

# 2010 NEIGHBORHOOD PLANNING UNIT W BYLAWS



## CITY OF ATLANTA NEIGHBORHOOD PLANNING UNIT W

### PREAMBLE: AUTHORITY FOR PROMULGATION OF BYLAWS

These Bylaws are promulgated pursuant to the Charter of the City of Atlanta ("City"), Part III, Chapter 3, Article B, Section 6-3016, which provides the basis for the creation and operation of the Neighborhood Planning Unit System.

### ARTICLE I: PURPOSE OF NEIGHBORHOOD PLANNING UNIT

#### A. Definition of Neighborhood Planning Unit W.

Neighborhood Planning Unit W ("NPU-W") consists of the neighborhoods of East Atlanta, Grant Park, Ormewood Park, Benteen Park, Boulevard Heights, Custer-McDonough-Guice, and Woodland Hills, as defined by the Bureau of Planning of the Department of Planning and Community Development of the City and as approved by the City Council.

#### B. Purpose of Neighborhood Planning Unit W.

The Neighborhood Planning Unit W is the body established for the purpose of advising the City, including the Mayor, Council, and any Department or official of the City, on all matters affecting the well-being of residents of, and the general environment of, the neighborhoods within the boundaries of NPU-W. NPU-W shall conduct citizen hearings and serve as citizen liaisons to gather and distribute information on any and all concerns or issues affecting the citizens within NPU-W.

#### C. Recognition of Community Associations.

The East Atlanta Community Association ("EACA") with regard to East Atlanta, the Grant Park Neighborhood Association ("GPNA") with regard to Grant Park and South Atlantans for Neighborhood Development ("SAND") with regard to Ormewood Park, Benteen Park, Boulevard Heights, Custer-McDonough-Guice, & Woodland Hills are Community Associations, recognized by the City of Atlanta as representing their respective neighborhoods.



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## D. Referral of Matters to Community Association for Consultation

On any matter that the City requires a vote by NPU-W, the matter in question shall first be referred to the appropriate Community Association for consultation, unless that Community Association has previously specifically in writing or by an official recorded vote, stated that such action is unnecessary.

## ARTICLE 2: NEIGHBORHOOD PLANNING UNIT W ELECTED REPRESENTATIVES

### A. Eligibility to Serve as an NPU-W Elected Representative

Any person 18 years of age or older is eligible to be elected to serve as an NPU-W Elected Representative ("Representative") on the condition that the individual's primary place of residence is within the neighborhood planning unit, they own a business the primary location of which is within the NPU, or the individual owns real property within the geographical boundaries of NPU-W. Only one individual may rely on a given business or a given parcel of real property. The NPU-W Board shall have the authority to determine what adequate proof to demonstrate the requirements discussed above is.

### B. Election of Representatives

Twenty-four (24) representatives shall be elected. Each of the following three (3) geographic areas shall elect eight (8) representatives: 1) East Atlanta; 2) Grant Park; and 3) Ormewood Park, Benteen Park, Boulevard Heights, Custer-McDonough-Guice, & Woodland Hills.

During the regular September meeting, NPU-W shall adopt times and locations for the elections of the Representatives and the method(s) shall give a minimum twenty (20) days notice. Nominations of Representatives shall be held at the October regular NPU-W meeting. The elections shall be held in during the month of November the year prior to the Representatives term of office. All elections shall be administered by the Vice-Chair or the Vice-Chair's designee. Any positions not filled during the November elections shall be filled by the Presiding Officer, subject to ratification by the Representatives.

Each resident, meaning any person who resides within the NPU, or any corporation, organization, institution or agency which owns property or has a place of business or profession shall have one vote in an election for the Representatives. (Ord. No. 1988-47, Sec. 1, 11/8/88).

### C. Attendance of Representatives at Regular NPU-W Meetings and Committee Meetings

All Representatives are expected to attend all regular NPU-W meetings and all meetings of any Committee to which they are assigned. The failure to attend regular NPU-W meetings, without being excused by the Presiding Officer, shall be grounds for removal of the Representative.



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## D. Discipline, up to and including Removal, of Representatives

A motion to consider the discipline of an Elected Representative may be made during the New Business portion of any regular meeting. If the motion receives a majority vote of the Elected Representatives, the issue shall be placed on the agenda for the following regular meeting. If, at the following meeting, the removal motion receives an affirmative 2/3 majority of the Elected Representatives present at the meeting, the member shall be subject to discipline, up to and including removal.

## E. Representatives Standing for Municipal Election

Any NPU-W Representative 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 a Representative. Any person taking the actions listed above will be deemed to have resigned from his or her position as an elected Representative contemporaneously with the taking of any of the actions listed above.

## F. Voting

All NPU-W Representatives are eligible to vote on all matters.

The following individuals are eligible to vote if that individual has attended three (3) regular NPU-W meetings within the preceding twelve (12) Calendar Months: 1) Any person whose primary place of residence; or 2) any person serving as the agent of any corporation, organization, institution or agency which owns real property or has a place of business or profession within NPU-W, if the representative has attended three (3) meetings of NPU-W within the preceding twelve (12) Calendar Months. Only one agent is eligible to vote for a given corporation, organization, institution or agency.

A voting member shall recuse him/herself on questions which present a conflict of interest and disclose the reason for the recusal. Proxies shall not be recognized.

The NPU-W Secretary or the Secretary's designee will verify voting status of any persons seeking to vote or stand for election either prior to the start of the meeting or whenever so requested by any person present at that NPU meeting.

All NPU-W votes shall be recorded in the minutes. They may be recorded as follows: 1) The vote of the twenty-four (24) NPU-W Elected Representatives; 2) The votes of all others eligible to vote; and 3) The combined totals of the two preceding votes.

## ARTICLE 3: OFFICERS

### A. Offices of Chair, Vice-Chair, and Secretary

The NPU-W Elected Representatives shall elect a Chair, Vice-Chair, and a Secretary for a period of one year by majority vote at the December meeting. No more than two of



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these positions may be held by members from the same Neighborhood. Elections to fill officers' vacancies shall be announced at one regular meeting prior to the election.

In order that NPU-W will have time to finish all business prior to the new members taking over on the First day of January of the new year, the annual NPU-W meeting and election of officers shall be held in December with both retiring NPU-W Representatives and newly elected NPU-W Representatives present. Only NPU-W Representatives for the upcoming year are eligible to vote for or be elected as new officers.

## **B. Duties of the Chair shall be:**

1. To draft the meeting agenda;
2. To act as presiding officer at all regular NPU-W Meetings. To call the meeting to order. To present the agenda. To maintain order during all meetings. To announce all business, making it clear to all members the questions at hand;
3. To excuse meeting absences, where appropriate;
4. To select NPU committee chairs;
5. To appoint NPU-W Representatives to NPU-W committees;
6. To appoint a delegate and an alternate delegate to the Atlanta Planning Advisory Board;
7. To ensure that the Comprehensive Development Plan (CDP) is reviewed in a timely manner;
8. To be the sole correspondent with the City of Atlanta regarding actions taken by NPU-W. This responsibility may be delegated at the Chair's discretion;
9. To act on behalf of NPU-W, with the advice of other members appropriate to the issue, between regular meetings regarding time sensitive issues; and
10. To exercise 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 serve as parliamentarian; and
3. To administer the electoral process in accordance with Article 2.

## **D. Duties of the Secretary shall be:**

1. To keep a written record of proceedings;
2. To maintain a roster of general meeting attendance and of Representatives' meeting attendance;
3. To call the roll and record votes;
4. To publish the minutes of NPU-W; and,
5. To have charge of all documents belonging to NPU-W.



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## **E. Adoption of Operating Procedures.**

The Chair of NPU-W or the Chair's designee may adopt whatever operating procedures which are necessary and proper with regard to the functioning of NPU-W. 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.

## **F. NPU-W Executive Board**

The Executive Board of NPU-W shall be comprised of the Chair of NPU-W, the Vice Chair of NPU-W, the Secretary of NPU-W, and the Chairs of the Standing Committees.

## **ARTICLE 4: COMMITTEES**

### **A. Standing Committees**

NPU-W shall create whatever Standing Committees it deems necessary and proper to the operation of NPU-W. 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-W meeting. Each Standing Committee shall nominate a Chair/Secretary for the following year at the annual December organizational meeting, subject to confirmation by the NPU-W Presiding Officer. The Chair/Secretary of each Standing Committee shall be a member of the NPU-W Executive Board. The Chair/Secretary of each Standing Committee shall be responsible for reporting that activities to the full NPU-W.

### **B. Special Committees**

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

### **C. 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 these bylaws as well as any applicable City Ordinances, State Law, Federal Law, and other applicable legal authority.

## **ARTICLE 5: FUNCTIONS, POWERS, DUTIES OF NEIGHBORHOOD PLANNING UNIT W.**

Neighborhood Planning Unit W may recommend to the City or to any city department or elected official of the city any action, any plan, or a policy affecting the livability of NPU-W including but not limited to land use, zoning, housing, community facilities, human



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resources, social and recreational programs, education, traffic and transportation, environmental quality, open spaces and parks, public safety, and any other subject affecting the citizens within the boundaries of NPU-W. NPU-W may also assist city agencies in determining priority needs for the neighborhood, and may review items for inclusion in the Comprehensive Development Plan and City Budget and make recommendations relating to budget items of neighborhood improvement. NPU-W may also make whatever other recommendations or observations it deems necessary and proper to advise the City with regard to the issues that impact or potentially impact NPU-W residents.

## ARTICLE 6: AMENDMENT

These bylaws shall be reviewed prior to the September meeting in compliance with City Ordinance 99-O-0704. In further compliance, this annual bylaws review is subject to adoption by majority vote of eligible NPU-W members at the regular September meeting of NPU-W. These bylaws cannot be amended except during the annual September review. The reviewed and approved bylaws will be submitted to the City's Bureau of Planning by September 30th of each year.

## ARTICLE 7: EFFECTIVE DATE OF BYLAWS

The bylaws reviewed and approved each September become effective the following January 1st, unless NPU-W deems it proper to have the amended bylaws take effect sooner, in which case the effective date of the revised bylaws shall be specified by NPU-W.

These Bylaws shall become effective at 1:00 PM, Eastern Standard Time, January 1, 2010, except for those portions dealing with the election of officers, selection of other officials or organizational matters which are to be held in 2009.

These bylaws first became effective May 17, 1978.

Respectfully Submitted,

*Edward M Gilgor*

Edward M Gilgor, Chair  
Neighborhood Planning Unit W



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