

Neighborhood Planning Unit B (NPU-B)

NPU-B BY-LAWS

Effective

January 1, 2026

Subject	Page
Article I - General	2
Article II – Elections and Terms of Office	3
Article III – Attendance, Resignations, Removals, Board Vacancies	5
Article IV – Committees, Representative Groups, and Appointments	6
Article V – Leadership.....	8
Article VI – Meetings.	10
Article VII – Annual Dues.....	13
Article VIII. Adoption of Bylaws and Amendments	13

Attachments:

NPU-B Standing Committees

Part III Code of Ordinances; Part 6; Chap 3 Article B-Neighborhood Planning; Sec 6-3011-6-3019

Article I - General

1.1 **PURPOSE.**

These Bylaws organize and regulate the advisory body (the Board) for Neighborhood Planning Unit B (NPU-B), a planning area defined as such by the City of Atlanta (the City), and apply to all representatives of NPU-B serving on the Board, and to the general constituency of NPU-B. These By-Laws are adopted pursuant to the City Code Part III, Part 6, Chapter 3, Article B, and Sec. 6-3011-3019 (the Code), which governs if a conflict with these Bylaws occurs.

1.2 **GOALS.**

The Board may make action, policy, or comprehensive plan recommendations to the appropriate City officials and City agencies on all matters affecting the well-being of the residents and businesses and the general livability of the neighborhoods.

1.3 **STRUCTURE.**

As an advisory board to the City, NPU-B elects to be composed of both Residential and Business Representatives. Those Representative serve on both the general Board as well as on one (1) or more of three (3) Standing Committees. Both the representative groups and committees report to the Board and are self-organized by Coordinators and Chairs, respectively, as detailed in the By-Laws.

1.4 **CONSTITUENTS.**

NPU-B is composed of two categories of constituents --, "Residential" and "Business."

(a) Residential Constituents. Every person eighteen years of age or older whose primary residence is within NPU-B is deemed to be a "Residential Constituent" of NPU-B.

(b) Business Constituents. A "Business Constituent" shall (1) conduct business or (2) own commercial real property within NPU-B.

The term "conduct business" shall mean a business organization or entity, including a sole proprietorship, corporation, organization, institution, or agency which has a place of business or profession, satisfying all of the following criteria with respect to the physical location of the business operation:

1. The business operation is registered with the City of Atlanta Department of Finance.
2. A physical location of the registered business is wholly or partially in NPU-B.

1.5 **REPRESENTATION.**

(a) Residential Representatives. Residential Constituents shall be represented on the Board as follows:

The civic association for each "neighborhood" in NPU-B (as identified on the City's official Neighborhood Map adopted in 1993 and modified from time to time) is entitled to appoint one Residential Representative no later than October 1 of each year to serve the following calendar year and shall notify the Chair or Residential Coordinator of their appointment in writing. Such notice should come from the neighborhood association president or an officer (except the appointee).

(b) Business Representatives. There shall be one (1) Business Representative seat available on the Board for each appointed Residential Representative. A Business Representative shall be an employee, owner, or partner in the Business Constituent he or she represents and shall have his/her primary workplace within NPU-B

(c) At-Large Representative. There shall be one (1) "at-large" residential representative. The at-large residential representative serves Residential Constituents who live in a dwelling in a Buckhead neighborhood where there is no representation through a civic or neighborhood association or who are not members of their neighborhood's association and wish to be considered for this role. At-Large Representatives are elected to their board role.

Article II – Elections and Terms of Office

2.1 **TERMS OF OFFICE.**

All representatives, other than the Chair and Vice Chair of the Board, shall serve for one (1) calendar year, January 1st through December 31st, unless their terms end according to Article 3.1- 3.3.

2.2 **APPOINTMENTS and NOMINATIONS.**

(a) Residential Representatives. Each eligible NPU-B neighborhood shall make its appointment according to Article 1.4(a).

1. During the course of the year, if a neighborhood civic association board determines its designated Residential Representative is unable to fulfill the Representative role on the NPU for reasons it determines are appropriate, that association may designate a replacement representative to serve through the balance of the current term and shall promptly notify the Residential Coordinator of the change.

(b) Business Representative Candidates. Candidates for Business Representatives shall be nominated in writing. Such nominations shall be filed by a Business Constituent or shall be filed by the candidate on behalf of the Business Constituent. To be listed on the ballot, nominations shall be delivered to the Business Coordinator no less than four (4) days before the October Board meeting. Eligibility shall be according to Article 1.4(b). Appointed Residential Representatives for the year served by the election shall not qualify as a valid Business Representative Candidate as no individual can hold more than one (1) seat on the Board.

(c) At-Large Representative Candidates. Candidates for the At-Large Representative

role shall be nominated in writing. Candidates can be self-nominated or nominated by a Residential Constituent. To be listed on the ballot, nominations shall be delivered to the Residential Coordinator no less than four (4) days before the October board meeting. Eligibility shall be according to Articles 1.4(a) and 1.5(c). Appointed Residential Representatives for the year served by the election shall not qualify as a valid At-Large Candidate as no individual can hold more than one (1) seat on the Board.

Announcement of Appointees and Candidates. At the Board meeting in October, the Residential Coordinator shall submit to the Recorder a written list of Residential Representatives for the coming year as well as candidates for the At-Large position. At the same Board meeting, the Business Coordinator shall submit a current written list of all candidates to be placed on the ballot for the coming year. These lists should be included in the meeting minutes.

- (d) **Special Appointees.** From time to time the Chair, after gaining approval from the Board, may appoint certain individuals as the Chair deems appropriate to support the Board in the management or advancement of the Goals of the Board of NPU-B as stated herein. Such appointees shall be entitled to participate, appropriate to the nature of the appointment in meetings as specified in Article VI, herein; provided, however, such appointees shall not vote at any regular Board meeting or Standing Committee meeting. It is the intent of this provision that such an appointee may serve as a short- or long-term advisor to NPU-B or may be authorized to act on behalf of the Board as its official delegate to a city-wide body, commission or board under the NPU system. Appointees under this provision shall reside, conduct business or own non-residential property within NPU-B and possess requisite expertise for the appointment including detailed knowledge of, and experience with NPU-B as a former Board member or in some other capacity. The terms of such appointments may continue from year to year at the discretion of the Chair.

2.3 ANNUAL ELECTION and VOTING.

Business and At-Large candidates for the coming year shall be elected after November 1st and no later than November 30th, at a time and place announced at the October Board meeting, including a secure, virtual voting option. The Residential Coordinator shall serve as election supervisor and count ballots. At least one other, Chair appointed, Board member shall also be present at a physical location or online as a virtual option. No one whose name is on the ballot as a Business or At-Large Representative candidate may participate in any supervisory or vote counting capacity in the election.

- (a) The date, time, and place of the election shall be submitted by the Recorder for publication on the NPU-B website.
- (b) Candidates meeting the criteria as specified in Section 1.4(b) or 1.4(c) can self-nominate to have their names placed on the ballot by notifying the Business Coordinator anytime up to two (2) weeks before the election date.
- (c) There can be no more than one candidate on the ballot from a single Business Constituent.

- (d) To vote in the Business Representative election, an individual must qualify as a Business Constituent as defined in Section 1.4(b). Only one vote is permitted per Business Constituent, and the first vote cast on behalf of a Business Constituent will be counted. In addition, anyone voting as a Business Constituent in the election must meet the following criteria:
 - 1. They must not be an appointed Residential Representative slated to serve during the same period as those running in the election.
- (e) The Business Coordinator shall prepare a ballot listing all candidates and deliver it to the Residential Coordinator no more than two (2) weeks before the election.
- (f) During the election, the Residential Coordinator shall ensure that the individual casting the vote on behalf of a Business Constituent is eligible to do so by presenting a copy of that Business Constituent's business card, business license or other proof of employment or ownership when he or she signs to receive a ballot or by uploading a file containing this information into a secure voting system.
- (g) To vote in the At-Large Representative election an individual must qualify as a Residential Constituent as defined in Section 1.4(b). Only one vote is permitted per Residential Constituent. Anyone voting as a Residential Constituent in the At-Large election must meet the following criteria:
 - 1. They must not be an elected Business Constituent in the current year or a Business Constituent nominated to serve during the same period as those running in the election.
- (h) The Business candidates receiving in descending order the most votes, the second most and so forth until all available seats are filled shall be the winning candidates. The At-large candidate receiving the most votes shall be the winning candidate. The Residential Coordinator shall certify the election and communicate the results to the Chair the evening of the election.

2.4 BOARD REPRESENTATIVE RECORDS.

The Residential and Business Coordinators shall maintain the official addresses, telephone numbers, and email addresses for each representative. Representatives shall furnish and update their information to their Coordinator. Coordinators are responsible for forwarding the contact information to the Chairperson, Recorder and Committee Chair in a timely fashion. Notices concerning the business of NPU-B and minutes of Board meetings shall be emailed to all Board members.

2.5 CAMPAIGN PROHIBITION.

No solicitation of any kind may take place inside the polling place building or within 200 feet of the polling place.

Article III – Attendance, Resignations, Removals, Board Vacancies

3.1 ATTENDANCE POLICY.

The NPU functions seamlessly because of the continued support and participation of its Representatives. That is why it is important that we define and adhere to an attendance policy:

It shall be the responsibility of the Recorder or impacted Committee Chair to report to the Chair and appropriate Coordinator any Representative who is absent and fails to have a Delegate attend in their place. Representatives who are absent, and fail to have a Delegate in attendance, from four (4) regularly scheduled Board meetings and/or four (4) regularly scheduled committee meetings during a calendar year will be deemed to have voluntarily resigned their post effective immediately. These absences include situations where a proxy was established prior to the meeting.

Occasionally situations arise when Representatives need extended absence from their duties. In this situation, Representatives are to work with the appropriate Committee Chair or Chair and neighborhood association, if the Representative is a Residential Representative, to identify a Delegate (see Section 6.10) until a return to duties is possible.

3.2 RESIGNATIONS.

A representative ceasing to meet the qualifications stated in these Bylaws shall resign. Anyone may notify the Chair that a representative fails to qualify, including under the attendance policy. If the representative is found to be disqualified or incapable of serving will be deemed to have voluntarily resigned their post effective immediately.

3.3 MOTION TO REMOVE.

A representative may be removed for just cause other than subsections (1) and (2) above by a majority vote of the Board. A motion to remove shall be made during a Board meeting.

3.4 FILLING VACANCIES DURING TERM OF OFFICE.

- (a) If a Business seat on the Board becomes vacant, the Business Coordinator shall notify the Business Representatives and solicit nominations. During the next Board meeting, the Business Representatives will caucus as a New Business action to elect a replacement. Business vacancies will be filled according to these Bylaws in a timely fashion. If the seat remains vacant for two (2) consecutive Board meetings, the Executive Committee shall take action to fill the vacancy.
- (b) If an appointed Residential seat on the Board becomes vacant, the Residential Coordinator shall contact the affected neighborhood. If the neighborhood fails to appoint a replacement by the next Board meeting, the coordinator shall solicit nominations from all neighborhoods and the vacancy shall be filled by a majority vote of the Residential Representatives. No neighborhood shall have more than two Residential Representatives at a given time. If the seat remains vacant for the next Board meeting (following the one where the neighborhood failed to replace), the Executive Committee shall take action to fill the vacancy

1. In replacing a Residential Representative, the neighborhood cannot reappoint the candidate who was removed. However, that individual may be appointed as the Residential Representative for the following calendar year.
- (c) If the At-Large seat on the Board becomes vacant, the Residential Coordinator shall solicit nominations from all neighborhoods and the vacancy shall be filled by a majority vote of the Residential Representatives.

Article IV – Committees, Representative Groups, and Appointments

4.1 **STANDING COMMITTEES.**

The Standing Committees are as follows: Zoning; Development, Transportation, and Special Projects; and Public Safety. Standing Committees of NPU-B shall meet monthly unless there is no business to be conducted.

(a) **Development, Transportation, and Special Projects Committee.**

The D & T & SP Committee reviews applications for amendments to the City of Atlanta Comprehensive Development Plan (CDP). The Committee addresses and makes recommendations regarding land use issues. The Committee recommendation is forwarded to the NPU Board for a vote. If a request for a CDP amendment is denied by the Committee, the rezoning request is not heard by the Zoning Committee. The Committee also assists the board with the review and recommendations on City of Atlanta ordinances, CDP revisions, and zoning amendments.

The Development & Transportation/Special Projects Committee meets on the last Tuesday of the month, one (1) week prior to the NPU Board meeting, often meeting in partnership with the Zoning Committee or other times by special session.

(b) **Public Safety Committee.**

The Public Safety Committee is concerned with enhancing the quality of life of the citizens of Buckhead. The Committee is driven by current community issues involving public safety including nuisance properties, bicycle and pedestrians' safety, transportation issues (e.g., blocked lanes) and addresses concerns as they become apparent and as time and resources allow. The Committee reviews liquor license applications for NPU-B and special events. When a neighborhood or the NPU Board has an objection to a liquor license application, a representative of the Committee appears before the Liquor License Review Board to voice the objections for the record.

The Public Safety Committee meets on the first Tuesday of each month immediately prior to the NPU Board meeting.

(c) **Zoning Committee.**

The Zoning Committee hears requests for rezoning, variances, special use permits and Board of Zoning Adjustment (BZA) appeals. The applicants or their representative presents the request to the Committee and citizen comment is solicited at this time. The Committee then forwards its recommendation to the NPU Board for a vote. The NPU recommendation regarding variance requests are forwarded to the BZA, a decision-making body. The NPU recommendations regarding rezoning applications and special use permits are forwarded to the Zoning Review Board (ZRB), which in turn forwards its recommendations to the City Council Zoning Committee. The Council Zoning Committee recommendation is voted on by the City Council, a decision-making legislative body.

The Zoning Committee meets on the last Tuesday of month one (1) week prior to the NPU Board meeting.

(d) Coordinator Election and Committee Assignment. On the evening of the December Board meeting, after the election in November, both the Residential and Business Representatives will caucus to:

1. Elect a Coordinator for the following year, and
2. Determine committee assignments taking the following into account:
 - i. Each committee shall have an equal number of Residential and Business Representatives, when possible.
 - ii. To preserve each committee's knowledge base, incumbent committee members will be given priority to remain in their role should they choose.
 - iii. Final determination for committee assignments is the responsibility of the respective Coordinator in consultation with the Chair.

At the January Board meeting, the Coordinators will announce committee assignments for the year, to be documented in the meeting minutes.

(e) Committee Leadership Election.

On the evening of the December Board meeting, after the election in November, and after committee assignments have been made, the Standing Committees will then caucus to:

1. Elect a Committee Chair and Vice-Chair for the following year

4.2 EXECUTIVE COMMITTEE.

The Executive Committee shall consist of the Chair, Vice Chair, Recorder, Treasurer, Residential Coordinator, Business Coordinator, and Committee Chairs.

4.3 AD HOC COMMITTEES.

The Chair may appoint ad hoc committees for specific tasks over limited periods of time,

not to exceed past the calendar year in which it was constituted. The Board may also direct the Chair to appoint an ad hoc committee.

4.4 COMMITTEE VACANCIES.

While a board vacancy is being filled, the appropriate Coordinator shall fill the committee vacancy in the interim. Should that Coordinator already serve on that impacted committee, the Chair, or their appointee from another Standing Committee, will become an interim replacement.

4.5 COMMITTEE GUIDELINES.

Written guidelines for committee procedures will be adopted by resolution at the January meeting each year. Such an adoption memorializes the procedure each committee will follow and helps to allow for consistency from year to year. Changes to guidelines will also require formal adoption by the Board. The respective Committee Chair is responsible for creating a resolution to adopt. Guidelines approved by the Board shall be distributed to all Board representatives and be posted on the website.

4.6 COMMITTEE MEMBERSHIP.

Each Board member will be appointed to a single Standing Committee. Board members attending meetings of a committee to which they are not assigned shall be allowed to vote on the committee business at the meeting which they are attending.

Article V – Leadership

5.1 LEADERSHIP.

The leadership of NPU-B shall include a Chair, Vice Chair, Recorder, Treasurer, the Residential and Business Coordinators, and the Chairs of standing committees.

5.2 CHAIR.

The Chair shall establish the agenda, preside at Board meetings, and correspond for the Board, and be the principal liaison between the Board and all City Departments. The Chair may delegate any of these responsibilities to other Board representatives or to such appointees as appropriate in compliance with these Bylaws, with full notice to the Board. The Chair may appoint ad hoc committees and shall be chair of the Executive Committee. The Chair also appoints members to the Design Review Committees for Special Public Interest (SPI) districts in NPU-B (SPI-9 and SPI-12).

(a) In November of an even-numbered year, the representatives to the Board shall, as the Board's first item of new business, elect a Chair. Current or former representatives to the Board who have at least two prior years of service on NPU-B, and who reside within NPU-B are eligible to be elected Chair.

(b) Any representative to the Board may nominate a candidate, including self-nomination, for Chair. If there are more than two nominees, and no candidate receives

a majority of the votes cast, then the Board shall hold a run-off election. Unless the Chair is chosen by consent or acclamation, voting shall be by secret ballot. Proxies may not vote in the election of the Chair.

(c) If the Chair desires to participate in extensive substantive debate on an issue in contention during a Board meeting, they shall suspend their status as Chair during that discussion.

(d) The chair shall be an ex officio member of all three Standing Committees.

(e) The Chair shall serve a term of two (2) calendar years coinciding with the elected term of office, provided they continue to be a representative to the Board and may serve three (3) consecutive terms. After serving three (3) consecutive terms, the Chair must vacate that office for at least one full term before being eligible for re-election to the same office. Should the Chair elect be a Business Representative their seat on the board would not be up for re-election until the conclusion of their term as Chair, unless otherwise removed from office as provided in these Bylaws.

5.3 VICE CHAIR.

The Vice Chair shall assist the Chair in executing the duties of the Chair. In the absence of the Chair, the Vice Chair shall assume the duties of the Chair. Immediately after the election of the Chair, the Board shall nominate a member of the Board to serve as the Vice Chair subject to the approval of the majority of the Board. The term of the Vice Chair shall coincide with that of the Chair.

5.4 RECORDER.

The Recorder shall keep minutes and accurate attendance records of all Board meetings. The Recorder shall assist the Chair and others in the leadership to ensure timely communications with all representatives to the Board, including support for the development of website materials, white papers and other forms of communication. All materials developed in support of Board communication and other functions are the property of NPU-B and not individual Board members.

5.5 TREASURER.

The Treasurer shall collect dues approved by the Board; properly document expenses; and be able to give a financial report to the Board on a monthly basis. At the November meeting the Board shall elect a Treasurer, to serve for one calendar year. A Treasurer may hold successive terms for any number of years.

5.6 COORDINATORS.

The duties of the Coordinators are described in Article 2.2-2.4; 4.1-4.2; 4.4 of these Bylaws. A Residential Coordinator and a Business Coordinator shall be elected by the respective representatives elect at the December meeting following the election. A Coordinator shall serve for one calendar year and may hold successive terms for any number of years.

5.7 COMMITTEE CHAIRS.

At the January Board meeting, each Standing Committee Chair shall submit operational guidelines for adoption for their respective committees for that year. Committee Chairs are also responsible for presiding over their respective Committee meetings. The Chair of NPUB may delegate the task of reporting Board votes to outside parties (i.e., Zoning Review Board, Board of Zoning Adjustment, License Review Board, Council members, Planning Dept.), and to the other Committee Chairs with a copy to the Chair and Recorder of NPUB. A Chair and a Vice Chair shall be elected by the respective committee members elect at the December meeting following the election. The Chair and Vice Chair shall serve for one calendar year and may succeed themselves for any number of years.

5.8 REMOVAL FROM LEADERSHIP.

Any person who ceases to be a representative to the Board for any reason shall be disqualified immediately from serving in its leadership.

- (a) A person may resign a position of leadership at any time without resigning from the Board. A replacement shall be nominated and elected by the Board
- (b) Either the Chair or any five Board representatives may present a motion to remove a person from leadership without removing that person from the Board. A majority vote of the Board shall be required to remove any Board representative from a leadership position.

Article VI – Meetings.

6.1 REGULAR MEETINGS.

The Board shall meet on the first Tuesday of each month. Regular Meetings shall be open to the public. A draft of the minutes shall be sent out via email prior to the next board meeting. Once approved by the Board, the minutes shall be sent to the APAB delegate, appropriate Council member(s) and the Planning Department as needed/requested. The Recorder or their designee shall email the minutes of each Board meeting to the Board.

6.2 SPECIAL MEETINGS.

Special meetings of the Board may be called by the Chair or any five Board members, but only for extraordinary, limited matters. Notice of such meetings must be given at least seven days prior to the Special Meeting and shall state the urgent reason for calling the meeting. No action may be taken by the Board at such a meeting on matters not specified in the notice. Minutes from these meetings will be made available upon request.

6.3 CHANGE OF MEETING TIME OR LOCATION

The time or location of any regular or special meeting may be changed at the discretion of the Chair or by a majority vote of the Board, provided that reasonable notice of the change is given. The Chair or Recorder shall notify Representatives of any change in the meeting time or location no fewer than seven (7) days in advance, except in cases of emergency.

6.4 EXECUTIVE COMMITTEE MEETINGS.

The Executive Committee shall meet to address any matter(s) requiring immediate attention and/or action. The Chair may invite Board members and/or resource consultants as appropriate. All scheduled meetings of the Executive Committee shall be (i) open to the public, (ii) must be accompanied by an agenda made available prior to the meeting and (iii) must be followed by minutes which report the matter discussed and any actions taken. These minutes shall be delivered to the full Board and incorporated into the regular monthly agenda.

6.5 QUORUM.

A majority of the members in good standing, shall constitute a quorum for Board meetings

6.6 VOTING.

At any Board meeting properly convened, the affirmative vote of a majority of the Board members present and voting shall be required to act. Subject to the provisions of Article 6.9-10, each Representative shall have one vote on any matter. The Chair, Vice Chair or Recorder shall announce the vote on all motions by giving the number voting For, Against or Abstaining. If an issue has been properly heard at a regularly scheduled Board meeting a vote may be postponed for a later specified date that occurs after the date of that regularly scheduled Board meeting, but prior to the next regularly scheduled Board meeting.

Such a vote may be made via email. Such an email motion shall be deemed to be approved if supported by email votes numbering no fewer than that number which constitutes a simple majority of the then-current membership of the board.

6.7 COMMITTEE MEETINGS.

The Standing Committees shall meet monthly in advance of each Board meeting, unless there is no business to conduct. All Committee Meetings shall be open to the public. No Committee shall meet in Executive Session except to discuss pending legal actions or procedural matters. Committees shall keep minutes of meetings and executive sessions and report the results of said events to the Board. All Standing Committees shall publish agendas prior to the meeting.

6.8 CONDUCT OF MEETINGS.

NPU-B Board and its committees shall meet in an orderly manner to encourage open and respectful speech by Representatives and the public. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern NPU-B in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order NPU-B may adopt.

- (a) A committee may report its recommendations on items unanimously voted on a Consent Agenda distributed before the Board vote. The Committee Chair may move approval of the entire consent agenda; however, any Board member may remove an item from the committee Consent Agenda for separate consideration. Non consent agenda items will be considered by the full board.
- (b) A committee conducting a public hearing shall provide fairly for comment from all attending interests. The Committee Chair may announce rules and reasonable time limits for comment.

6.9 CONFLICT OF INTEREST and ABSTENTIONS.

The Board of Ethics of the City of Atlanta has adopted Advisory Opinion 2004-4 on Conflict of Interest Related to NPUs. Compliance with these Standards of Conduct assures the integrity of decisions made by the NPU. NPU-B requires that voting participants in its proceedings maintain independence and objectivity of judgment or action in the performance of their duties as members of the Board.

(a) A Board member (or proxy) is deemed to have a conflict of interest on a matter under consideration, and shall abstain from voting on that matter in Committee or Board meetings, if they, or any member of their immediate family (parent, spouse/partner, sibling, children),

1. has a financial stake in the outcome of a particular vote; or
2. has direct ownership interest in a proposed project to be voted on; or
3. owns any right or interest in real property which is the subject of the vote, even if such ownership or right is contingent upon rezoning or changing the Comprehensive Development Plan; or
4. is being paid or is owed payment of fees by a person or entity having such a financial stake, ownership interest or other right or interest for services rendered in connection with the matter before NPU-B, even if the services are not directly connected with the issue to be voted on; or
5. is an employee of any person/organization having an interest described in (1)-(4) above, or
6. owns at least ten percent of the stock of a corporation or at least ten percent of the equity ownership of an entity having any of the interests listed in (1)-(4) above.

(b) A Board member with such conflicting interest shall disclose it prior to discussing the matter in any NPU-B Board or Committee meeting.

1. If a question is raised as to a conflict of interest of a Board member, the Chair may require the Board member in question to disclose all his/her financial interests, if any, in the matter under consideration. The member's responses to the questions pertaining to the alleged conflict shall be recorded in the written Minutes for vote(s) taken on the matter.
2. A Board member having no financial or ownership interest listed in Article 6.8(a), but with a personal interest in the outcome of a vote by virtue of a relationship to the issue or the real property which is the subject of a proposal, the entity proposing an action or the entity opposing an action may vote and speak as to the issue before NPU-B, however that person shall disclose his/her personal interest to the Board prior to speaking or voting on the matter. Such disclosure enables the Board to evaluate the context of opinions expressed and does not suggest impropriety on the part of the disclosing Board member. [Examples: employees of corporations owning land near to a parcel that is the subject of a re-zoning; members of an affected neighborhood association that will receive benefits from the proposed development (e.g., financial, security, infrastructure planning, or infrastructure upgrades); private landowners near a parcel that is the subject of a proposed re-zoning; employees of a company that will receive benefits/consequences from the development; memberships in an organization, club or group that might benefit from or be impacted by the outcome (e.g., country club) and anyone who will apparently sustain a personal impact from a proposed re-zoning. Persons in such status with respect to a matter under consideration are eligible to speak about and vote on such matters but

shall disclose their status to the Board.]

3. A Board member is entitled to abstain from voting for other reasons. However, if a member persistently abstains from voting without explanation, the Chair or Committee Chair may require disclosure of the Board member's reason(s) for abstaining. The reason(s) given shall be recorded as a part of the written Minutes for the vote(s) taken on the matter.
4. A violation of Article 6.8 can subject a Board member to removal under Article 3. If as a result of such violation, the Board or Committee takes a position that would be otherwise if the member had abstained, the Board or Committee shall be entitled to reconsider the same issue immediately upon discovery of the violation. If a matter in which a vote was cast in violation of Article 6.8 has proceeded to another entity, the NPU-B Chair or Committee Chair shall immediately notify the entity before which the matter lies to inform that entity of the violation and the difference, if any, that vote made.

6.10 PROXY.

In the event members cannot attend a Board or Committee Meeting, they may designate a Proxy to vote in their place. A Proxy must meet the following conditions to be acknowledged by the Meeting:

- (a) Regardless of the proxy vote, the representative for whom the Proxy substitutes shall be recorded as absent for that meeting.
- (b) An absent member shall present written authorization to the Chair of the meeting and to the Recorder no later than the start of the meeting. This may be done via email.
- (c) A proxy shall be selected only from among those currently serving on the Board.
- (d) No Board member may hold more than two (2) proxy votes for either a committee or full board meeting.

6.11 DELEGATE.

The Board may adopt a resolution that provides for a Delegate system, such a system must be adopted each year by the new Board. To ensure that a Delegate understands the processes and procedures of the Board and/or a Standing Committee the only requirements that the resolution must contain include the following:

- (a) It is the responsibility of the Board member to ensure that the Delegate has knowledge of NPU-B procedures and voting issues.
- (b) Regardless of the Delegate participation, the representative for whom the Delegate substitutes shall be recorded as absent for that meeting.
- (c) An absent member shall present written notice of Delegate attendance to the Chair of the meeting and to the Recorder no later than the start of the meeting. This may be done via email

6.12 VIRTUAL MEETINGS.

Meetings of the NPU-B Board, Executive Committee, and any committees of NPU-B may be conducted virtually or telephonically at the discretion of the Executive Committee with notice provided at least one week prior to the meeting. In the event of an emergency (i.e., power outage, damage to meeting facility, etc.), the Chair may notify members of a change in meeting format with less than the required notice.

- (a) Eligible members shall be able to participate in virtual and/or telephonic meetings and shall have all the rights as available during in-person meetings, including the ability to make or second motions, vote, or comment.
- (b) A quorum of members must be present virtually or telephonically at any duly constituted meeting where voting matters are discussed.
- (c) Any members participating in virtual meetings must register using their full names.

Article VII – Annual Dues

7.1 **DUES STRUCTURE**

To fund the administration of NPU-B, the Board will adopt by resolution the annual dues at their January meeting. The agreed upon amount(s) shall be due and payable by every representative to the Board to the Treasurer no later than the 15th of April each year.

Article VIII. Adoption of Bylaws and Amendments

8.1 **ELIGIBLE VOTERS**

Any person who resides within NPU-B, 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 to adopt or reject these Bylaws without attendance requirements, dues payments, or any other limitation. The Residential and Business Coordinators respectively shall be tasked with ensuring qualifications to vote.

8.2 **ADOPTION OF BYLAWS.**

A majority of the eligible Residents in attendance at the September meeting where the By-laws are voted upon is required to adopt the By-Laws.

- (a) Said By-Laws shall become effective on January 1st of the following year.
- (b) The Chair shall submit the adopted By-Laws to the NPU Coordinator for the Office of Planning no later than September 30th of each year to comply with Code.
- (c) The City Planner for NPU-B shall attach Sections 6-3011 through 6-3019 of the City Code as an exhibit to these By-Laws with each annual submission to the Office of Planning.

8.3 **AMENDMENTS.**

To promote NPU By-Laws as a stable, regulatory document, approved amendments will be

incorporated into the By-Laws adopted in September and will become effective on January 1st of the following year. Emergency Bylaws changes may be adopted with approval by 60% of voting members in good standing.

These Bylaws were adopted by a vote of  _____ on _____
For – Against – Abstaining Date

Nancy Bliwise, NPU-B Chair

Shawn Perez, NPU-B Recorder

City Planner for NPU-B or NPU Coordinator,
Office of Planning

ARTICLE B. - NEIGHBORHOOD PLANNING

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

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

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

Sec. 6-3012. - Definitions.

As used in this article:

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

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

Sec. 6-3013. - Neighborhood planning units.

- (a) *Designation*. The department of planning, and development and neighborhood conservation shall designate neighborhood planning units, as defined in section 6-3012(2) of this chapter, which shall

include all areas of the city. N.P.U.'s may comprise as many, or as few neighborhoods as practicable and may cross council district boundaries. The designation of the N.P.U. shall be based on criteria previously established by the department of planning and development and approved by the council, and shall include the consideration of existing citizens' organizations' boundaries which may exist at the time of designation, as well as provisions for the change of neighborhood boundaries when necessary.

- (b) *Preservation of information.* The bureau of planning shall make available to neighborhood units basic information, including but not limited to, the areas of land use, transportation, community facilities, programmed capital improvements, housing, human resources, social and recreational programs, environmental quality, open space and parks and citizen involvement in planning and zoning to assist them in neighborhood planning activities. This information shall be presented in such a manner as to be readily recognizable to the residents of each N.P.U. This information shall be presented graphically when practicable.
- (c) *Neighborhood planning units.* The neighborhood planning unit may recommend an action, a policy or a comprehensive plan to the city and to any city agency on any matter affecting the livability of the neighborhood, including, but not limited to, land use, zoning, housing, community facilities, human resources, social and recreational programs, traffic and transportation, environmental quality, open space and parks; assist city agencies in determining priority needs for the neighborhood; review items for inclusion in the city budget and make recommendations relating to budget items for neighborhood improvement; and advise the bureau of planning on the preparation of the 15 and five- year comprehensive development plans.
- (d) *Accountability.* Neighborhood planning units shall be accountable to the residents of the area they represent.

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

Sec. 6-3014. - Public hearings.

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

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

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

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

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

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

- (a) The mayor shall prepare a schedule of citizen involvement regarding the draft of the comprehensive development plan. This report shall be presented to the community development/human resources committee at a regularly scheduled meeting in January of the year in which the plan is to be updated.

- (b) The mayor shall coordinate citizen participation in planning, under provisions of this article and shall be responsible for advising the council on citizen plans.

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

Sec. 6-3016. - Bylaws.

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

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

Sec. 6-3017. - Elections.

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

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

Sec. 6-3018. - Voting procedures.

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

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

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

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

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