

# **NEIGHBORHOOD PLANNING UNIT N** **BY-LAWS**

Approved 2015: 136 yay/0 nay/10 abstain

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## **NEIGHBORHOOD PLANNING UNIT N** **BY-LAWS**

### **I. PURPOSE**

Neighborhood Planning Unit "N" (NPU-N) is hereby established for the purpose of advising the City of Atlanta, including the Mayor, City Council, and any department or official of the City. Advice will be produced on matters affecting the environment of, the well-being of residents of, and the general livability of the neighborhoods within NPU-N as defined by the Department of Planning and Community Development (DPCD) and approved by the City Council.

Matters shall include but not be limited to land use, zoning, housing, community facilities, human resources, social and recreational programs, traffic and transportation, environmental quality, open spaces and parks. NPU-N may also assist City agencies in determining priority needs for the neighborhoods, make recommendations on the City's Comprehensive Development Plan, and may review items for inclusion in the City Budget and make recommendations relating to budget items for neighborhood improvement.

### **II. MEMBERSHIP**

All residents of NPU-N are invited and allowed to participate in NPU activities. Resident shall mean any person 18 years of age or older whose primary residence is within NPU-N; or any corporation, business, organization, institution or agency which owns property or has a place of business or profession within NPU-N.

### **III. CONSTITUENT ORGANIZATIONS**

The residents of NPU-N enjoy a tradition of civic participation and activism that has largely developed through the neighborhood and community organizations. The representativeness, efficacy, and legitimacy of these organizations serve as a unique resource of NPU-N. Therefore, the organization of NPU-N shall be based upon constituent organizations, representatives of which shall constitute an Executive Committee. There are seven neighborhood organizations and two business organizations. Each constituent organization shall have one representative on the Executive Committee.

**A. Neighborhood Organizations:**

Neighborhood Planning Units are defined by the DPCD and approved by the City Council. A majority of residents in NPU-N shall define the neighborhoods and their boundaries that are recognized within NPU-N, with final approval resting with the DPCD. Defining new neighborhoods or boundaries will require amending the NPU-N By-Laws.

NPU-N shall recognize one neighborhood organization from each defined neighborhood within NPU-N. The defined neighborhoods shall be identified and delineated on the official NPU-N map of the City of Atlanta. The currently defined neighborhood organizations are as follows:

1. Cabbagetown Neighborhood Improvement Association,
2. Candler Park Neighborhood Organization,
3. Druid Hills Civic Association, Inc. (Atlanta residents),
4. Inman Park Neighborhood Association,
5. Lake Claire Neighbors, Inc.,
6. Poncey-Highland Neighborhood Association, and
7. Reynoldstown Civic Improvement League.

As components of NPU-N, each neighborhood organization must be open and accountable to all residents within its boundaries. To that end, neighborhood organizations shall be governed by the following:

1. Membership - Eligibility for membership in a neighborhood organization shall be open to all residents within its boundaries (as defined in section II).
2. Meetings - Each neighborhood organization shall hold regularly scheduled meetings at a frequency of no less than eleven meetings per year.
3. Voting Procedures - The voting process and procedures of each neighborhood organization shall be stated in its respective by-laws. Matters associated with the Neighborhood Planning Unit process shall be placed on the agenda of regularly scheduled meetings of the neighborhood organizations.

**B. Business Organizations**

NPU-N has chosen to recognize business organizations as needed to ensure the representation of all interested parties within the NPU. Business organizations overlay and do not supplant defined neighborhoods within which they may occur. In an effort to reflect the importance of the residential character of NPU-N, the total number of votes available to the constituent business organizations shall not exceed three (3). If more

than three business organizations are recognized, the three votes shall be equally divided among them with each constituent business organization thereby having a fractional vote. The currently recognized business organizations are as follows:

1. Little Five Points Business Association,
2. Little Five Points Center for Arts and Community

Business organizations shall be governed by the following:

1. Purpose - The business organization shall be a non-profit entity based within NPU-N whose primary purpose is the improvement of the NPU.

2. Membership - Eligibility for membership in a business organization shall be open to organizations with City of Atlanta business licenses, tax records, non-profit status, or other documentation that indicates that the member is a bona fide business in NPU-N, defined as a corporation, institution or agency which owns property or has a place of business or profession within a geographically defined area of NPU-N. The business organization shall have a minimum of eight registered members.

3. Meetings - All business organizations shall hold regularly scheduled meetings at a frequency of no less than eleven meetings per year.

4. Voting Procedures - The voting process and procedures of all business organizations shall be stated in their respective by-laws. Matters associated with the Neighborhood Planning Unit process shall be placed on the agenda of regularly scheduled meetings of the business organizations.

5. New Business Organizations - Subject to the above conditions, additional business organizations may be recognized and such recognition shall be governed by the following:

a) At a regularly scheduled meeting of NPU-N, the business organization seeking recognition by NPU-N shall submit to the Executive Committee a copy of the organization's membership list and by-laws. After a period of one year, the organization shall become eligible for recognition as a business organization provided that the minimum membership has been maintained and that an identified member of the organization has attended three-fourths of the NPU meetings during that year.

b) Provided that all pre-conditions have been met, the business organization seeking recognition by NPU-N shall submit to the Executive Committee a letter of application, which will be voted upon at the next regularly scheduled meeting. This decision shall be guided by the criterion that inclusion of the organization will

substantially improve the accountability and representativeness of the Executive Committee of NPU-N.

- c) Recognition of a business organization shall require the approval of two-thirds of the entire Executive Committee.

C. Participation and Compliance

1. Participation Requirements - Failure of any constituent organization to have a representative at three consecutive regularly scheduled NPU-N meetings will result in the loss of voting privileges for that organization, but not the loss of its seat on the Executive Board. An organization which has lost its voting privileges may regain those privileges by its representative attending three consecutive NPU meetings following the meeting at which its voting privileges were revoked.

2. Compliance With By-Laws - Each constituent organization shall demonstrate compliance with these By-laws annually and upon request of the Executive Board.

- a) Annual Certification - Each constituent organization shall certify in writing its compliance with these By-laws to an officer of the Executive Board no later than August 1st of each year. A copy of the constituent organization's by-laws shall accompany the annual certification of compliance. In the instance that no changes were made to the constituent organization's by-laws since the previous year's submission, a statement to that effect as part of the annual certification of compliance will satisfy the by-laws submission requirement.

- b) Certification On Demand - For the express purpose of confirming the continued legitimacy of a constituent organization, the Executive Committee may request that a recognized organization submit a copy of its current membership list and by-laws. Such a request shall require the approval of two-thirds of the entire Executive Committee. No constituent organization shall be the subject of more than one such request in any given twelve month period.

- c) Name Change - If a constituent organization officially changes its name, it shall announce the name change at the next regularly-scheduled meeting.

## IV. VOTING AND AMENDING PROCEDURES FOR NPU-N BY-LAWS

A. Annual Voting Procedures

NPU-N recognizes that it shall annually adopt By-Laws which call for representative voting on matters which come before NPU-N. This may be done as long as the adoption and revision of such By-Laws is by vote open to all residents (as defined in section II) without attendance requirements, dues payments, or any other limitation. A majority of votes cast collectively at the annual meetings at which approval of the By-Laws is sought shall determine whether a representative system is desired or rejected.

Members of constituent organizations and residents of NPU-N may cast their ballot at one of the two opportunities provided during the annual By-laws vote as follows:

- Occur prior to June 1st of each year, at a regularly-scheduled meeting of each constituent organization;
- Occur prior to June 30th of each year at a special meeting lasting a minimum of three hours, on a date and at a location which is acceptable to NPU-N and the DPCD and called for the single purpose of voting on By-Laws by those residents not able to attend the meeting of their constituent organization at which the annual By-laws vote was held.

The annual vote to approve NPU-N's By-Laws shall:

1. Be announced in neighborhood/business newsletters, flyers, or other methods no less than six weeks in advance of the dates of the meetings at which By-Laws voting will occur.
2. Require an officer from each constituent organization or their NPU representative serve as a poll captain and verify eligibility of persons who come to vote from their organization.
3. May require residents whose primary domicile is in NPU-N to demonstrate eligibility to their poll captain with a document such as a driver's license, voter's registration card, or utility bill.
4. May require business members to demonstrate eligibility to their poll captain by showing a City of Atlanta business license, tax records, non-profit status, or other documentation that indicates that the member is a bona fide business in NPU-N.
5. Be taken using ballots which have been initialed by a poll captain and list two options; a) "approve proposed by-laws", or b) "reject proposed by-laws".
6. Be counted and certified by the poll captains immediately after the voting period ends, and be submitted by the Chairman to the DPCD prior to September 30th.

B. Procedures For Amending By-Laws

During the period of December and January, amendments to the By- Laws may be considered. To be eligible for consideration, a member organization's representative must contact the Chairman and have placed on the agenda an item titled "Notification of Intent to Amend By-Laws"; and submit to each representative on the Executive Committee a written document titled "Proposed Amendment to NPU-N By-Laws". The document shall contain the existing sections of the current By-Laws which are to be amended, an explanation of the reason for the amendment, and the desired wording of the substitution which is proposed.

It shall be the responsibility of each representative to assure that notification of the proposed amendment is made at their organization's regularly scheduled March meeting. At the regularly scheduled April meeting, a vote shall be taken on the proposed amendment. The results of that vote shall be recorded in a manner that indicates the total number of residents in favor and the total number of residents in opposition. Those numbers shall be brought to the next regularly scheduled NPU-N meeting and tallied to determine a grand total of those in favor or opposing. A two-thirds majority shall determine whether the proposed amendment carries or is defeated. If the amendment carries, then it shall become a part of the next proposed By-laws to be voted on at the next annual By-Laws vote.

V. **EXECUTIVE COMMITTEE**

The Executive Committee of NPU-N shall consist of one member from each constituent organization and the Chairperson who may be nominated as a non-voting member of the Executive Committee or may be nominated from the sitting Executive Committee. In the event of a tie vote, the Chairperson of the Executive Committee shall cast the deciding vote. A member from each organization shall be designated in writing from the organization in January of each year. Each organization shall also designate no less than one and no more than five alternate members who may substitute for the designated representative.

The Executive Committee is responsible for making recommendations to the appropriate governmental entities, including but not limited to, those issues affecting NPU-N. The Executive Committee reviews/votes on liquor licenses applications; land use matters including, but not limited to rezonings, special use permits, special exceptions, and variance requests; proposed new ordinances; various grants; etc.

The quorum for the Executive Committee shall consist of a simple majority. The Chairperson not elected from the sitting Executive Committee is not to be counted in the calculating of a quorum. Unless stipulated otherwise, a simple majority vote of the

Executive Committee at a properly constituted monthly meeting shall become the recommendation of NPU-N.

## VI. OFFICERS

The officers of NPU-N shall consist of a Chairperson, Vice- Chairperson, and a Secretary. They shall be elected annually by the Executive Committee at the regular November meeting of NPU-N and their term of service shall be one year, beginning the first day in January and ending the last day of December of the year following their election. Nominations from the Executive Committee will be accepted during the election process. It is required that the nominees for the positions of Vice-President and Secretary be sitting members of the current Executive Committee. Nominees for the position of Chairperson shall have their primary residence within NPU-N but are not required to be a representative of a constituent organization.

### A. The Responsibilities Of The Officers Are As Follows

1. Chairman - The Chairman shall;
  - a) Assign local issues to representatives of appropriate neighborhoods. In matters that might impact another neighborhood or NPU, the Chairman and the representative of the primary neighborhood shall determine who else should be notified.
  - b) Prepare an agenda and submit it to the designated office of the DPCD.
  - c) Call the regular meetings of NPU-N to order and conduct the meeting proceedings in accordance with the "NPU-N Monthly Meeting Presentation Policy"; following the agenda unless modified by a majority vote of the Executive Committee.
  - d) Accept requests for and recommend creation of subcommittees to the Executive Committee and appointment of an Executive Committee member or Officer of an effected neighborhood to serve as Chairman of any subcommittees which are established by the Executive Committee. A majority vote of the representatives in attendance at a meeting is required to establish a subcommittee and approve the subcommittee's chairman.
  - e) Ensure that the NPU-N Comprehensive Development Plan (CDP) contribution for the City's CDP hearings is prepared in a timely manner and properly delivered to the City.
  - f) Function as the official representative between NPU-N and various City of Atlanta departments and other agencies. This responsibility may be delegated to the Chairman of a subcommittee by approval of a majority vote of the Executive Committee.



- g) Act on behalf of NPU-N, between regular meetings if time-sensitive matters emerge. The Chairman must solicit advice from no less than four other Executive Committee members before acting. The Chairman must report to the Executive Committee, at the soonest regular meeting, regarding the actions taken.
  - h) Have charge of all documents belonging to the Executive Committee.
  - i) Designate an Executive Committee member to administer a petty cash fund to be used solely for accomplishing administrative functions of NPU- N. NPU-N is prohibited from engaging in fund raising activities other than by donations from member organizations.
  - j) Confirm dates at the January meeting for; the annual vote on By-Laws, and the acceptability of the November and December meetings, in the event of conflicts with legal holidays.
2. Vice Chairman – The Vice Chairman shall;
- a) Perform the Chairman's responsibilities if the Chairman is unable to perform them.
  - b) Make logistical arrangements for the annual By-Laws vote including but not limited to assuring availability of a location, coordinating with the DPCD, confirming poll captains, assuring that notification of the opportunity for all residents to vote has occurred, procuring ballots and a ballot box, and finalizing appropriate certification of the vote.
  - c) Chair the nominating committee for NPU-N officers and conduct the election proceedings.
  - d) Be time-keeper during presentations which are restricted by time limits.
3. Secretary - The Secretary shall;
- a) Maintain a written record of proceedings at regular meetings.
  - b) Maintain an attendance record of representatives at regular meetings.

**B. Officers: Vacancies, Removal, Age Requirements**

Any vacancy occurring among officers before the last quarter shall be filled by election held by the Executive Committee. Notification of the vacancy and an appeal for nominations shall be made 30 days in advance of the election. Nominations from the Executive Committee will be accepted during the election process.

An officer can be removed from office by passage of a motion, at a regularly scheduled NPU meeting, which requires that the issue of removal be placed as the

first item of business on the agenda of the next month's regularly scheduled meeting. A simple majority of all member organizations is required in order for removal to occur.

The Chairperson must be a person 18 years of age or older whose primary place of residence is within NPU-N.

**VII. SUB-COMMITTEES**

A. The Executive Committee may designate sub-committees as it deems necessary during the year. The Chairperson of the Executive Committee may designate appropriate persons to serve on such sub- committees who may be members at-large of NPU-N. Subcommittees shall be chaired by a person approved by the Executive Committee.

B. All sub-committee meetings shall be open to the public.

**VIII. MEETINGS**

A. The NPU-N Executive Committee shall meet monthly at a location, on a date, and at a time which is determined by a majority vote of the entire Executive Committee.

B. No regular NPU meeting, for which agendas have been mailed out by the DPCD, shall be cancelled unilaterally by either the NPU or the DPCD. In the event such an action is attempted, those NPU members in attendance at such a meeting shall be empowered to carry out the business of the NPU as indicated on said agenda if there is a quorum of designated members.

C. Called meetings of NPU-N shall be at the discretion of the Chairperson with 3 days notice by an agenda mailing as well as telephone notification.

D. An Executive Committee member not present at a properly constituted meeting can be represented by an alternate designated by the constituent organization. The duly-elected Chair or President of a Constituent Organization is a suitable alternate. Other alternates shall be designated in writing at least 1 week prior to the meeting.

E. All NPU meetings shall be open to the public.

F. The NPU mailing list shall serve as official notification of meetings, elections, and consideration of amendments to the By-Laws.

G. A person who on occasion is authorized to represent more than one constituent organization must declare at the beginning of a particular meeting which constituent organization they are representing for that meeting.

F. One of the following recommendations shall be made by vote for items listed as "Matters For Decision" on the Agenda:

- Support
- Support with Conditions
- Oppose (must provide reasons)
- No Position
- Defer
- Send Letter of Support or Opposition (Review and Comment applications only)

**IX. AGENDA**

Actions, policies, or matters to be considered by NPU-N must be placed on the agenda. Items are placed on the printed agenda by the Chairperson or by the DPCD. Other items may be added to the agenda by a motion originating from the representative of the organization within which the item has primary impact. This may be done in writing or orally at the beginning of a regular monthly meeting and approved by a majority vote of representatives. After an item has been placed upon the agenda, a vote must be taken unless the Executive Committee consents to a deferral of the item.

In the rare instance where an application must be acted upon in between regularly scheduled meetings, the Chair may poll the constituent organizations by telephone and/or electronic mail. Such rare instances shall be reserved for situations in which, through no fault of the applicant and the applicable constituent organization, action must be taken before the application can be placed on the agenda of a regularly scheduled meeting. This provision is specifically and narrowly defined to apply to an application made less than three weeks before a regularly-scheduled meeting of the Board that requires a decision from the Board before the next regularly-scheduled meeting of the Board (such as BeltLine SAP applications). A request for such an extraordinary vote shall only be acted upon by the Board if said request is made by the Chair and the representative of the applicable constituent organization (if applicable). The vote shall be announced at the next regularly scheduled meeting of the Board.

## NPU-N MONTHLY MEETING PRESENTATION POLICY

Persons or organizations who seek support for projects, activities, etc. from NPU-N are invited to present their plans at a regularly scheduled meeting of NPU-N in order that the Executive Committee can evaluate the merits of the request.

The ground rules at the NPU-N meeting for hearing such requests are as follows:

1. The application as filed or amended will be read by the Chairperson to the Executive Board and others present at the meeting prior to the applicant's presentation.
2. All speakers shall identify themselves by name and address. The normal procedures for conducting a meeting shall be conversation. Upon request of any Executive Committee member, Robert's Rules of Order (Webster's New World, © 1999) shall be followed for a requested vote, discussion, or until that meeting is concluded, whichever is requested.
3. The Chairperson shall state the following guidelines at the beginning of each NPU-N Meeting. There shall be 10 minutes, or other time allotment as adopted by the Executive Committee at the beginning of each NPU-N Meeting, *for each of the following*:
  - a) for applicant to present application. Unused time may be reserved for rebuttal.
  - b) for neighborhood input/questions regarding application.
  - c) for Executive Board to ask questions of applicant.
  - d) unused time from "a" above, if any, may be used for rebuttal by the Applicant.
  - e) Comments and discussion, if any, from the NPU-N Executive Board.
4. Motions shall be made in the affirmative.
5. Voting by representatives shall be by a show of hands, voice count, or written ballot as may be directed by the Chairperson. A recorded number of votes on each application will be reported to the DPCD.
6. Copies of the filed application, or any revisions thereto, plans, certified property plats, topo maps and any other pertinent papers and studies must be available for display and examination.

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NPU-N is the official body of the City of Atlanta and represents residents as determined by the DPCD. Persons present should conduct themselves with proper decorum and refrain from making disparaging remarks. However, NPU-N is not responsible for individual actions or remarks.

## IMPORTANT DATES AND EVENTS ESTABLISHED IN NPU-N BY-LAWS

The following is not a part of NPU-N By-Laws, but, is a list of dates and events which have been extracted from the NPU-N By-Laws. The list is intended as an aid for assuring that time-sensitive matters which are prescribed in the By-Laws are addressed in a timely manner.

December-January - time period during which proposed amendments to the By-Laws may be submitted for evaluation.

January - Organizations submit names of NPU representatives and 1-5 alternates.

January - Chairman confirms dates for Annual By-Laws vote and acceptability of November and December regular meeting dates relative to holidays.

February-April – Annual review and update to list of projects for CIP/STWP

March - Constituent organizations assure that notification of proposed amendments to By-Laws occurs within their organizations.

April - Constituent organizations vote on proposed Amendments.

Six weeks prior to Annual By-Laws Vote, all organizations assure that notification of annual vote occurs within their organizations.

June 30th - Deadline for holding annual By-Laws vote.

August - Each organization submits a copy of By-Laws to NPU-N officer.

September 30th - Deadline for submitting accepted by-Laws to DPCD.

November 30<sup>th</sup> – Deadline to hold elections for officers for following year.

Deadline for completing submissions for Comprehensive Development Plan is set by City of Atlanta.