

City of Columbus Area Commission Recommended Best Practices

Best Practices Purpose:

The Department of Neighborhoods appreciates the partnership with the members of Columbus' 21 Area Commissions to develop the following best practice by-laws that will enhance the ability of all Commissions to serve their communities. The best practices will support compliance with applicable laws, build skills, boost the level of dialogue in meetings and encourage succession planning. In addition, the best practices will help to ensure that residents, neighborhood groups, developers, business / property owners and city staff will have consistent experiences and expectations for engagement with all Columbus area commissions.

The Department of Neighborhoods will work with all Area Commissions to identify those willing to pilot the adoption of the best practice by-laws. Those Area Commissions that join the pilot will work in partnership with the Department to identify further improvements to the best practices.

Area Commissions that adopt the best practice by-laws may choose to expand on this content to meet the needs of their individual neighborhoods.

Best Practices By-Law Template:

These By-Laws / Rules of Procedure shall establish all proceedings under which the NAME Area Commission (herein referred to as "the Commission") shall execute those duties and functions set forth in and with authority granted in Chapters 3109 and 3111 of the Columbus City Code. These bylaws serve as an operating agreement and method of regulation for the members, officers and the management of the Commission including, but not limited to:

- Books and records of account
- Minutes of proceedings
- Requirements for notices of meetings
- Computation of time for notice, method of giving notice
- Quorum requirements
- Procedures for disqualification of area commissioners

These bylaws are consistent with Chapter 3109 of the Columbus City Code adopted DATE.

Article I: Boundaries

LIST AREA COMMISSION BOUNDARIES

Article II: Duties / Purpose

- A. Area commissions are established in the City of Columbus to afford additional voluntary citizen participation in decision-making in an advisory capacity and to facilitate communication, understanding and cooperation between neighborhood groups, city officials and developers.
- B. The Commission is an advisory body. No duty or function of the Commission shall invalidate any decision made by the Mayor's Administration or action of Columbus City Council.
- C. The Commission shall identify and study the problems and requirements of the Commission area in order to:
 - a. Create plans and policies which will serve as guidelines for future development of the area
 - b. Bring the problems and needs of the area to the attention of appropriate government agencies or residents
 - c. Recommend solutions or legislation.
 - d. Aid and promote communications within the Commission area and between it and the rest of the city by means of:
 - i. Regular and special meetings of the Commission which are open to the public
 - ii. Public hearings on problems, issues, and proposals affecting the area
 - iii. Public forums and surveys to provide an opportunity for area residents, businesses, and organizations to state their problems and concerns
 - iv. Soliciting active cooperation of all segments of the area and city, including organizations, institutions, and government
 - v. Initiating proposals and supporting those introduced by individual citizens or area organizations, which will enhance the quality of life enjoyed by area residents and preserve the unique residential and commercial mix of the area
 - vi. Promoting and encouraging businesses whose functions, methods of operation, architectural appearance, and locations are consistent with the character and requirements of the area.
 - vii. Initiating, reviewing and recommending criteria and programs for the preservation, development, and enhancement of the Commission area, including, but not limited to, parks, recreational areas, sidewalks, streets and traffic, by means of:
 - 1. Reviewing the proposed capital improvements budget and proposing new items and changes relating to the area
 - 2. Making recommendations for restoration and preservation of the historical elements within the area
 - 3. Receiving and reviewing for recommendation, prior to adoption by governmental bodies, any new or revised comprehensive plan affecting the area.

- e. Recommend priorities for and review government services and operation of the various government departments in the Commission area by means of:
 - i. Requesting and receiving from departments or agencies periodic reports concerning governmental services or practices in the area
 - ii. Meeting with administrative heads of any department or agency, or any of their subordinates, to obtain additional information deemed necessary for the Commission to fulfill its functions
 - iii. Requesting and receiving from departments or agencies, prior to implementation, full reports on any proposed changes in service or practice in the area, and recommending approval or disapproval of the proposed changes
 - iv. Reviewing and evaluating pending legislation substantially affecting the area prior to its consideration by council
 - v. Regularly receiving for review, comment and recommendation copies of applications and notices of all public hearings related to rezonings, special permits, variances, demolitions, and zoning appeals regarding property located wholly or partially within the area.
- f. Recommend persons from the Commission area for nomination to membership on city boards and commissions which make decisions or recommendations affecting the commission area.
- g. The Commission may meet with applicants for rezonings, special permits, demolition permits, or variances regarding property wholly or partly within the Commission area to discuss the proposal, its relationship to the area, and possible modifications. In order to assist decision-making without disrupting existing procedures, the Commission shall conduct such meetings and notify the appropriate body of its recommendations in a timely manner. Upon good cause shown, inability of the Commission to make a recommendation may be grounds for postponement of subsequent action by other bodies.
 - i. Suggestions and comments of the Commission shall be advisory only and failure of the applicant to comply therewith shall not in itself constitute grounds for denial of the application. Failure of the applicant to consult the Commission in a timely manner, however, may be grounds for postponement of further action by other bodies.
- h. The Commission shall not endorse any candidate for public office.

Article III: Membership and Terms

- A. The Commission shall consist of no less than seven (7) and no more than seventeen (17) members. All members shall be appointed by the mayor with the concurrence of council.
- B. Members of an area commission shall serve without compensation for a term of three (3) years. Initial appointments shall be made for no less than one (1) year and no more than three (3) years. Terms should be arranged to ensure future

- continuity of experienced service. Subsequent appointments shall be three (3) years. Area commission terms should be established so that the number of expiring seats is approximately the same each year.
- C. No commissioner shall represent the Commission in its official actions before any other public body or official, except as specifically authorized by the Commission. This shall not be construed as a restriction upon the right of the individual area commissioners to represent their own view before public or private bodies, whether in agreement or disagreement with the official action of the Commission.
 - D. Disqualification: Area commissioners shall maintain their residence, employment or business in the Commission area from which they were elected or appointed. Failure of an area commissioner to maintain his / her residence, employment or business in the area commission area shall be deemed a resignation and the Secretary shall notify the Department of Neighborhoods. An area commissioner's absence from three (3) regular meetings in any one (1) year shall be deemed a resignation from the area commission unless a written petition has been received by the Chairperson of the Commission. The petition from the area commissioner shall request that some or all of the absences be excused due to extenuating circumstances. If a petition is not received, it shall be deemed a resignation from the Commission and notice of such will be communicated to the Department of Neighborhoods. Failure to abide by the adopted bylaws may result in disqualification of an area commissioner. Disqualification of an area commissioner shall require a three quarter (3/4) majority vote of the area commission and the Secretary shall notify the Department of Neighborhoods.
 - E. Vacancies: The Commission may nominate one (1) or more candidates to fill any vacancy caused by death, resignation or disqualification, or other means for the remainder of the unexpired term.
 - F. All area commissioners must be appointed by the Mayor with the concurrence of Columbus City Council. Compliance with Columbus City Code 3109.08, 3109.10 and /or 3109.12 must be satisfied to officially participate as an area commissioner.

Article IV: Officers

- A. The officers of the Commission shall include: Chairperson, Vice-Chairperson, Zoning Chairperson, Secretary and Treasurer. An individual may be elected to serve in multiple officer positions.
- B. Commission officers shall serve without compensation for the term of one (1) to three (3) years
- C. The Chairperson may serve no more than six (6) consecutive years but may be re-elected after a gap of at least three (3) consecutive years. A Chairperson's six (6) year term limit may be extended by a three quarter (3/4) majority vote of the Commission.
- D. An individual serving six (6) consecutive years as the Chairperson is not eligible to serve as any other officer of the commission for three (3) consecutive years after their term as Chairperson expires. This individual is eligible to continue to serve as an area commissioner.

Article V: Meetings

- A. All meetings of the Commission shall be open to the public at all times.
- B. In December annually, the Commission shall provide to the Department of Neighborhoods the schedule of regularly scheduled meetings for the upcoming year to be published in the Columbus City Bulletin.
- C. The Commission shall establish by majority vote expectations for all members regarding meeting attendance and participation in commission activities.
- D. The Commission shall establish a method for the public to determine the time and place of all regular meetings in addition to publication in the Columbus City Bulletin.
- E. The Commission shall establish a method for the public to determine the time, place and purpose of all special meetings in addition to publication in the Columbus City Bulletin.
 - a. The Commission shall establish a method for the public to obtain reasonable advance notification of all special meetings.
- F. All meetings other than the regularly scheduled monthly meetings or subcommittee meetings shall be published in the Columbus City Bulletin no less than seven (7) days prior to the date of the meeting. A meeting is defined as a gathering of a quorum, as defined the Commission's bylaws. A quorum is a majority of current commissioners where commission business is conducted, transacted, deliberated, or discussed.
- G. The Commission may not hold meetings through teleconferencing, videoconferencing, e-mailing or through social and electronic media.
- H. Commission members must be present in person at a meeting in order to be considered present or to vote at the meeting.
- I. The Commission members may not vote by secret ballot for commission appointments, officers, or for any other commission business.
- J. Meeting minutes shall be promptly prepared, filed, and maintained and shall be open to public inspection.
 - a. A copy of all meeting minutes shall be provided to the Department of Neighborhoods within thirty (30) days after approval by the area commission.

Article VI: Committees

- A. Zoning Committee: The purpose of the committee is to:
 - a. Receive, review, and make recommendations concerning applications for rezoning, zoning variances, and special permits for property located in the area.
 - b. Receive and review all demolition permits for property in the area.
- B. The zoning committee shall consider zoning cases that have been received by the Zoning Chair at least X calendar days prior to the Commission meeting. Cases received less than X days ahead will be heard at the next Commission meeting.
- C. Commissioners shall be notified by the Zoning Chair of upcoming zoning cases no less than X days before the area commission meeting.
- D. Special committees may be established for specific purposes by a majority vote at any meeting. Membership on special committees may be accorded to commission members and non-members. Special committees may be terminated by a majority

vote at any meeting. All findings of the Commission's committees which result in proposed actions or resolutions shall be submitted at a regular or special meeting for consideration.

Article VII: Elections

- A. After election of the first area commission, the following rules shall apply to all subsequent election procedures for area commissions.
 - a. Elections shall take place at a location determined by the Commission annually prior to September 30. Public elections may be conducted by secret ballot.
 - b. The Commission shall certify election results annually prior to September 30 at a regular full Commission meeting.
 - c. Area commissions shall elect all appointed, at-large or other seats annually prior to September 30 at a regular full Commission meeting.
 - d. In the case of a vacancy, the commission may nominate one (1) or more candidates to fill the vacancy caused by death, resignation or disqualification, or other means for the remainder of the unexpired term. Area commissioners appointed in this manner are subject to approval by the Mayor with the concurrence of Columbus City Council.
 - e. All elected and appointed area commissioners shall complete the area commission appointment / code of conduct form and return the completed form to the Department of Neighborhoods. All forms shall be signed by the Commission chairperson and submitted to the Department of Neighborhoods annually prior to September 30.
 - f. No election procedure shall be scheduled if the number of candidates is less than or equal to the number of elected commissioners with expiring terms.
 - g. USE ONLY IF NEEDED For area commissions with geographic districts associated with specific seats, no election procedure shall be scheduled if the seat (s) is / are uncontested.
 - h. No write-in candidates shall be allowed.
 - i. No elector shall cast more than one (1) ballot in an election. Elections shall be determined by plurality of vote if three (3) or more candidates vie for a single position, otherwise a majority of votes cast shall elect.
 - j. Area commissioners shall begin their term on January 1. Area commissioner appointments are subject to approval by the Mayor with the concurrence of Columbus City Council.
 - k. Area commissioner terms shall end on December 31 in the year that their term expires.
 - l. Area commissioners may not serve on more than one (1) area commission.

Article VIII: Training

- A. All Commission members are strongly encouraged to attend area commission training classes provided by the Department of Neighborhoods.
- B. Newly elected or appointed area commissioners are required to attend the new area commission training class provided by the Department of Neighborhoods within one (1) year of appointment or election.

- C. Newly elected Chairpersons, Vice Chairpersons and Zoning Chairpersons are required to attend two zoning training classes provided by the Department of Neighborhoods and the Department of Building and Zoning Services within one (1) year of appointment or election.

Article IX: Public Records

- A. The Commissions shall identify a person responsible for maintaining all public records of the Commission.
- B. All public records shall be retained for the applicable period of time specified by the records retention schedule for the Department of Neighborhoods. Public records include, but are not limited to, official meeting minutes, agendas, election materials, zoning application packets, tape or video recordings of meetings and other correspondence.
- C. The Commission's records shall be organized and maintained in a manner that they can be made available for inspection or copying. Upon request, all public records shall be promptly prepared and made available for inspection to any person.

Article X: Code of Conduct

- A. Area commissioners shall conduct themselves in a professional and civil manner. Harassment, intimidation, or discrimination, as defined in Columbus City Code 2331, in any form will not be tolerated.
- B. Area commissioners shall treat other area commissioners, developers, and members of the public with respect and consideration regardless of the other's opinion, income, homeowner status, renter status, political affiliation, race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status.
- C. Area commissioners, their family members, or business associates shall not benefit financially, or in any way as a result of their duties as an area commissioner or present the appearance of impropriety as a result of said duties. Area commissioners shall fully disclose to their area commission, at the earliest opportunity, information that may result in a perceived or actual conflict of interest. Area commissioners shall recuse themselves from all participation in any matters involving a conflict of interest on behalf of said commissioner.
- D. Failure of the Commission to abide by these adopted bylaws may result in the withholding of funding, the postponement of meetings and operations, or the exclusion of recommendations and actions to other bodies.

Article XI: Amendment of By-Laws

- A. These by-laws may be amended at any regular meeting of the Commission by two-thirds (2/3) majority vote of the members, provided that the amendment was submitted in writing and read at the previous meeting of the area commission. The Secretary shall notify the Department of Neighborhoods of any approved amendment immediately after its adoption for filing with the Columbus City Clerk and publication in the Columbus City Bulletin. Amendments will take effect ten (10 days) after such publication per Columbus City Code 121.05.