

# Policy Briefing Summary

## City Council



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<b>Regarding:</b>	<b>Ordinance Amending Section 2-42 of the City Code Concerning Special Meetings of City Council (1 of 2 Readings)</b>
<b>Staff Contact(s):</b>	
<b>Presenter:</b>	<b>John Maddux, City Attorney</b>
<b>Date of Proposed Action:</b>	March 2, 2026

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### Issue

Section 2-42 of the City Code, which governs the calling of special meetings of City Council, was originally enacted in 1976 and has not been substantively amended since its adoption. Certain language in the current provision may be read to permit special meetings to be held without notice in a manner that is inconsistent with more recent developments in state law, including statutory requirements governing the calling of special meetings and public notice obligations under the Virginia Freedom of Information Act. While the City has historically conducted Council meetings in compliance with applicable state law, the proposed amendment is intended to clarify the Code, eliminate potential ambiguity, and ensure that the City's local procedures are fully aligned with current legal requirements.

### Background / Rule

Under Virginia law, special meetings of local governing bodies are governed primarily by § 15.2-1418 of the Code of Virginia, which prescribes who may call a special meeting, requires that such meetings be called through the clerk with specified subject matter, and limits the business that may be transacted to the matters identified in the call unless all members are present and unanimously consent to additional items. In addition, all meetings of City Council are subject to the Virginia Freedom of Information Act, § 2.2-3700 et seq. of the Code of Virginia, which requires that meetings of public bodies be open to the public and that reasonable public notice be provided, including contemporaneous notice for special or emergency meetings. Together, these statutes establish a mandatory framework for the calling, notice, and conduct of special meetings that local procedural provisions must follow.

### Analysis

Section 2-42 of the City Code currently includes language stating that special meetings may be held without notice if all members of Council attend and unanimously consent to the business transacted. While this provision appears to have been intended to address internal notice issues among Council members, it may also be read to imply that public notice is not required, which is inconsistent with the Virginia Freedom of Information Act and other applicable state law. The proposed amendment removes this ambiguity by eliminating the "no notice" language and expressly aligning the City Code with state requirements, while preserving the principle that internal notice defects do not invalidate Council action when all members are present and consent to proceed.

### Financial Impact

None.

### Recommendation

Staff recommends that City Council adopt the proposed ordinance. The amendment clarifies the procedures for calling special meetings, aligns the Code with current requirements of state law, and

eliminates potentially confusing or outdated language, while preserving existing Council practices and ensuring continued compliance with public notice and open meeting obligations.

**Recommended Motion (if Applicable)**

I move that City Council adopt the ordinance amending Section 2-42 of the Code of the City of Charlottesville concerning special meetings of City Council.

Optional: I further move that City Council waive the requirement for a second reading of this ordinance and that the ordinance take effect immediately upon adoption.

**Attachments**

1. Ordinance Amending Section 2-42 Regarding Special Meetings