

## FORMER SECOND CLASS CITIES IN VIRGINIA

<u>Former City of the Second Class</u>	<u>2000 Population</u>	<u>County With Which Share Constitutional Officers<sup>1</sup></u>
Bedford	6,299	Bedford
Covington	6,303	Alleghany
Emporia <sup>2</sup>	5,665	Greensville
Fairfax	21,498	Fairfax
Falls Church <sup>3</sup>	10,377	Arlington
Franklin	8,346	Southampton
Galax	6,837	Grayson & Carroll
Harrisonburg	40,453	Rockingham
Lexington	6,867	Rockbridge
Manassas	35,135	Prince William
Manassas Park	10,290	Prince William
Norton <sup>2</sup>	3,904	Wise
Poquoson	11,566	York
Williamsburg <sup>4</sup>	11,998	James City

<sup>1</sup>Generally, Sheriff, Clerk of the Court, and Commonwealth's Attorney

<sup>2</sup>Elect City Sheriff, but municipal residents vote for County Sheriff also

<sup>3</sup>Clerk of the Court and Commonwealth's Attorney only

<sup>4</sup>Shares office of the Treasurer also

### REFERENCES IN THE CODE OF VIRGINIA TO SECOND CLASS CITIES

15.2-3828	State, county and district taxes accruing before transition
17.1-505	Circuit court of county to constitute circuit court of certain cities
44-113	County, city and town appropriations

The classification of cities as first and second class was first used by the General Assembly in 1871, and the Virginia Constitution of 1902 included a provision that classified cities as those of the first class and of the second class, based upon population. Cities having a population of 10,000 or more based upon the last U. S. Census enumeration, or other census provided by law, were cities of the first class, while those that had a population of less than 10,000 were second class cities.

The 1902 Constitution contained a provision to protect those cities which previously been granted a city charter, but did not have the requisite population at the time of the adoption of the constitution. In addition, those cities that did not have the requisite population would not be required to change their classification.

Cities of the second class did not have a court of record and were required to share the cost of that court with their adjacent county. Further, a city of the second class also shared the cost for three constitutional officers of that court - clerk, commonwealth attorney and sheriff - and those shared officers stood for election in both the city and the county. Cities of the second class were required to have two constitutional officers - treasurer and commissioner of the revenue - who were elected solely by the residents of the city.

The distinction between first and second class cities was removed from the Virginia Constitution with its adoption in 1971 and from the Code of Virginia generally with the recodification of Title 15.1 in 1997. However, those cities that were classified as cities of the second class at the time of the adoption of the current Virginia Constitution were authorized by statute to continue to share the court system and three constitutional officers with the adjacent county.