

Bond Case Briefs

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Lytle v. City of Suffolk

Court of Appeals of Virginia, Williamsburg - September 16, 2025 - S.E.2d - 2025 WL 2649524

Motorist brought action against city for declaratory judgment and injunctive relief, alleging that he received speeding ticket in the mail for a fine detected by a photo speed camera, and that city failed to issue a proper summons, failed to follow the appropriate procedures for initiating a traffic case, failed to follow procedures for filing an affidavit for non-liability, committed fraud, and was guilty of maladministration of government.

City filed plea in bar, asserting sovereign immunity, and a demurrer. The Suffolk Circuit Court sustained plea in bar. Motorist appealed.

The Court of Appeals held that:

- City's use of third-party private vendor for administration of photo-speed-monitoring system did not indicate that implementation of system was proprietary function solely for city's benefit, and thus, did not preclude city from raising sovereign-immunity defense;
- City's use of photo-speed-monitoring system involved governmental function, and thus, city was entitled to sovereign immunity;
- Motorist, waived on appeal his argument that under Dillon's Rule there was exception to sovereign immunity by which a plaintiff could seek declaratory judgment against a municipality; and
- Motorist had recourse to challenge process involved in assessing his violation.