



# City of Hampton

22 Lincoln Street  
Hampton, VA 23669  
www.hampton.gov

## Official Record

Ordinance-Coded: 21-0008

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File Number: 21-0183

Enactment Number: 21-0008

**Ordinance to Amend and Re-Enact Chapter 12 of the City Code of the City Of Hampton, Virginia Entitled, "Elections" By Amending Article IV and Adding a New Article V Pertaining to Elections of Mayor, Members of the City Council, and Members of the School Board in November As Required by the Code of Virginia**

**WHEREAS**, as a result of the passage of Senate Bill 1157 (2021) by the General Assembly, as of July 1, 2021, the City Council is required by Section 15.2-1400 of the Code of Virginia to provide, by ordinance, for the transition of elections for the positions of mayor, members of the city council, and members of the school board to the November general election date from the May general election date;

**WHEREAS**, upon adoption of this ordinance, beginning with any election held after January 1, 2022, elections for mayor, members of the city council, and members of the school board shall be held at the time of the November general election for terms to commence January 1; and

**WHEREAS**, further, that the mayor, members of the city council, and members of the school board who were elected at a May general election and whose terms are to expire as of June 30 shall continue in office until their successors have been elected at the November general election and have been qualified to serve.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Hampton, Virginia that Chapter 12 of the City Code of the City of Hampton, Virginia, be amended and re-enacted as follows:

### **Chapter 12 - ELECTIONS**

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### **ARTICLE IV. - SCHOOL BOARD**

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#### **Sec. 12-92. - Election and terms of members of the school board.**

There shall be a general election of the school board every two (2) years, held on the first Tuesday of May, with candidates receiving the highest number of votes for the seats being declared elected and with [the] terms of school board members elected at such elections beginning July 1, following their election and continuing for four (4) years.

Notwithstanding the foregoing, for any election held after January 1, 2022, elections for members of the school board shall be held at the time of the November general election for terms to commence on January 1. No term of a member of the school board shall be shortened in implementing this change to the November election date. Members who were elected at a May general election and whose terms are set to expire as of June 30 shall continue in office until their successors' terms commence on the January 1 following their election at the November general election.

The school board shall be a continuing body and no measure pending before it shall abate or be discontinued by reason of the expiration of the term of office or the removal of the members of the body or any of them.

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**ARTICLE V. - ELECTIONS FOR MAYOR AND MEMBERS OF CITY COUNCIL**

**Sec. 12-96. - November General Election.**

Notwithstanding Sections 3.01 et. seq of the Charter, and pursuant to section 15.2-1400 of the Code of Virginia, as amended, for any election held after January 1, 2022, elections for mayor and members of city council shall be held at the time of the November general election for terms to commence the following January 1. The first meeting of a newly elected council, as set forth in Section 3.06 of the Charter, shall take place on the date of the first regularly scheduled meeting of the city council in the month of January following the November general election. Except as provided in this section, all other applicable provisions of the Charter pertaining to elections shall remain in effect. No term of a mayor or a member of council shall be shortened in implementing this change to the November election date. The mayor and members of the city council who were elected at a May general election and whose terms are set to expire as of June 30 shall continue in office until their successors' terms commence on the January 1 following their election at the November general election.

**State Law reference-** Code of Virginia, § 15.2-1400 et seq.

**Cross reference-** City Charter, § 3.01 et seq.

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approved by the Hampton City Council on 7/14/2021.

**Aye:** 6 Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead



JUL 14 2021

**Signed by:** \_\_\_\_\_  
Donnie R. Tuck

**Date** \_\_\_\_\_

Attested by:   
Katherine K. Glass

Date JUL 14 2021

# VIRGINIA ACTS OF ASSEMBLY -- 2021 SPECIAL SESSION I

## CHAPTER 103

*An Act to amend and reenact § 15.2-1400 of the Code of Virginia, relating to time of certain local elections.*

[S 1157]

Approved March 12, 2021

**Be it enacted by the General Assembly of Virginia:**

**1. That § 15.2-1400 of the Code of Virginia is amended and reenacted as follows:**

**§ 15.2-1400. Governing bodies.**

A. The qualified voters of every locality shall elect a governing body for such locality. The date, place, number, term, and other details of the election shall be as specified by law, general or special. Qualification for office is provided in *Article 4* (§ 15.2-1522 et seq.) of *Chapter 15*.

B. The governing body of every locality shall be composed of not fewer than three nor more than ~~eleven~~ 11 members.

C. Chairmen, mayors, supervisors, and councilmen are subject to the prohibitions set forth in §§ 15.2-1534 and 15.2-1535.

D. A governing body may punish or fine a member of the governing body for disorderly behavior.

*E. Notwithstanding the provisions of §§ 24.2-222 and 24.2-222.1, any city or town charter, or any other provision of law, general or special, beginning with any election held after January 1, 2022, elections for mayor, members of a local governing body, or members of an elected school board shall be held at the time of the November general election for terms to commence January 1.*

**2. That any city or town currently providing for the election of its mayor, governing body, or school board at a May election shall, by ordinance, provide for the transition of such elections to the November general election date. No term of a mayor, a member of council, or a member of a school board shall be shortened in implementing the change to the November election date. Mayors and members of a council or school board who were elected at a May general election and whose terms are to expire as of June 30 shall continue in office until their successors have been elected at the November general election and have been qualified to serve.**