



2023
BY-LAWS
NEIGHBORHOOD PLANNING UNIT (NPU) C

ARTICLE I.
Purpose, Functions and Duties

Neighborhood Planning Unit "C" (hereafter referred to as "NPU-C") is hereby established for the purpose of advising and making recommendations to the City of Atlanta, including the Mayor, Council and any Department or official of the City, on all matters affecting the environment of, the well-being of the residents of, and the general livability of the neighborhoods within, NPU-C. Such advice and recommendations may cover, but are not limited to, land use, zoning, housing, community facilities, human resources, social and recreational programs, traffic and transportation, environmental quality, open spaces and parks and city services. Advice and recommendations will focus on neighborhood input regarding proposed rezonings, subdivisions, variances, special use permits, new ordinances and city code text amendments, but will also provide formal input into the Comprehensive Development Plan and Budget for the city, and will assist city agencies in determining priority needs for NPU-C. Advice and recommendations may also be given to other public agencies on any matter affecting the general livability of NPU-C. In general, NPU-C will provide a means by which information concerning the operation of City government can be provided to the citizens and a means by which citizen input can be provided to the City government.

ARTICLE II.
Membership

The following are members of NPU-C: (i) any person 18 years of age or older whose primary place of residence is within NPU-C, and (ii) any person 18 years of age or older or any entity (which shall be deemed to include any corporation, partnership, limited liability company, organization or agency) which owns property or has a place of business or profession within NPU-C. Members of NPU-C which are not natural persons are referred to herein as "entity members." A person meeting both tests for membership set forth above will nevertheless be treated as one member of NPU-C.

ARTICLE III.
Meetings

Section 1. NPU-C shall meet a minimum of four times annually, or more often, at the call of the Chairperson or a majority of the Executive Committee. The Chairperson shall provisionally set the dates of the following year's monthly meetings before the end of each year and notify the membership of such provisional schedule. All meetings shall be held at a location within the boundaries of NPU-C, except for those meetings which are held jointly with another NPU, unless the Executive Committee shall specify another location outside said boundaries within the City of Atlanta.

Section 2. A quorum of NPU-C shall consist of twelve members, not including the officer conducting the meeting, attending the meeting in person.

Section 3. The agenda for the meeting shall be determined by the Chairperson, who may consult with members of the Executive Committee. Any member of the Executive Committee can request an item be placed on the agenda by contacting the Chairperson. The agenda shall be distributed by the City Bureau of Planning to the NPU-C mailing list prior to the meeting, and new voting matters may not be added after distribution of the agenda by the city has commenced. If a member of the Executive Committee requests that an item be placed on the agenda, and the agenda has already been determined for the next meeting, then the item will be considered for the agenda of the following meeting. Because it is inconsistent with the fundamental principle of providing due notice, while an item not on the agenda can be discussed, no vote can be taken on any item not on the agenda published for that meeting. With respect to non-agenda matters which are scheduled to be heard by the Zoning Review Board, Board of Zoning Adjustment, or City Council (or any committee thereof) of the City, or heard or acted upon by the Bureau of Planning or any agency of the City, before the next regularly scheduled meeting of the NPU-C: (i) the applicant, the City Bureau of Planning, and the body before which the matter is to be heard will be requested to agree to deferrals which will permit the matter to be placed on an NPU-C agenda and heard at a regularly scheduled meeting; and (ii) the matter may be discussed by the NPU as late business, but the official recommendation of the NPU on that matter will be for denial, and such denial will be a denial on the merits, rather than merely procedural. If a deferral of a matter covered by the preceding sentence is obtained which permits the matter to be properly noticed and heard at a later NPU meeting, the recommendation of the NPU at that later meeting will be substituted for the recommendation of denial.

Section 4. Once the agenda for a meeting shall have been distributed to the NPU-C mailing list, the officers and the Executive Committee shall take no action to cancel said meeting. In the event cancellation of a scheduled meeting should be attempted, the membership of NPU-C and any two Executive Committee members shall be authorized to conduct said meeting pursuant to said agenda at the time and place so indicated. Notwithstanding the above, the Chairperson shall be authorized to postpone a regularly scheduled meeting for no more than twelve days if, in her/his judgment it is appropriate to do so, and shall undertake reasonable efforts and means to notify the membership of the fact of said postponement and the time, date and place of the rescheduled meeting.

Section 5. The Chairperson (or in the absence of the Chairperson, the presiding officer) may establish time limits for presentations; provided that those opposing a matter will be provided with a minimum of five minutes to make a presentation, or, if longer, the amount of time granted to or taken by proponents of that matter. The Chairperson (or in the absence of the Chairperson, the presiding officer) or higher designee will determine time taken by presentations.

Section 6. NPU-C will, by majority vote of its members, adopt rules of procedure which shall govern meetings. The Chairperson may recommend rules of procedure for adoption. The Chairperson (or in the Chairperson's absence, the presiding officer) is responsible for making rulings on matters of procedure.

ARTICLE IV.

Voting

Section 1. At all meetings, each member of NPU-C shall have one vote, except that (i) the NPU officer or officers conducting the meeting shall not vote at that meeting, and (ii) the applicant (and, if the applicant is an entity, those who own more than a one percent (1%) direct economic interest in the entity), and those representing the applicant, for a given matter shall not vote on that matter even though they are members of NPU-C.

Section 2. Entity members shall vote through one designated representative.

Section 3. In the discretion of the presiding officer, any voter may be required to provide information concerning that voter's eligibility to vote. Acceptable documents proving residency can include a Georgia Driver's License, utility bill, voter's registration card or passport.

Section 4. Except as otherwise expressly provided in these By-Laws to the contrary, all actions by the membership of NPU-C shall be by majority vote. Only those present may vote. Proxies will not be accepted for votes taken at meetings. Voting shall be by show of hands counted by the presiding officer and verified by the Vice Chairperson or an Executive Committee member except (A) for any contested election of officers of NPU-C or Executive Committee at-large members, for which written ballots shall be utilized, and (B) in the discretion of the presiding officer, written ballots may be utilized which may require the voter to provide information concerning a voter's eligibility to vote.

ARTICLE V.

Executive Committee

Section 1. There is hereby created an Executive Committee for NPU-C which may conduct the business of NPU-C.

Section 2. The membership of the Executive Committee shall consist of the officers referred to in Article VI, one representative from each of the Certified Associations in NPU-C and up to four at-large members. Each Certified Association shall elect or appoint one member to the Executive Committee. The chief executive officer of each Certified Association shall be deemed to be the Executive Committee member representing said Certified Association unless such officer notifies, at least annually, the Chairperson that the Certified Association has elected or appointed another person in lieu of said chief executive officer. All at-large members shall be elected by the NPU-C membership pursuant to the same voting and nomination procedures for NPU-C officers. Not more than four (4) at-large members can serve on the Executive Committee at any one time, with the number of at-large members being set by the Executive committee from time to time.

Section 3. As used herein, the term "Certified Association" means an organized neighborhood or condominium association representing at least 80 households, of which at least half shall be within NPU-C, which has complied with the requirements of Section 2 of this Article. Notwithstanding the foregoing, the Executive Committee may grant any organized neighborhood association of at least 40 households, or any condominium association recognized

by the State of Georgia regardless of membership, which petitions the Executive Committee and which complies with Section 8 of this Article, the status of associate Certified Association, which shall entitle that association to either (A) a non-voting observer on the Executive Committee, or (B) full rights as a Certified Association, as the Executive Committee shall, from time to time, designate.

Section 4. The list of Certified Associations shall be kept by the Chairperson and appended to these by-laws.

Section 5. The Executive Committee shall have the following duties and functions:

- (A) With respect to individual members of the Executive Committee, the presiding officer may request that an at-large member of the Executive Committee report concerning any matter not directly affecting any Certified Association.
- (B) To form Ad Hoc Committees as needed to investigate and report on specific concerns in NPU-C.
- (C) To speak, on behalf of NPU-C, to the City or to any City department or official or any other interested person on any matter of concern to NPU-C, not contrary to any general policy guidelines established by the membership or the Executive Committee of NPU-C at its meetings. In order to clarify the duties and functions of the Executive Committee, any official action, written or verbal, of NPU-C must have been first voted on and approved at a monthly NPU-C meeting.
- (D) To designate two of its members as the NPU-C representative and alternate representative to the Atlanta Planning and Advisory Board.
- (E) To act as a nominating committee for officers and at-large members of the Executive Committee of NPU-C.
- (F) To regulate the administrative affairs of NPU-C, including, but not limited to, the matters specified in Article III, Section 1; Article III, Section 4; and Article VIII.

Section 6. The Executive Committee shall meet at least two times a year and more often as called by the Chairperson. A quorum of the Executive Committee shall be five members present.

Section 7. Any activity of the NPU-C originating from the Executive Committee must be voted on in a meeting of the Committee unless an absolute majority of the Executive Committee shall authorize said action without meeting by poll of the Chairperson.

Section 8. In every even-numbered year, the representative, chief executive officer and secretary of each Certified Association (except those recognized in the previous two years) shall collectively certify to the Secretary of NPU-C, utilizing a standard form of certification as may be devised, that such Certified Association:

NPU-C
CERTIFIED ASSOCIATION RE-CERTIFICATION PROCESS

STEP	PROCESS OR ACTION	DOCUMENT OR ARTIFACT	TIMING
1	NPU Chair notifies known Certified Association presidents of requirement to re-certify	Re-certification Notification Letter	December 01 of the odd numbered year before the even numbered year in which the re-certification is required (e.g., 12/01/03)
2	NPU Secretary distributes notification instructions and forms to Certified Association presidents	Re-certification packet including instruction letter and forms	January 15 of the even numbered year in which certification is required (e.g., 01/15/04)
3	Certified Associations return completed re-certification packets to NPU Secretary	Completed re-certification packets	March 01 of the even numbered year in which certification is required (e.g., 03/01/04)
4	NPU Chair, Secretary, and Vice Chair(s) review re-certification packets and approve or disapprove re-certification of Certified Association in the NPU	Approved re-certification packets. Disapproved re-certification packets with violations documented	April 01 of the even numbered year in which certification is required (e.g., 04/01/04)
5	NPU Chair notifies City of Atlanta of NPU Certified Associations	Letter to City of Atlanta	April 01 of the even numbered year in which certification is required (e.g., 04/01/04)

ARTICLE VI.
Officers

Section 1. There shall be up to four elected officers of NPU-C, which shall consist of a Chairperson, not less than one or more than two Vice Chairpersons, and a Secretary.

Section 2. The duties of the Chairperson shall be the following:

- (A) To preside over all meetings of NPU-C and all Executive Committee meetings.
- (B) To call meetings of NPU-C and meetings of the Executive Committee.
- (C) To appoint Ad Hoc Committees upon consultation with the Executive Committee.
- (D) To ensure that NPU-C is represented in the annual Comprehensive Development Plan and Budget process of the City.
- (E) To certify and record Certified Associations for representation on the Executive Committee.
- (F) To ensure that the recommendations of NPU-C have been conveyed to the City Council (and any committee thereof), the Bureau of Planning, the Zoning Review Board, and the Board of Zoning Adjustment of the City with respect to matters on which NPU-C has taken a position and to make recommendations to those bodies concerning matters which NPU-C was unable to hear at a regularly scheduled meeting.
- (G) To make certain that the heads of Certified Associations are served with timely notice of applications for variances, re-zonings, subdivisions, etc., within their areas. In the absence of an applicable association, the Chairperson shall appoint an Executive Committee member to investigate an application and make a recommendation to the membership.

Section 3. The duties of each Vice Chairperson shall be the following:

- (A) To preside at meetings of NPU-C or its Executive Committee in the absence of the Chairperson
- (B) In the absence of the Chairperson, to act as the Chairperson of NPU-C and its Executive Committee.
- (C) To ensure that minutes of all NPU-C Executive Committee meetings are recorded.

Section 4. The duties of the Secretary shall be the following:

- (A) To record and maintain the minutes of the monthly meetings of NPU-C. A record of all official actions of NPU-C shall be forwarded to the Bureau of Planning, along with a copy of the sign-in sheets from each meeting.
- (B) To record and maintain the minutes of any Executive Committee meeting.
- (C) To convey the recommendations of NPU-C to the City Council (and any committee thereof), the Bureau of Planning, the Zoning Review Board, and the

Board of Zoning Adjustment of the City of Atlanta with respect to matters on which NPU-C has taken a position.

- (D) To update annually and maintain the list of the President and NPU-C representative of each Certified Association.

Section 5. The Chairperson may designate an Executive Committee member to preside at an NPU-C or Executive Committee meeting in the event the Chairperson and the Vice Chairpersons are absent. The Chairperson may designate an Executive Committee member to record the minutes of an NPU-C or Executive Committee meeting in the event the Secretary is absent.

ARTICLE VII. Election

Section 1. A Chairperson and one Vice Chairperson shall be elected, and a second Vice Chairperson, a Secretary and up to four at-large Executive Committee members may be elected, by NPU-C at its regularly scheduled meeting in November of each calendar year (unless that meeting shall have been canceled by the Chairperson on account of the lack of other business, in which case elections shall be held as the first business of the next regularly scheduled meeting), all by majority vote of members present pursuant to the standards of Article IV, provided that an incumbent officer seeking re-election shall delegate to Executive Committee members the supervision and verification of the voting process for that officer's position. Newly elected officers will serve until the end of the November meeting of the following year or, if longer, until their successors are elected and qualified, unless they are disqualified as officers.

Section 2. The Executive Committee shall serve as a nominating committee and shall nominate one or more persons to fill each office for which an election is to be held. Executive Committee nominations shall be presented at the regularly scheduled NPU-C meeting preceding the November meeting, at which time the floor shall be open for additional nominations. After receiving any nominations from the floor, nominations shall be closed. The names of all nominees shall be included within the agenda for the regularly scheduled meeting at which the election will take place. Each position for which there is more than one candidate shall be voted on separately; "slate" ballots for contested positions are prohibited.

Section 3. If any officer or at-large Executive Committee member ceases to be a member of NPU-C or is removed pursuant to section 4 hereof, the person shall be disqualified and the position shall be declared vacant. Whenever any vacancy shall occur, the Executive Committee may select a person to fill such vacancy until the next meeting of NPU-C. The person selected by the Executive Committee to fill the vacancy shall be considered the Executive Committee's nominee for the position to be filled by election at the next meeting of NPU-C.

Section 4. By two-thirds vote of all members of the Executive Committee which finds malfeasance or non-feasance, which in either case is material, any elected officer or at-large Executive Committee member may be recalled and disqualified immediately from her/his position. If a petition signed by at least 100 members of the NPU-C seeking removal of an elected NPU officer or at-large Executive Committee Member is presented at a regularly scheduled NPU

meeting, the removal of such person or persons will be placed on the agenda for vote at the next regularly scheduled NPU meeting. By a three-fourths vote of those eligible to vote at the next NPU meeting said person or persons will be disqualified as officers of the NPU (with a separate vote taken if more than one person is being voted on).

ARTICLE VIII.

Amendments

Amendments to the By-Laws, after their approval by the Executive Committee by majority vote of a quorum present at a meeting thereof, in full text or in summary fashion as the Chairperson shall deem appropriate, must be available in full text at the next NPU-C meeting for inspection by the membership. The By-Laws may be amended by a two-thirds vote of those eligible to vote, assuming a quorum is present at the meeting, provided that notice of a proposed By-Laws amendment is included in the meeting notice for the meeting in question.

ARTICLE IX.

ByLaws

At the annual August meeting of NPU-C, copies of the existing By-Laws, will be available for distribution to all interested parties. At the annual September Meeting, the By-Laws (and amendments, if any are ratified), will be adopted by a majority vote of all members in attendance. The By-Laws will be submitted to the City of Atlanta's Department of Planning, Development and Neighborhood Conservation on or before September 30th of each year. The newly adopted By-Laws will then become effective as of January 1st of the upcoming year.

ARTICLE B. - NEIGHBORHOOD PLANNING

Sec. 6-3011. - Statement of policy and purpose.

The council finds that it is in the public interest for the City of Atlanta to have an organized program of neighborhood planning. It is the purpose of this article to provide an opportunity both for the citizenry formally to provide input into the comprehensive development plan of the city and to provide a means by which information concerning the operation of city government can be provided to the citizens of Atlanta. Further, it is the policy of the city to coordinate the recommendations of neighborhood planning units with the formulation of the city's budget, both capital and operating, in order that the comprehensive development plan be an effective policy guide for the orderly development of the city.

(Code 1977, § 6-3011; Ord. No. 1999-81, § 1, 11-10-99)

Sec. 6-3012. - Definitions.

As used in this article:

- (1) *Neighborhood* means a geographic area either with distinguishing characteristics or in which the residents have a sense of identity and a commonality of perceived interest, or both. Factors that may contribute to neighborhood identity include shared development, history, architecture, social and economic relationships, physical boundaries and the existence of one or more broadly representative neighborhood organizations devoted to neighborhood preservation and improvement.
- (2) *Neighborhood planning unit*, hereinafter also referred to as N.P.U., means (1) a geographic area composed of one or more contiguous neighborhoods, which have been defined by the department of planning, and development and neighborhood conservation based on criteria previously established by the department and approved by the council for the purpose of developing neighborhood plans and (2) a body of residents of such geographic area organized for the purpose of engaging in comprehensive planning matters affecting the livability of neighborhoods.
- (3) *Resident* shall mean any person 18 years of age or older whose primary place of residence is within the neighborhood planning unit, or any corporation, organization, institution or agency which owns property or has a place of business or profession within the N.P.U. Each resident may hold office in only one N.P.U. Each resident, meaning any person who resides within the N.P.U., or any corporation, organization, institution or agency which owns property or has a place of business or profession, shall have one vote and shall have the right to exercise that vote on all issues which come before the N.P.U.; provided that an N.P.U. may adopt bylaws calling for representative voting, as long as the adoption and revision of such bylaws is by vote open to all such residents without attendance requirements, dues payments, or any other limitation.
- (4) *Council district planning committee* means a body of residents of a council district formed from representatives of the neighborhood planning units to coordinate council district plans. The council member for the district may initiate the organization of these committees, but may not hold any office in any of the committees. These committees may continue in existence from year to year.

(Code 1977, § 6-3012; Ord. No. 1999-78, § 1, 11-10-99; Ord. No. 1999-81, § 1, 11-10-99)

Sec. 6-3013. - Neighborhood planning units.

- (a) *Designation.* The department of planning, and development and neighborhood conservation shall designate neighborhood planning units, as defined in section 6-3012(2) of this chapter, which shall include all areas of the city. N.P.U.'s may comprise as many, or as few neighborhoods as practicable and may cross council district boundaries. The designation of the N.P.U. shall be based on criteria previously established by the department of planning and development and approved by the council, and shall include the consideration of existing citizens' organizations' boundaries which may exist at the time of designation, as well as provisions for the change of neighborhood boundaries when necessary.
- (b) *Preservation of information.* The bureau of planning shall make available to neighborhood units basic information, including but not limited to, the areas of land use, transportation, community facilities, programmed capital improvements, housing, human resources, social and recreational programs, environmental quality, open space and parks and citizen involvement in planning and zoning to assist them in neighborhood planning activities. This information shall be presented in such a manner as to be readily recognizable to the residents of each N.P.U. This information shall be presented graphically when practicable.
- (c) *Neighborhood planning units.* The neighborhood planning unit may recommend an action, a policy or a comprehensive plan to the city and to any city agency on any matter affecting the livability of the neighborhood, including, but not limited to, land use, zoning, housing, community facilities, human resources, social and recreational programs, traffic and transportation, environmental quality, open space and parks; assist city agencies in determining priority needs for the neighborhood; review items for inclusion in the city budget and make recommendations relating to budget items for neighborhood improvement; and advise the bureau of planning on the preparation of the 15 and five-year comprehensive development plans.
- (d) *Accountability.* Neighborhood planning units shall be accountable to the residents of the area they represent.

(Code 1977, § 6-3013; Ord. No. 1999-81, § 1, 11-10-99; Ord. No. 2004-08, § 8, 2-10-04)

Sec. 6-3014. - Public hearings.

- (a) *Manner in which hearings are to be held.* The bureau of planning shall hold hearings to focus on the six study areas as defined in the currently adopted comprehensive development plan. Said hearings shall be held in such a manner that there be not less than one public hearing for each study area prior to the preparation of any comprehensive development plan.
- (b) *Notice.* The city shall provide notice of the number of hearings and their dates, times and places. Such notice shall be provided through advertising in a newspaper of general circulation, included on the regular N.P.U. agenda mail-out and provided as a public service announcement.

(Code 1977, § 6-3014; Ord. No. 1999-81, § 1, 11-10-99; Ord. No. 2004-08, § 9, 2-10-04)

Charter reference— Boards and commissions, § 3-401.

Code of ordinances reference— Boards, councils and commissions, § 2-1851 et seq.

Cross reference— Zoning, § 16-01.001 et seq.

Sec. 6-3015. - Schedule of citizen involvement.

- (a) The mayor shall prepare a schedule of citizen involvement regarding the draft of the comprehensive development plan. This report shall be presented to the community development/human resources committee at a regularly scheduled meeting in January of the year in which the plan is to be updated.
- (b) The mayor shall coordinate citizen participation in planning, under provisions of this article and shall be responsible for advising the council on citizen plans.

(Code 1977, § 6-3015; Ord. No. 1999-81, § 1, 11-10-99; Ord. No. 2004-08, § 10, 2-10-04)

Sec. 6-3016. - Bylaws.

- (a) (1) N.P.U. bylaws shall be submitted to the bureau of planning no later than September 30 of each year for compliance with city code requirements.
 - (2) Said bylaws shall become effective January 1st of the following year.
 - (3) This article (Code sections 6-3011 through 6-3019) shall be attached as an exhibit to the bylaws of each N.P.U. with each annual submission to the bureau of planning.
- (b) All neighborhood planning units shall have bylaws for their members to follow which shall be approved annually by a majority of the residents (as defined in section 6-3012(3)) of the N.P.U. in attendance at the meeting where the bylaws are voted upon. At said meeting there shall be no restrictions upon a resident's right to vote on the approval or disapproval of the bylaws. These bylaws shall be filed with the department of planning, development and neighborhood conservation. The bylaws shall be reviewed and approved annually by the bureau of planning and the neighborhood planning unit for clarity as to voting procedures, representativeness of all interested parties within the neighborhood planning unit, and a description of the duties of any subcommittees or officers.
- (c) Recommendations of an N.P.U shall not be accepted by the council until the N.P.U. has complied with subsection (a) above.

(Code 1977, § 6-3016; Ord. No. 1999-81, § 1, 11-10-99)

Sec. 6-3017. - Elections.

- (a) Elections shall take place during October or November of every calendar year. If an election(s) has not been held by November 30. Said election(s) shall be conducted by the bureau of planning during the month of December.
- (b) Any person holding the office of chairperson or equivalent, which means presiding officer, must be a person 18 years of age or older whose primary place of residence is within the particular NPU.

(Code 1977, § 6-3017; Ord. No. 1995-68, § 1, 10-24-95; Ord. No. 1999-81, § 1, 11-10-99)

Sec. 6-3018. - Voting procedures.

- (a) Voting procedures shall be established by each neighborhood planning unit. Although the procedure may vary among neighborhood planning units, bylaws describing the voting procedures shall contain provisions delineating the eligibility of voters within the neighborhood planning units and the voting process itself for issues as well as officer elections.
- (b) Each resident as defined in section 6-3012(3) shall represent one vote and may hold office in only one N.P.U.
- (c) All NPU and committee meetings must be open to the public.

(Code 1977, § 6-3018; Ord. No. 1995-68, § 2, 10-24-95; Ord. No. 1999-81, § 1, 11-10-99)

Sec. 6-3019. - Prohibition of political forums.

Neighborhood planning unit meetings shall not be used for political forums or campaigning for city, county, state, or federal elections.

(Code 1977, § 6-3019; Ord. No. 1999-81, § 1, 11-10-99)