

BYLAWS
DEKALB COUNTY COMMUNITY COUNCILS
ESTABLISHED BY THE DEKALB COUNTY BOARD OF COMMISSIONERS
February 2010

PREAMBLE

The DeKalb County Community Council Districts 1-5 hereby adopt the following Bylaws to govern their operations.

The term “Council” is used to designate the DeKalb County Community Council as established by the DeKalb County Board of Commissioners. The term “District Council” is used to indicate the active members of a council for a particular district. The term “Active Member” is used to designate qualified, official members of the Council.

ARTICLE I
MEMBERSHIP

Volunteer candidates for membership are required to be residents of unincorporated DeKalb County. New member appointments are subject to be prioritized by geographic distribution of voting precincts within each home district.

In accordance with the Ordinance adopted April 2009, amending Section 27-837 of the Zoning Code, each community council shall consist of fifteen (15) members, each of whom shall be a resident of DeKalb County, who shall be appointed as follows:

1. The district commissioner shall appoint eleven (11) members to the community council located in his or her district; and
2. Each super district commissioner shall appoint two (2) members to each of the community councils located in his or her super district.

A community council member shall serve for a four-year term unless such terms ends in the manner set forth herein or until a successor is appointed and qualified. A community council member's term shall end immediately on the date a vacancy, as that term is defined by section 6 of the Organizational Act of DeKalb County, occurs in the office of the elected county commissioner who appointed the community council member. Any vacancy in the membership of the community council shall be filled in the same manner as the initial appointment.

If a community council member moves outside the county, that action shall constitute a resignation from the council, effective upon the date a replacement is appointed. Members of each community council shall serve at the pleasure of the elected county commissioner who appoints said member of the community council and may be removed at the will of said elected county commissioner. Community council members may be reappointed to successive terms without limitation.

1. No person shall serve or continue to serve as a community council member until they have been certified as having completed a training session sponsored by the county and the Atlanta Regional Commission.
2. Community council members shall give the planning director or designee 24 hours prior notice if the community council member will be unable to attend a community council meeting.

The Planning and Development Department verifies eligibility, provides formal training, and makes training manuals available before candidates become official members of the Council. All candidates for membership and active members of Council are required to participate in training offered by the Planning and Development Department. Membership is pending until the following conditions are met:

1. Staff verification;
2. Commissioner notification;
3. Training;

4. Certificate of completion for training; and
5. New member notification.

An active member shall be replaced or removed from Council if:

1. The member misses three (3) consecutive scheduled meetings without prior written notification to the Planning and Development Department (active members shall be excused for up to two absences per year with written or phone notification to Planning staff);
2. The member refuses to attend or make up required training and cannot be recertified;
3. The member no longer lives in the applicable unincorporated district; or
4. The member resigns.

ARTICLE II

RESPONSIBILITIES OF COMMUNITY COUNCIL MEMBERS

The duties of the Community Council Members include:

1. Participate in the County's planning program by attending scheduled meetings and required training sessions;
2. Express views and concerns about development patterns occurring in or proposed for respective communities in the district, and about policies and interpretation of the 2025 Comprehensive Plan and the DeKalb County Zoning Ordinance.
3. Study agenda and application information provided by Staff and visit the development sites to gain a full understanding of the issues.
4. Review applications for amending the Comprehensive Plan, Rezoning, Special Land Use Permits and zoning code text amendments in the presence of the applicant and the public.
5. Provide recommendations to the Planning Commission and Board of Commissioners on current applications for amending the Comprehensive Plan, Rezoning, Special Land Use Permits and Zoning Code Text Amendments.
6. Base recommendations and comments on state, county and community standards, including the policies and vision in the Comprehensive Plan, the DeKalb County Zoning Ordinance, and Georgia State zoning proposal review standards;

7. After hearing applicants and the public, Council members shall deliberate and vote to make one of the following recommendations:
 - a. Approve (with comments);
 - b. Approve (with conditions and comments);
 - c. Defer 60 days (full cycle);
 - d. Deny (with comments); or
 - e. Abstain.

ARTICLE III

MEETINGS AND VOTING

The Council shall meet as specified and adopted in the DeKalb County Board of Commissioners most recently adopted Rezone Calendar. All meetings shall be public and take place at a DeKalb County public facility within that corresponding Commission District. Meetings shall not be cancelled except when indicated by the Board of Commissioners, as the Community Council meetings are part of the public hearing process.

The Council shall be notified by the Planning and Development Department and/or council representative of the time and place of meetings. Council members may only vote at meetings within their own district; they are general members of the public when visiting another district's meeting.

A majority vote of the Council members (half the number of active members plus one) is required to present a recommendation to the Planning Commission. No vote is tallied if a quorum is not present. A quorum is half of the number of active members plus one. If there are not enough members for a quorum, the meeting can proceed with the number present. Those members present will offer an "Opinion of the Council" which may come in the form of recommendations or general comments about the application.

ARTICLE VI

ELECTION OF THE CHAIRPERSON AND VICE CHAIRPERSON

Each District Council shall vote to elect a Chairperson and Vice Chairperson, as the Council deems appropriate, from among active members in February of each year for a one year term. A majority vote by active Council members is required to elect a Chair and Vice Chair. Candidates nominated for either position must accept nomination, and members will be informed of all accepted nominations, before a vote is taken. In the event of a tie, the election process will continue in the following meeting to achieve a majority vote of active members, unless and until the process interferes with normal proceeding. Consecutive terms are permitted.

ARTICLE V

RESPONSIBILITIES OF THE CHAIRPERSON AND VICE CHAIRPERSON

The duties of the Council Chairperson include:

1. Facilitate the meetings in a focused and timely manner and maintain order;
2. Participate in questions and vote as a Council member on the applications presented;
3. Take the council votes and read the vote tallies to the Council members, applicants and public.

The duty of the Council Vice Chairperson is to assume the role and responsibilities of the Chairperson, if the Chairperson is not present or is unable to perform the duties. If the Chairperson and the Vice Chairperson is unable to perform the responsibilities, the Community Council will need to delegate a temporary designee.

ARTICLE VI

RESPONSIBILITIES OF PLANNING STAFF

The duties of the Planning and Development Department staff include:

1. Prepare the meeting agendas;
2. Provide notice of meetings;

3. Provide Council meeting with the appropriate information necessary to detail the individual applications;
4. Attend and convene all applicable Council meetings;
5. Confirm that a quorum exists and votes can be taken. No Staff member shall vote on items before Council;
6. Respond to questions by Council, applicants and public about planning issues;
7. Keep a record of votes to forward to the Planning Commission and the Board of Commissioners;
8. Summarize public and Council comments to forward to the Planning Commission and the Board of Commissioners;
9. Make these summarized comments and notes available to the public; and
10. Perform other assistance normally provided to County advisory councils.

ARTICLE VII

RECORDS

The Council shall keep a record of its recommendations. Such records shall be maintained by the Planning and Development Department representative. Membership information shall be maintained by the Planning and Development Department and the Board of Commissioners.

ARTICLE VIII

BYLAWS CONFLICT

In the event of a conflict between the provisions of these Bylaws and the Code of DeKalb County or other policies of the County, Code of DeKalb County or other policies of the County shall prevail.

In the event of a conflict between the provisions of these Bylaws and the Georgia State Code or other policies of the State of Georgia, the Georgia State Code or other policies of the State of Georgia shall prevail.

Council members, as residents can have a personal interest in zoning matters throughout the district and members are often in a position to help resolve issues between neighbors and applicants. A member has the opportunity to abstain from voting if it is deemed appropriate. Any member of the Council who has a business interest in, or business conflict (or appearance of a business conflict) with any specific matter pending before the council, shall offer to abstain from participating on said item.

ARTICLE IX

ADOPTION AND AMENDMENT

These Bylaws shall be adopted by and distributed to all of the active members of DeKalb County Community Council. The Bylaws may be amended by a majority vote of the active members of Council present at any set of scheduled District Council meetings, provided a quorum is present at each District Council meeting and provided copies of the proposed amendment(s) are provided to each Council member at least one week prior to said meeting. These Bylaws shall be effective immediately upon approval and adoption by the Council.