CHAPTER 694

An Act to amend and reenact § 1 of Article II and §§ 2, as amended, 7, 11, 13, and 15 of Article III of Chapter 366 of the Acts of Assembly of 1958, which provided a charter for the Town of Irvington in Lancaster County, relating to corporate limits, town council, and mayor.

[H 1895]

Approved March 21, 2019

Be it enacted by the General Assembly of Virginia:

1. That § 1 of Article II and §§ 2, as amended, 7, 11, 13, and 15 of Article III of Chapter 366 of the Acts of Assembly of 1958 are amended and reenacted as follows:

Article II. Corporate Limits.

§ 1. The territory embraced within the limits of the town of Irvington is as follows:

Beginning at a point on the westerly side of Virginia State Highway # 3 *(renumbered as Virginia State Highway 200)*, which leads from the Town of Irvington to the Town of Kilmarnock, Virginia, where the land now or formerly belonging to the Leland estate corners with the land of Thomas Banks, which said point of beginning is designated by a cement corner stone; thence running along the line separating the property of the Leland Estate from the Banks property South 82º 20' 20" West 340.11 feet to an old axle; thence continuing along said line South 81º 45' 50" West 153.14 feet to a pipe; thence continuing along said line South 81º 32' 50" West 749.20 feet to an old pipe; thence continuing along said line separating the said Leland and Banks properties South 80º 39' 50" West 940.52 feet to a marked Poplar tree, thence continuing along said line South 79º 54' 20" West 414.11 feet to a cement marker; thence continuing along the same course a distance of approximately 180 feet to the center of Church Branch of Carters Creek; thence running in a Southerly direction down the center of said Branch by the Leland property, property of Dew and Henderson, property of E. A. Stephens and others to a point opposite the property of Warner Moore; thence running in an easterly direction along with center line of the eastern branch of Carters Creek by a Black buoy, the old ferry slip, by the Yarbrough property, the James property to a point in the center of said Creek opposite the property of M. J. Alga; thence running in a Northerly direction along the center of said Eastern Branch of Carters Creek by the lands of Crosby Miller, T. D. McGinnes, through the center of a certain bridge located on Virginia State Highway # 3 *(renumbered as Virginia State Highway 200)* which leads from the Town of Irvington to the Town of White Stone, Virginia, and continuing in a Northerly direction up the center of said Branch, known as Old Mill Cove, and continuing in a general Northerly direction up the center of said swamp by the S. A. Buchan estate to the Southern boundary of the land of Earl M. Pittman; thence running North 85º 29' 30" West approximately sixty feet to a cement marker; thence continuing North 85º 20' 30" West 2948.16 feet to another cement marker on the Eastern edge of Virginia State Highway # 3 *(renumbered as Virginia State Highway 200)* which leads from the Town of Irvington to the town of Kilmarnock, Virginia, thence continuing same course approximately 110 feet across said highway to the Leland property; thence running along the western edge of Virginia State Highway # 3 *(renumbered as Virginia State Highway 200)* in a northerly direction approximately 955.50 feet to a cement marker, the point of beginning, the said property embraced within the Town of Irvington being shown on a certain plat of survey made by T. D. Wilkinson, III, Certified Surveyor, dated the 3rd day of May, 1956, which said plat is of record in the Clerk's Office of the Circuit Court of Lancaster County, Virginia, *Instrument number 180001509, and also shown on a certain plat of survey of a portion of the boundary of Irvington, made by Robert C. Buckley, Jr., Certified Surveyor, dated October 28, 1994, which said plat is of record in the Clerk's Office of the Circuit Court of Lancaster County, Virginia, Instrument number CLR 940000938.*

Article III. Administration and Government.

§ 2. ~~On the second Tuesday in June, 1962, and every two years thereafter, there shall be elected by the qualified voters of the town, one elector of the town, who shall be denominated mayor and six other such electors who shall be councilmen and constitute the town council.~~ *On the first Tuesday in May 2020, and every four years thereafter, there shall be elected by the qualified voters of the town one elector of the town who shall be denominated the mayor and three other such electors, all of whom shall serve terms of four years. On the first Tuesday in May 2022, and every four years thereafter, there shall be elected by the qualified voters of the town an additional three electors, who shall serve terms of four years. The six electors other than the mayor shall constitute the town council.* They shall enter upon the duties of their offices on the first day of ~~September~~ *July* next succeeding their election and shall continue in office until their successors are duly elected and qualified. Every person so elected shall take an oath faithfully to execute and discharge the duties of his office to the best of his judgment and the mayor shall take the oath prescribed by the law for State officers. The failure of any person

elected or appointed under the provisions of this charter to qualify or to take the oath required, within the time prescribed for entering upon the discharge of the duties of the office to which he is elected or appointed, shall vacate such office, and the council shall proceed and is hereby vested with power to fill such vacancy in the manner herein prescribed.

§ 7. The mayor shall preside at the meetings of the council, *voting only in case of a tie*, and perform such other duties as are prescribed by this charter and by general law and such as may be imposed by the council consistent with his office. He shall take care and see that the by-laws, ordinances, acts and resolutions of the council are faithfully executed and obeyed. He shall be ex officio conservator of the peace within the town and within one mile of its corporate limits. He shall see that peace and good order are preserved and that persons and property within the town are protected. He shall authenticate by his signature such documents and instruments as the council, this charter, or the laws of the Commonwealth require. He shall from time to time recommend to the council such measures as he may deem needful for the welfare of the town.

§ 11. The council shall appoint at its first regular meeting in ~~September~~ *July* after its election, a clerk of the council who shall hold office at the pleasure of the council. He shall attend the meetings of the council and keep its minutes and records and have charge of the corporate seal and shall attest the same. He shall keep all papers required to be kept by the council, shall publish reports and ordinances as are required to be published and shall perform such other duties as the council may require. His compensation shall be fixed by the council. Any vacancy in this office shall be filled by the council.

§ 13. The council shall appoint at its first meeting in ~~September~~ *July*, or as soon as practicable thereafter, a treasurer who shall hold office for a term of two years. The council may provide a salary for the treasurer. He shall give such bond, with surety and in such penalty as the council prescribes. He shall receive all money belonging to the town, and keep correct accounts of all receipts from all sources and of all expenditures of all departments. He shall be responsible for the collection of all taxes, license fees, levies and charges due to the town, and shall disburse the moneys of the town in the manner prescribed by the council as it may by ordinance direct. The treasurer shall make such reports and at such time as the council may prescribe. The books and accounts of the treasurer shall be examined and audited at such times as the council may direct, such examination and audit to be reported to the council.

§ 15. The council may appoint at its first regular meeting in ~~September~~ *July* or as soon as practicable thereafter, a town sergeant, who shall also be chief of police and have all the powers vested in town sergeants by general law. He shall hold office at the pleasure of the council. His duties shall be such as the council prescribes. He shall be vested with the powers of a conservator of the peace. His compensation shall be fixed by the council.