

**AN ORDINANCE AMENDING SEC. 2-108 OF DIVISION I. -
GENERALLY OF ARTICLE III. OFFICERS AND EMPLOYEES OF
CHAPTER 2 ADMINISTRATION OF THE CHRISTIANBURG TOWN
CODE AUTHORIZING TOWN ATTORNEY TO PROSECUTE
CRIMINAL MATTERS ON BEHALF OF THE TOWN WITH THE
CONSENT OF THE COMMONWEALTH'S ATTORNEY**

WHEREAS Code of Virginia § 15.2-1542(D) permits city and town attorneys to prosecute criminal cases charging either the violation of city or town ordinances, or the commission of misdemeanors within the city or town if so authorized by the local governing body and with the concurrence of the attorney for the Commonwealth, notwithstanding the provisions of Code of Virginia § 15.2-1627;

WHEREAS the Town Council of the Town of Christiansburg wishes to authorize the Town Attorney to prosecute such cases;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Christiansburg that pursuant to Code of Virginia § 15.2-1542(D), the Christiansburg Town Code be and is hereby amended by the addition of the italicized language below to Sec. 2-108:

Chapter 2 – ADMINISTRATION

* * *

ARTICLE III. – OFFICERS AND EMPLOYEES

* * *

DIVISION I. – GENERALLY

Sec. 2-108. - Enforcement of ordinances, laws, etc.

All officers and employees of the town shall enforce obedience to such statutes, provisions of this Code, ordinances, resolutions, rules and regulations, or orders issued thereunder, as may relate to their regular duties and any other statutes, provisions of this Code, ordinances, resolutions, rules, regulations or orders with whose enforcement they are properly chargeable, by any measures provided therein, by the proper report of any violation thereof and by instituting such proceedings as may be necessary to such enforcement. *The Town Attorney and his deputies are authorized, with the concurrence of the Commonwealth's Attorney of Montgomery County, to prosecute criminal cases charging either the violation of city or town ordinances, or the commission of misdemeanors within the city or town, notwithstanding the provisions of Virginia Code § 15.2-1627.*

* * *

This ordinance shall become effective upon adoption. If any part of this ordinance is deemed unlawful by a court of competent jurisdiction all remaining parts shall be deemed valid. Ordinances or parts of any ordinances of the Town whose provisions are in conflict herewith are hereby repealed.

Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held October 8, 2024, the members of the Council of the Town of Christiansburg, Virginia present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

<u>MEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Samuel M. Bishop	X			
Kim Bowman		X		
Johana Hicks		X		
Tanya Hockett	X			
Casey Jenkins	X			
Tim Wilson	X			
Mayor D. Michael Barber*				

*Votes only in the event of a tie.

D. Michael Barber
D. Michael Barber, Mayor

Tracy Heine
Tracy Heine, Clerk of Council