

**AN ORDINANCE OF THE COUNCIL  
FOR THE TOWN OF ABINGDON, VIRGINIA  
TO AMEND  
PART II – CODE, CHAPTER 2 – ADMINISTRATION,  
ARTICLE II. – COUNCIL; DIVISION 4. – ORDINANCES AND RESOLUTIONS,  
SECTION 2-96. - GENERALLY**

**WHEREAS**, §15.2-1102 of the Code of Virginia 1950, as amended, established that the governing body of any town may enact and enforce ordinances for the general purpose of promoting the public health, safety, convenience and welfare of its general public; and

**WHEREAS**, the Town of Abingdon's current Code, Chapter 2 – Administration, Article II. – Council; Division 4. – Ordinances and Resolutions, Section 2-96. - Generally, the Council for the Town of Abingdon has found it in the best interest to clarify Council's actions regarding ordinances or resolutions to repeal, amend and reenact the body of its ordinance; and

**NOW, THEREFORE BE IT ORDAINED** by the council of the Town of Abingdon that:

1. Should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Code of the Town of Abingdon, Virginia; and

2. The Town of Abingdon's Code – Part II, Chapter 2 – Administration, Article II. – Council; Division 4. – Ordinances and Resolutions, Section 2-96. - Generally that is proposed for amendment currently appears as follows:

**DIVISION 4. - ORDINANCES AND RESOLUTIONS**

Sec. 2-96. - Generally.

- (a) 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 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 other obligations and appropriating the money to be raised thereby shall be confined to those subjects respectively.
- (b) The enacting clause of all ordinances passed by the council shall be "Be it ordained by the council of the Town of Abingdon." No ordinance, unless it be an emergency measure, shall be passed until it has been read at two regular meetings not less than seven days apart, unless the requirements of such reading have 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.

- (c) All ordinances and resolutions passed by the council shall be in effect from and after 30 days from the date of their passage, except that the council may, by the affirmative vote of two-thirds of its members present, 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 town property, or making a grant, renewal, or extension of a franchise or other special privilege, or regulating the rate to be charged for its service by any public utility, shall be so passed.
- (d) Every ordinance or resolution upon its final passage shall be recorded in a book kept for that purpose, and shall be authenticated by the signature of the presiding officer and the town clerk.
- (e) Every member, when present, when a question is put, shall vote unless excused by the council. But no member who has any personal or financial interest in the result of any ordinance or resolution before the council shall vote thereon unless permitted by law.

**BE IT FURTHER ORDAINED**, that upon the recommendation of the Council for the Town of Abingdon, Part II – Code, Chapter 2 – Administration, Article II. – Council; Division 4. – Ordinances and Resolutions, Section 2-96. - Generally be amended as follows:

#### **DIVISION 4. - ORDINANCES AND RESOLUTIONS**

##### **Sec. 2-96. - Generally.**

- (b) The enacting clause of all ordinances passed by the council shall be “Be it ordained by the council of the Town of Abingdon.” An ordinance passed as an emergency measure by the affirmative vote of two-thirds of its members present may be passed without a second reading. Otherwise, all ordinances shall be passed only after two readings of the ordinance at regular or special meetings not less than seven days apart, unless the requirements of such second reading have 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.
- (c) All ordinances and resolutions passed by the council shall be in effect from the date of their passage, unless indicated otherwise in the ordinance or resolution.

**CERTIFICATE**

Pursuant to Section 2-100 of the Code of the Town of Abingdon, Virginia, I hereby certify that I have reviewed the foregoing proposed ordinance to amend Part II – Code, Chapter 2 – Administration, Article II. – Council; Division 4. – Ordinances and Resolutions, Section 2-96. - Generally, and find it to be in correct form, as set forth above, this 2 day of March 2020.

  
Cameron Bell, Counsel

This ordinance was adopted on the 2 day of March<sup>2020</sup>, to take effect on April 2, 2020

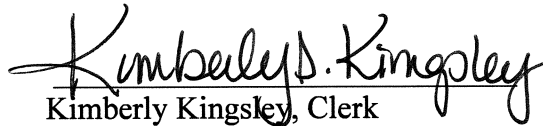
  
J. Wayne Craig, Mayor

The undersigned Clerk of the Town of Abingdon, Virginia (the “Town”), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on March 2, 2020. I hereby certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing ordinance was as follows:

MEMBERS	ATTENDANCE	VOTE
J. Wayne Craig, Mayor	yes	aye
Cindy Patterson, Vice Mayor	yes	aye
Al Bradley	yes	aye
Donna Quetsch	yes	aye
Derek Webb	yes	aye

WITNESS MY HAND and the seal of the Town of Abingdon as of March 3, 2020

(SEAL)

  
Kimberly Kingsley, Clerk