

**ORDINANCE ADOPTING POLICIES AND PROCEDURES FOR  
INCURRING SIGNIFICANT DEBT FOR THE TOWN OF IRVINGTON,  
VIRGINIA**

**Ordinance #2024-14.uc**

**WHEREAS**, the Town of Irvington, Virginia (**the “Town”**) is a political subdivision of the Commonwealth of Virginia and pursuant to the Town Charter and the Public Finance Act of 1991 (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) (**the “Act”**) the Town Council of the Town (**the “Council”**) is authorized to contract debts on behalf of the Town and to issue, as evidence thereof, notes, bonds or other obligations payable from pledges of the full faith and credit of the Town;

**WHEREAS**, pursuant to Section 15.2-2606 *et seq.* of the Act, the Town is authorized to issue bonds and notes to finance projects after a duly noticed public hearing has been held thereon under the provisions of the Act,

**WHEREAS**, the Council of the Town recognizes the importance of public input and transparency in the process of incurring debt;

**WHEREAS**, the Council desires to establish a robust process for public engagement and input prior to incurring debt that exceeds 0.5% of the prior year’s assessed property value;

**WHEREAS**, this Ordinance shall not be construed to violate any provision of the Act;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Town does hereby adopt the following policy and procedure:

**Public Engagement Policy and Procedure for Significant Debt**

1. **Definition.** “Significant Debt” shall mean any debt incurred by the Town in one fiscal year that exceeds 0.5% of the prior fiscal year’s taxable assessed property value, as determined by the Lancaster County Land Book.

2. **Public Information and Education.** Prior to any public hearing or town hall meeting provided for under this Policy, the Council shall provide public availability and inspection of information existing regarding the proposed project for which Significant Debt is proposed, including, but not limited to: (i) a detailed project description; (ii) estimated project costs; (iii) proposed funding mechanism (e.g., publicly issued bonds, loans through a bank or state or federal funding source, etc.); (iv) estimated debt service payments; and (v) estimated impact on the Town’s budget and tax rates.

3. **Public Hearing.** The Council shall hold a public hearing to allow residents to express their views and concerns regarding the financing for any Town project which involves Significant Debt. Notice of the public hearing shall be provided in accordance with Section 15.2-2606 of the Act. The public hearing shall provide an opportunity for residents to ask questions and provide

comments. This public hearing may be held concurrently with the public hearing required under Section 15.2-2606 of the Act.

4. **Town Hall Meeting.** Within one (1) month of the public hearing regarding Significant Debt, the Council shall hold a town hall public meeting or session regarding such Significant Debt to receive information, comments and inquiries from the public, and provide additional information as appropriate.

5. **Non-Binding Resident Vote.** At the conclusion of the town hall meeting regarding Significant Debt, a non-binding vote shall be conducted to gauge public sentiment regarding the proposed project and its financing. All residents of the Town eligible to vote and any individuals owning property in the Town or operating a business in the Town who are physically present at the town hall meeting shall be eligible to participate in the non-binding vote. No members of Council may participate in this non-binding vote. The results of the non-binding vote shall be considered by the Council, along with the public comments from the public hearing and town hall and all other information in any decision to incur or not incur the Significant Debt.

**BE IT FURTHER ORDAINED AND ENACTED,** that the procedures described herein or in any amendments hereto and any actions taken or not taken by Council in connection with the procedures described herein shall not affect the validity or enforceability of any obligations issued by the Town in accordance with the Act, and shall be interpreted to be consistent with state law.

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

**ADOPTED:** This \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_.

**AYES:**

**NAYS:**

**ABSTENTIONS:**

**ABSENT:**

**ATTEST:**

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Mayor, Irvington, Virginia