**TOWN OF IRVINGTON**

**ORDINANCE AMENDMENT # 2022-08**

**AN ORDINANCE AMENDING CHAPTERS 10 AND 30 OF THE TOWN CODE TO CLARIFY THE “READINGS” REQUIREMENT AND OTHER PROCEDURES TO ADOPT AN ORDINANCE, AND TO CLARIFY THE EFFECTIVE DATE OF ORDINANCES, RESOLUTIONS AND BYLAWS**

**WHEREAS,** having considered matters relevant and/or appropriate to consider,the Town Council of Irvington, Virginia, believes it is appropriate to amend Chapters 10 and 30 of the Town Code to clarify the “readings” requirement to adopt an ordinance and to clarify the effective dates of adopted ordinances; and

**WHEREAS**, the legal authority for the proposed amendment is the Town Charter and the Code of Virginia (1950), as amended.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED,** that the Town Council of the Town of Irvington, Virginia does hereby amend the Town Code as follows:

§ 10.12 ~~EFFECTIVE DATE OF ORDINANCES.~~ Reserved.

~~All ordinances passed by the legislative body requiring publication shall take effect upon adoption, unless otherwise expressly provided.~~

§ 10.13 REPEAL OR MODIFICATION OF ORDINANCE.

(A) No suit, proceedings, right, fine, forfeiture or penalty instituted, created, given, secured or accrued under any ordinance previous to its repeal shall in any way be affected, released or discharged, but may be prosecuted, enjoyed and recovered as fully as if the ordinance had continued in force unless it is otherwise expressly provided.

(B) When any ordinance repealing a former ordinance, clause or provision shall be itself repealed, the repeal shall not be construed to revive the former ordinance, clause or provision, unless it is expressly provided.

§ 10.14 ORDINANCES WHICH AMEND OR SUPPLEMENT CODE.

(A) If the legislative body shall desire to amend any existing chapter or section of this code, the chapter or section may~~shall~~ be specifically repealed and a new chapter or section, containing the desired amendment, substituted in its place.

(B) Any ordinance which is proposed to add to the existing code a new chapter or section shall indicate, with reference to the arrangement of this code, the proper number of the chapter or section. In addition to this indication as may appear in the text of the proposed ordinance, a caption or title shall be shown in concise form above the ordinance.

(1961 Code, § 1-7) Cross-reference: Passage of ordinances, see §§ 30.15 through 30.17

§ 30.15 PASSAGE GENERALLY; READING AT TWO MEETINGS OF TOWN COUNCIL REQUIRED; EXCEPTION AS TO EMERGENCY ORDINANCES; AMENDMENTS. No ordinance ~~or resolution having the effect of an ordinance~~, unless it be an emergency, shall be passed until it has been read at two meetings of the Town Council not less than one week apart, one of which shall be a regular meeting and the other of which may be either an adjourned or called meeting; provided, that the requirement of a second reading may be waived by the affirmative vote of ~~any two members of~~ the Council ~~may be confined to the reading of the title only~~. Any ordinance ~~or resolution~~ read at one such meeting may be amended, and passed as amended, provided the amendment does not materially change the ordinance. A “reading” under this section shall require the reading of the title of the proposed ordinance only; a full reading of the ordinance shall not be required.

(1961 Code, § 2-1) Cross-reference: Enactment of ordinances as amendments or additions to code, see § 10.14

§ 30.16 EFFECTIVE DATE. All ordinances, resolutions, or bylaws ~~and other matters~~ passed by the Town Council shall take effect at the time indicated in such ordinances, resolutions or bylaws, but in the event no effective date shall be set forth in such ordinance, resolution or bylaws, the same shall become effective 30 days from the passage thereof.

(1961 Code, § 2-2) Charter reference: Effective date of ordinances, see Char. Art. III, § 18

§ 30.17 EMERGENCY MEASURES. An ordinance passed by the Town Council involving an emergency measure, when properly designated as such, shall become effective immediately. An emergency measure is an ordinance for the immediate preservation of the public peace, property health or safety or providing for the daily operation of a municipal department. The emergency shall be stated in every such measure.

(1961 Code, § 2-3)

**BE IT FURTHER ORDAINED AND ENACTED,** that this ordinance shall take effect immediately upon the adoption hereof.

**ADOPTED: This \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_ 2022.**

**AYES:**

**NAYS:**

**ABSTENTIONS:**

**ABSENT:**

**ATTEST:**

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Clerk of the Town Council of Irvington, Virginia

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Mayor, Julie Harris