

Portfolio	Charter Section	Proposed Change
City Charter Review Commission Report, September 24, 2009		
Council Staff		Amend Charter section 4.02 to provide that Council may appoint employees to assist in its legislative, oversight and constituent relations functions, and that Council shall have the power to remove such employees. Amend section 5.03 to clarify that the CAO's power relates to administrative personnel and does not extend to hiring/removal of "legislative" personnel appointed by Council
Retirement System Employees		Amend section 5B.01 by adding the following sentence: "The council may provide for an executive director appointed, supervised and removed by the Board of Trustees of the Richmond Retirement System and employees appointed, supervised and removed by the executive director to administer the retirement plan."
City Attorney		Amend section 4.17 to provide that (a) the Mayor shall appoint the City Attorney subject to the advice and consent of a majority of Council; and (b) the appointment shall be for an indefinite term; and (c) the City Attorney may be removed from office by concurrence of the Mayor and a majority of Council.
City Auditor		Amend section 4.18 (a) to provide that Council shall appoint the City Auditor subject to the concurrence of the Mayor; and (b) the appointment shall be for an indefinite term; and (c) the City Auditor may be removed from office by concurrence of the Mayor and the majority of Council.
City Assessor		Add a new section 8.11 which would provide that: (a) Council shall appoint the City Assessor subject to the concurrence of the Mayor; and (b) the appointment shall be for an indefinite term; and (c) the City Assessor may be removed from office by concurrence of the mayor and a majority of Council.
CAO Appointment		Amend section 5.01.1 to: (a) Establish time limits for the Mayor's designation of CAO and Council's vote to accept/refuse the selection. The amendment would require the Mayor to submit an appointment within 180 days of vacancy and would require Council to approve or reject within 45 days; (b) Provide for a "second try" at the process with a fixed time limit. The mayor would be required a second appointee within 45 days of rejection of the first and Council would be required to approve/reject within 45 days thereafter; and (c) If there remains no agreement, the Acting CAO would become CAO.
Acting CAO Appointment		Amend Chapter 5 to provide that (a) the Mayor shall designate a senior deputy CAO (SDCAO) based upon the same criteria set forth in section 5.01.1 for selection of a CAO, (b) the Mayor shall make such a designation within 180 days of the CAO's taking office; (c) such designation shall require the consent of a majority of Council; (d) the SDCAO shall hold that designation at the pleasure of the Mayor; and (e) upon a vacancy in the office of CAO, the SDCAO would serve as Acting CAO until appointment of a CAO by Mayor and approval by Council.
Sale/Lease of Real Property		Amend section 5.05 (d) to clarify that the veto power extends to any sale or lease of real property, subject to Council override.
Mayor's Veto Power		Amend section 5.05 (d) to provide that the Mayor has power to veto any ordinance, subject to the existing override power of Council.
Boards and Commissions		Review of the current appointment and removal authority for city boards and commissions with a view toward considering the appropriate balance between Council and Mayor.
Dispute Resolution		City establish a working group to design voluntary processes for addressing future conflict between mayor and council.
2020 General Assembly Session		
Council Residency Rules		Each council member elected in accordance with this section shall reside in the election district from which such member was elected throughout the member's term on the council.
2021 Legislative Proposals for the Virginia General Assembly		
City Council Meetings		The City requests that the Charter be amended to authorize the City Council to limit attendance at any closed session of the City Council to only its members and designated staff.
Councilmember Status		Request that City Councilmembers serve fulltime and be paid accordingly for fulltime work.
City Staff Proposed Changes (not yet shared with Council)		
City-wide		Charter changes related to City Attorneys Office
Budget	§ 6.080 - Distribution of copies of budget message and budgets	The mayor shall cause the budget message to be printed, mimeographed or otherwise reproduced for general distribution at the time of its submission to the council and sufficient copies of the general fund, school and utility budgets to be made to supply copies to each member of the council and each newspaper published or in general circulation in the city and two copies to be deposited in the office of the city clerk where they shall be open to public inspection during regular business hours.
Budget	§ 6.19 - Capital Budget	At the same time he/she submits the current expense budgets, the mayor shall submit to the council a program which he/she shall previously have submitted to the city planning commission of proposed capital improvement projects for the ensuing fiscal year and for the four fiscal years thereafter, with his/her recommendations as to the means of financing the improvements proposed for the ensuing fiscal year.
Budget	§ 6.16 (d) - Amendments after adoption	Ability to make interdepartmental General Fund transfers, Charter language requires an agency level budget, which has been interpreted to disallow these transfers.
DPU	§ 13.12 - Implementation of electric utility. New Section	The electric utility, including streetlighting, shall be implemented by ordinance, and shall be effective as of the effective date of that ordinance. Notwithstanding other provisions of this charter, the electric utility program may be administered by either the Department of Public Works or the Department of Public Utilities. Electric utility charges shall be assessed to all property owners and shall be based upon a rate fixed by the director of public utilities or the director of public works. If electric utility charges are not paid when due, interest thereon shall at that time accrue at the rate determined by council, not to exceed any maximum allowed by law. The city may collect charges and interest by action at law or suit in equity, and such unpaid charges and interest shall constitute a lien against the property, of equal stature with liens for unpaid real estate taxes.
DPU	§ 13.10 - No sale or lease of utilities except when approved by referendum	Charter change to remove the sale or lease of the electric utility assets from the requirement of referendum at a general election. There shall be no sale or lease of the water, wastewater, gas or electric utilities unless the proposal for such sale or lease shall first be submitted to the qualified voters of the city at a general election and be approved by a majority of all votes cast at such election. (Acts 1998, Ch. 711)
DPW Parking		Classify Parking as a Utility
DPW Transportation		All City/State Agreements on Council approved projects should not require Council Ord for execution.
Human Resources	Forfeiture - Section 4.15 B as it pertains to Administrative Regulation #4053 - Substance Abuse Policy	Strike marijuana from this section B. Any officer, appointee of the council or employee of the city who shall be convicted by a final judgment of any court from which no appeal has been taken or which has been affirmed by a court of last resort on a charge involving moral turpitude or any felony or any misdemeanor involving possession of marijuana or any controlled substances shall forfeit his/her office or employment.
City Staff Proposed Changes (have been shared with Council)		
Operations - DPW Transportation	§2.03 - Powers relating to public works, utilities, properties.	Section (e) - (e) To assess the whole or part of the cost of making and improving walkways and traffic calming measures on then existing streets, improving or paving existing alleys, or constructing sewers, culverts and drains, upon the owners of land abutting thereon or on the street or alley in which such sewer, culvert or drain is laid in the manner provided in § 12.06 of this charter;

Operations - DPW Transportation	§2 03 Powers relating to public works, utilities, properties.	Section (i) - (i) To acquire, construct and maintain or authorize the construction and maintenance of bridges, viaducts, subways or underpasses over or under the James River or any other stream, creek or ravine when any portion of such bridge, viaduct, subway or underpass is within the city limits, and to charge or authorize the charging of tolls for their use by the public, and to require compensation for their use by public utility, transmission or transportation companies, except as the right to require such compensation is affected by any contract heretofore or hereafter made with the company concerned.
Operations - DPW Transportation	§2 03 Powers relating to public works, utilities, properties.	Section (k) - (k) To acquire, construct, own, maintain and operate, within and without the city, places for the parking or storage of vehicles by the public or curbside management systems, which shall include but shall not be limited to parking lots, garages, buildings and other land, structures, equipment and facilities,
Operations - DPW Transportation	§2 03 Powers relating to public works, utilities, properties.	Section (n) - (n) To acquire, construct, own, maintain and operate, within and without the city, waterworks, gas plants and electric plants with the pipe, conduit, and transmission lines incident thereto, to be managed and controlled as provided in Chapter 13 of this charter, for the purpose of supplying water, gas, fiber optic communications, wireless communications, or other communication technology, and electricity within and without the city, and to charge and collect compensation therefor and to provide penalties for the unauthorized use thereof.
Operations - DPW Transportation	§2 03 3 Powers relating to public transportation	In addition to the powers granted by other sections of this charter, the city shall have the power to acquire, operate, lease, or otherwise provide for the planning, design, operation, construction, and maintenance of a public transportation system, including, by way of illustration but not limitation, the operation of passenger buses, micromobility devices, and passenger rail and their supporting stops and shelters, both within and outside the City of Richmond, including providing for transportation for pupils attending public schools operated by the school board of the City of Richmond; provided, however, that the operation of any such system outside the City of Richmond shall only be with the consent of the governing body of the political subdivision in which such operation is to occur.
Operations - DPW Transportation	§2 04 Powers to make regulations for the preservation of the safety, health, peace, good order, comfort, convenience, morals and welfare of the city and its inhabitants.	(s) To prohibit the operation of a motor vehicle at a speed of ten miles per hour or more in excess of the applicable maximum speed limit in residential districts and to provide that any person who violates the prohibition shall be subject to a mandatory fine of \$200, not subject to suspension. A state or local law-enforcement agency may place and operate a photo speed monitoring device in any business district or residence district for the purposes of recording violations of § 46.2-874 following the provisions of § 46.2-882.1
Operations - DPW Transportation	§2 04 Powers to make regulations for the preservation of the safety, health, peace, good order, comfort, convenience, morals and welfare of the city and its inhabitants.	Section (d) - (d)To grant or authorize the issuance of permits under such terms and conditions as the council may impose for the use of streets, alleys and other public places of the city by railroads, street railways, buses, taxicabs, micromobility devices, and other vehicles for hire;
Operations - DPW Transportation	§2 04 Powers to make regulations for the preservation of the safety, health, peace, good order, comfort, convenience, morals and welfare of the city and its inhabitants.	(e)To prevent any obstruction of or encroachment over, under or in any street, alley, entrance, sidewalk or other public place; provide penalties for maintaining any such obstruction or encroachment; remove the same and charge the cost thereof to the owner or owners, occupant or occupants of the property so obstructing or encroaching, and collect the sum charged in any manner provided by law for the collection of taxes; require the owner or owners or the occupant or occupants of the property so obstructing or encroaching to remove the same; pending such removal charge the owner or owners of the property so obstructing or encroaching compensation for the use of such portion of the street, alley, entrance, sidewalk or other public place obstructed or encroached upon the equivalent of what would be the tax upon the land so occupied if it were owned by the owner or owners of the property so obstructing or encroaching, and, if such removal shall not be made within the time ordered, impose penalties for each and every day that such obstruction or encroachment is allowed to continue thereafter; authorize encroachments upon streets, alleys, entrance, sidewalks or other public places, subject to such terms and conditions as the council may prescribe, but such authorization shall not relieve the owner or owners, occupant or occupants of the property encroaching, of any liability for negligence on account of such encroachment; and recover possession of any street, alley, entrance, sidewalk or other public place or any other property of the city by suit or action in ejectment.
Operations - DPW Transportation	§2 04 Powers to make regulations for the preservation of the safety, health, peace, good order, comfort, convenience, morals and welfare of the city and its inhabitants.	(g)To regulate the operation of motor vehicles, exercise control over traffic in the streets, alleys, sidewalks, and other public place, of the city and provide penalties for the violation of such regulations; provided, that ordinances or administrative regulations adopted by virtue of this subsection shall not be inconsistent with the provisions of the Motor Vehicle Code of Virginia. All fines imposed for the violation of such ordinances and regulations shall be paid into the city treasury.
Operations - DPW Transportation	§2 04 Powers to make regulations for the preservation of the safety, health, peace, good order, comfort, convenience, morals and welfare of the city and its inhabitants.	(m)To compel the removal of weeds from private and public property and snow from sidewalks; the covering or removal of offensive, unwholesome, unsanitary or unhealthy substances allowed to accumulate in or on any place or premises; the filling in to the street level of the portion of any lot adjacent to a public way where the difference in level between the lot and the public way constitutes a danger to life and limb; the raising or draining of grounds subject to be covered by stagnant water; the razing or repair of all unsafe, dangerous or unsanitary public or private buildings, walls or structures which constitute a menace to the health and safety of the occupants thereof or the public; and to compel the abatement or removal of any and all other nuisances whatsoever to transportation safety including the removal of inoperative or unlicensed motor vehicles or parts thereof from public or private property....
Operations - DPW Transportation	§2 04 Powers to make regulations for the preservation of the safety, health, peace, good order, comfort, convenience, morals and welfare of the city and its inhabitants.	(s) To prohibit the operation of a motor vehicle at a speed of ten miles per hour or more in excess of the applicable maximum speed limit in residential districts and to provide that any person who violates the prohibition shall be subject to a mandatory fine of \$200, not subject to suspension. A state or local law-enforcement agency may place and operate a photo speed monitoring device in any business district or residence district for the purposes of recording violations of § 46.2-874 following the provisions of § 46.2-882.1
Operations - DPW Transportation	§5 05 1 - General duties, chief administrative officer.	(a)Prepare the annual budget for submission to the council by the mayor and enter into appropriate agreements with the Commonwealth of Virginia and other entities as required for budgeted Capital Imprc
Operations - DPW Transportation	§ 17.07 - Effect of adoption and approval of master plan.	Whenever the commission shall have adopted a master plan for the city or one or more parts thereof, geographical, topographical or functional, and the master plan or such part or parts thereof and any amendment or extension of the plan or part thereof or addition thereto shall have been approved by the council and it has been certified and filed as provided in the preceding section, then and thereafter no street, square, park or other public way, ground, open space, public building or structure, shall be constructed or authorized in the city or in the planned section or division thereof until and unless the general location, character and extent thereof has been submitted to and approved by the commission; and no public utility, whether publicly or privately owned, shall be constructed or authorized in the city or in the planned section or division thereof until and unless its general location but not its character and extent, has been submitted to and approved by the commission, but such submission and approval shall not be necessary in the case of pipes or conduits in any existing street or proposed street, square, park or other public way, ground or open space, the location of which has been approved by the commission; and no ordinance giving effect to or amending the comprehensive zoning plan as provided in § 17.10 shall be adopted until it has been submitted to and approved by the commission. In case of disapproval in any of the instances enumerated above the commission shall communicate its reason to the council which shall have the power to overrule such action by a recorded vote of not less than two-thirds of its entire membership. The failure of the commission to act within 60 days from the date of the official submission to it shall be deemed approval. The widening, extension, narrowing, enlargement, vacation or change in the use of streets and other public ways, grounds and places within the city as well as the acquisition by the city of any land within or without the city for public purposes or the sale of any land then held by the city shall be subject to similar approval and in case the same is disapproved such disapproval may be similarly overruled. The foregoing provisions of this section shall not be deemed to apply to the pavement, repavement, reconstruction, improvement, drainage or other work in or upon any existing street, sidewalk, trail, shared use path, alley, lane, public place or other existing public way.

Operations - DPW Transportation	§ 17 10 - Zoning powers	<p>In addition to the powers granted elsewhere in this charter the council shall have the power to adopt by ordinance a comprehensive zoning plan designed to lessen congestion in streets, secure safety from fire, panic and other danger, promote health, sanitation and general welfare, provide adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, facilitate public and private transportation and the supplying of public utility services and sewage disposal, and facilitate provision for schools, parks, playgrounds, and other improvements and requirements. The comprehensive zoning plan shall include the division of the city into districts with such boundaries as the council deems necessary to carry out the purposes of this charter and shall provide for the regulation and restriction of the use of land, buildings and structures in the respective districts and may include but shall not be limited to the following:</p> <p>(a) It may permit specified uses of land, buildings and structures in the districts and prohibit all other uses.</p> <p>(b) It may restrict the height, area and bulk of buildings and structures in the districts.</p> <p>(c) It may establish setback building lines and prescribe the area of land that may be used as front, rear and side yards and courts and open spaces.</p> <p>(d) It may restrict the portion of the area of lots that may be occupied by driveway entrances, buildings and structures.</p> <p>(e) It may prescribe the area of lots and the space in buildings that may be occupied by families.</p> <p>(f) It may require that curbside management, spaces and facilities deemed adequate by the council shall be provided on lots for parking of vehicles in conjunction with permitted uses of land and that spaces and facilities deemed adequate by the council shall be provided on lots for off-street loading or unloading of vehicles.</p> <p>(g) It may permit the use and development of land not less than ten acres in extent in a manner that does not conform in all respects with the regulations and restrictions prescribed for the district or districts in which such land is situated; provided, that such use shall be approved by the city planning commission and the council.</p> <p>(h) It may provide that land, buildings and structures and the uses thereof which do not conform to the regulations and restrictions prescribed for the district in which they are situated may be continued so long as the then existing or more restricted use continues and so long as the buildings or structures are maintained in their then structural condition; and may require that such buildings or structures and the use thereof shall conform to the regulations and restrictions prescribed for the district or districts in which they are situated whenever they are enlarged, extended, reconstructed or structurally altered; and may require that such buildings or structures and the use thereof shall conform to the regulations and restrictions prescribed for the district or districts in which they are situated, in any event within a reasonable period of time to be specified in the ordinance</p>
Operations - DPW Transportation	§ 17 11 - Uniformity of regulations within a district, special use permits	<p>(b) The council shall have the power to authorize by ordinance adopted by not less than six affirmative votes the use of land, buildings, and structures in a district that does not conform to the regulations and restrictions prescribed for that district and to authorize the issuance of special use permits therefor, whenever it is made to appear that such special use will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create safety issues nor congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air. No such special use permit shall be adopted until (1) the city planning commission has conducted a public hearing to investigate the circumstances and conditions upon which the council is empowered to authorize such use and until the commission has reported to the council the results of such public hearing and investigation and its recommendations with respect thereto, and (2) the council has conducted a public hearing on an ordinance to authorize such special use permit at which the person in interest and all other persons shall have an opportunity to be heard. Notice of the time and place of such public hearings shall be given in accordance with general law. The council shall have the power to require greater notice as it may deem expedient. The city planning commission may recommend and the council may impose such conditions upon the use of the land, buildings and structures as will, in its opinion, protect the community and area involved and the public from adverse effects and detriments that may result therefrom.</p>
Operations - DPW Transportation	§§ 17 36 - Use of streets for five years, dedication	<p>Whenever any piece, parcel or strip of land shall have been opened to and used by the public as a street, sidewalk, trail, shared use path, alley, lane or other public place or part thereof for the period of five years, the same shall thereby become a street, sidewalk, trail, shared use path, alley, lane, public place or part thereof for all purposes and the city shall have the same authority and jurisdiction over and right and interest therein that it has by law over the streets, sidewalk, trail, shared use path, alleys, lanes and public places laid out by it and thereafter no action shall be brought to recover such piece, parcel or strip of land so opened to and used by the public as aforesaid. Any street, sidewalk, trail, shared use path, alley, lane or other public place reserved in the division or subdivision into lots by a plat or plan of record shall be deemed and held to be dedicated to the public use and the council shall have authority upon the petition of any person or corporation interested therein to open such street, sidewalk, trail, shared use path, alley, lane or other public place or any portion of the same. No agreement between, or release of interest by, persons or corporations owning the lands immediately contiguous to any such street, sidewalk, trail, shared use path, alley, lane or other public place, whether the same has been opened or used by the public or not, shall avail or operate to abolish such street, sidewalk, trail, shared use path, alley, lane or other public place or to divest the interest of the public therein or the authority of the council over the same.</p>