

# **BYLAWS OF THE CAPITOL VIEW NEIGHBORHOOD ASSOCIATION**

## **ARTICLE I. Name**

The name of this organization shall be the Capitol View Neighborhood Association (herein known as the Association or CVNA).

## **ARTICLE II. Purpose**

The purpose of this Association shall be to promote the health, safety and welfare of the neighborhood known, in the City of Atlanta, Georgia, as Capitol View including, without limitation:

- the preservation, restoration, and rejuvenation of the Capitol View neighborhood;
- the improvement of the quality of life for all residents who live therein; and
- the provision of a means of bringing the residents together to foster the discussion and resolution of community problems and interests as well as other programs and proposals.

## **ARTICLE III. Members**

Section 1. Membership shall be open to all residents, 18 years of age and older, living within the official boundaries of the neighborhood recognized on the City of Atlanta, Neighborhood Planning Unit, Neighborhood Map (District 12), all non-resident owners of property located within the official boundaries, and all owners of businesses (including non-profit and religious organizations) located within the official boundaries, upon payment of annual dues. No person may hold more than one (1) membership. There will be no more than two (2) memberships per address.

Section 2. The geographic boundaries of the Association correspond with the official boundaries of the neighborhood as recognized on the City of Atlanta, Neighborhood Planning Unit, Neighborhood Map (District 12) as follows:

- Murphy Avenue at Avon Avenue;
- East along Avon Avenue to Sylvan Road;
- North along Sylvan Road until CSX Railroad (Beltline);
- East along railroad to Metropolitan Parkway;
- South on Metropolitan Parkway to dead streets south of Claire Drive;
- West along dead end streets south of Claire Drive and the southern boundary of Perkerson Park to the southwest corner of Perkerson Park;
- North along the western boundary of Perkerson Park to Deckner Avenue;
- West along Deckner Avenue to Sylvan Road;
- North along Sylvan Road until Arden Avenue;

- West along Arden Avenue until Murphy Avenue; and
- North along Murphy Avenue to Avon Avenue.

The attached City of Atlanta, Neighborhood Planning Unit, Neighborhood Map (District 12) provides the precise boundary lines and will be used for the purpose of establishing residency.

Section 3. Dues shall be payable in an amount to be determined by the Executive Committee for each calendar year. The Association may request additional funds, upon proper resolution, from the members, or from other sources, as may be necessary to carry out the objectives of the Association.

#### ARTICLE IV. Voting

Section 1. Eligible members of the Association as noted in Art. III, Sec. 1 can vote at the second meeting they are in attendance within the past eleven (11) months. No member may have more than one (1) vote.

Section 2. All actions by the Association shall be by majority vote, except as otherwise provided for in the bylaws. Proxies and absentee voting will not be accepted. Voting shall be by voice vote, division of house (show of hands), roll call, or secret ballot, counted by the Secretary and verified by another member of the Executive Committee. Roll call and secret ballot votes require a majority vote of the members present in order to proceed.

Section 3. A simple majority of the votes cast shall determine the outcome of a valid motion, with the exception of rescinding a prior vote, limiting or extending a debate, or removal of officers, which will require two-thirds (2/3) of the votes cast.

#### ARTICLE V. Meetings

Section 1. Regular meetings of the Association shall be held on the third Thursday of each month, but may be changed by the Executive Committee with prior notice of a minimum of seven (7) days given to the Association.

Section 2. Executive Committee meetings shall be held on the second Saturday of every month, but may be changed with by the Executive Committee prior notice of a minimum of one (1) day given to the Association. These meetings shall be open to members of the Association; however, only those noted in Art. VII, Sec. 1 shall be entitled to vote.

Section 3. The January meeting of the Association shall be the annual organizational meeting and, in addition to any other business to be considered at that meeting, the Association shall:

- Set forth goals and objectives for the year,
- Establish committees with chairpersons appointed by the President, and
- Hear reports by the officers and committee chairs.

Section 4. Special meetings of the Association shall be called by the President or upon the written submission of a request for such special meeting by twenty (20) members of the Association. Such request by members of the Association shall state the specific purpose of said special meeting and shall include the signatures of the Association members requesting the special meeting. Special meetings are only a valid request when issues come up that urgently need a vote or action by the Association prior to the next regularly scheduled meeting. Upon receipt of any such valid request by the Secretary, the President of the Association shall call a special meeting of the Association to be held prior to the stated critical date but no less than seven (7) calendar days from the date of receipt of said request by the Secretary to allow adequate time for distribution to Association members of the notice. At any special meeting of the Association, the Association shall consider for action only that business which formed the basis for the request for the special meeting and all items on the agenda for the special meeting shall be dealt with at this time.

Section 5. Ten (10) members of the Association and three (3) members of the Executive Committee shall constitute a quorum.

## ARTICLE VI. Officers and Elections

Section 1. The members of the Association shall elect officers to carry out the purpose of the Association. The officers elected shall be a President, Vice President, Secretary, and Treasurer. The Parliamentarian position is to be appointed by the President and approved by the Executive Committee. These officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the Executive Committee.

Section 2. At the regularly scheduled meeting of the Association, to be held in December of each calendar year, elections shall be held to elect the officers of the Association for the following year. Such officers shall be elected by separate vote, with a majority of the votes cast being required for election, and shall serve until their successors are elected. Should it become necessary to reschedule, the election will be held at the soonest date. The election is by ballot, unless there is only one (1) candidate for a position, in which case the vote may be by voice. Nominations for officers will be made by the membership at the November meeting. An officer must be a member of the Association in good standing and can be nominated at the third meeting they are in attendance at within the past eleven (11) month period. Members not in attendance at the December meeting can be nominated provided they are eligible and there is written acceptance of the nomination by the individual.

Section 3. Duties and Functions of the Officers of the Association

### A. President

1. To preside at all meetings of the Association and to maintain order and decorum during the course thereof,
2. To call all meetings of the Association in accordance with these rules and to verify that written notices and advertisements for all Association meetings are in proper form,

3. To execute official documents on behalf of and at the direction of the Association and to manage all correspondence on behalf of the Association,
4. To review all minutes of meetings of the Association,
5. To establish a tentative agenda and submit said agenda to the Secretary no less than ten (10) days prior to the regularly scheduled meeting of the Association,
6. To represent the Association at NPU-X meetings or appoint a member to represent in his absence,
7. To appoint a Parliamentarian subject to the approval of the Executive Committee, and
8. To appoint committee chairs.

#### B. Vice President

1. In the event of absence, disability, resignation or disqualification of the President, to perform all of the duties and functions of the President,
2. To be an ex-officio member of all committees and to supervise the proper functioning and reporting of all committees, and
3. To otherwise assist the President.

#### C. Secretary

1. To record the highlights of all meetings of the Association, except that the Secretary shall take an exact record of all motions and resolutions,
2. To prepare and mail or otherwise distribute all notices and required agendas, and to mail or otherwise distribute a notice to each Association member at least seven (7) days prior to each regular or special meeting of the Association,
3. To act as the custodian of all written records of the Association, and
4. To handle correspondence directed to the Association under the direction of the President and to assist the President and Association members in handling all Association correspondence.

#### D. Treasurer

1. To act as the custodian of all funds of the Association and to provide periodic reports to the officers and members as to the status of those funds in an open and transparent manner, and
2. In cooperation with the Secretary, keep the membership list updated and send notices to members for the payment of dues.

#### E. Parliamentarian

1. Appointed by the President and subject to approval of the Executive Committee,
2. Serve as advisor and consultant to the presiding officer, the Executive Committee, the standing and special committees, and the Association on matters of Parliamentary procedure, and
3. Be permitted to exercise full membership rights, voting privileges, and authority the same as any other member.

ARTICLE VII.  
Executive Committee

Section 1. The Executive Committee is comprised of the President, Vice President, Secretary, Treasurer, Parliamentarian, and the committee chairs of the standing committees.

Section 2. Three (3) members shall constitute a quorum.

Section 3. A majority of the Executive Committee present shall determine the outcome of a motion.

Section 4. A vacancy in the Executive Committee, either by resignation or removal of an officer is to be filled by nomination and election at a regular meeting if the vacancy occurs more than three (3) months prior to the end of the calendar year. If the vacancy occurs three (3) or less months prior to the end of the calendar year the Executive Committee has the right to appoint a member to take the vacant officer's place. The member elected to the vacated office will serve for the remainder of the term. Any such action shall be announced at the next regularly scheduled meeting of the Association.

Section 5. Two-thirds (2/3) of the members present and voting at any meeting of the Association may remove any officer, for failure to perform the duties of his or her office, or for defrauding or misrepresenting funds of the Association, or for intentionally acting contrary to the expressed direction of the Association, provided that

- A motion to remove such officer was properly made and seconded at the two (2) monthly meetings of the Association immediately preceding such meeting;
- Such pending motion was properly made known to the members of the Association prior to such meeting through regular information channels and notice was given to be placed on the Agenda;
- Such officer is provided an opportunity at such meeting to fairly present evidence and testimony to refute the charges upon which the motion is based.

ARTICLE VIII.  
Committees

Section 1. The President and Vice President of the Association, if not otherwise listed as members of specific committees, are ex-officio members of all committees of the Association.

Section 2. Standing and subcommittee chairs are to be appointed by the President as deemed necessary to carry on the work of the Association. Chairs of standing committees will serve as voting members of the Executive Committee. Committees must be chaired by Association members, but non-members may serve on the committees.

Section 3. Standing committees are those that have a continuing existence. They will often times have subcommittees, ad hoc committees, or task forces under them that carry out more specific tasks. Standing committees are constituted to perform a continuing function, and remain in

existence permanently or for the life of the Association. Chairs of the standing committees may be reappointed at the beginning of each administration. Subcommittees are appointed as the need arises to carry out specified tasks, at the completion of which it automatically ceases to exist. Subcommittees are not to be appointed to perform a task that falls within the assigned function of an existing standing committee.

Section 4. ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE – It shall be the duty of this committee to monitor and evaluate the private and public economic and physical development of the neighborhood, both residential and commercial/industrial, and to make recommendations to the Association for appropriate action to carry out projects as appropriate.

Section 5. OUTREACH COMMITTEE – It shall be the duty of this committee to organize and oversee neighborhood outreach programs, and to make recommendations to the Association for appropriate action to carry out projects as appropriate.

Section 6. PUBLIC SAFETY AND HEALTH COMMITTEE – It shall be the duty of this committee to investigate and consider questions related to public safety and health, including but limited to, police services, fire services, public health, and environmental health, and to make recommendations on these matters to the Association. The committee shall also be responsible for safety education and suggesting programs to improve neighborhood safety.

#### ARTICLE IX.

##### Parliamentary Authority

The rules contained in Robert's Rules of Order, Newly Revised, 10th Edition shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Association may adopt.

#### ARTICLE X.

##### Amendment of Bylaws

Section 1. Amendments to these bylaws must be made first, by a majority vote at any regular meeting of the Association, provided that the amendments have been submitted in writing at the previous regular meeting and provided that notice of intent to consider said amendments have been submitted to the Secretary for inclusion in the agenda. Proposed amendments should be read or summarized at the meeting and opened to discussion prior to voting.

Section 2. Such amendments must then be approved by a majority of the full membership via a mail ballot. The ballot must include a copy of the current bylaws, the proposed amendments, a synopsis of the amendments, arguments for; and arguments against the proposed amendments.

Section 3. A task force of volunteers, preferably those for and against the amendments, will be formed to oversee the mail balloting and ensure fairness.

Section 4. The President will refrain from voting at the meeting and on the mail ballot, casting a vote only in the event of a tie.

ARTICLE XI.  
Privacy and Electronic Communications

Section 1. Distribution lists, websites, publications and email accounts shall be used only for carrying out purposes of the Association.

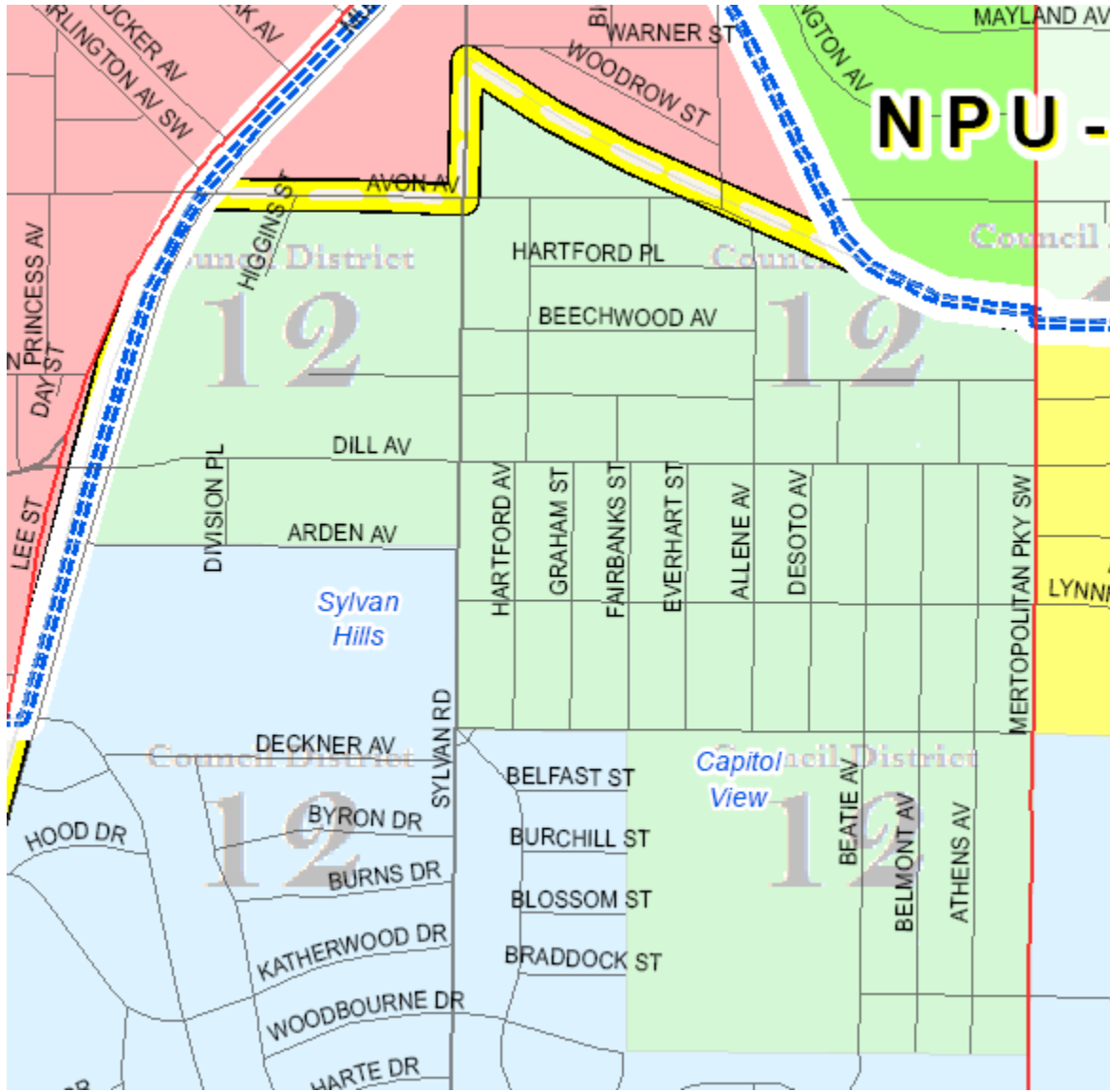
Section 2. No member of the Association shall furnish to any outside entity any mailing list compiled by the Association, the Executive Committee, or any of its committees, except as required by law or court order.

Section 3. The Association shall not use any of its email distribution lists to forward commercial advertisements of any kind. Commercial establishments may be mentioned in email communication so long as the mailing is not primarily used to promote a particular establishment.

Section 4. The Association shall honor all requests to be opted out of any of its distribution lists at any time.

Section 5. Distribution lists, websites, publications, and e-mail accounts compiled by the Association are the sole property of the Association.

# MAP OF CAPITOL VIEW NEIGHBORHOOD



Source: City of Atlanta, Neighborhood Planning Unit, Neighborhoods (Council District 12 Map), Dated October 17, 2007.