



EMERGENCY MEETING REQUIREMENTS

For Condos and Planned Communities

Notice. A board need not notice the members of an emergency meeting. *See* ARS 33-1248(A) for Condos and ARS 33-1804(A) for Planned Communities.

Definition of Emergency. Both the condo and planned communities statutes clearly define what an emergency is. They both say:

An emergency meeting of the board of directors may be called to discuss business or take action **that cannot be delayed for the forty-eight hours** required for notice. At any emergency meeting called by the board of directors, the board of directors **may act only on emergency matters**. The minutes of the emergency meeting shall state the reason necessitating the emergency meeting. The minutes of the emergency meeting shall be read and approved at the next regularly scheduled meeting of the board of directors.

Requirements. Based on the above statutory requirements, emergency meetings can only be called if ALL of the following are met: (1) the board cannot wait the 48 hours to meet in a duly noticed open board meeting, (2) the board can only act on the emergency matters, (3) the minutes of the emergency meeting must have a specific reason for the emergency, and (4) the minutes must be read and approved at the next duly noticed open meeting of the board.

Caveat. If any of the above requirements are not met the meeting may violate the open meeting laws.