



Republican Party of Virginia
www.rpv.org

February 15, 2021

Rich Anderson, Chairman
Republican Party of Virginia

VIA E-mail

Dear Chairman Anderson,

You requested my ruling or interpretation of the Party Plan with regard to its provisions on buildings appropriate for public use, particularly the requirement that a convention or other nominating process be held in such a building. Article VIII, Section M requires, in relevant part that “[e]very Mass Meeting, Party Canvass, or Convention shall be held in a building appropriate for public use and shall be open to the public.” I note that the same language is used for meetings of official committees. *See* Art. VII, Sec. G.

In identifying venues for nominating events (and meetings) during the present pandemic, the question of using facilities that may not have four walls and a roof has arisen. For example, could a convention be held in an uncovered stadium, such as the Richmond Raceway? Or could a covered pavilion with no permanent walls be used as a polling location for a party canvass? Without regard to the pandemic, could a unit committee hold a business meeting in conjunction with an outdoor picnic at a public park?

I answer each of these questions in the affirmative. As it is used in these provisions of the Party Plan, “building” means structure or facility.

In interpreting the Party Plan, I must first look to the clear meaning of the words used. The term building is defined in two contemporary dictionaries as:

- Something that is built, as for human habitation; a structure. (“Building.” American Heritage Dictionary of the English Language, Fifth edition, Houghton Mifflin Harcourt Publishing)
- A usually roofed and walled structure built for permanent use (as for a dwelling) (“Building.” Merriam-Webster.com Dictionary, Merriam-Webster, <https://www.merriam-webster.com/dictionary/building>. Accessed 15 Feb. 2021.)

Both definitions use the term “structure” and require that the structure be “built.” The Merriam-Webster definition notes that a building is *usually* roofed and walled.

Given these common definitions, it appears that any “built structure” appropriate for public use would qualify under the Plan.

To the extent that there is ambiguity in the language of the Plan, as there may be here over the need for walls and a roof, our parliamentary authority provides principles of interpretation, “[t]he interpretation should be in accordance with the intention of the society at the time the bylaw was adopted, as far as this can be determined.” RONR (12th ed.) 56:68(1).

Given the pairing of “building appropriate for public use” and “open to the public,” in these provisions, it appears that the intent of these provisions is to ensure the accessibility of meetings by declaring them open to the public and requiring that they be held in a place where a member of the public can, in fact, attend. Declaring a meeting open to the public and then holding it in an inaccessible location would effectively close it to the public. Walls and a roof are no guarantee of accessibility and the lack of walls and a roof do not prevent accessibility.

Additionally, I am aware that in the past both official committee meetings and nominating events that have been held at facilities or in structures that are not fully enclosed by permanent walls and a roof.

Based on the common definition of the term building, the intention of these provisions, and the prior use of facilities and structures that were not fully enclosed, I hold that, for purposes of the Party Plan, the term building means structure or facility and encompasses built structures that need not have walls and a roof.

This letter constitutes a ruling or interpretation of the Party Plan. Pursuant to Article X, it may be appealed to the Executive Committee or directly to the State Central Committee within thirty days of the date it is posted on the RPV website.

Sincerely,



Chris Marston,
General Counsel