

**AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE TO
REQUIRE ALL LEGISLATIVE AND ADMINISTRATIVE BODIES OF THE
CITY TO PROVIDE MEMBERS OF THE PUBLIC A WAY TO PARTICIPATE
IN PUBLIC MEETINGS VIRTUALLY**

#0128

Sponsor:

**Council
Member
Spadola**

WHEREAS, Delaware's Freedom of Information Act requires that meetings of public bodies be open to the public, ensuring accountability and public participation; and

WHEREAS, members of the public may face barriers to in-person attendance at meetings due to work schedules, health concerns, transportation challenges, or caregiving responsibilities; and

WHEREAS, providing electronic access to all meetings of Council and administrative boards, commissions, committees, and other public bodies enhances inclusivity, strengthens civic engagement, and ensures broader public participation in local government; and

WHEREAS, the use of virtual participation platforms has proven effective in recent years, demonstrating that technology can expand access while maintaining compliance with FOIA and other applicable laws; and

WHEREAS, it is in the public interest to codify the requirement that boards, commissions, committees, and other public bodies provide a virtual means of participation in order to safeguard open access to government

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON
HEREBY ORDAINS:**

SECTION 1. Chapter 2 of the City Code is hereby amended with the underlined language as follows:

Sec. 2-36 Online Access to Council Meetings.

- (a) City Council, Committees of Council, subcommittees, taskforces and any other entity or body established by an act of Council, which is subject to the Open Meeting requirements of Delaware's Freedom of Information Act, shall provide a means for

members of the public to participate in all regularly scheduled public meetings remotely through the use of an electronic means of communication.

- (b) Notices of meetings subject to this section shall include information regarding how the public can monitor and participate in the meeting remotely.
- (c) Nothing in this section shall prevent public bodies from meeting in Executive Session for an appropriate purpose, as permitted by Delaware's Freedom of Information Act.

SECTION 2. Chapter 2 of the City Code is hereby further amended with the underlined language as follows:

Sec. 2-56 Online Access to Boards, Commissions, and Similar Entities.

- (a) All administrative Boards, Commissions, Committees or other public bodies of the City, which are subject to the Open Meeting requirements of Delaware's Freedom of Information Act, shall provide a means for members of the public to participate in regularly scheduled public meetings remotely through the use of an electronic means of communication.
- (b) Notices of meetings subject to this section shall include information regarding how the public can monitor and participate in the meeting remotely.
- (c) Nothing in this section shall prevent public bodies from meeting in Executive Session for an appropriate purpose, as permitted by Delaware's Freedom of Information Act.

SECTION 3. This Ordinance shall be effective upon its passage by City Council and approval by the Mayor.

First Reading October 16, 2025
Second Reading October 16, 2025
Third Reading

Passed by City Council,

President of City Council

ATTEST: _____

City Clerk

Approved this ____ day of _____, 2025.

Mayor

SYNOPSIS: This Ordinance mandates that members of the public be provided the opportunity to participate virtually in all regularly scheduled public meetings of legislative and administrative bodies of the City.

FISCAL IMPACT STATEMENT: This Ordinance is anticipated to have minimal fiscal impact.