

**NEIGHBORHOOD PLANNING UNIT - L
BYLAWS**

SEP 20 2018

Approved 08.14.2018. Effective 08.14.2018.

DISCLOSURE: motion passed (18 yes | 3 no | 6 abstain) to make NO CHANGES UNTIL NEXT CALENDAR YEAR

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ARTICLE I - NAME

- 1.1 The name of this organization shall be Neighborhood Planning Unit - L, also known as NPU-L.

ARTICLE II - BOUNDARIES

- 2.1 The boundaries of NPU-L shall exist as follows: Beginning at the intersection of Northside Drive, NW and Martin Luther King, Jr. Drive, NW, thence west along Martin Luther King, Jr. Drive, NW to Joseph E. Lowery Boulevard, NW, thence north along Joseph E. Boulevard, NW to West Marietta Street, NW, thence continuing north along an extended line of Joseph E. Lowery Boulevard, NW to the intersection with the Norfolk Southern Rail Line, thence southeast along the Norfolk Southern rail line to North Avenue, NW, thence west along North Avenue NW to a point that would intersect with an extended line of Gray Street, NW, thence south along an extended line of Gray Street, NW to Bush Street, NW, thence west along an extended line of Western Avenue, NW to Northside Drive, NW thence south along Northside Drive, NW to Martin Luther King, Jr. Drive which is the point of beginning (SEE ATTACHMENT A (MAP)).

ARTICLE III - PURPOSE

- 3.1 To assist communities by whatever means possible in the physical and human development of their neighborhoods, in providing for the well-being of residents and the general livability of the neighborhoods to include, but not limited to land use, zoning, housing, community facilities, human resources, traffic, transportation, green spaces/parks, etc. within NPU-L. To advise the City of Atlanta including the Mayor, City Council and any official department of the City on matters pertaining to the communities in NPU-L. These purposes shall be (executed) carried out in accordance with the will of its members. NPU-L shall not discriminate on the basis of race, sex, age, national origin, religion, sexual orientation or physical disability for all matters that come before NPU-L for consideration.

ARTICLE IV - MEMBERSHIP

- 4.1 **Membership.** Please see categories below for definitions of NPU-L membership (two classes of members): Residents and Non Residents.
- 4.1A **Residents** shall be any person 18 years of age or older whose primary place of residence are within the NPU-L boundaries may be a member. Proof of Residency: Current Georgia Driver's License; State of Georgia Identification Card; Voter Registration Card; Utility Bill; or any state sanctioned identification. All new members shall be required to show proof of residency upon entry into the NPU. Documentation of residency shall be presented to the recording secretary. All existing residents shall be required to show proof of residency annually.
- 4.1B **Non Residents** shall be representatives of Corporations, Organizations, Property Owners, Institutions, and Agencies: Any person who owns property or who is employed by a corporation, institution or agency which owns property or has a place of business or profession within the NPU may be a member.

Each such organization may designate one person and one alternate who is eligible as its voting representative to the NPU. Said existing organization or institution must send a letter to the NPU designating their voting representative and one alternate (to vote in place of the designated representative, in the event that the representative cannot come) by January 31st of each calendar year. The designated representative and alternate may have only one vote.

Any new representative of a corporation, organization, property owner, institution or agency entering into the NPU after January 31st of each year shall be required to submit their documentation and authorization to act on behalf of such organization, corporation, property owner, institution or agency within thirty (30) days of entry into the NPU.

Proof of Residency for Resident Member and Non Resident Member: All organizations, corporations, institutions, property owners and agencies must show proof of residency by submission of a Warranty Deed or property tax bill to property establishing ownership; an updated State of Georgia Certificate of Existence for Corporations, Articles of Organization for LLC and institutions; business licenses, professional licenses, or any such documents that identifies such organization as an entity. Documentation of residency shall be presented to the recording secretary.

There shall be no cost associated with becoming a member of the NPU.

A roster of members shall be established. The roster shall list the name, address, telephone number, and e-mail address of each member. The roster shall document the attendance of each member on a monthly basis.

ARTICLE V - MEETINGS

- 5.1 **Meeting Day and Time.** The NPU shall meet in regular session on the 2nd Tuesday of each month from January to November (with no meeting in December). All meetings of NPU-L, including its Executive Committee and other committees shall be open to members of NPU-L and notice of such meetings shall be publicized.
- 5.2 **Quorum.** Fifteen (15) or more members of the NPU-L shall constitute a quorum. If there is an adjournment for the lack of a quorum, the meeting may be rescheduled with the membership being notified of the time, date and place of the rescheduled meeting. In the rescheduled meeting, business may be conducted as usual. With the affirmative vote of a majority of the eligible members present, the actions of the NPU taken at such a meeting will be binding.
- 5.3 **Special Meetings.** The Chairperson may call special meetings. In order for a special meeting to be called, it shall be indicated that such a meeting is necessary to deal with matters of dire need to the neighborhoods, and or the NPU. The purpose of a special meeting shall be stated in the call. At least five (5) day notice shall be given prior to the date of the meeting.
- 5.4 **Meeting Venues.** Meetings will rotate at venues between the English Avenue and Vine City neighborhoods. Arrangements for the meetings shall be made by the Chairperson, Vice Chairperson or another designated person.

ARTICLE VI – OFFICERS AND ELECTION OF OFFICERS

- 6.1 **Privileges.** The privilege of holding office, making motions and voting, shall be limited to members of NPU-L.
- 6.2 **Officers.** The officers of the NPU shall be: Chairperson, Vice Chairperson, Recording Secretary, Corresponding Secretary, Treasurer, Parliamentarian or such other officers as may be deemed necessary. These officers shall perform the duties prescribed by these bylaws and be the parliamentary authority adopted by the NPU.
- 6.3 **Nominations.** At the regularly scheduled meeting held on the 2nd Tuesday of the month of October, nominations will come from the eligible body consisting of a quorum of fifteen (15) voting members that are in attendance. Nominations shall be made from the floor and voted upon at the November meeting during an election year for NPU-L.
- 6.4 **Term of Office.** The Officers shall be elected by a show of hands or by other such means, as the NPU

deems necessary. Officers shall serve for one year or until their successors are elected and their terms shall begin at the first regularly scheduled meeting at the beginning of the following calendar year. An officer may succeed themselves if it is the will of the body and no member shall hold more than one office at a time. However, no officer shall serve no more than three (3) consecutive terms.

- 6.5 **Elections.** All officers shall be elected by a majority vote at the annual November meeting and open to all eligible members of the NPU.
- 6.6 **Appointment of Officers.** In the event that any officer other than the Chairperson is unable to serve their full term, the Chairperson subsequent to three NPU meetings should appoint officer when a special election is called by the Chairperson to fill the vacancy. The Vice Chairperson becomes the Chairperson if the Chairperson becomes vacant.
- 6.7 **NPU-L Officers.** For one to become a candidate for office, such person shall have been a bona fide resident of NPU-L for a period of no less than twelve (12) months (January - December). All officers must be a resident living in NPU-L and shall have attended five (5) meetings in the current year seeking office.

ARTICLE VII – DUTIES AND RESPONSIBILITIES OF OFFICERS

- 7.1 **Chairperson.** The Chairperson's duty is to preside at all meetings and events of the NPU. The Chair shall call special meetings, when required, and shall perform other duties necessary to fulfill the purposes of the NPU. In the event of any vacancy, the Chair shall appoint a successor upon vacancy in accordance with ARTICLE VI – OFFICERS AND ELECTION OF OFFICERS section 6.6 Appointment of Officers. The Chair shall be ex-officio, a member of all standing and special committees.
- 7.2 **Vice Chairperson.** In the absence of the Chairperson, the Vice Chairperson shall preside at the said meeting and while so presiding, shall have all the powers of the Chairperson. The Vice Chairperson, as the Chair's Deputy, shall perform on his/her behalf such duties as may be delegated to the Chairperson.
- 7.3 **Recording Secretary.** The Recording Secretary shall be responsible for keeping the membership rolls. The Recording Secretary shall distribute scheduling information for meetings and other activities within one week of the information being received. The Recording Secretary shall take the minutes at the regularly scheduled monthly meetings, covering the discussion of each agenda item. The Recording Secretary shall make the minutes available to the membership one week before the next scheduled monthly meeting.
- 7.4 **Corresponding Secretary.** The Corresponding Secretary shall maintain communication between the NPU and its membership and be responsible for all correspondence as directed by the Chair and the Executive Committee, keep the roster of the membership of the NPU and address and carry out other such duties as are prescribed from time to time in the bylaws. The Corresponding Secretary shall assume the duties of the Recording Secretary in his/her absence until the position is filled.
- 7.5 **Treasurer.** The Treasurer is in charge of all financial aspects, and may accept funds directly through a designated fiscal agent, voted upon by the membership. The Treasurer also prepares and provides financial statements to the organization and tracks all deposits, expenses and other financial dealings. The Treasurer is in charge of administering the cash when the organization holds a special event for the public.
- 7.6 **Parliamentarian.** The Parliamentarian shall serve as an advisor to the Chair on the proper conduct of a meeting. The Parliamentarian shall assist the Chair, the Executive Committee and the members of the NPU with adherence to the bylaws and to the Roberts Rules of Order.

ARTICLE VIII - Removal of Officers

- 8.1.1 **Review or Evaluation of an Officer.** Any qualified voting member of NPU-L may request a review or evaluation of the performance or conduct of an officer based on anyone of the following criteria:
- a. Violation of these bylaws and the City of Atlanta's Code of Ethics

- b. Failure or inability to perform duties
- c. Conflicts of Interest
- d. Absent from three (3) consecutive NPU-L meetings without notification
- e. Absent from four (4) regular NPU-L meetings without notifications

8.1.2 Notice and Review. The Executive Committee must review all material concerning the removal of an officer. Removal shall be considered when charges have been presented and found by the Executive Committee to be true.

Notice must be given to the affected officer in writing, should include the date and time of review, and be brought before the full body. This correspondence should be copied to members of the Executive Committee. The affected officer shall be provided the opportunity to appeal the recommendation for removal from office at all stages.

The final decision shall be that of 2/3 vote of the membership present and voting. If removal is upheld, ARTICLE VI – OFFICERS AND ELECTION OF OFFICERS section 6.6 Appointment of Officers shall take effect.

ARTICLE IX - Voting

- 9.1 Eligibility to Vote.** To be eligible to vote on matters other than the election of officers, a member must have attended two (2) NPU meetings within the last six (6) months.
- 9.2 Voting on Officers.** To vote on the election of officers of the NPU, an individual member must attend four (4) meetings between the months of January and October during the calendar year.

ARTICLE X - ARTICLES OF ORGANIZATION

- 10.1** NPU-L shall exist as an unincorporated association of its members. Its "Articles of Organization" is comprised of these bylaws. The bylaws shall be deemed to be the articles of the NPU.
- 10.2** All recommendations for land use and zoning from the NPU to the City or any of its agencies, shall be recommended by the neighborhood associations and the directly impacted residents within 300 feet of the property in question before they are submitted by the NPU to any other source.
- 10.3** The NPU shall represent the will and desire of its membership, neighborhood and civic associations as defined in ARTICLE III - PURPOSE 3.1 of these bylaws, within the boundaries of English Avenue and Vine City.
- 10.4** A neighborhood association shall make its recommendations in writing signed by an authorized individual with a copy of the voting records to the NPU, in order to have them become a part of the overall recommendations it will make to the City.
- 10.5** The NPU shall have the right to review and comment on plans developed by the neighborhood associations prior to submission to the City or any related agency.
- 10.6** If the NPU feels that adjustments should be made in a neighborhood association's plan, the NPU shall make recommendations to the community association involved, but leave all adjustments where the plan is concerned to be made by that neighborhood association.
- 10.7** The NPU shall not support any agency or organization operating within its boundaries unless that agency has provided a mission statement. Those agencies shall come before the NPU to advise the NPU of their services and participation requirements.

- 10.8 The NPU shall assist the City in determining priority needs for neighborhoods, review items for inclusion in the City Budget, and make recommendations related to budget items for neighborhood improvement.
- 10.9 The Chairperson shall appoint a representative from the NPU-L to represent the interests of the NPU at the Atlanta Planning Advisory Board on a yearly basis will be announced at the February meeting. The delegate/alternate is required to provide a monthly written report to the Secretary and report out during Committee Report section of the agenda.
- 10.10 The NPU shall recommend a total of two (2) members to the Mayor to serve on the Atlanta Development Authority's Westside TAD Neighborhood Fund Advisory Board. The appointed members shall not have any personal interest in any/all projects and/or programs funding that come before the Advisory Board. (See Ethical Guidelines for Neighborhood Planning Unit Officers). Once a member has been chosen, he/she shall make quarterly written reports to the NPU.

ARTICLE XI – COMMITTEES

- 11.1 The committees of the NPU will be 1) Executive Committee 2) Zoning, Land Use + Housing 3) Public Safety and any other committee as appointed by the Chairperson and all committees shall work in cooperation with the two *official* NPU-L neighborhood organizations English Avenue Neighborhood Association and Vine City Civic Association. All NPU-L Committee Chairpersons shall serve at the will of the NPU-L Chair.

ARTICLE XII – COMMITTEE FUNCTIONS

- 12.1 **Executive Committee.** The Executive Committee shall consist of all elected officers and standing committee chairs and a designated member from the English Avenue Neighborhood Association and the Vine City Civic Association). The Executive Committee shall meet monthly, at a time to be determined by the Chairperson, prior to the regular NPU meeting. The Executive Committee shall oversee the process for the removal of officers.
- 12.2 **Zoning, Land Use + Housing Committee.** The Zoning, Land Use + Housing Committee shall study and plan in cooperation with neighborhood associations for land use and zoning needs, consider all questions and problems relating, but not limited to the adequacy and utilization of the land to its highest and most beneficial use to the community. Additionally, shall perform the duties of studying and planning for improvement of residential and other housing needs, accurately identifying blighted areas, make recommendations with reference to code enforcement, counsel citizens of the neighborhoods as to their housing rights, the availability or grants and low interest loans that can be used by the elderly, handicapped and others for rehabilitation purposes. This committee shall work to create meaningful lines of communication and methods for making information readily available to citizens in a manner that can be easily understood. The duties of the Housing Committee may not necessarily be limited to these aforementioned duties.
- 12.3 **Public Safety Committee.** The Public Safety Committee duties and responsibilities shall be to study and plan for such services as law enforcement, fire stations, civic defense, street signs, lights and any other public safety duties as assigned.
- 12.4 **Committee Reports.** All committees shall report their findings and make recommendations to the NPU for approval in writing.

ARTICLE XIII - AMENDMENT

- 13.1 These bylaws shall only be amended annually by a majority vote of the members in attendance at the meeting where the bylaws are adopted and in accordance with the parliamentary authority for the NPU and Robert's Rules of Order.
- 13.2 Approved changes to the bylaws shall be submitted to the City of Atlanta's Bureau of Planning by September 30th of each year. These bylaws shall become effective on January 1st of the following year.

- 13.3 Proposed amendments to the bylaws shall be submitted in writing to the NPU-L Secretary for review by the necessary parties (i.e. Bylaws and Executive Committees). The proposed amendment(s) shall be published in full text in the following month's meeting agenda. Any amendment must be carried by a simple majority vote of those members present.

- 13.4 Atlanta Code of Ordinances, Sections 6-3011 through 6-3019, which govern Neighborhood Planning Units are hereby incorporated as a part of these bylaws. The City Ordinance shall govern where there is a conflict between these bylaws and the Ordinance (SEE ATTACHMENT B). Additionally, the Ethical Guidelines for Neighborhood Planning Unit Officers (SEE ATTACHMENT C) shall be adhere to regarding Conflict of Interest for all elected and appointed officers.

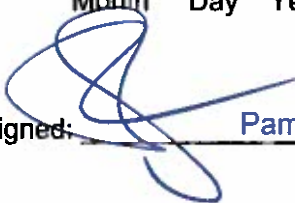
CERTIFICATION

I hereby certify that the attached are a true and correct version of the NPU-L Bylaws.

Adopted by a majority vote of the members at a regularly scheduled meeting of the membership on

08.14.2018

Month Day Year

Signed:  Pamela Flores Chairperson

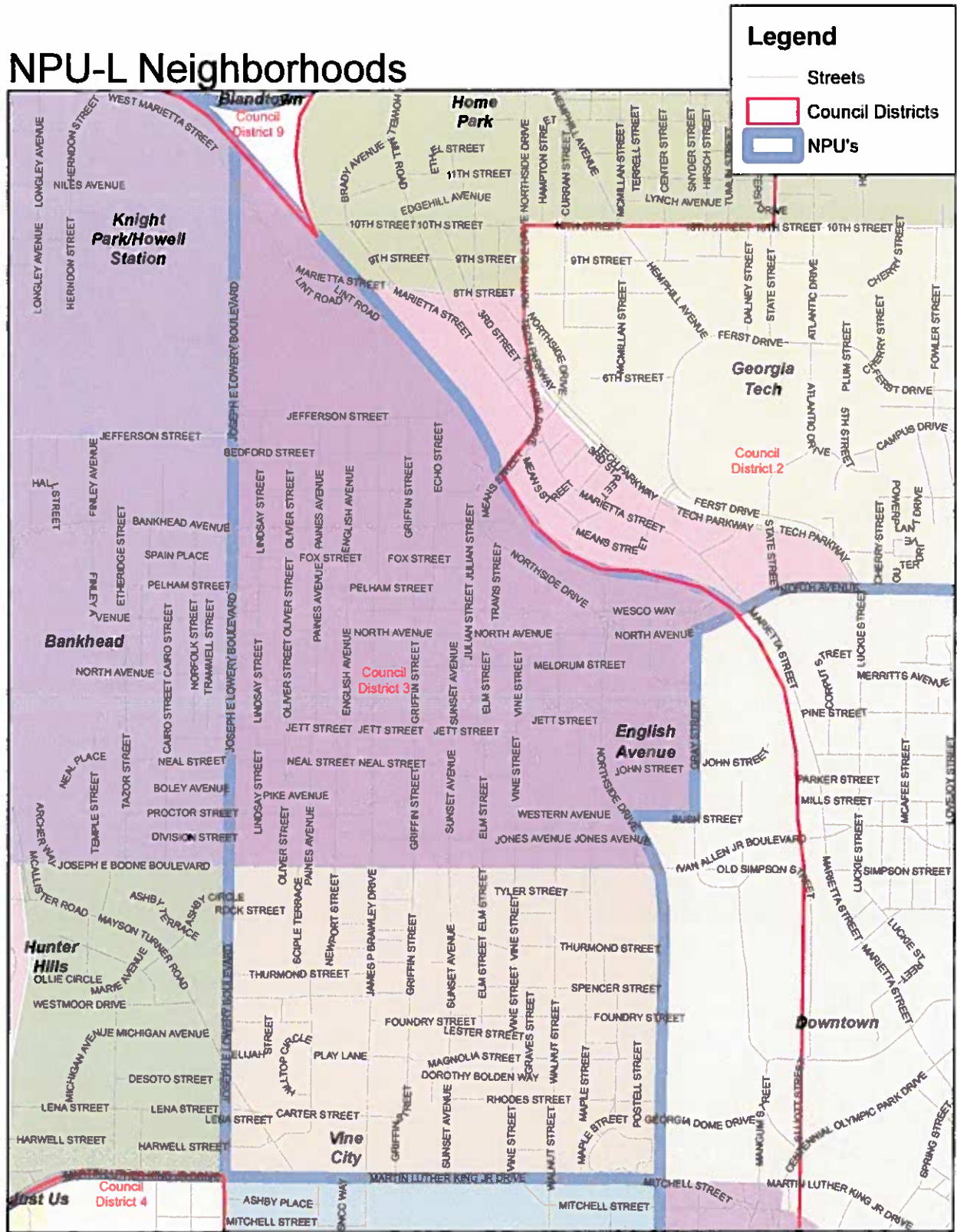
Date: 08.14.2018

INCLUDED ATTACHMENTS ---

- Attachment A: Official City of Atlanta Neighborhood Planning Unit – L Map
- Attachment B: City of Atlanta Code of Ordinances, Sections 6-3011 through 6-3019
- Attachment C: Ethical Guidelines for Neighborhood Planning Unit Officers

Attachment A: Official City of Atlanta 2016 Neighborhood Planning Unit – L Map

NPU-L Neighborhoods



Attachment B: City of Atlanta Code of Ordinances, Sections 6-3011 through 6-3019

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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 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

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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

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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)

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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)



CITY OF ATLANTA

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John Lewis Jr., Chair
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Carol Snype Crawford
Charles B. Crawford, Jr.
Cathy R. Daniels
Caroline Johnson Tanner
Charmaine Ward

ETHICS OFFICE
Ginny Looney
City Ethics Officer
glooney@atlantaga.gov

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-W 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-B 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: A 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. NPU officers may not accept any gift from a prohibited source unless the gift falls within an exception. The main exceptions are:

- awards, plaques, certificates, mementos, novelties, or similar items given in recognition of public service
- 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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