

POUND, TOWN OF
Located in County of Wise.
Incorporated by order of the Circuit Court of Wise County on June 10, 1946.

Charter, 1950, c. 552; repealed 1984, c. 109, except § 2 of Chapter I.
Charter, 1984, c. 109.
Amended 2008, c. 322 (§ 4.3).

CHAPTER 1.
INCORPORATION AND BOUNDARIES.

§ 1.1. Incorporation.--The inhabitants of the territory comprised within the present limits of the Town of Pound, in the County of Wise, as such limitations are now, or may hereafter be altered and established by law, shall constitute a body politic and corporate, to be known and designated as the Town of Pound, and as such shall have perpetual succession, may sue and be sued, plead and be impleaded, contract and be contracted with, and may have a corporate seal which it may alter, renew or amend at its pleasure. (1984, c. 109)

§ 1.2. Boundaries.--The boundaries of the town are those established in § 2, Chapter I, of Chapter 552 of the 1950 Acts of Assembly. (1984, c. 109)

CHAPTER 2.
POWERS.

§ 2.1. Powers.--The Town of Pound shall have all powers conferred upon towns under the Constitution of Virginia and all other laws of the Commonwealth. All powers set forth in Chapter 18 (§§ 15.1-837 through 15.1-907) of Title 15.1 of the Code of Virginia are hereby specifically conferred upon the Town of Pound. (1984, c. 109)

CHAPTER 3.
GOVERNING BODY.

§ 3.1. Council.--A. The Town of Pound shall be governed by a town council composed of five members, elected at large.

B. The members of council in office at the time of the passage of this act shall continue until the expiration of the terms for which they were elected, or until their successors are duly elected and qualified.

C. In each even-numbered year on the date specified by general law for municipal elections, a number of councilmen equal to the number of terms expiring during that year--that is, three in years divisible by four and two in other even-numbered years--shall be elected for terms of four years each. Persons so elected shall qualify and take office on the first day of July following their election. They shall continue to serve until their successors are duly elected, qualified and assume office.

D. Any person qualified to vote in town elections shall be eligible for the office of councilman.

E. Vacancies on the council shall be filled for the unexpired term by a majority vote of the remaining members of the council. Any person qualified for the office of councilman may be chosen to fill a council vacancy. (1984, c. 109)

§ 3.2. Mayor.--A. In each even-numbered year on the date specified by general law for municipal elections, a mayor of the Town of Pound shall be elected for a term of two years. Persons so elected shall qualify and take office on the first day of July following their election. Mayors shall continue to serve until their successors are duly elected, qualified and assume office.

B. Any person qualified to vote in town elections shall be eligible for the office of mayor.

C. Vacancies in the office of mayor shall be filled for the unexpired term by a majority vote of the members elected to the council from among the qualified voters of the town. A member of council shall not be qualified to fill a vacancy in the office of mayor.

D. The mayor shall be president of the council, but he shall have no vote except in case of a tie. He shall be recognized as head of the town government for ceremonial purposes and by the Governor for purposes of military law. He shall perform such other duties as may be assigned to him by council not inconsistent with the Constitution of Virginia, the general laws of the Commonwealth or the provisions of this charter. (1984, c. 109)

CHAPTER 4. MISCELLANEOUS.

§ 4.1. Ordinances Continuing.--All ordinances now in force in the Town of Pound, not inconsistent with this charter, shall remain in force until altered, amended or repealed by the council. (1984, c. 109)

§ 4.2. Legislative Procedure.--Except in dealing with parliamentary procedure, the council shall act only by ordinance or resolution, and with the exception of ordinances making appropriations or authorizing the contracting of indebtedness, each ordinance or resolution shall be confined to one general subject. (1984, c. 109)

§ 4.3. Town Officers.--A. At its organizational meeting held following the qualification of the mayor and members of council in each even-numbered year, the council may, in its discretion, appoint a town manager who shall serve as the chief administrative officer of the town.

B. The council may, in its discretion, appoint a town attorney, town clerk, town treasurer, chief of police and such other town officers as it deems appropriate. The council shall further provide the terms of each officer or, if there be no terms, shall indicate that the officers serve at the pleasure of the appointing authority.

C. Each officer shall have such duties as are specified by the appointing authority not inconsistent with the Constitution and general laws of the Commonwealth and this charter and shall receive such compensation, if any, as council may prescribe.

D. The same person may be appointed to more than one office; however, no person may serve as a member of council and as mayor. (1984, c. 109; 2008, c. 322)

§ 4.4. Water and Sewer Charges.--In operating public water and sewer services, the town may charge a different rate for services furnished to customers without the corporate limits from the rates charged for similar services to customers within the

corporate limits. The town may provide by ordinance that all unpaid water or sewer service charges and interests thereon shall constitute a lien on the real estate served by the water or sewer line through which the service is provided. (1984, c. 109)

§ 4.5. Eminent Domain.--The powers of eminent domain which may be exercised by municipal corporations under the provisions of Titles 15.1 and 25 of the Code of Virginia, as amended, are hereby conferred upon the Town of Pound. (1984, c. 109)

§ 4.6. Office of Town Sergeant Not To Be Established.--In accordance with the provisions of § 15.1-796 of the Code of Virginia, there shall not be established in the town the office of town sergeant. (1984, c. 109)