414.7.

**Sec. 2-71. Authority of deputies, assistants and acting town officers and employees.**

(a) Authority vested in and duties imposed upon town officers by state law, this Code or other ordinances and resolutions of the town council may, when they so authorize, be exercised or performed by their deputies, assistants and other subordinates, to the extent not prohibited by state law, this Code or other ordinance or resolution of the town council.

(b) When any town officer or employee is absent or disabled or when any office or position in the town government is vacant, the person designated by competent authority to act in the place of such absent or disabled town officer or employee or to hold temporarily the vacant office or position shall have the powers and perform the duties of such absent or disabled officer or employee as appertaining to such vacant office or position.

(Code 1992, § 2-3)

**Sec. 2-72. Right of entry for inspection purposes; prohibited prevention or hindrance.**

Whenever any town officer or employee is required or authorized by statute, this Code or any other ordinance or resolution or by rules and regulations promulgated pursuant to authority thereof, in order to carry out his duties thereunder, to enter any premises or vehicle for the purpose of making an inspection thereof or of anything therein, such officer or employee shall have the right to enter any such premises or vehicle in accordance with law at any reasonable time and upon producing his credentials as a town officer or employee, for the purpose of making such inspection. It shall be unlawful for any person to prevent or hinder any such officer or employee in the performance of his duty under this section.



(Code 1992, § 2-4)

**State Law References:** Inspection warrants, Code of Virginia, § 19.2-393 et seq.

**Sec. 2-73. Workers' compensation benefits.**

Any town employee, when off from work due to being injured on the job, will receive directly workers' compensation benefits from the insurance company. No other compensation will be given by the town.

(Code 1992, § 2-6)

**State Law References:** Workers' compensation, Code of Virginia, title 65.2.

**Sec. 2-74. Federal social security.**

(a) In order to provide for the coverage of eligible town officers and employees under the provisions of title II of the federal social security act, the town shall subscribe to the applicable provisions of Code of Virginia, §§ 51.1-700--51.1-706, and the plan submitted to and approved by the state agency pursuant to Code of Virginia, § 51.1-705, is hereby ratified, confirmed and continued in full force and effect.

(b) The town council shall, each year, appropriate sufficient funds to make its required employer contributions to the state agency, and the town treasurer shall withhold from the salaries and wages of those town officers and employees who are so covered by federal social security to make their required contributions pursuant to the approved plan.

(c) The town treasurer shall be responsible for the performance by the town of all duties imposed upon the town and its officers and employees who are so covered by federal social security under the applicable provisions of Code of Virginia, §§ 51.1-700--51.1-706.

(Code 1992, § 2-7)

**Editors Note:** The town's copy of the plan mentioned in the above section is on file in the office of the town clerk.

## **Sec. 2-75. Property and property insurance inventories.**

(a) The town clerk shall maintain on file in his office an inventory of all real property owned by or leased to the town. This inventory shall be maintained in current status and during January of each year shall be revised, as may be appropriate, to show changes in value due to depreciation or to repairs, renovations, etc. For each building or lot such inventory shall also show the following:

(1) A brief description.

(2) A reference to the deed, devise, lease or other instrument whereby the city acquired title to the building or lot or the use thereof.

(3) The department, office or agency charged with custody.

(4) The purpose or use.

(5) The insurance of all types thereon, together with notes as to premiums payable and anniversary dates.

(6) For property owned by the town and leased to other persons, copies of such leases and appropriate notes as to the revenues derived therefrom.

(b) Each town officer having custody of items of nonexpendable personal property of value greater than \$25.00 owned by or leased to the town shall, during January of each year, prepare in duplicate an itemized inventory of such property. The original copy of each such inventory shall be filed in the office of the town clerk before February 1 of each year, and the duplicate copy shall be retained on file in the office of the person who prepared it. The inventory shall show for each item the following:

(1) Its value and a brief description, together with identification (by serial number, where applicable).

(2) A reference to the instrument, if any, whereby title or use was acquired.

(3) The department, office or agency having custody.

(4) The purpose or use.

(5) The insurance of all types, if any, together with notes as to premiums payable and anniversary dates.

The original copy of each such inventory shall be filed in the office of the town clerk before February 1 of each year, and the duplicate copy shall be retained on file in the office of the person who prepared it.

(Code 1992, § 2-59)

**Secs. 2-76--2-100. Reserved.**

**DIVISION 2.**

**SPECIFIC OFFICERS**

**Sec. 2-101. Powers and duties of mayor generally.**

(a) The mayor shall be the official head of the town government and chief executive officer of the town. He shall be responsible for the enforcement within the town of all applicable provisions of state law, this Code and the provisions of other ordinances and resolutions of the town council. If there is any breach of the peace, tumult, riot or resistance of law or imminent danger thereof or in any disaster wherein the lives or property of citizens are imperiled, he may call upon the governor for aid as provided in Code of Virginia, § 44-78.1.

(b) The mayor shall have general supervisory authority over the town officers and departments and units of the town government, and he shall have control of the police force for the purpose of enforcing peace and order and executing the laws of the state and the town

ordinances.

(c) The mayor shall be responsible for the preparation of the annual town budget and the timely submittal thereof to the town council and publication thereof. He shall submit such other reports and recommendations to the town council from time to time as he may deem appropriate in the best interests of the town and its inhabitants.

(d) The mayor shall exercise such other powers and perform such other duties as may be prescribed for his office by the town Charter, state law, this Code and other ordinances, resolutions and orders of the town council.

(Code 1992, § 2-76)

**Charter References:** Election and term of mayor, § 4; mayor generally, § 6 et seq.; veto power of mayor, § 18.

**State Law References:** Budgets, audits and reports, Code of Virginia, § 15.2-2500 et seq.

**Sec. 2-102. Mayor's authority to delegate administrative powers and duties.**

The mayor is hereby authorized to delegate authority to appropriate town officers and to a town manager to exercise administrative powers and perform administrative duties prescribed in this Code to be exercised or performed by the mayor.

(Code 1992, § 2-77)

**State Law References:** Town manager, Code of Virginia, §§ 15.2-1540, 15.2-1541.

**Sec. 2-103. Town clerk.**

(a) The clerk of the town council shall be ex officio town clerk.

(b) The town clerk shall be custodian of all town records, maps, documents and other papers belonging to the town for which no other custodian is designated, and he shall keep them secure against all hazards and make them available to those having an interest therein for inspection and use in his office during all regular business hours, provided that records of a confidential nature, such as income returns from merchants, be made available only to persons authorized by law to have access thereto.



(c) The town clerk shall issue all licenses and permits granted by the town council and all other licenses and permits for which no other issuing officer is designated.

(d) The office of the town clerk is the principal point of contact between the public and the town government, and the town clerk shall render reasonable assistance to persons affected by this Code or other ordinances or resolutions of the town council and to persons seeking to do business with the town. He shall exercise such other powers and perform such other duties as may from time to time be prescribed for his office by ordinance, resolution or order of the town council.

(Code 1992, § 2-78)

**Charter References:** Town clerk generally, § 5; duties of clerk, § 19; control of clerk by council, § 22.

**State Law References:** The Virginia Freedom of Information Act, Code of Virginia, § 2.2-3700 et seq.

#### **Sec. 2-104. Town treasurer.**

(a) The town treasurer shall collect all the taxes, revenues and assessments which may be levied by the town council and all license fees, permit fees and other money belonging or due to the town for which no other town officer is designated as collector thereof.

(b) All money received by the town treasurer on any special levy or assessment or for any special purpose shall be held by him on separate accounts and shall be applied only for the purposes designated therefor.

(c) The town treasurer shall refuse payment of any town warrant presented to him when the payer thereof is indebted to the town or is delinquent in the payment of taxes or other fees, charges or obligations due the town.

(d) The town treasurer shall have such other powers and perform such other duties as may be provided for his office by the town Charter, state law, this Code or other ordinance, resolution or order of the town council.

(Code 1992, § 2-79)

**Charter References:** Town treasurer generally, § 5; duties of treasurer, § 20; control of treasurer by council, § 22.

**State Law References:** Collection of taxes by county treasurer, Code of Virginia, § 58.1-3910 et seq.

**Sec. 2-105. Town attorney and assistant.**

(a) The town attorney shall be a member in good standing of the Virginia State Bar. He shall perform such professional services and receive such compensation as may be agreed by him and the town council at the time of his appointment, subject to the following:

(1) The town attorney shall be legal counsel for the town council and its officers, boards and agencies, and he shall render opinions to them upon request;

(2) He shall prepare contracts and other instruments to which the town is a party or in which the town has an interest;

(3) He shall attend, upon request, all regular and special meetings of the town

council and, at the request of the mayor or councilmembers issuing the call, he shall attend special meetings of the town council; and

(4) He shall represent the town in court with respect to any proceeding to which the town is a party.

(b) The town attorney, with the consent of the town council, may appoint an assistant town attorney who shall be a member in good standing of the Virginia State Bar. The assistant town attorney shall perform the duties of the town attorney when the town attorney is absent, disabled or otherwise unavailable.

(Code 1992, § 2-80)

**Secs. 2-106--2-155. Reserved.**

## **ARTICLE IV.**

## BOARDS AND COMMISSIONS\*

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\* **Cross References:** Board of building code appeals, § 14-9; industrial development authority, § 22-26 et seq.; planning commission; board of zoning appeals, § 50-1.

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**Secs. 2-156--2-205. Reserved.**

## ARTICLE V.

## FINANCE\*

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\* **Charter References:** Bonded indebtedness, §§ 17, 30.

**Cross References:** Any ordinance or resolution promising or guaranteeing the payment of money for the town, authorizing the issue of any bonds of the town, any evidence of the town's indebtedness or any contract or obligation assumed by the town saved from repeal, § 1-17(3); taxation, ch. 62.

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**Sec. 2-206. Fiscal year.**

Each fiscal year shall begin on July 1 of the calendar year and shall expire with the expiration of June 30 next following, and the town treasurer and all other concerned officers and employees of the town shall conform their accounts, books, records and reports to the July 1--June 30 fiscal year.

(Code 1992, § 2-5)

**State Law References:** Uniform fiscal year, Code of Virginia, § 15.2-2500; budgets, Code of Virginia, § 15.2-2501 et seq.

**Sec. 2-207. Penalties and interest for nonpayment of accounts due other than taxes.**

Any person failing to pay any accounts or bills due the town on or before its due date, other than taxes, shall incur a penalty thereon of ten percent or \$10.00, whichever is lesser, which shall be added to the amount of the account or bill due from such person. No penalties shall be imposed for failure to pay any account or bill if such failure was not in any way the fault of the debtor. Interest at the rate of ten percent annually from the first day following the day such account or bill is due shall be collected upon the principal and penalty of all such accounts and bills.

(Code 1992, § 7-1)

**State Law References:** Authority for above section, Code of Virginia, § 15.2-105.

**Sec. 2-208. Fee for bad checks.**

If any person shall utter, publish or pass any check or draft for the payment of any taxes or any other sums due the town, which is subsequently returned for insufficient funds or because there is no account or the account has been closed, the treasurer shall assess against such person and such person shall pay a fee in the amount of \$25.00 in addition to the original amount of such check or draft. The fee hereby imposed shall be in addition to any lawful interest such person may owe to the town as a result of the uttering, publishing or passing of such check or draft to the town.

(Code 1992, § 7-3)

**State Law References:** Authority for above section, Code of Virginia, § 15.2-106.