

Wilmington, Delaware  
May 7, 2026

#0226

**WHEREAS**, the City of Wilmington is a home rule charter city, which empowers the

**Sponsor:**

City to govern itself in matters of local concern, unless specifically denied by State statute; and

**President  
Congo**

**WHEREAS**, the City, under its home rule authority, has broad and substantial legislative and administrative powers over its municipal functions; and

**Co-Sponsors:**

**WHEREAS**, City Council, pursuant to City Charter § 2-103, is the sole judge of the

**Council  
Members  
Hackett**

qualifications and elections of its members; and

**Owens  
Darby  
Oliver  
Willauer  
McCoy  
Johnson**

**WHEREAS**, City Charter § 2-101 presents a clear legislative intent that no more than three (3) councilmen-at-large shall be members of the same political party in order to preserve representation for political minorities; and

**WHEREAS**, James Spadola was nominated to the City Council over other potential candidates due to being a member of a minority party; and

**WHEREAS**, James Spadola, a councilman-at-large, has made the choice to disenfranchise the approximately 15% of non-majority voters by changing his political party affiliation;

**NOW, THEREFORE, BE IT RESOLVED BY THE WILMINGTON CITY COUNCIL**, James Spadola's choice to change his political affiliation violates City Charter § 2-101 and disqualifies him from holding office;

**FURTHER RESOLVED**, under City Charter § 2-101, James Spadola's City Charter violation forfeits his seat as a councilman-at-large, and his office is deemed vacant.

Passed by City Council,

ATTEST: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** A councilman-at-large's change in political party affiliation violates the qualification requirements under the City Charter and renders his seat vacant, as a matter of law.