

NPU-O 2023 Bylaws

Approved by the NPU-O Body

09/27/2022

BY-LAWS OF THE NEIGHBORHOOD PLANNING UNIT “O”

ARTICLE I

NEIGHBORHOOD PLANNING UNIT “O”

Neighborhood Planning Unit “O” includes the neighborhoods of East Lake, Edgewood, Kirkwood and the Villages of East Lake, all in the City of Atlanta as shown on the attached Exhibit A (Neighborhood Boundaries Map).

ARTICLE II

PURPOSE AND DUTIES

Neighborhood Planning Unit “O” (NPU-O) shall receive information concerning the City of Atlanta and the area of NPU-O encompassed within the neighborhoods of Edgewood, Kirkwood, East Lake, and Villages of East Lake and shall advise the City of Atlanta including the Mayor, City Council and any department or official of the City or any private or governmental entity, regarding all matters affecting NPU-O. NPU-O may recommend to the city of Atlanta or to any city department or any private or governmental entity or official, any action, plan or policy affecting the livability of the neighborhoods, including but not limited to land use, zoning, development, housing, community facilities, human resources, social and recreational programs, public safety, traffic and transportation, environmental quality, open spaces and parks. It may also assist City agencies in determining priority needs for the neighborhoods NPU-O, and may review items for inclusion in the City budget and make recommendations relating to budget items for neighborhood NPU-O improvement.

ARTICLE III

MEMBERSHIP

Article III Section 1

Any person eighteen (18) years of age or older whose primary place of residence is within the neighborhood planning unit of NPU-O is an eligible member of NPU-O.

Article III Section 2

The NPU-O board shall adopt an appropriate membership application form and it

shall be the responsibility of the applicant to both complete said form and if necessary, verify membership eligibility. Membership eligibility forms of verification include but are not limited to:

1. Any current (not expired) Federal or State issued ID that verifies the applicant's primary residence address is within NPU-O.
2. Recent utility, mortgage and/or property tax statements that verifies the applicant's primary residence address is within NPU-O.
3. Current/active lease agreements that verifies the applicant's primary residence address is within NPU-O.
4. Social Security Statements or Marriage Licenses that verifies the applicant's primary residence address is within NPU-O.

If an applicant completes the application and verifies primary residence within NPUO, they cannot be denied membership.

Article III Section 3

Any person who operates or represents a corporation, organization, institution or agency which owns property or has a place of business within NPU-O is an eligible member of NPU-O. Such corporation, organization, institution or agency may designate one person as its voting representative to NPU-O. Such a designated voting representative shall have one vote. In order to become a member it is the responsibility of the corporation, organization, institution or agency which owns property or has a place of business within NPU-O to fill out the membership application and provide the following documentation verifying eligibility:

1. Documentation of incorporation and current business license with address.
2. Documentation of property or lease ownership.
3. A letter authorizing bearer to act as a voting representative and signed by the qualifying authority of the corporation, organization, institution, or agency.

If a person who operates or represents a corporation, organization, institution or agency, which owns property or has a place of business within NPU-O, fills out the membership application and verifies eligibility, he/she cannot be denied

membership.

ARTICLE IV

VOTING

Article IV Section 1

Only members of NPU-O are eligible to vote in matters before NPU-O. A member may only vote at a meeting if they are a member of NPU-O at least two weeks prior to the current meeting.

Article IV Section 2

Attendance records shall be maintained by the NPU-O Secretary.

Article IV Section 3

Absentee or proxy voting is prohibited.

ARTICLE V

ELECTIONS

Article V Section 1

By no later than the regularly scheduled August meeting of NPU-O, a nominating committee will be formed according to Article VIII of these by-laws.

Article V Section 2

Only members of NPU-O are eligible to vote in an election.

Article V Section 3

At the regularly scheduled October meeting, NPU-O shall elect officers. During the election process the acting Chair shall turn the meeting over to the Chair of the Nominating Committee.

Article V Section 4

At the regularly scheduled September meeting, the nominating committee shall request and receive nominations from the floor for inclusion in the election. At the regularly scheduled October NPU-O meeting, additional nominations can be taken for each office. The nominating committee shall first verify each candidate's eligibility for office, including nominations from the floor and write in candidates, then conduct the election.

Article V Section 5

Election voting shall be monitored by the Planning Department of the City of Atlanta to assure that only qualified voting members take part as described in Article III, IV and V. Ballots shall be accepted for each office only after all nominees for that office have been presented and only when the chair signifies that ballots are to be cast. No early ballots or proxy ballots will be accepted.

ARTICLE VI

OFFICERS

Article VI Section 1

Duties and Responsibilities of Officers

The following positions shall be filled by majority vote in annual election as described in the Bylaws:

1. Chairperson: Chairs all meeting of NPU-O, appoints committee chairs, prepares the agenda, calls special meetings of NPU-O per the Bylaws, and performs other duties as are appropriate.
2. Vice-Chairperson: Presides in the absence of the chairperson, serves as relief in the absence of the Secretary, is an ex-officio member of committees, and performs other duties the chairperson may assign.
3. Secretary: Calls the roll. Prepares, keeps, maintains and shall have available at all regular and special meetings the a) rosters of attendance, and b) a list of eligible voting members; ensures that the original sign-in rosters are forwarded to the NPU coordinator and a copy is made for NPU-O's records. Records the minutes of NPU-O meetings and forwards the minutes to the NPU coordinator and Chair. During the October election, keeps a list of all members eligible for office, and records votes. Prepares letters as directed by the chairperson and chairs meetings in the absence of the chair and vice chairpersons.
4. Parliamentarian: Ensures that meetings are conducted in accordance with the Bylaws and parliamentary procedures as set forth in those Bylaws and in Robert's Rules of Order. The Parliamentarian shall bring a copy of the Bylaws and Robert's

Rules of Order to all meetings of NPU-O.

5. Delegate to the Atlanta Planning Advisory Board (APAB): Serves as NPU-O

Delegate communicating NPU-O concerns and questions to City of Atlanta

Department of Planning and conveys responses and information from the City to the NPU-O body.

Article VI Section 2

Rules Regulating Officers

1. In order to run for office of Chairperson of NPU-O, a person must be a member of NPU-O and in attendance for at least 3 of the last 12 regularly scheduled NPU-O meetings, the current meeting does not count towards that requirement. In order to run for all other officer positions (Non-Chairperson), a person must be a member of NPU-O and in attendance for at least 1 of the last 12 regularly scheduled NPU-O meetings, the current meeting does not count towards that requirement.

2. The term of office shall be one (1) year from January to December.

3. Officers shall be required to attend monthly meetings; absences over 3 per calendar year shall be cause for removal from office. Excessive absences from board meetings shall also be cause for removal from office. The APAB delegate must attend at least half of calendar year APAB meetings. If the APAB delegate does not fulfill these requirements, that shall be cause for removal from office.

4. All officers may succeed themselves, but may hold no individual office for more than two (2) consecutive years.

5. All officers must reveal actual and potential conflicts of interest. Should an officer acting as a NPU-O spokesperson be unable to objectively represent the viewpoint of the NPU-O Membership, that officer shall arrange for another officer to be spokesperson. Should a presiding officer have a conflict of interest relative to an issue being discussed, that officer shall step down for the duration of the discussion of that topic, including any motion and vote.

ARTICLE VI Section 3

VACANCIES

In the event that any office (other than Chairperson) becomes vacant, the Chairperson shall appoint a replacement officer to serve the remainder of the year, subject to majority vote of the body. Such appointee must meet the qualifications of these Bylaws.

If the office of chairperson becomes vacant, the Vice-Chairperson shall serve as Chairperson for the remainder of the year. If not, a special election shall be held to fill the position of Chairperson for the remainder of the year. Candidates must meet the qualifications of these Bylaws and the election process of these Bylaws is required.

Article VI Section 4

Appointments

In order to be appointed to a NPU-O office, a person must meet the officer requirements in Article VI Section 2.

ARTICLE VII

REMOVAL FROM OFFICE

Removal of any NPU-O officer may be initiated at any regularly scheduled meeting by motion from the floor duly received and approved by a majority of those voting. Such motion shall automatically require inclusion in the agenda for the next regularly scheduled meeting. At the next meeting, if two-thirds (2/3) or more of the qualified members present vote for removal, then that officer is removed.

ARTICLE VIII

COMMITTEES

Article VIII Section 1

The Chairperson shall name committees as necessary and appropriate and each committee shall have not less than three (3) members including a representative from each neighborhood, unless a neighborhood does not have a representative

volunteer. All committee meetings are open to all NPU-O members. The Chairperson shall appoint committee chairs and these appointments shall be subject to the approval body by vote at that meeting at which the appointments are made.

Appointments shall be in effect for the duration of the current year.

Article VIII Section 2

The Chairperson of the NPU-O shall have the authority to remove a Committee Chair for failure to carry out the responsibility of the office.

Article VIII Section 3

There shall be a standing Executive Committee meeting monthly consisting of the elected officers of NPU-O and the appointed Committee Chairs. (In addition, any neighborhoods not represented by an officer or a committee chair shall have one representative on the Executive Committee, appointed by the NPU-O Chairperson.)

Article VIII Section 4

The Executive Committee shall have the power to make recommendations and communications on behalf of the NPU-O subject to the approval of the body. All recommendations and communications of the Executive Committee are to be reported at the next regular meeting of NPU-O.

ARTICLE IX

MEETINGS

Article IX Section 1

NPU-O shall meet in monthly session eleven months per year January through November. A December meeting may be held upon the call of the Chair if the volume of applications for review warrants it.

Article IX Section 2

At each regularly scheduled NPU-O meeting, a time and place shall be reserved on the agenda for addressing new business and/or community concerns. Committees shall make a report at each monthly meeting of NPU-O.

Article IX Section 3

Official notice shall be provided for all meetings of the NPU-O in the form of an

agenda mailed or e-mailed to the NPU-O membership and the Chairs of its constituent neighborhood organizations by the city's Neighborhood Planning Coordinator.

Article IX Section 4

The NPU-O Chairperson may call special meetings at any time or by petitions of no less than ten (10) members. Such petitions shall be presented to the Secretary who shall initiate the callings of the special meeting(s). Official notice shall be provided for special meetings in the form of an agenda surface mailed or e-mailed to the NPU-O membership and the Chairs of its constituent neighborhood organizations by the City's Neighborhood Planning Coordinator.

Article IX Section 5

A quorum of the NPU-O shall consist of ten (10) members. A quorum for any committee meeting (including the Executive Committee) shall consist of at least one-third (1/3) of the committee members or three committee members, whichever is greater.

Article IX Section 6

All meetings of NPU-O, including committee meetings, shall be open to the public.

Article IX Section 7

No regular NPU-O meeting, for which agendas have been mailed out by the city, shall be cancelled unilaterally by either the NPU-O or the City; and in the event that such action is attempted, those NPU-O members in attendance at such a meeting shall be empowered to carry out business of the NPU-O as indicated on said agenda.

Article IX Section 8

Meetings of the general body, executive board and any committees may be conducted virtually, telephonically and/or in-person with (clearly defined) proper notice at the discretion of the (NPU Chairperson, executive board).

ARTICLE X

BY-LAWS AND AMENDMENTS

These by-laws shall be submitted for annual review and approval by a majority of the members of the NPU-O. There shall be no restrictions upon a member's rights to vote on the approval or disapproval of the by-laws, including any amendments thereto. Approval of the by-laws and any amendments thereto, shall require an affirmative vote of a majority of the voting members of the NPU-O in attendance. The by-laws and any amendments thereto, shall then be filed with the Department of Planning, Development and Neighborhood Conservation no later than September 30th of each year and shall become effective January 1st of the following year. The adopted by-laws shall not be amended in the current year. Proposed amendments shall be considered during the annual review of the by-laws. Pursuant to the City of Atlanta Code Article 6-3016(s), as amended, a copy of the City of Atlanta Code Articles 6-3011 through 6-3019, as amended is attached hereto as Exhibit B.

Article X Section 1

Exceptions to Bylaws

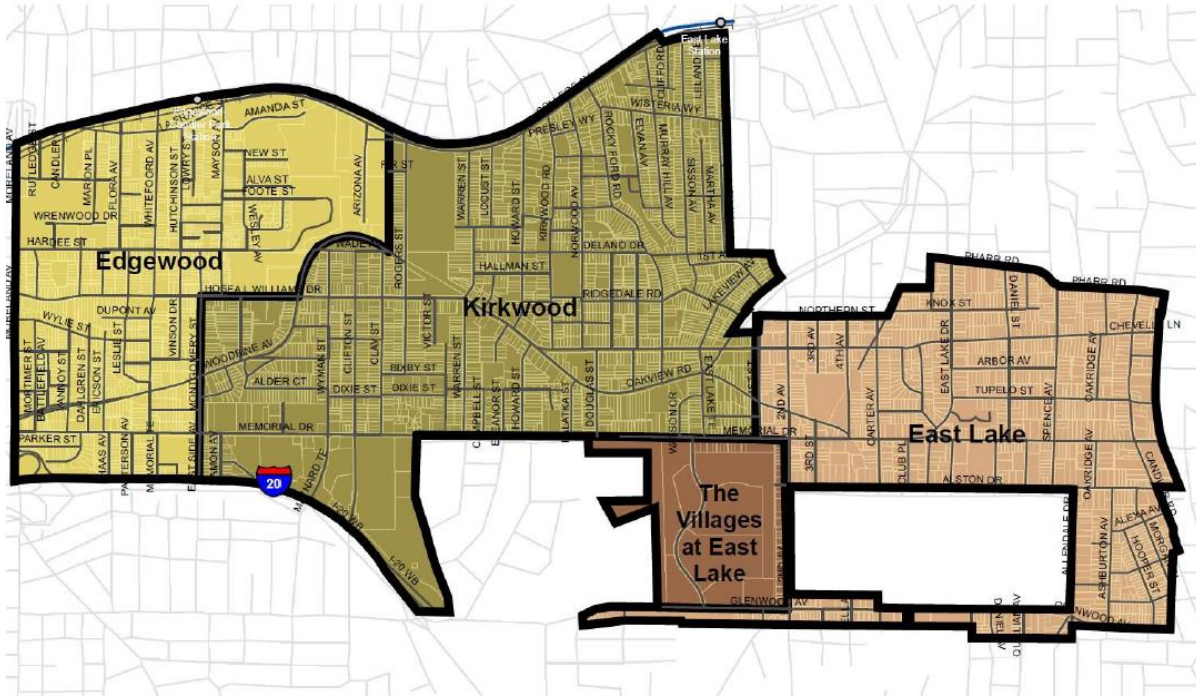
An exception to the Bylaws can occur with a 2/3rds super majority vote of approval, as long as at least 10 NPU-O members are present. Exceptions do not amend or permanently change the Bylaws but rather allow for "one off work arounds" if/when unusual circumstances occur. An example of such a circumstance is but is not limited to: No eligible member runs for Chair and thus officer eligibility requirements or term limit requirements must be waived in order for NPU-O operations to continue.

ATTACHMENTS:

- **NPU-O Boundary Map**
- **City of Atlanta NPU Bylaw Ordinance**

APPENDIX "A"

NPU-O MAP



APPENDIX "B"

CITY OF ATLANTA ORDINANCES

NPU ORDINANCE

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 references: Boards and commissions, § 3-401.

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

Cross references: 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.