

09
RESOLUTION 2021-XX

WHEREAS, the Honorable Albert D. Bugg III was elected Mayor of the Town of Irvington (“Town”) in May, 2020 for a term of July 1, 2020 through June 30, 2024, which term was recently extended by act of the General Assembly to December 31, 2024; and

WHEREAS, Mr. Bugg has advised that he intends to resign the office of Mayor in the near future; and

WHEREAS, upon such resignation, the Council shall make an interim appointment pursuant to VA Code §24.2-228 B, within 45 days of the office becoming vacant under VA Code §24.2-228 A, and

WHEREAS, state law also allows the court to make the interim appointment to fill the vacancy if the Council fails to timely make the interim appointment; and

WHEREAS, VA Code §24.2-226 A requires that the governing body file a petition with the circuit court for writ of election within 15 days after the vacancy arises.

NOW THEREFORE, Town Council RESOLVES that:

- (1) The foregoing paragraphs are incorporated herein.
- (2) No later than 15 days after the effective date of the vacancy caused by resignation of the Honorable Albert D, Bugg, III, Mayor, Nancyellen Keane, Town Attorney (Keane Law PLLC), shall file on behalf of the Town and Town Council the appropriate documents to seek a Writ of Special Election from the Lancaster County Circuit Court: (i) setting a special election to fill Mr. Bugg’s unexpired term for the office of Mayor on November 2, 2021, and (ii) confirming that, should Council fail to appoint an interim Mayor within 45 days after the effective date of the vacancy, then the court should make the interim appointment of a qualified voter to serve as Mayor until the person who wins the special election on November 2, 2021 qualifies.
- (3) In the event that a second vacancy occurs, as a result of the interim appointment of a council member as Mayor, the Town Attorney shall, no later than 15 days after the effective date of such second vacancy, file on behalf of the Town and Town Council the appropriate documents to seek a Writ of Special Election from the Lancaster County Circuit Court, for the vacancy of the council member’s seat, as in paragraph (2) (i) and (ii).
- (4) Should a signature be required to execute any documents to effect the foregoing, then the Town Attorney, as counsel to the governing body, is authorized to do so.
- (5) This Resolution shall take effect immediately upon passage.

CERTIFICATION

I, Albert D. Bugg, III, Mayor of the Town of Irvington, do hereby certify that the above is a true copy of Resolution 2021-XX adopted at a meeting of the Town Council of Irvington, Virginia, held on _____, 2021 at which a quorum was present and voting. The vote was as follows:

Voting in favor

Opposed

Absent

TOWN OF IRVINGTON

Albert D. Bugg, III, Mayor

ATTEST:

_____, Town Clerk