

The Powers & Responsibilities of the Town Council And the Town Manager

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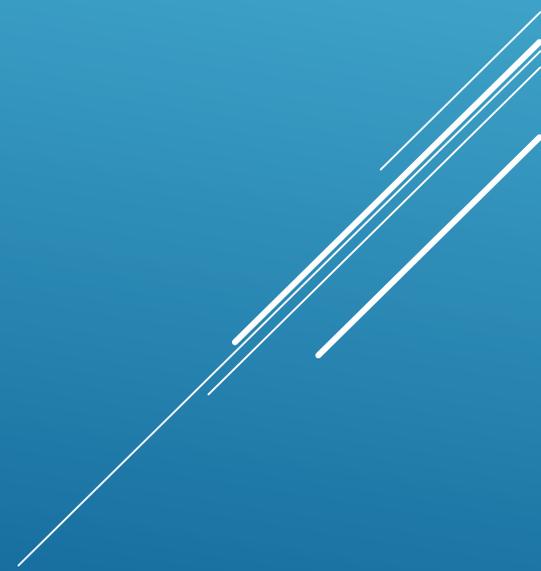
- ▶ All powers granted to the Town are vested in the Council.
- ▶ “All powers vested in a municipal corporation...shall be exercised by its governing body.” Va. Code § 15.2-1100
- ▶ Every governing body of a locality shall be a continuing body, and no measure pending before such body shall abate or be discontinued by reason of expiration of the term of office or removal of any or all members of the governing body. Va. Code § 15.2-1403

THE MAYOR & COUNCIL

The Council is responsible for:

- Approving the budget and setting tax rates
 - ▶ *Handbook for Virginia Mayors & Council Members (VML)*
- Focusing on major community goals and projects
 - ▶ *Handbook for Virginia Mayors & Council Members (VML)*
- Addressing the locality's long-term future through consideration such as land use, capital improvement plans, and strategic planning.
 - ▶ *Handbook for Virginia Mayors & Council Members (VML)*

RESPONSIBILITIES



- ▶ The primary role of the Town Council is legislative.
 - ▶ *Handbook for Virginia Mayors & Council Members (VML)*
- ▶ The Town Council is a policy-making body.
 - ▶ *Handbook for Virginia Mayors & Council Members (VML)*

LEGISLATIVE FUNCTION

Enacting legislation involves working together with other members of Council to reach a consensus and approve legislation.

- ▶ *Handbook for Virginia Mayors & Council Members (VML)*

LEGISLATIVE FUNCTION

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- ▶ An individual member's ability to shape policy depends upon being able to influence the other members of Council.
 - ▶ *Handbook for Virginia Mayors & Council Members (VML)*
- ▶ Develop tact and skill in working with other Council members. Disagree respectfully and avoid resentment, impatience and intolerance.
 - ▶ *Handbook for Virginia Mayors & Council Members (VML)*

POLICY-MAKING FUNCTION

- ▶ Treat everyone with respect and try not to draw a conclusion until there has been an opportunity to make an informed judgment.
 - ▶ *Handbook for Virginia Mayors & Council Members (VML)*
- ▶ Sometimes it is necessary to compromise in order to accomplish what is needed.
 - ▶ *Handbook for Virginia Mayors & Council Members (VML)*

MAKING POLICY & LEGISLATION



A Council member's main mission is to set the community's policies and goals.

- ▶ *Handbook for Virginia Mayors & Council Members (VML)*

MAKING POLICY & LEGISLATION

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No one member of Council has any power. Power only exists among and between the members of Council.

- ▶ *Handbook for Virginia Mayors & Council Members (VML)*

COUNCIL'S POWER



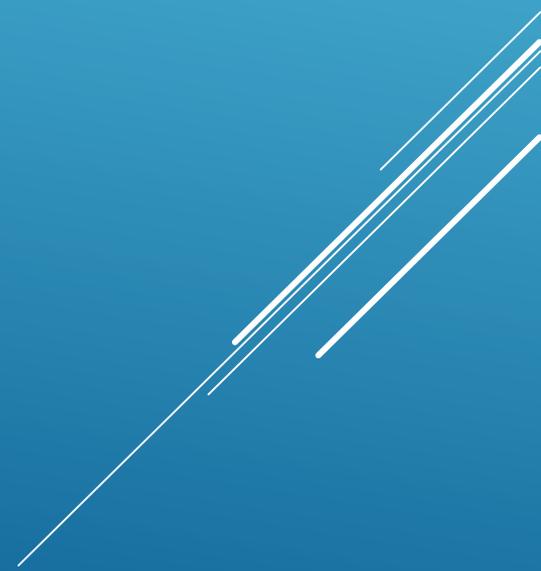
- ▶ The Town can only exercise those powers expressly granted by the General Assembly, those powers implied by expressly granted powers and those powers essential to the operation of the Town.

THE DILLON RULE



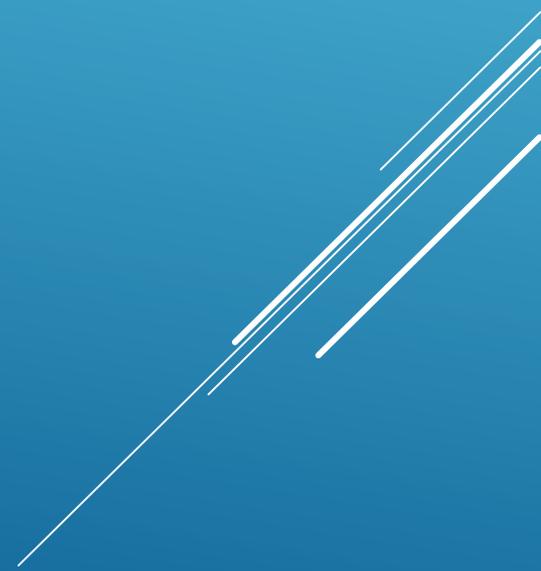
A municipal corporation **shall have and may exercise all powers which it now has or which may hereafter be conferred upon or delegated to it under the Constitution and laws of the Commonwealth** and all other powers pertinent to the conduct of the affairs and functions of the municipal government, the exercise of which is not expressly prohibited by the Constitution and the general laws of the Commonwealth, **and which are necessary or desirable to secure and promote the general welfare of the inhabitants of the municipality and the safety, health, peace, good order, comfort, convenience, morals, trade, commerce and industry of the municipality and the inhabitants thereof**, and the enumeration of specific powers shall not be construed or held to be exclusive or as a limitation upon any general grant of power, but shall be construed and held to be in addition to any general grant of power. The exercise of the powers conferred under this section is specifically limited to the area within the corporate limits of the municipality, unless otherwise conferred in the applicable sections of the Constitution and general laws, as amended, of the Commonwealth.

VA. CODE § 15.2-1102



A municipal corporation shall provide for the control and management of the affairs of the municipality, and may prescribe and require the adoption and keeping of such books, records, accounts and systems of accounting by the departments, boards, commissions, courts or other agencies of the local government as may be necessary to give full and true accounts of the affairs, resources and revenues of the municipal corporation and the handling, use and disposal thereof.

VA. CODE § 15.2-1106



A municipal corporation may provide for the organization, conduct and operation of all departments, offices, boards, commissions and agencies of the municipal corporation, subject to such limitations as may be imposed by its charter or otherwise by law.

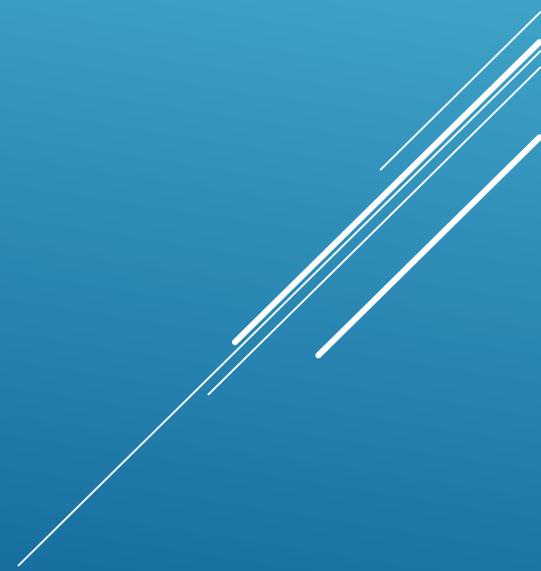
VA. CODE § 15.2-1107



Council hires a professional administrator to advise on potential ramifications of proposed policies; to implement those policies adopted by Council; and to handle the day-to day administration.

- ▶ *Handbook for Virginia Mayors & Council Members (VML)*

TOWN MANAGER



- ▶ Every chief administrative officer shall be the administrative head of the local government in which he is employed. He shall be responsible to the governing body for the proper management of all the affairs of the locality which the governing body has authority to control.
- ▶ He shall, unless it is otherwise provided by general law, charter or by ordinance or resolution of the governing body:
 1. See that all ordinances, resolutions, directives and orders of the governing body and all laws of the Commonwealth required to be enforced through the governing body or officers subject to the control of the governing body are faithfully executed;
 2. Make reports to the governing body from time to time as required or deemed advisable upon the affairs of the locality under his control and supervision;

▶ Va. Code § 15.2-1541

TOWN MANAGER'S DUTIES

3. Receive reports from, and give directions to, all heads of offices, departments and boards of the locality under his control and supervision;
4. Submit to the governing body a proposed annual budget, in accordance with general law, with his recommendations;
5. Execute the budget as finally adopted by the governing body;
6. Keep the governing body fully advised on the locality's financial condition and its future financial needs;
7. Appoint all officers and employees of the locality, except as he may authorize the head of an office, department and board responsible to him to appoint subordinates in such office, department and board;
8. Perform such other duties as may be prescribed by the governing body.

▶ Va. Code § 15.2-1541

TOWN MANAGER'S DUTIES