

Southwest Area Commission Bylaws

Revised

These Bylaws establish the procedure under which the Southwest Area Commission shall execute those duties and functions set forth in and with authority granted under Chapters 3109 and 3111 of the Columbus City Codes (herein abbreviated as C.C.).

Article 1. Name

The name of this organization shall be the Southwest Area Commission, herein referred to as the "Commission".

Article II. Area

The boundaries of the Commission are to the north Mound Street, Mt. Calvary and Greenlawn Avenues, to the east by the Scioto River, to the south by Interstate 270 and to the west by CSX Railroad tracks. The boundaries include the East side of Harmon Avenue from Greenlawn to Mound Street as well as the north side of Greenlawn Avenue to the Scioto River. The Commission serves the incorporated areas of the City of Columbus and strives to maintain an effective working relationship with the jurisdictions that fall within the Commission's boundaries which include: Franklin County, Franklin Township, Urbancrest and Jackson Township.

Article III. Purpose

1. The purpose of this Commission shall be to afford additional voluntary citizen participation in decision making in an advisory capacity to the City Administration and City Council and to facilitate communication, understanding, and cooperation between neighborhood groups, city officials, and developers. The Commission shall:

A. In the interests of local planning for local needs, identify and study problems and requirements of the Commission Area in order to:

1. Create plans and policies, which will serve as guidelines for future development of the Area;
2. Bring the problems and needs of the Area to the attention of appropriate government agencies or residents; and
3. Recommend solutions or legislation.

B. Aid and promote communication within the Commission Area and between it and the rest of the City means

1. Regular and special meetings of the Commission which are open to the public.
2. Public hearings on problems, issues or proposals affecting the area.
3. Public forums and surveys to provide an opportunity for Area residents, businesses and organizations to state their problems and concerns.

4. Soliciting active cooperation of all segments of the Area and City, including organizations, institutions, and government.
5. 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; and
6. Promoting and encouraging businesses whose functions, methods of operation, architectural appearance, and locations are consistent with the character and requirement of the Area.

C. Initiate, review, and recommend criteria and programs for the preservation, development and enhancement of the Commission Area, including, but not limited to, parks, recreation areas, sidewalks, street, 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; and
3. Receiving and reviewing for recommendation, prior to the adoption by governmental bodies, any new or revised comprehensive plan affecting the Area.

D. Recommend priorities for and review government services and operation of the various government departments in the Commission Area by means of:

1. Requesting and receiving from departments or agencies periodic reports concerning governmental services or practices in the Area.
2. 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.
3. 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.
4. Reviewing and evaluating pending legislation substantially affecting the Area prior to its consideration by Council; and
5. 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.

E. Recommend persons from the Commission Area for nomination to membership on City boards and commissions, which make decisions or recommendations affecting the Commission Area.

F. 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.

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.

1. 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.

2. The Commission shall not endorse any candidate for public office.

Article IV. Membership

1. Appointment. All Commissioners shall be appointed by the Mayor of the City of Columbus with the concurrence of Columbus City Council in accordance with C.C. 3109.08, 3109.10 and/or 3109.12. The Secretary shall notify the Department of Neighborhood Services of all nominations, elections, and vacancies within ten days of such action. The Department of Neighborhood Services will notify the Mayor's office and complete any publication requirements.

A. Should the Mayor neither approve nor disapprove the action within thirty (30) days of notifications, the action shall be deemed approval until notice from the Mayor as specified in C.C. 3109.

B. A copy of each notice shall be sent to the City Council in care of the City Clerk.

2. Members. The Commission shall consist of up to thirteen (13) members. Each member should either reside, work, or own property in the Commission Area and serve without compensation.

A. Nine (9) Elected Commissioners shall be selected from the Southwest Area, The nine (9) Commissioners shall be selected in accordance with the selection rules adopted by the Southwest Area Commission. Each elected Commissioner must be a resident in the City of Columbus.

B. Four (4) At-Large Commissioners shall be nominated by the Commission. The four (4) individuals nominated by the Commission may be from, but not limited to, the following: one (1) official from South-Western City Schools; one (1) from the fields of human services; one (1) representative of the Southwest Area clergy; and one (1) from a private sector business in the area.

C. The Commission must maintain a majority of the members to be residents of the Southwest Area boundaries.

3. Terms. The term of membership of elected officials shall be three (3) years plus days needed to reach the first annual meeting date. All terms shall expire during the annual meeting in the year that the term expires; however, a member may continue to serve beyond term expiration until a successor is appointed. Terms shall be staggered so as to maintain continuity of experienced representation. As determined by lot, one-third of the initial membership shall serve for one (1) year; one third, for two (2) years; and the remaining one-third, for three (3) years or until their successors are appointed. Terms of at-large commissioners shall be for three (3) years.

4. No Commission member shall represent the Commission in its official actions before any other public body or official, except as specifically authorized in writing by the Commission. This shall not be construed as a restriction upon the right of the individual members to represent their own views before public or private bodies, whether in agreement or disagreement with the official action of the Commission.

5. Disqualification. Members shall maintain their residence, property or business in the Commission Area from which they were elected or appointed. Failure of a member to maintain his or her residence, property, or business in the Southwest Commission Area, shall be deemed a resignation and the Secretary shall notify the Mayor, City Clerk, and the Department of Neighborhoods.

6. Attendance. The year starts with the annual meeting. Members shall, so far as possible, be regular in attendance. A member's absence from four (4) regular meetings in any one (1) year, shall be deemed a resignation from the Commission, unless a petition has been received by the Chairperson of the Commission. The Commission must act upon the petition after it is received at either the next regularly scheduled meeting or the following regularly scheduled meeting. The petition must be made in writing and received by the Chairperson at least eight (8) days prior to the next regular meeting following the fourth absence. The petition is to request that some or all of the absences be excused due to extenuating circumstances. The nature of the extenuating circumstances shall be explained, if the Commission accepts, by majority vote, all or portion of the absences may be excused. If a petition is not received, it shall be deemed a resignation from the Commission and notice of such will be communicated to the City of Columbus. After the third missed meeting, the secretary will remind the member of the attendance policy. After the fourth missed meeting, the secretary will remind the member about the need to submit a petition to the Chairperson if the member would like to maintain their position. Members shall, so far as possible, inform either the Chairperson or the Secretary, prior to the meeting, when they know they will be absent.

7. The Commission shall nominate one or more candidates to fill any vacancy caused by death, 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.

Article V. Officers

1. The officers of the Commission shall be: Chairperson, Vice-Chairperson, Zoning Chairperson, Secretary and Fiscal Officer. At the first meeting of the Commission, officers shall be elected by majority vote of the members. Thereafter, election of officers shall be at the annual meeting. Officers shall serve one (1) year, or until a successor is elected. Each officer shall have the right to vote on any question. The Chairperson may serve no more than six (6) consecutive years but may be elected again after a gap of at least three (3) consecutive years. A Chairperson's six (6) year term may be extended by a majority vote of the Commission. This provision will be effective at the first annual meeting following the approval of this bylaw provision and the number of years the Chairperson has served will start being counted at the first annual meeting following the approval of this bylaw provision. 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.

2. The Chairperson shall preside at all meetings of the Commission; in consultation with other Commission members, appoint standing and special committees of the Commission; serve as an ex-officio member of all committees; coordinate the actions of officers and committee chairperson; and perform other duties associated with the office as required.
3. The Vice-Chairperson shall assist the Chairperson; perform all the duties of the Chairperson in his or her absence; and perform other such duties as may be assigned by the Commission.
4. The Secretary shall call and record roll; remind a member of his or her absences per Article IV, section 6; record and maintain accurate voting records and meeting summaries which shall be open to public examination; maintain such other records as the Commission may direct; notify the Mayor of any vacancy; perform related duties as may be assigned by the Commission; and in the absence of both the Chairperson and the Vice-Chairperson, call the meeting to order and preside until the immediate election of a chairperson pro tempore.
5. The Zoning Chair shall preside at all zoning committee meetings. The purpose of the committee is to receive, review, and make recommendations concerning applications for rezoning, zoning variances, and special permits for property located in the area. Receive and review all demolition permits for property in the area. The zoning committee shall consider zoning cases that have been received by the Zoning Chair at least 10 calendar days prior to the Commission meeting. Cases received less than 10 days ahead will be heard at the next Commission meeting. Commissioners shall be notified by the Zoning Chair of upcoming zoning cases no less than 10 days before the area commission meeting.
5. The Fiscal Officer shall receive all funds and disburse all funds with the Commission's approval.
6. A vacancy in the office of the Chairperson shall be filled by the Vice-Chairperson. A vacancy in any other position shall be filled in the same manner as the original selection.

Article VI. Meeting

1. Regular meetings will be held monthly except for December on the third Tuesday of the month. Meetings will occur in this manner unless otherwise directed by the majority vote of the Commission in sufficient time to notify constituents and the City Administration of such change. Each meeting shall be held in the Commission Area unless suitable facilities are not available in which they may seek suitable facilities contiguous to the Commission Area in an appropriate, large room convenient for members and the public chosen by the Commission as its regular meeting place, unless otherwise specified at least fifteen (15) days prior to the meeting.
2. The annual meeting shall be by the first regular meeting following the elections at which time new members will be seated and new officers elected.

3. Special meetings may be called by Executive Committee, the Chairperson, or by majority of the members in a regular or special meeting. The meeting's purpose, date, time, and location shall be stated when the meeting is called. No business will be considered at a special meeting unless it was stated when the meeting was called. Except in cases of emergency, three (3) days' notice shall be given for a special meeting.

4. All meetings shall be open to the public, and notice shall be published, when possible, at least seven (7) days in advance in a newspaper of general circulation in the Commission Area and on the web site and/or community member email list.

5. Quorum: A majority of the total membership shall constitute a quorum for conducting business.

6. Voting: A majority of the Commission members present, and voting shall be required to approve any action. A tie vote is disapproval. The Chairperson shall state each issue in a positive form such as "The question before the Commission is: Shall the application (request approval) for _____ be approved?"

7. The Order of Business can be determined by the Chair. A suggested format is:

1. Pledge of Allegiance
2. Roll Call
3. Zoning
4. Invited Guests
5. Routine Business
6. New Business
 - A. Reports
 - B. Announcements
7. Old Business
8. Adjournment

8. The Chairperson shall recognize members of the public who wish to address the Commission concerning issues under discussion. The Chairperson shall uniformly limit debate to an equal amount of time for each side of the issue. Time limits may be set by the Commission. When appropriate, further action on the issue may be deferred to the next Commission meeting.

9 Commission members must be present at a meeting in order to be considered present or to vote at the meeting.

10. The Commission members may not vote by secret ballot for commission appointments, officers, or for any other commission business.

11. Dissenting or non-concurring reports may be filed with the Secretary by any Commission member and shall be attached to the majority report.

12. Individual citizens or Commissioners may be asked to research a specific topic and report findings to the Commission.

13. Meeting minutes shall be promptly prepared, shared with members of the Commission and voted on at the next regular meeting. Once approved the minutes shall be provided to the Department of Neighborhoods within thirty (30) days. Minutes shall be maintained and available to the public. They will be posted on the Commissions website and shared with the Columbus Metropolitan Library.

Article VII. Committees

1. Standing committees may be established for specific purposes by a majority vote at any meeting. Membership on standing committees may be accorded to commission members and non-members. Standing 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.

2. The Chairperson shall appoint Commission members to standing committees giving due consideration to their individual preferences and subject to approval by a majority vote of the Commission members.

3. The Chairperson may appoint non-members to Commission committees from recommendations by Commission members appointed to that particular committee subject to approval by a majority vote of the Commission members. Non-member appointees shall have full voting privileges in all proceedings of the committee to which they are appointed. The number of non-members on any committee shall not exceed the number of Commission members appointed.

4. Committee members shall serve at the pleasure of the Commission and their appointments shall expire at the next annual meeting.

5. The Chairperson shall be an ex-officio member of all committees, except the Nominating Committee.

6. After appointments are approved, the members of each committee shall select a Committee Chairperson from among the Commission members appointed to the committee.

7. Notice of all committee meetings and copies of all committee correspondence shall be filed with the Secretary and the Chairperson of the Commission. Committee findings which propose action or resolution shall be submitted at a regular meeting of the Commission for consideration.

Article VIII. Elections.

1. The Elections Board shall consist of a minimum of three (3) Commission Area residents appointed by the Chairperson with the approval of the Commission by the last regular meeting in April of each year. No individual running election night activities can be connected in any way with any candidate appearing on the ballot for the Commission. If no Elections Board is appointed, then all Commission members will make up the Elections Board.

2. The Board shall appoint any necessary officers; provide for printing and distributing necessary forms such as, but not limited to, petitions, ballots and tallies; receive petitions; certify persons who have qualified as candidates, locate polling places, conduct the election; tally the votes; hear and decide complaints concerning the election or campaign; and certify the winning candidates to the Commission pursuant to C.C. 3109 and the Selection Procedure, including all activities incidental thereto.

3. Candidates for selection shall not be polling staffs in year or years in which their names appear on the ballot.

4. Elections shall be by secret ballot and shall take place at a location determined by the Commission annually before September 30. The Commission shall certify election results annually prior to September 30 at a regular full Commission meeting. Plurality of vote if three (3) or more candidates vie for a single position, otherwise a majority of votes cast shall elect. Any person eighteen (18) years of age or older who is a resident of the Commission Area and the City of Columbus may be an elector. Electors need not be registered with the Franklin County Board of Elections. The initial election shall be conducted by a Task Force.

5. The Election Board shall adopt Election Rules for governing the elections by majority vote of its members provided such rules shall conform with these Bylaws and Selection Procedure. Such rules shall not be changed during the ninety (90) days before an election nor thirty (30) days after an election. The adoption of amendment of such Rules shall be presented to the Commission at the beginning of a regular meeting. Should the Commission not disapprove of them prior to adjournment, such Rules take effect. The Commission may amend the Election Rules without action by the Elections Board in the same manner as an amendment of these Bylaws. If no election rules are presented before the time requirements listed previously the standing election rules will still apply with updated dates consistent with the prior election rules.

6. If the number of candidates is the same as, or less than, the number of available seats no election will be held.

Article IX. Parliamentary Authority

Robert's Rules of Order Newly Revised shall govern in all cases to which they are applicable and not inconsistent with these Bylaws and any special rules of order the Commission may adopt.

Article X: Training

1. All Commission members are strongly encouraged to attend area commission training classes provided by the Department of Neighborhoods.

2. Newly elected or appointed area commissioners should attend the new area commission training class provided by the Department of Neighborhoods within one (1) year of appointment or election.

3. Newly elected Chairpersons, Vice Chairpersons and Zoning Chairpersons should 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 XI Public Records

1. The Commission shall identify a person responsible for maintaining all public records of the Commission.

2. 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.

3. The Commission's records shall be organized and maintained in a manner that records shall be promptly prepared and made available for inspection or copying. Upon request, all public records shall be promptly prepared and made available for inspection to any person.

Article XII Code of Conduct

1. 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.

2. Area Commissioners shall treat other area commissioners, developers, and member 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.

3. Area Commissioners, their family members, or business associates shall not benefit financially 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 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.

4. 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 XIII. Amendments of Bylaws

These Bylaws may be amended at any regular meeting of the Commission by an affirmative vote of two-thirds (2/3) of the Commission Members provided that the amendment was submitted in writing at the previous regular meeting. The Secretary shall file any approved amendment immediately after its adoption with the City Clerk for publication in the City Bulletin. Such amendment shall take effect ten (10) days after such publication per C.C. 121 .05.

Amended Bylaws as adopted this 19 day of April 2022.

Southwest Area Commission Chair

Southwest Area Commission Secretary