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HOUSE BILL NO. 321

Offered January 12, 2022

Prefiled January 11, 2022

A BILL to amend and reenact §§ 12, 18, and 19, as severally amended, of Chapter 34 of the Acts of Assembly of 1918, which provided a charter for the City of Norfolk, relating to council; elections.

Patron—Williams Graves

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That §§ 12, 18, and 19, as severally amended, of Chapter 34 of the Acts of Assembly of 1918 are amended and reenacted as follows:

§ 12. Meetings of council.

On the first day of July next Tuesday in January after January 1 following the regular municipal election, or if such day be Saturday or Sunday, then on the following Tuesday, the council shall meet at the usual place for holding meetings of the legislative body of the city, at which time the newly elected council members shall assume the duties of their office. The time for any such meeting shall be set by ordinance adopted by council not less than thirty nor more than forty-five days prior to the election. Thereafter the council shall meet at such times as may be prescribed by ordinance or resolution. It shall hold at least one regular meeting each month. The mayor, any member of the council, or the city manager, may call special meetings of the council at any time upon at least twelve hours' written notice to each member, served personally or left at his usual place of business or residence; or such meeting may be held at any time without notice, provided all members of the council attend. All meetings of the council shall be public except where closed pursuant to the provisions of general law, and any citizen may have access to the minutes and records thereof at all reasonable times.

§ 18. Time of holding municipal elections and conduct of elections.

A municipal election shall be held on the first Tuesday in May of the year 1992, and of every second year thereafter, which shall be known as the regular municipal election for the election of council members. In accordance with § 15.2-1400 of the Code of Virginia (1950), as amended, beginning in 2022 municipal elections shall be held at the time of the November general election and every second year thereafter. The elections for wards one through five shall be at the time of the November 2022 general election and every four years thereafter and the elections for superwards designated six and seven and the mayor shall be at the time of the November 2024 general election and every four years thereafter. All terms shall commence on January 1 and end on December 31. Any matter which, by the terms of this charter, may be submitted to the electors of the city, at any special election, may be submitted at a regular municipal election.

An election to fill each of the ward and superward council seats shall be held at the regular municipal election in 1992. Those candidates elected from wards designated one through five shall serve on city council for a term beginning on the first day of July of the year 1992 and terminating two years hence or upon qualification of their successors. Those candidates elected from superwards designated six and seven shall serve on city council for terms beginning on the first day of July of the year 1992 and terminating four years hence or upon qualification of their successors. Thereafter, elections for council members from wards one through five shall be held every four years beginning on the first Tuesday in May, of the year 1994, and elections for superwards six and seven shall be held every four years beginning on the first Tuesday in May, of the year 1996, with persons so elected to begin their four-year terms on the first day of July following their election. Until July 1, 1992, the city council shall consist of the members of city council serving at the time of adoption of this amendment or their successors as provided in § 7 of this charter.

Beginning in the year 2006, there shall be an election for the office of mayor to be held at the regular municipal election that year. The candidate receiving the most votes from the qualified voters of the city voting at-large for said office shall be elected mayor to serve for a term of four years beginning July 1, 2006, or upon qualification of his or her successor. Thereafter, elections for the office of mayor shall be held every four years beginning on the first Tuesday in May of the year 2010, with persons so elected to begin their four-year terms on the first day of July following their election. However, persons elected mayor at the regular municipal election in 2014 shall be elected for a term of two years beginning July 1, 2014. Thereafter, elections for the office of mayor shall be held every four years beginning on the first Tuesday in May of the year 2016, with persons so elected to begin their four-year terms on the first day of July following their election.

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59 § 19. Notice of candidacy and petition.

60 Candidates for the city council shall be qualified voters of the ward or superward from which they
61 seek election, or in the case of the election of the mayor, qualified voters of the city at-large. Such
62 candidates, subject to the provisions of § 21 of this charter, shall file their notices of candidacy and their
63 petitions in the manner provided by law. No candidate may seek election for more than one seat in an
64 election. A sitting member of council who files his or her candidacy for mayor or for election to a
65 council seat other than reelection to his or her own seat and so appears on the ballot shall be deemed to
66 have resigned his or her seat effective ~~June 30~~ *December 31* of the year in which the election is held
67 whether or not he or she is elected to the new seat sought.