



NEIGHBORHOOD PLANNING UNIT-T

“The Assembly” BYLAWS 2023

As proposed, September 8, 2022

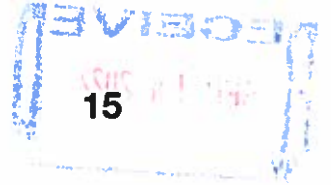
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As Approved by NPU-T Executive Committee, September 8, 2022

As ratified by the NPU-T General Body, September 14, 2022

Effective January 1, 2023

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ARTICLE I - NAME

The name of the *Assembly Organization* shall be ***The Neighborhood Planning Unit-T, (NPU-T)***, an unincorporated society of the City of Atlanta per Part III Code of Ordinances – Land Development Code, Part 6 Budget and Planning, Chapter 3. Planning, Article B, Neighborhood Planning, Section 6-3011 thru Section 6-3019.

ARTICLE II - PURPOSE

Section 1: Purpose

The Neighborhood Planning Unit-T Assembly, hereafter referred to as NPU-T, is hereby established for the purpose of advising the City of Atlanta through the Mayor, City Council members, department officials, and representatives of the City of Atlanta, including officials of Atlanta Public Schools, Fulton County, and the state of Georgia, on matters affecting the comprehensive livability of the neighborhoods within the boundaries of the NPU-T.

The purpose of the Neighborhood Planning Unit - Exhibit A - is to serve as a forum for the public discussion of issues that concern the general livability of its neighborhoods, and to perform any other task that is currently or may in the future be authorized under City of Atlanta (City) Code Section 6-3013, attached as Exhibit B. Matters shall include but not be limited to the environment, economic development, education, cultural affairs, historic preservation, zoning and land use, community facilities, traffic and transportation, public safety, parks and open spaces, bylaws and governance, finance and social programs.

NPU-T will be responsible for sending information about new associations to the City for inclusion in the City directory. This act will confirm new associations into the NPU-T.

Section 2: Bylaws

Per Section 6-3016 of the City Code of Ordinances, attached as Exhibit B, the purpose of NPU-T Bylaws is to perfect the organization; to provide for the government, management and promotion of the affairs of the NPU-T;

and to regulate the conduct of the officers and members of the NPU-T and define their obligations and responsibilities.

The bylaws shall be governed by the procedures of the latest authorized Edition of Robert's Rules of Order, the 2011 edition copyright by Henry M. Roberts III latest edition for the Robert's Rules Association and shall be in accordance with the Code of Ordinances of the City of Atlanta, Georgia, as amended. NPU-T Bylaws shall be submitted to the City Bureau of Planning between September 30 and December 15 of each year for review and approval for compliance with City code requirements. The review is for clarity as to voting procedures, fair representation of all interested parties within NPU-T, and a description of duties of any committees and officers. The said bylaws shall become effective January 1 of the following year. Per Section 6-3016 (Exhibit B), there is no attendance requirement when voting on NPU-T bylaws.

Section 3: Non-Discrimination Policy

The City does not discriminate on the basis of race, sex, age, national origin, religion, sexual orientation or physical disability. As an extension of the City government, NPU-T will abide by this policy for all matters which come before it for consideration. In recognition that the individual neighborhood associations are not elected officials, nor are they employees or agents of the City, NPU-T cannot hold individual neighborhood associations accountable for the same non-discrimination policy. If there are recommendations that are made to the NPU-T body by member associations which the applicant or community member believes are in violation of the City's policy, the NPU-T body shall have the discretion to discount or disregard said recommendation(s). In the event of any such claim, it shall also be within the discretion of the NPU-T Executive Committee to investigate the allegation further. Such investigation will be conducted by an unbiased team appointed by the NPU-T Chair or Vice Chair and approved by the NPU-T Executive Committee. The Team will be comprised of at least two (2) officers of NPU-T and it shall prepare a written report for presentation at the NPU-T Executive Board meeting and then at the general meeting within thirty (30) days following the conclusion of the investigation.

ARTICLE III - MEMBERS

Section 1: Classification/Qualification/Definitions

Per Section 6.3012 of the City Code of Ordinances (Exhibit B),

Eligibility for membership in the NPU-T shall be a resident or a representative.

Resident shall mean any persons 18 years or older whose primary residence is within the boundaries of the NPU-T designated area;

Representative shall mean a designated person of any corporation, organization, institution or agency which or who owns property or has a business or profession within NPU-T. Each resident or designated representative shall be eligible to participate in the activities of NPU-T and shall have voting privileges in the NPU-T as stated in Article III, Section 2, Section 3 and Section 4.

Section 2: Proof of Eligibility for Membership

A. **Residents** (per Section 6-3012 (4) of the Code of Ordinances of the City – Exhibit B) of NPU-T shall show a Georgia Driver's License, State of Georgia Identification Card, Voter Registration Card, Utility Bill (within the last ninety days), or other appropriate state sanctioned identification as proof of residency when requested. Each eligible resident shall have one vote.

B. **Representatives** shall confirm their affiliation with proof of property located within the geographical area of NPU-T and with an official Letter of Introduction on the organization's letterhead paper, along with a valid City of Atlanta Business License from the corporation, organization, institution or agency, which has a name and address of the place of business or profession in the NPU-T. Each approved Representative shall have one vote, according to the City Code Section 16-3012. Each new representative organization shall have an application that is approved by the Executive Committee.

C. In the event an approved Representative is unable to attend a meeting, the Executive Committee shall be notified in writing of a substitute Representative.

D. When a representative and resident are the same, the individual is entitled to cast only one vote.

E. Official NPU-T Book of Records

With the collaboration of the Vice-Chair, Recording Secretary and Corresponding Secretary an official **NPU-T Book of Records** shall be

maintained. The validations of NPU-T residents, as well as the validations of NPU-T corporation-, organization-, institution- or agency-representatives, as well as NPU-T photos and meeting minutes shall be maintained and available at each NPU-T meeting. The Corresponding Secretary shall maintain the official records of the NPU.

Section 3: Recognized Constituent Neighborhoods

Per the City's website (<http://www.atlantaga.gov/index.aspx?page=404>), the City recognizes the following constituent neighborhoods of the NPU-T:

- Atlanta University Center
- Ashview Heights
- Booker T. Washington
- Harris Chiles/College Town
- Just Us Neighbors
- The Villages at Castleberry Hill
- West End
- Westview

Section 4: Recognized Constituent Neighborhood Organizations

The recognized Constituent Neighborhood Organizations within the recognized neighborhoods as stated in Section 3 above, per the City's website,

(<http://www.atlantaga.gov/modules/showdocument.aspx?documentid=14688>), are:

- Ashview Heights Community Association, Inc.
- Atlanta University Center Neighborhood Association (AUCNA)
- Beecher-Donnelly Community Association
- Booker T. Washington Community Association
- Harris-Chiles/CollegeTown Community Association
- Just Us Neighbors
- West End Neighborhood Development, Inc. (WEND)
- West End Coalition Group, Inc.
- West End Neighborhood Association (WENA)
- Westview Community Organization, Inc.
- Villages of Castleberry Hill

Section 5: Recognized Business Associations, Institutions of Higher Education and Non-Profit Organizations

The recognized businesses, institutions and non-profit organizations of the NPU-T are:

- Atlanta University Center Consortium (AUCC) (Excerpt from the history of the AUCCU). Because of the close proximity of the institutions, the boards of trustees and presidents of the colleges began to assess ways in which they could utilize their services and resources more effectively and efficiently. Thus, the Atlanta University Center Consortium was formed to coordinate and manage the cooperative efforts of various programs and services offered by the colleges.
- Clark Atlanta University
- Interdenominational Theological Center
- Morehouse College
- Morehouse School of Medicine
- Morris Brown College
- Spelman College
- West View Commercial Corridor
- West End Merchants Coalition (WEMC)
- Westview Commercial District Association
- University Community Development Corporation (UCDC) – a recognized community development corporation.

Section 6: Requirements of Recognized Constituent Neighborhood Organizations

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

A. Membership - Eligibility for membership in a neighborhood organization shall be open to all residents within its boundaries (as defined in section II) and the neighborhood organization's bylaws. If the neighborhood organization is a legal entity, it shall be chartered with the Georgia Secretary of State

<http://www.lexisnexis.com/hottopics/gacode/Default.asp> - Georgia Code (Official Code of Georgia Annotated (O.C.G.A.)) – Current Through the 2014 Regular Session, TITLE 14 - CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS.

B. Meetings - Each neighborhood organization shall hold regularly scheduled meetings at a frequency of no less than eleven (11) meetings per year.

C. Voting Procedures for Recognized Constituent Neighborhood Organizations - The voting process and procedures of each neighborhood organization shall be stated in its respective Bylaws or Operating Agreement. Matters associated with the Neighborhood Planning Unit-T process shall be placed on the agenda of regularly scheduled meetings of the neighborhood organization, and recorded in its minutes.

D. Yearly Review - In November, the neighborhood organization shall submit a copy of its Bylaws/Operating or Association Agreement, a list of officers for the upcoming year, as well as a complete members list with addresses and a list of meeting dates, to the NPU-T Executive Committee via the Vice-Chairperson, Recording Secretary or Corresponding Secretary. This information is submitted to the City for review and legal authorization.

Based on the submittals and authorization from the City, eligibility for the upcoming year will be determined by the Executive Committee and communicated by the Vice-Chairperson, Recording Secretary or Corresponding Secretary, before the Executive Committee votes. Neighborhood Organizations will still be required to show business licenses renewals for the New Year.

Section 7: Requirements of Recognized Business Associations, Institutions of Higher Education and Non-Profit Organizations

NPU-T has chosen to recognize business associations, institutions of higher education and other non-profit organizations as needed to ensure the representation of all interested parties within the NPU. Business associations, institutions of higher education and other organizations do not supplant or define neighborhoods within which they may occur. In an effort to reflect the importance of the residential character of NPU-T, each business association, institution of higher education and recognized non-profit organization shall have one vote each. The currently recognized business organizations, institutions of higher education and non-profit organizations are as follows:

- Atlanta University Center Consortium (AUCC)
- Clark Atlanta University
- Interdenominational Theological Center
- Morehouse College
- Morehouse School of Medicine
- Morris Brown College

- Spelman College
- University Community Development Corporation (UCDC) – local community development corporation
- West End Merchants Association (WEMC)
- Westview Commercial District Association

Business Associations, Institutions of Higher Education and Non-Profit Organizations shall be governed by the following:

A. Purpose - The business organizations, institutions of higher education and non-profit organizations must have a physical address located within the NPU-T, and documented as such on its business license. Additionally, the entity's primary or secondary physical office space must be located within the NPU-T. The entity's primary purpose must be the improvement of and greater good of the NPU-T.

B. Membership - Eligibility for membership as a business association, institution of higher education or non-profit organization shall be open to organizations with current City of Atlanta Business Licenses, tax records, non-profit status, or other documentation that indicates the member is a bona fide business association, institution of higher education or non-profit organization in NPU-T, defined as a corporation, institution of higher education or agency which owns property or has a physical and primary place of business or profession within a geographically defined area of NPU-T. Each business organization shall have a minimum of eight registered members.

C. Meetings - All business associations and non-profit organizations shall hold regularly scheduled meetings at a frequency of no less than eleven meetings per year and 3 of the immediate 6 Executive Board Meetings. An Institute of Higher Education is exempt from the internal monthly meeting requirement due to the complex organizational structure of such institutions of higher education. NPU-T recognized the uniqueness of these institutions.

D. Voting Procedures - The voting process and procedures of all business associations, institutions of higher education and non-profit organizations shall be stated in their respective Bylaws or Operating Agreement. Matters associated with the Neighborhood Planning Unit process shall be placed

on the agenda of regularly scheduled meetings of the business associations and non-profit organizations and recorded in the minutes.

E. Official Records shall be maintained by each business association, institution of higher education and non-profit organization.

F. Yearly Review: In November, each business association, institution of higher education and non-profit organization shall submit a copy of its Bylaws/Operating or Association Agreement, a list of officers for the upcoming year, as well as a complete members list with addresses and a list of meeting dates, to the NPU-T Executive Committee via the Vice-Chairperson, Recording Secretary or Corresponding Secretary. If no material or changes have occurred to the Bylaws/Operating or Association Agreement since the original submission, each business association, institution of higher education and non-profit organization may submit a letter from the appropriate officer stating that fact. Documents regarding members and meeting dates shall be submitted. This information is submitted to the City for review and legal authorization.

Based on the submittals and authorization from the City, eligibility for the upcoming year will be determined by the Executive Committee and communicated by the Vice-Chairperson, Recording Secretary or Corresponding Secretary, before the Executive Committee votes.

To renew eligibility as a recognized business association, institution of higher education or non-profit organization, official records, such as current City of Atlanta Business License, non-profit status, if applicable, or other documentation that indicate the member is a bona fide business association, institution of higher education or non-profit organization in NPU-T, proving property or business ownership within a geographically defined area of NPU-T, will be required.

Section 8: Requirements of New Constituent Neighborhood Organizations

New Constituent Neighborhood Organizations shall be recognized if they meet the following criteria:

A. Request in writing to the NPU-T Executive Committee via the Vice-Chairperson or the Recording Secretary, a desire to be an active participating organization member of NPU-T.

B. Reside or have a place of business within the boundaries of NPU-T, according to Article III, Section 2, *Proof of Eligibility for Membership*.

C. Submit bylaws, operating or association agreement, along with a list of officers, and a complete membership list with addresses to the NPU-T Executive Committee via Vice-Chairperson or Recording Secretary.

D. Recognition of a new neighborhood organization will also be guided by the criterion that its inclusion in the NPU-T will substantially improve the representation and accountability of the NPU-T and its Executive Committee.

Recognition of a new neighborhood organization shall require the approval of two-thirds of the Executive Committee.

E. Upon approval of eligibility and recognition by the Executive Committee, a resolution will be adopted by the NPU-T Executive Committee and presented to the assembly for recognition of the new neighborhood organization.

F. The new neighborhood organization must be included on the City of Atlanta's Neighborhood website.

Section 9: Requirements of New Business Associations, Institutions of Higher Education and Non-Profit Organizations

New Business Associations, Institutions of Higher Education and Non-Profit Organizations shall be recognized if they meet the following criteria:

A. A request in writing to the NPU-T Executive Committee via the Vice-Chairperson or the Recording Secretary, stating reasons for wanting to be an active participating business organization member of NPU-T.

B. Reside or have a recognized place of business within the boundaries of NPU-T, according to Article III, Section 2, *Proof of Eligibility for Membership*

C. Submit a copy of current bylaws/operating or association agreement, a list of officers, a complete membership list with addresses, current City of

Atlanta business license and proof of non-profit status to the NPU-T Executive Committee via the Vice-Chairperson, Recording Secretary or Corresponding Secretary.

D. Recognition of new business associations, institutions of higher education and non-profit organizations will also be guided by the criterion that its inclusion in the NPU-T will substantially improve the representation and accountability of the NPU-T and its Executive Committee.

Recognition of a new business association, institution of higher education and non-profit organization shall require the approval of two-thirds of the Executive Committee.

E. Upon approval of eligibility and recognition by the Executive Committee, a resolution will be adopted by the NPU-T Executive Committee and presented to the assembly for recognition of the new business association, institution of higher education or non-profit organization.

Section 10: Discipline, Removal of Business Association, Institution of Higher Education, Non-Profit Organization, Representative and Officer

A. The removal of a Business Association, Institution of Higher Education, and Non-Profit Organization or a recognized representative or an elected officer is legitimate when the said Association, Institution, Organization, Representative or Officer is in violation of the City of Atlanta's Code of Ethics. Located in Sections 2-801 – 2-824 of the Atlanta Code of Ordinances.

B. If a business association, an institution of higher education or a non-profit organization fails to meet eleven (11) times per calendar year that organization is deemed an inactive member of NPU-T. Being an inactive member, all rights and privileges, including voting are revoked.

C. Other criteria for disciplinary action – which may include loss of voting eligibility, removal from office, removal as representative or removal of an organization are:

- Repeated or blatant violation of current NPU –T bylaws
- Failure or inability to perform duties
- Violation of the NPU-T / City of Atlanta Non-Discrimination Policy
- Conflicts of Interest

- Absent from three (3) consecutive NPU-T executive committee or general body meetings

D. A motion to consider the discipline of an association, institution, organization, representative, or officer shall be made during the New Business portion of any regular meeting. If the motion receives a majority vote, the issue shall be placed on the agenda for the following Executive Committee meeting.

The Executive Committee must review all material concerning disciplinary action. Notice must be given in writing from the Executive Committee to the association, institution, organization or individual, as to date and time of review.

The affected individual or entity shall be provided the opportunity to respond. After evaluation, the Executive Committee will draw a conclusion and vote. A recommendation, based on the voting outcome, will be put on the next general body meeting agenda, and presented to the general body for consideration. The final decision as to disciplinary action, including removal, shall be that of the general body.

A 2/3 majority of the Executive Committee as well as the eligible general body members present at the general meeting, shall result in disciplinary action, up to and including removal.

E. Officers standing for City or Municipal Election: Any NPU-T officer who has filed with the municipal clerk or other designated authority his or her intent to either form a campaign committee or to raise funds for election to any City of Atlanta office, shall be ineligible to be an officer of NPU-T. Any person taking the actions listed above shall be deemed to have resigned from his or her position as an officer contemporaneously with the taking of any of the actions listed above.

Section 11: Referral of Matters to Recognized Constituent Neighborhood Organizations for Consultation

On any matter that the City requires a vote by NPU-T, the matter in question shall first be referred to the appropriate NPU-T standing committee, then the appropriate constituent neighborhood organizations.

Section 12: Voting

A. For all voting matters, a quorum must be established and recorded in the meeting minutes. Five (5) members of the Executive Committee must be present at Executive Committee meetings and at General Body meetings, in order to constitute a quorum. Voting matters are defined as matters that the city requires a general body vote by NPU-T; other voting matters will be designated and determined by the City of Atlanta and/or the NPU-T Executive Board.

B. All eligible members 18 years of age or older whose primary place of residence is within the neighborhood planning unit, or any eligible business association, institution of higher education, or non-profit organization, which owns property or has a place of business within the NPU-T, according to the requirements set forth in Article III, Sections 1 – 5, shall have one (1) vote.

C. Members must attend at least three (3) of the last six (6) meetings in order to vote on general NPU-T issues, meetings to not have to be consecutive as well as NPU-T Elections. Executive Committee members or their approved delegates must attend at least three (3) of the last six (6) meetings in order to vote on Executive Committee issues. Voting eligibility will be known at time of sign-in, according to the Attendance Records. At general body meetings, eligible voters will be given a numbered paddle for voting. Voting on bylaws and amendments has no attendance requirements. It is the member's responsibility to sign-in on the approved Attendance Sheets.

D. Members may hold office in only one NPU. Each eligible member shall have one vote and shall have the right to exercise that vote on all issues which come before the NPU-T. The NPU-T may adopt bylaws calling for representative voting, as long as the adoption and revision of such bylaws is by vote open to all such eligible members without attendance requirements, dues, payments, or any other limitation.

E. All actions of NPU-T shall be decided by majority vote of those eligible voters in attendance at a regularly scheduled NPU-T meeting, except as otherwise provided in the bylaws. Proxies will not be accepted. The outcome of a vote shall be counted by the Chairperson or another executive committee member and confirmed by the Vice Chairperson, or any other Executive Committee Member, or by the City Planner. Written

ballots shall be required for election of officers or may be utilized at the discretion of the presiding officer. Written ballots will be counted and recorded by Tellers, appointed by the presiding officer. Blank ballots indicate no preference, and shall be treated as abstentions.

F. NPU-T shall afford the first opportunity of making a motion on issues to the appropriate Committee Chair and/or his/her designee, If Committee Chair/designee is unavailable first opportunity goes to impacted community/s executive. Per Robert's Rules of Order Chair may accept/reject any motion from the floor other than special motions.

G. Anyone with a direct financial interest in a case being voted on must abstain from voting on said case. This does not apply to the bylaws vote, as described in Article III, Section 12, C and D.

H. Any business matter shall be judged by the voting members of NPU-T according to the criterion of serving the greatest good of the community. The burden of proof in all business matters shall lie with the applicant.

I. All NPU-T votes shall be recorded in the minutes.

J. The Chair can cast a deciding vote.

**If the Chair is a member of the assembly, he/she can vote as any member when the vote is by ballot. In all other cases the presiding officer, if a member of the assembly, can vote whenever his/her vote will affect the result. He/she can vote either to break or to cause a tie; or, in a case where a two-thirds vote is required, he/she can vote either to cause or to block the attainment of the necessary two thirds.*

On a tie vote, a motion requiring a majority vote for adoption is lost, since a tie is not a majority, Thus, if there is a tie without the Chair's vote, the presiding officer can, if he/she is a member, vote in the affirmative, thereby causing the motion to be adopted; or if there is one more in the affirmative than in the negative without the chair's vote (for example, if there are 72 votes in favor and 71 opposed), the chair can vote in the negative to create a tie, thus causing the motion to be rejected.

(Robert's Rules of Order, 11th Edition; Henry M. Robert, III; page 405; Lines 19-35)

Article IV - Officers

Section 1: Officers of NPU-T

The Leadership of the NPU-T shall include a Chair or presiding officer, First vice Chair or alternate presiding officer, Corresponding Secretary and Recording Secretary. Anyone running for Chairperson shall have served as a neighborhood organization officer or as an NPU-T officer, and must provide documentation from the City of Atlanta's Planning Office, as having taken the City of Atlanta's Parliamentary Procedure course.

Section 2: Duties

A. Offices of Chair, First Vice-Chair, Recording Secretary and Corresponding Secretary

Official members of NPU-T shall elect a Chair, First Vice-Chair, Recording Secretary and Corresponding Secretary for a period of one year by majority vote at the December meeting. No more than two of these positions may be held by members from the same Neighborhood. Elections and call for nominations shall be announced in October. Nominations must be made and announced in November. To enable NPU-T to finish all business prior to the new members taking office on the first day of January in the New Year, the annual NPU-T meeting and election of officers shall be held in November with retiring NPU-T Officers and newly elected Officers present.

Only eligible NPU-T Members are eligible to vote for or to be elected as new officers for the New Year. Each candidate shall provide a biography of their professional skills needed for the position for which they are running. In October, printed Biographies shall be given to the Nominating Committee, which will vet each candidate and determine eligibility. Eligible candidates will be announced at the November Executive Committee and General Body meetings. Elections will be held in December. Officers shall be sworn in at the January General Body meeting, and shall be members of the Executive Committee.

B. Duties of the Chair shall be:

1. To collaborate with the Executive Committee to draft the meeting agenda;
2. To represent the Executive Committee and act as presiding officer at all Executive and General NPU-T Meetings;
3. To call the meetings to order;
4. To present the agenda.
5. To maintain order during all meetings;

6. To announce all business, making it clear to all members the questions at hand;
7. To excuse meeting absences, where appropriate;
8. To recommend NPU committee chairs to the Executive Committee for approval;
9. To collaborate with the Executive Committee on the appointment of a delegate and an alternate delegate to the Atlanta Planning Advisory Board;
10. To collaborate with the Executive Committee to ensure that the Comprehensive Development Plan (CDP) is reviewed in a timely manner;
11. To collaborate with the Executive Committee and to represent the NPU and the Executive Committee as the principal correspondent with the City of Atlanta regarding actions taken by NPU-T. This responsibility may be delegated at the Chair's and the Executive Committee's discretion;
12. To act on behalf of NPU-T and the Executive Committee regarding NPU issues between regular meetings - especially regarding time sensitive issues; and
13. To collaborate with the Executive Committee on all authority not otherwise granted to another Officer.

C. Duties of the Vice-Chair shall be:

1. To act as presiding officer in the absence of the Chair;
2. To administer the electoral process in accordance with Article II.
3. To chair the governance committee, standing rules and bylaws
4. To promote the functioning of all NPU- T committees

D. Duties of the Recording Secretary shall be:

1. To maintain a roster of general meeting attendance and of Executive Committee meeting attendance;
2. To verify memberships and record the information in the NPU-T Official Book of Records.
3. To verify voting eligibility, and assure paddles and/or ballots are distributed accordingly.
4. To work with the Nominating Committee to determine eligibility of candidates nominated for an office of the NPU-T.
5. To determine the number of ballots needed and prepare a list of eligible voters before the December elections, for use by the Nominating Committee.
6. To work with the Corresponding Secretary to assure that all records are filed with the City of Atlanta Bureau of Planning within fourteen (14) days.

7. To work with the Corresponding Secretary in maintaining accurate records for the *NPU-T Official Book of Records*.

E. Duties of the Corresponding Secretary shall be:

1. To keep accurate written records of NPU-T proceedings;
2. To publish and distribute the minutes of NPU-T proceedings;
3. To call the roll, if necessary, and record the votes, which shall be included in the Meeting Minutes.
4. To ensure timely communications with the Executive Committee.
5. To distribute notices to the Executive Committee for further distribution to the organizations, institutions agencies or businesses he or she represents.
6. To work with the Recording Secretary to assure that all records are filed with the City of Atlanta Bureau of Planning within fourteen (14) days.
7. To maintain the *NPU-T Official Book of Records*.

Section 3: Adoption of Operating Procedures.

The Chair of NPU-T and the Executive Committee shall adopt whatever written operating procedures which are necessary and proper with regard to the functioning of NPU-T. Said operating procedures must be consistent with these bylaws as well as any applicable City Ordinances, State Laws, Federal Law, and other applicable legal authority.

Section 4: Financial Disclosure

For purposes of filing a City of Atlanta's annual financial disclosure, the following offices are required to submit information on an annual basis: Chair, Vice-Chair, Recording Secretary and Corresponding Secretary and ABAB delegate.

Section 5: Vacancies

The power to appoint or elect persons to an office or committee, carries with it the power to accept resignations, as well as the power to fill any vacancy which may occur.

A. In the case of a vacancy of an NPU-T Executive Committee member – except Representatives of Constituent Neighborhood Organizations and Business Organizations – the Executive Board has full power and authority to manage the NPU-T's affairs, and to fill the vacancy between NPU-T General Body meetings. The Executive Committee may recommend and nominate a person to fill the vacancy. The General Body may also

nominate a person to fill the vacancy. Candidates must be vetted, and a final list of nominees will be approved by the Executive Committee and presented to the General Body for voting the person to fill the vacancy.

B. A Representative of any NPU-T Recognized Constituent Neighborhood Organization who vacates his/her position on the Executive Committee, shall be replaced by his/her respective neighborhood organization within 30 days. The NPU-T Chair must be notified in writing by an authoritative neighborhood organization board member of the person to fill the vacancy. The replacement must meet member eligibility requirements as stated in these bylaws.

C. A Representative of any NPU-T Recognized Business Organization who vacates his/her position on the Executive Committee, shall be replaced by his/her respective business organization within 30 days. The NPU-T Chair must be notified in writing by an authoritative business organization board member of the person to fill the vacancy. The replacement must meet business member eligibility requirements as stated in these bylaws.

D. If the Office of the Chair is vacated, the Vice-Chair becomes Chair. An ad-hoc nominating committee will be selected for a Vice chair.

ARTICLE V: MEETINGS

A. The NPU-T **Executive Committee** shall meet once per month during the week before the general body meeting. Meeting location shall be within the boundaries of the NPU-T or via virtual platforms allowing all members to connect, hear and be heard by all attendees, and published.

B. The NPU-T **General Body** shall meet once per month, on the second Wednesday, at 7:00PM, unless otherwise agreed upon by the general body at the previous month's meeting. Meeting location shall be within the boundaries of the NPU-T or via virtual platforms allowing all members to connect, hear and be heard by all attendees and published for the general body.

C. NPU-T Meeting **Agenda** shall follow the following Order, according to basic parliamentary procedure:

- **Call to Order** – on time; one rap of gavel; “The meeting will come to order.”
- **Opening Ceremonies** (optional) such as Invocation, Pledge of Allegiance to the Flag of the USA, Inspiration, Welcome and Introductions
- **Establish a Quorum**
 - ◊ Attendance Check
 - ◊ Roll Call, if required
 - ◊ Adopt Agenda
 - as presented
 - as amended/corrected
- **Standard Order of Business**
 - ◊ Minutes – Minutes are approved in chronological order; No motion is required; The Chair asks: *Are there any corrections to the minutes?*; Minutes are adopted as presented, mailed, corrected, etc.
 - ◊ Outside Reports (city/county) representatives - report in the order listed in the bylaws.
 - ◊ Standing Committees - report in the order listed in the bylaws.
 - ◊ Special Committee Reports – special committees report in the order they were established; special committees cease to exist after their final report.
 - ◊ Special Orders – Items postponed from the previous meeting by a majority of those voted, may be considered at a specific time, and may interrupt business; Items required by the bylaws to be handled at a particular meeting.

- ◊ Unfinished Business – Items on the agenda and not completed at the last meeting; Items postponed from the last meeting.
- ◊ New Business – Any non-voting new item of business can be introduced when no other question is pending.
- **Closing Activities**
 - ◊ Good of the Order (NPU-T)
 - ◊ Announcements
 - ◊ Program
 - ◊ Adjournment

ARTICLE VI: EXECUTIVE COMMITTEE

Section 1: Members

The Executive Committee of NPU-T shall be comprised of:

Elected NPU-T Officers: Chair*, Vice-Chair, Recording Secretary and Corresponding Secretary for a total of 4 Officers

**If the Chair is a member of the assembly, he/she can vote as any member when the vote is by ballot. In all other cases the presiding officer, if a member of the assembly, can vote whenever his/her vote will affect the result. He/she can vote either to break or to cause a tie; or, in a case where a two-thirds vote is required, he/she can vote either to cause or to block the attainment of the necessary two thirds.*

On a tie vote, a motion requiring a majority vote for adoption is lost, since a tie is not a majority, Thus, if there is a tie without the Chair's vote, the presiding officer can, if he/she is a member, vote in the affirmative, thereby causing the motion to be adopted, or if there is one more in the affirmative than in the negative without the chair's vote (for example, if there are 72 votes in favor and 71 opposed), the chair can vote in the negative to create a tie, thus causing the motion to be rejected.

(Robert's Rules of Order, 11th Edition, Henry M. Robert, III; page 405; Lines 19-35 most current edition)

Appointed NPU-T Officers/Delegates: Parliamentarian* chair of Bylaws committee, APAB Delegate

The APAB Delegate shall have one vote, for a total of 2 appointees

**The Parliamentarian must maintain a position of impartiality, and therefore does not make motions, participate in debate or vote on any question except in the case of a ballot vote.*

(Robert's Rules of Order, 11th Edition; Henry M. Robert III; page 467 most current edition)

Chairs of the Standing Committees: Education, Land Use/Zoning & Code Enforcement, Transportation and Public Safety for a total of 34 Committee Chairs.

One Representative from each of the recognized Constituent Neighborhood Organizations:

Ashview Heights Community Association, Inc.,

Atlanta University Center Neighborhood Association (AUCNA),

Beecher-Donnelly Community Association,
Booker T. Washington Community Association,
Harris-Chiles/College Town Community Association,
Just Us Neighbors,
West End Coalition Group, Inc.,
West End Neighborhood Development, Inc. (WEND),
West End Neighborhood (WENA),
Westview Community Organization, Inc.

For a total of 10 neighborhood representatives, with a total of 10 votes

One Representative from each of the recognized Business Associations, Institutions of Higher Education and Non-Profit Organizations:

-Atlanta University Center Consortium (AUCC) (Excerpt from the history of the AUCCU). Because of the close proximity of the institutions, the boards of trustees and presidents of the colleges began to assess ways in which they could utilize their services and resources more effectively and efficiently. Thus, the Atlanta University Center Consortium was formed to coordinate and manage the cooperative efforts of various programs and services offered by the colleges.

- Clark Atlanta University
- Interdenominational Theological Center
- Morehouse College
- Morehouse School of Medicine
- Morris Brown College
- Spelman College
- University Community Development Corporation (UCDC) – a recognized community development corporation
- West End Merchants Coalition (WEMC)
- Westview Commercial District Association

For a total of 10 recognized businesses / institutions / non-profit organizations, with a total of 10 votes

Section 2: Voting

A quorum will be five **voting** (5) members plus the Chair; The Chair votes only in the event of a ballot vote or in the event of affecting the outcome. (See Art. VI; Section 1); The Parliamentarian votes only in the event of a ballot vote. (See Art. VI; Section 1)

To date, each of the **voting** members will receive one (1) vote. To be eligible to vote at the Executive Committee meetings, members must

attend three (meetings of the immediate past 6 meetings) as confirmed by monthly attendance sheets maintained by the recording secretary.

Section 3: Duties

The Executive Committee shall assist the NPU-T in formulating policies and recommendations for the good of the NPU, to the appropriate governmental entities.

It is the duty of each Executive Committee member to be familiar with the current bylaws as such, each Executive Committee member is recommended to attend the City of Atlanta's Parliamentary Procedures annual session.

The Executive Committee reviews/votes on liquor license applications; land use matters; Letters of Support including, but not limited to re-zonings, special use permits, special exceptions, and variance requests; proposed new ordinances and grants.

Unless stipulated otherwise, a simple majority vote of the voting members present at a properly constituted monthly meeting shall become the recommendation of the Executive Committee.

The Executive Committee shall work in collaboration with the Chairperson to appoint a Parliamentarian, who will serve on the Executive Board.

The Executive Committee shall collaborate with the Chairperson to appoint a delegate and an alternate delegate to the Atlanta Planning Advisory Board. (APAB). Only the delegate shall serve on the Executive Committee. In the event the delegate cannot attend an Executive Committee meeting, the alternate delegate may represent him/her, and vote in his/her place.

The Executive Committee shall collaborate with the Chairperson to appoint Chairs of Standing Committees.

All applications and/or issues requiring zoning changes /issues must be reviewed by the zoning and land use committee for review and the affected neighborhood prior to a vote or Letter of Support from the NPU-T, these matters shall be reviewed first by the Executive Committee, so as to make an informed recommendation to the general body. It is highly recommended that impacted neighborhoods be aware and informed of

these issues, and their representatives voice the impacted neighborhoods' recommendations to the Executive Committee. If such a review has not occurred by the following Executive Committee meeting, then the NPU-T shall have the authority to take action absent the recommendation of the impacted neighborhood(s).

All presentations shall be listed on the Agenda. It will be the discretion of the Executive Committee to enact a Presentation Policy.

The Executive Committee shall assist the Chair in preparing the Agenda for the General Body Meeting.

ARTICLE VII: STANDING COMMITTEES

NPU-T shall create Standing Committees as it deems necessary and proper to the operation of NPU-T. A Standing Committee shall operate on a continuous basis. Each Standing Committee shall have at least one regularly scheduled meeting per quarter. The time and place for each meeting shall be announced at each regular NPU-T meeting. The NPU-T Chair shall recommend a person to chair the current standing committees. Upon approval the chair of the standing committee becomes a member of the Executive Committee. The Chair of each Standing Committee shall be responsible for reporting its activities to the Executive Committee and to the General Body. Anyone may join a Standing Committee.

Section 1: Standing Committees of the NPU-T

A. Land Use/Zoning & Code Enforcement Committee:

- shall consider issues related to land use, zoning, economic development, code enforcement, urban design and historic preservation and shall make recommendations to the NPU-T in such matters;
- shall understand upcoming legislation and its impact on the NPU, and make recommendations to the NPU-T;
- shall work with volunteers to put together a strong, effective committee to monitor and report issues that affect residential and commercial areas within the NPU-T, collaborating with impacted neighborhoods, as necessary
- shall represent the NPU-T at AUDC, LRB, BZA and ZRB and APAB zoning committee as necessary, and report outcomes to the NPU-T.

B. Public Safety Committee:

- shall consider issues related to police and fire protection, transportation, quality of life, crime prevention and crime watches;

- shall collaborate with Code Enforcement committee for alcohol and festival permits to determine if there are code violations and a public safety issue;
- shall interface with committees from neighborhood associations within the NPU-T boundaries to monitor neighborhoods and report violations;
- shall be aware of public activities and events within the NPU-T boundaries, and prepare recommendations based on applications submitted for voting;
- shall work with volunteers to form a strong, effective committee to monitor and report issues that affect residential and commercial areas within the NPU-T, collaborating with impacted neighborhoods, as necessary, and reporting concerns to the Executive Committee.

C. Education Committee:

- shall motivate increased community participation in PTAs and mentoring programs;
- shall monitor Board of Education meetings and report to NPU-T;
- shall facilitate opportunities to educate residents in NPU-T on civic responsibility, leadership and service;
- shall monitor matters related to academic education and technical training available to NPU-T residents

D. Transportation Committee

Section 2: Special Committees

The Presiding Officer and the Executive Committee may appoint the Chair and membership of a Special Committee for the purpose of investigating an issue and reporting its findings to NPU-T. All residents are eligible to be members of a Special Committee. The NPU-T Presiding Officer shall designate for the minutes, the purpose of the Special Committee, its Chair, Secretary and membership, its budget, if applicable, and its duration.

Section 3: Adoption of Operating Procedures.

The Chair of any Standing or Special Committee may adopt whatever operating procedures that Chair finds to be necessary and proper with regard to the functioning of that Committee. Said operating procedures must be consistent with the current bylaws as well as any applicable City Ordinances, State Law, Federal Law, and other applicable legal authority.

These procedures shall be adopted by said committee, approved by the

Executive Committee, and given to the Chair for inclusion in the NPU-T Book of Records.

Article VIII: Parliamentary Authority and Procedures

The Parliamentary Procedures shall be governed by the latest authorized 12th Edition of Robert's Rules of Order (as of this writing, the 2020 copyright by Henry M. Roberts III, Trustee for the Robert's Rules Association).

*A Parliamentarian shall be appointed by the Chair and, approved by Executive Committee. The Chair should be free to appoint one in whom he/she has confidence. Upon approval, the Parliamentarian becomes a member of the Executive Committee.

The Parliamentarian is a consultant, who advises the Chair and other Officers, Committees and Members on matters of parliamentary procedure, and should be familiar with parliamentary procedure, protocol and current bylaws.

The Parliamentarian must provide documentation from the City of Atlanta's Planning Office, as having taken the City of Atlanta's Parliamentary Procedure course.

The Parliamentarian shall prioritize his/her time in order to be present at each Executive Committee meeting and at each General Body meeting.

The Chair, knowing in advance of business to come before the Executive Committee or the General Body, should confer with the Parliamentarian in advance of the meetings, to discuss possible issues that may arise, and to avoid, as much as possible, frequent consultations during meetings. For this, the Parliamentarian shall be prepared.

During a meeting, the work of the Parliamentarian should be limited to giving advice to the Chair and, when requested, to any member.

It is the duty of the Parliamentarian – as inconspicuously as possible – to call the attention of the Chair to any error in the proceedings that may affect the substantive rights of any member or may otherwise do harm.

It is not necessary for the Parliamentarian to wait until asked for advice,

but to see a problem developing and to head it off with a few words to the Chair. The Parliamentarian shall be seated next to the Chair at all meetings.

If a matter requires consultation, it will be appropriate for the Chair to ask the assembly to "stand at ease" during the consultation. This way, the Chair will be in a position to act promptly at the correct time and be fully informed.

Only on the most involved matters should the Parliamentarian be called upon to speak to the assembly.

(*refer to Robert's Rules of Order; CURRENT Edition; Henry M. Robert III;)

Articles IX: Amendment of Bylaws

Section 1: Appointment of Bylaws Committee

The Bylaws Committee Chair shall be appointed at the April meeting by the Chairperson in collaboration with the Executive Committee; The Bylaws Committee shall be a Special Committee, and shall serve until December 31st of the current year;

Section 2: Membership Recommendation: The membership shall submit all amendment recommendations to the Bylaws Committee by the August general body meeting. Recommendations may be submitted beginning with the appointment of the Bylaws Committee Chair in April.

Section 3: Presentation of Submitted Recommendations:

The Bylaws Committee shall present amendment recommendations at the August Executive Committee meeting.

Section 4: Vote on Bylaws:

The Bylaws shall be amended by a 2/3 majority of members present and voting by the General Body Meeting

Section 5: Submission of NPU-T Approved Bylaws:

The most recent set of the approved Bylaws shall be submitted to the City of Atlanta Bureau of Planning no later than October 31st.

Section 6: Effective Date of Bylaws:

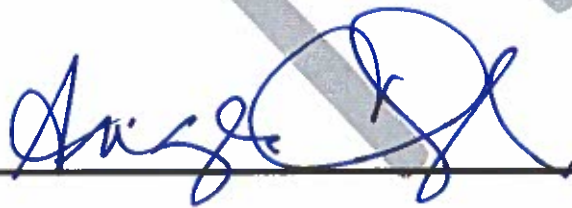
Approved Bylaws become effective January 1st of the following year, after being reviewed and approved by the City of Atlanta, Bureau of Planning, unless otherwise specified in an Amendment.

Signature Sheets

IN WITNESSWHEREOF, this Resolution was hereby executed as of September , 2022 by the following NPU-T Executive Committee:

2022 Officers – NPU-T:

Chairwoman – Angela Clyde



Date 09/19/2022

Vice-Chair - Terry Ross


Date 9/19/22

NPU-T ORGANIZATIONS

- David Craig, President Ashview Heights Community Association, Inc.
- Lyndon Greene, President Atlanta University Center Neighborhood Association (AUCNA)
- Sharifa Jackson, President Beecher-Donnelly Community Association
- Bill Cannon, President Booker T. Washington Community Association
- President N/A Harris-Chiles/CollegeTown Community Association
- Lisa Stines, President Just Us Neighbors
- Tony McNeal, President West End Neighborhood Development, Inc. (WEND)
- Jacqueline Daniels, President West End Coalition Group, Inc.
- Quincy Davis, President West End Neighborhood Association (WENA)
- Dustin Mitchell-Scott, President Westview Community Organization, Inc.
- President N/A, Villages of Castleberry Hill
- West End Merchants Coalition-Myrna Fuller President
- Westview Commercial Corridor Kiyomi Rollins, President

ADDENDA

Exhibit A

What is an NPU?

The City of Atlanta is divided into twenty-five Neighborhood Planning Units or NPUs, which are citizen advisory councils that make recommendations to the Mayor and City Council on zoning, land use, and other planning issues. The NPU system was established in 1974 to provide an opportunity for citizens to participate actively in the Comprehensive Development Plan, which is the city's vision for the next five, ten, and fifteen years. It is also used as a way for citizens to receive information concerning all functions of city government. The system enables citizens to express ideas and comment on city plans and proposals while assisting the city in developing plans that best meet the needs of their communities.

<http://www.atlantaga.gov/index.aspx?page=739>

EXHIBIT B

Atlanta, Georgia Code of Ordinances/Part III – Code of Ordinances-Land Development Code/Part 6-Budget and Planning/Chapter 3-Planning/Article B. Neighborhood Planning/ Sections 6-3011-3019

ARTICLE B. - NEIGHBORHOOD PLANNING

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

Sec. 6-3012. - Definitions.

Sec. 6-3013. - Neighborhood planning units.

Sec. 6-3014. - Public hearings.

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

Sec. 6-3016. - Bylaws.

Sec. 6-3017. - Elections.

Sec. 6-3018. - Voting procedures.

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

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 is 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 no 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)

EXHIBIT C

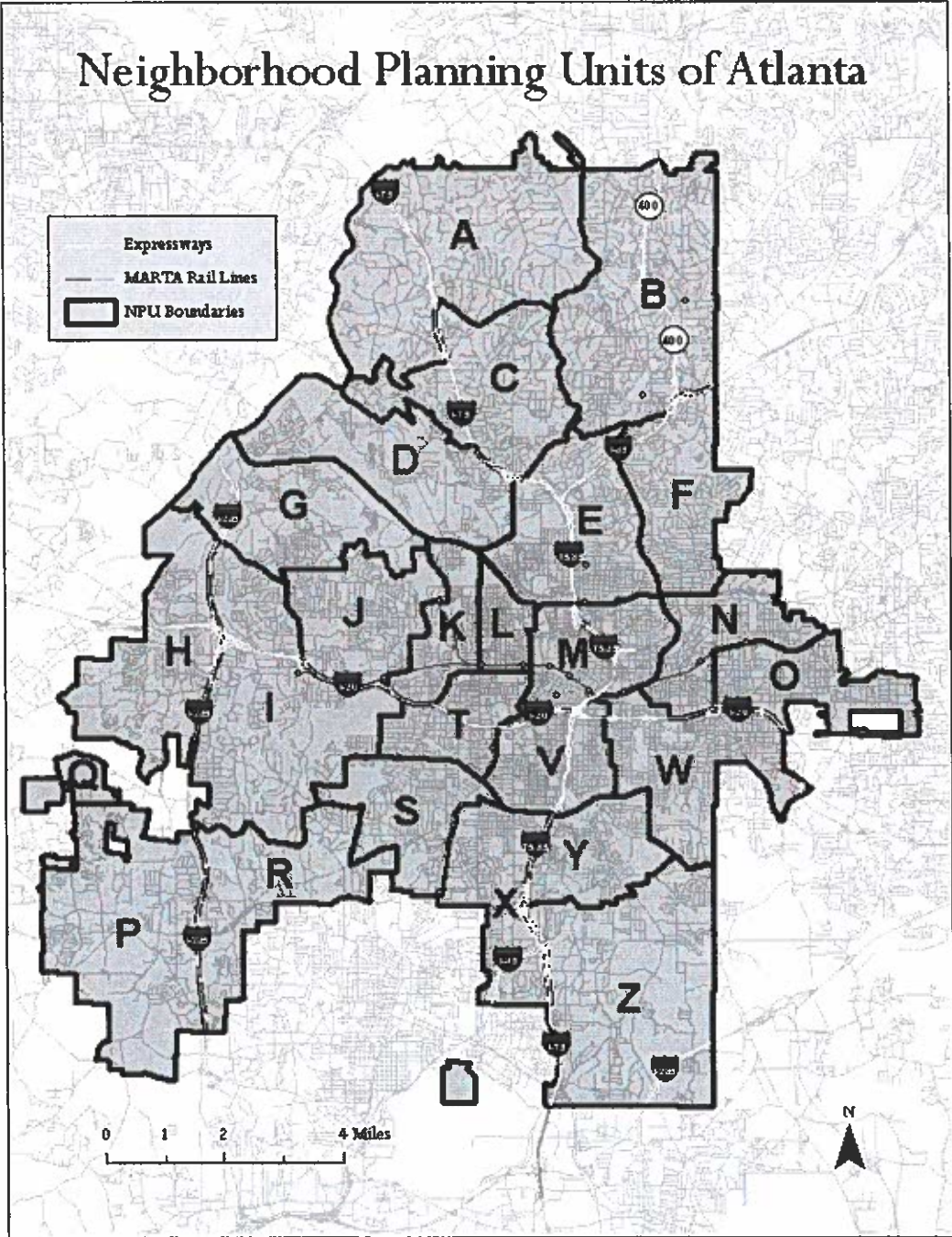


EXHIBIT D - Ethical Guidelines for Neighborhood Planning Unit Officers
The City of Atlanta's Code of Ethics seeks to ensure that governmental decisions are made in the public's best interest by prohibiting city officials from participating in matters that affect their personal or financial interests. By following the standards established in sections 2-801 to 2-824 of the code, officers in the city's neighborhood planning units help the City of Atlanta gain the full trust of its citizens as a government that conducts itself in an open, honest, and fair manner.

Key Ethics Principles Every NPU Officer Needs to Know

- **An NPU officer should strive to serve the best interests of the City**
- **The city's ethics law is aimed at the perception, as well as the reality, that a city official's personal and financial interests may influence a decision**
- **Having a conflict of interest does not mean that you have done something wrong; it simply means that you have a financial or personal interest that disqualifies you**
- **Violating the Code of Ethics may lead to monetary fines, public reprimands, and criminal penalties**

Persons Affected by the Ethics Code



The Code of Ethics applies to NPU officers. The bylaws of each NPU establish the officers of that NPU, and they are the officials subject to the ethics code, with one exception. In order to establish a uniform, city-wide rule on financial disclosure, the Board of Ethics has interpreted “officers of neighborhood planning units,” for purposes of filing an annual financial disclosure statement, as the chair, president, or presiding officer and the first vice chair, vice president, or alternate presiding officer.

Example: Officer A is elected as vice chair of her NPU, after serving as secretary the previous year. She is subject to the Code of Ethics both years and is required to file an annual financial disclosure statement in the year she serves as vice chair.

Conflicts of Interest. A conflict of interest occurs when a city official has a financial or personal interest in a decision pending before the individual or the NPU.

Example: An NPU secretary is a real estate agent who has been retained as a sales agent by a property owner. The property owner appears at an NPU meeting to seek support for a rezoning. The NPU secretary has a financial interest in the zoning matter based on her sales contract with the property owner.

Remedies for Conflicts

1. Disqualification. When a conflict of interest is based on a direct financial interest, the NPU officer is disqualified from participating in the matter. The officer must:

- a. refrain from discussing, deliberating, voting, or participating in the matter**
- b. disclose the financial interest orally at the meeting where the matter is discussed**

c. have the disclosure made a part of the NPU's minutes and

d. complete the online Disclosure of Conflicts of Interest Report.

Example: The NPU secretary retained as the property owner's agent should announce at the meeting that she is disqualified from participating based on her contract with the zoning applicant, note her recusal in the NPU's minutes, and file an online conflicts disclosure report.

2. Disclosure. Most NPU officers have at least an indirect financial interest in matters pending before their NPU concerning applications for liquor licenses, rezoning, and special use exceptions because any decision may affect property values in the neighborhood. If NPU officers were disqualified from voting on matters based on this type of financial interest, it could discourage members from serving as officers. If both officers and members were disqualified from participating, it could result in disenfranchising a majority of the members present at a meeting.

Example: An NPU vice chair owns property in a block where a developer has filed an application for a proposed subdivision. Although the vice chair has an indirect financial interest, this interest is too general, remote, and widespread to create a conflict that disqualifies him from voting on the subdivision proposal.

One remedy for indirect financial interests, such as the vice chair's interest in the subdivision rezoning request, is to require public disclosure of any financial or personal interest by any person participating or voting at the meeting. This rule puts every participant on notice about the personal interests of the speaker without disenfranchising officers or members whose property may be affected.

Example: NPU-T requires speakers to verbally disclose any personal or financial interest at the meeting and bans individuals from speaking if they fail to disclose their interests.

3. NPU Policies. Because the Code of Ethics establishes minimum standards, NPUs may choose to establish a higher standard for dealing with conflicts of interest, such as disqualifying from voting any NPU member with a financial interest or requiring verbal disclosure of personal interests by any speaker or voter.

Example: NPU-T has adopted a bylaws provision on conflicts of interest that requires abstentions by every board member with a financial interest.

Annual Financial Disclosure. The purpose of financial disclosure is to alert city officials about personal interests that could potentially affect their public decisions and enable the public to review those financial interests for actual and potential conflicts of interest. NPU chairs and vice chairs are required to file an annual financial disclosure statement every year that they serve and the year after they leave public service. They must disclose their employment, sources of income, assets of real property, and any employment of immediate family members with the City.

Example: Officer A is elected NPU chair and serves one term. She must file a financial disclosure statement in the year she serves and in the year after she leaves city service.

Ban on Gratuities. NPU officers may not accept anything of value from a prohibited source.

Prohibited sources. A prohibited source is a person or entity that seeks official action from the City, seeks to do or is doing business with the City, represents a client seeking official action or business, is a registered lobbyist under state law, or has interests that may be substantially affected by the NPU officer's performance of his or her official duties.

Example: A neighborhood civic association is a prohibited source because it seeks official action from the City.

Example: An applicant for a liquor license who appears before the NPU is a prohibited source because the applicant has interests that may be substantially affected by the NPU decision on the applicant's request for a license.

Exceptions to Gift Ban

- **awards, plaques, certificates, mementos, novelties, or similar items given in recognition of public service. NPU officers may not accept any gift from a prohibited source unless the gift falls within an exception. The main exceptions are:**
- **reasonable meals and refreshments furnished at a public event in which the officer appears in an official capacity**
- **travel and registration fees related to attending a conference in an official capacity**
- **gifts accepted on behalf of the City**

Use of City Property. NPU officers may not use city property, equipment, labor, or services for their own personal use or for the private advantage of any other person, unless the general public may use the property in the same way.

Example: An NPU officer may reserve a city facility for an NPU meeting on the same terms as other city agencies, but must pay the normal fee charged the general public when reserving the facility on behalf of a civic organization or church group.

Example: NPU mailing lists may not be used for political campaigns or other purposes unrelated to official city business, and candidates may not appear at an NPU meeting and seek political support.

Solicitations

An NPU officer may not request or accept anything of value that is intended to influence a decision or the performance of official duties. Gifts given to the NPU or other city agency as a result of a solicitation must be publicly disclosed on an online Gift to the City Report. Solicitations on behalf of the NPU should comply with the following guidelines:

- **The officer must solicit in an official capacity**
- **The solicitation must be made for a city purpose, project, or program**
- **The fund-raising campaign should make a broad public appeal for support**
- **The solicitation should not target prohibited sources**
- **The officer should not solicit from persons or businesses with matters pending before the NPU**
- **The gift must be given to the City of Atlanta or one of its agencies**
- **The gift must be publicly disclosed on an online gift report form**
- **The gift cannot be calculated to influence any vote, decision, or official action**

Example: The NPU is sponsoring a Senior Citizens' Day. NPU officers may solicit donations from area businesses, including prohibited sources, to give away as door prizes to persons attending the event, but must file a Gift to the City Report disclosing the gifts.

Contract Decisions. An NPU officer may not participate directly or indirectly in any contract or subcontract in which the official, an immediate family member, an employer, or a prospective employer has a financial or personal interest.

Doing Business with the City. NPU officers may not do business with their NPU either personally or through an entity in which they own stock, are employed, or have an ownership interest unless the business.

Representing Private Interests. NPU officers may not appear on behalf of private interests before any city agency, except as a matter of public record in a court of law, and may not represent private interests before the courts in actions in conflict with the city's interests or involving the City as a party.

Example: An NPU chair may not be paid to represent a developer before the Zoning Review Board or in a lawsuit that the developer files against the City of Atlanta.

Post-Service Restrictions. After leaving city service, an NPU officer may not appear before any city agency on behalf of private interests for one year. In addition, NPU officers may not receive compensation for services in connection with any matter in which they were directly concerned, personally participated, actively considered, or acquired knowledge while serving as an NPU officer and must file a financial disclosure statement in the year after they leave city service.

Example: An NPU officer may not, for a year after leaving the position, appear before the Department of Planning and Community Development to expedite building permits on behalf of paying clients.

City Employees Serving as NPU Officers. City employees may serve as NPU officers and delegates to the Atlanta Planning Advisory Board and may appear before their NPU in a personal capacity as a homeowner, city resident, or neighborhood representative.

Disclaimer: This guide provides a summary of key provisions in the Code of Ethics that apply to NPU officers. It is not a comprehensive description of all the ethical standards, which are found in sections 2-801 to 2-824 of the Code of Ordinances, and is not intended as a guide in any specific situation. For questions about how these rules apply to you in a particular situation, contact the Ethics Office at ethicsofficer@atlantaga.gov or 404.330.6286.

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