

**BY-LAWS OF ADVISORY  
NEIGHBORHOOD COMMISSION 4C**

Last amended May 2019

|   |          |
|---|----------|
| <b>BY-LAWS OF ADVISORY<br/>NEIGHBORHOOD COMMISSION 4C</b> | <b>1</b> |
| <b>ARTICLE I: NAME, PURPOSE, AND OFFICES</b>              | <b>4</b> |
| Section 1.01 Name   | 4        |
| Section 1.02 Authority                                    | 4        |
| Section 1.03 Purpose                                      | 4        |
| Section 1.04 Offices                                      | 4        |
| Section 1.05 Commission Records                           | 4        |
| <b>ARTICLE II: MEMBERS</b>                                | <b>5</b> |
| Section 2.01 Membership                                   | 5        |
| Section 2.02 Vacancies                                    | 5        |
| Section 2.03 Removal                                      | 5        |
| Section 2.04 Compensation                                 | 5        |
| <b>ARTICLE III: OFFICERS</b>                              | <b>5</b> |
| Section 3.01 Officers                                     | 5        |
| Section 3.02 Nomination and Election of Officers          | 5        |
| Section 3.03 Term of Office                               | 6        |
| Section 3.04 Resignation                                  | 6        |
| Section 3.05 Removal                                      | 6        |
| Section 3.06 Vacancies                                    | 6        |
| Section 3.07 Compensation                                 | 6        |
| <b>ARTICLE IV: DUTIES OF OFFICERS</b>                     | <b>6</b> |
| Section 4.01 Chairperson                                  | 6        |
| Section 4.02 Vice-Chairperson                             | 7        |
| Section 4.03 Secretary                                    | 7        |
| Section 4.04 Treasurer                                    | 7        |
| Section 4.05 Parliamentarian                              | 8        |
| <b>ARTICLE V: MEETINGS OF THE COMMISSION 4C</b>           | <b>8</b> |
| Section 5.01 Place of Meetings                            | 8        |
| Section 5.02 Regular Meetings and Agenda                  | 8        |
| Section 5.03 Town Meetings                                | 8        |
| Section 5.04 Special Meetings                             | 9        |
| Section 5.05 Executive Working Sessions                   | 9        |
| Section 5.06 Joint Meetings                               | 9        |
| Section 5.07 Notice of Meetings                           | 9        |
| Section 5.08 Quorum                                       | 9        |

|   |           |
|---|-----------|
| Section 5.09 Majority Vote; Voting                                    | 10        |
| Section 5.10 Proposals, Resolutions, and Letters on Behalf of the ANC | 10        |
| Section 5.11 Contents of the Minutes                                  | 11        |
| <b>ARTICLE VI: COMMITTEES</b>   | <b>11</b> |
| Section 6.01 Committees   | 11        |
| Section 6.02 Membership   | 11        |
| <b>ARTICLE VII: EMPLOYEES</b>   | <b>12</b> |
| Section 7.01 Positions  | 12        |
| Section 7.02 Hiring and Firing  | 12        |
| <b>ARTICLE VIII: FINANCIAL ADMINISTRATION</b>                         | <b>12</b> |
| Section 8.01 Fiscal Year  | 12        |
| Section 8.02 Contracts  | 12        |
| Section 8.03 Checks, Drafts, etc.                                     | 12        |
| Section 8.04 Deposits and Accounts                                    | 12        |
| Section 8.05 Bonding of the Treasurer                                 | 13        |
| Section 8.06 Grant Guidelines   | 13        |
| Section 8.07 Reimbursements and Payments                              | 13        |
| <b>ARTICLE IX: AMENDMENT OF BYLAWS</b>                                | <b>14</b> |
| Section 9.01 Amendments   | 14        |
| Section 9.02 Separability Clause                                      | 14        |

# ARTICLE I: NAME, PURPOSE, AND OFFICES

## Section 1.01 Name

The name of this organization is Advisory Neighborhood Commission 4C (hereinafter referred to as "Commission 4C").

## Section 1.02 Authority

The management and conduct of the business and affairs of Commission 4C will be in accordance with these Bylaws and the laws and regulations of the District of Columbia. The Commission as a body will possess and may exercise all the powers and authority granted to Advisory Neighborhood Commissions by law. The Commissioners as a body will utilize District government officials and all District government official documents and public data pursuant to Commissioner's Order No. 7 1-370 and the ANC Amendments Act of 1984, D.C. Law 5-1 11, that are material to the exercise of its responsibility to review, comment, and make recommendations to the District government.

## Section 1.03 Purpose

Commission 4C will (1) advise the council of the District of Columbia, the Mayor and each executive agency and all independent agencies, boards and commissions of the government of the District of Columbia on all proposed matters of District government policy including, but not limited to, decisions regarding planning, zoning, streets, recreation, social services programs, education, health, safety, and sanitation that affect the Commission 4C area; and (2) receive, monitor and respond to questions and complaints from the residents of the Commission 4C area about matters of public safety, the provision of government services, and other community concerns.

## Section 1.04 Offices

The principal office of Commission 4C shall be at such place within the Commission 4C area as Commission 4C may from time to time designate.

## Section 1.05 Commission Records

Commission 4C shall keep:

- A. original records of the proceedings of its meetings;
- B. original Bylaws, including all amendments thereof to date, certified by the Secretary;
- C. appropriate, correct, and complete books and records of account; and
- D. all correspondence dealing with Commission 4C business.

## **ARTICLE II: MEMBERS**

### **Section 2.01 Membership**

Members of Commission 4C will be those Commissioners duly elected, as determined by the District of Columbia Board of Elections and Ethics, from the single-member districts established in the Commission 4C area. Such Commissioners as a body will constitute Commission 4C.

### **Section 2.02 Vacancies**

A vacancy existing by reasons of the resignation, death, incapacity, ineligibility or removal of a Commissioner before the expiration of his or her term of office will be filled as prescribed by law.

### **Section 2.03 Removal**

A Commissioner may be removed as prescribed by law.

### **Section 2.04 Compensation**

Commissioners will not receive any compensation from Commission 4C for their services, but may receive reasonable reimbursement for expenses incurred on behalf of Commission 4C. These expenditures must be approved first by a majority vote of the Commissioners in a public meeting of Commission 4C and recorded in the minutes for that meeting. In addition, proper documentation of supporting receipts and vouchers for all cash purchases or services must be submitted to the Treasurer before reimbursement can be provided.

## **ARTICLE III: OFFICERS**

### **Section 3.01 Officers**

The officers of Commission 4C will be a Chairperson, a Vice-Chairperson, a Secretary, a Treasurer, a Parliamentarian, and such other officers as Commission 4C may from time to time designate. The officers will be chosen from among the Commissioners of the single member districts of Commission 4C. Any two offices may be held by the same person, except the offices of Chairperson and Secretary.

### **Section 3.02 Nomination and Election of Officers**

1. Nominations for officers may be made only by Commissioners. Self-nomination will be permitted.

2. New offices may be created and filled at any Commission 4C meeting by a majority vote of the Commissioners.
3. Officers will be elected during an open ballot process by a majority vote of the Commissioners. Officers will be eligible for reelection.

### Section 3.03 Term of Office

The term for each office shall begin in January and continue for one year. After the expiration of the term for which he or she is elected, an officer will continue to hold office until his or her successor is elected, unless he or she resigns or is removed before such subsequent election.

### Section 3.04 Resignation

An officer may resign at any time by giving written notice to the Chairperson, unless such officer is the Chairperson, in which case, he or she will give written notice to the Secretary. A resignation will take effect at the time received unless another time is specified in such notice. Unless otherwise specified in such notice, the acceptance of such resignation shall not be necessary to make it effective.

### Section 3.05 Removal

An officer may be removed for cause by a majority vote of the Commissioners. "Cause" is defined as misconduct, wrongdoing or neglect of duty in office.

### Section 3.06 Vacancies

A vacancy existing by reasons of the resignation, death, incapacity, ineligibility, or removal of an officer before the expiration of his or her term may be filled by election of a successor by a majority vote of the Commissioners. An officer so elected shall serve until the completion of the regular term of the office which he or she filled.

### Section 3.07 Compensation

Officers shall not receive any compensation for their services as officers.

## **ARTICLE IV: DUTIES OF OFFICERS**

### Section 4.01 Chairperson

The Chairperson shall be the chief executive and, in general, shall be responsible for the affairs of Commission 4C and for the performance of its other officers and employees. The

Chairperson may sign and execute, with the Secretary, in the name of Commission 4C, contracts, bonds, and other instruments authorized by Commission 4C, except in cases where the signing and execution thereof shall be expressly delegated by Commission 4C or by these Bylaw to some other officer or agency of Commission 4C. The Chairperson shall perform all duties incident to the office of chief executive and such other duties as from time to time may be assigned to them by Commission 4C. The Chairperson has the responsibility of convening all meetings of Commission 4C in accordance with the dates, times and places approved and adopted by Commission 4C and shall preside at such meetings, unless some other officer is so designated.

#### Section 4.02 Vice-Chairperson

The Vice-Chairperson shall be subject to the direction and control of the Chairperson. They, in the absence of the Chairperson, shall preside at meetings of Commission 4C. The Vice-Chairperson shall perform the duties of the Chairperson when the Chairperson is absent, and when so acting, shall have all the powers of and be subject to all the restrictions upon the Chairperson. The Vice-Chairperson shall perform such other duties as from time to time may be assigned to them by the Chairperson or by Commission 4C.

#### Section 4.03 Secretary

The Secretary shall perform the following functions:

1. certify and keep the original copy of its Bylaws as amended to date;
2. prepare and keep the minutes of all proceedings of Commission 4C;
3. see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law;
4. be custodian of the records, except financial records;
5. perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to them by the Chairperson or by Commission 4C.

#### Section 4.04 Treasurer

The Treasurer shall perform the following functions:

1. have charge and custody of, and be responsible for, all funds of Commission 4C and shall deposit all such funds in the name of Commission 4C in such banks, trust companies, or other depositories as shall be selected by resolution by Commission 4C;
2. keep and maintain adequate and correct accounts of Commission 4C's properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital and surplus;
3. exhibit the books of account and records to any Commissioner or any Commission 4C area resident, upon request, during reasonable hours;
4. render upon request, a monthly statement of the condition of the finances of Commission

4C at such meetings of Commission 4C as the Chairperson may direct, and prepare and submit, upon approval by Commission 4C, full quarterly and annual financial reports to the District government as required by law;

5. prepare a suggested annual budget for Commission 4C's consideration at the beginning of the financial year;
6. receive and give receipt for monies due and payable to Commission 4C from any source whatsoever;
7. review all vouchers presented to them for disbursement of Commission 4C funds, in accordance with the guidelines of the Office of the Auditor;
8. prepare all employee payroll records and forms and submit payroll related information to the proper federal and local authorities; and
9. in general, perform all duties incident to the office of Treasurer and such other duties as from time to time may be assigned to them by the Chairperson or by Commission 4C.

#### Section 4.05 Parliamentarian

The Parliamentarian shall maintain order at Commission 4C meetings. The Parliamentarian shall have a working knowledge of these Bylaws and shall cite to them as they relate to the clarification of parliamentary procedures. The Parliamentarian may also cite Robert's Rules of Order for procedures not addressed by these Bylaws, provided Robert's Rules of Order are not inconsistent with these Bylaws.

## **ARTICLE V: MEETINGS OF THE COMMISSION 4C**

#### Section 5.01 Place of Meetings

The meeting place or places of Commission 4C shall be chosen by majority vote of Commission 4C.

#### Section 5.02 Regular Meetings and Agenda

Commission 4C may by resolution establish a schedule of regular meetings, but in no event shall Commission 4C meet less than nine times within a calendar year. The Commission shall adopt an agenda at the beginning of each meeting.

#### Section 5.03 Town Meetings

Commission 4C may, as necessary call a meeting to hear the views of residents on a particular problem in Commission 4C area or on proposed District government actions affecting the area.



Resident's views shall be received orally or in writing and fully considered, and where appropriate, such views shall be incorporated in positions taken by Commission 4C.

#### Section 5.04 Special Meetings

Special meetings or emergency meetings of Commission 4C may be called by any officer, by one-third or more of the elected Commissioners.

#### Section 5.05 Executive Working Sessions

1. Executive working sessions may be called by the Chairperson or Vice-Chairperson. Notice of an executive working session shall be given no less than five days before each executive working session, except where (a) notice is given at a regular or town meeting of Commission 4C, (b) shorter notice for good cause is necessary, or (c) in the case of an emergency.

#### Section 5.06 Joint Meetings

Commission 4C may hold joint meetings with other Advisory Neighborhood Commissions only after Commission 4C has been authorized by a majority vote.

#### Section 5.07 Notice of Meetings

1. Commission 4C shall give notice of all meetings to each Commission member and to residents in ANC 4C no less than seven days prior to the date of such meeting. A shorter notice may be given in the case of an emergency or for other good cause.
2. Notice of the date, time, place, and purpose of all meetings shall be given to each Commissioner digitally.
3. Notice to residents of ANC 4C of all meetings shall be given by;
  - a. publication in a city or community newspaper;
  - b. mailing notice to an email list; or
  - c. any other manner directed by Commission 4C.

The Chairperson of Commission 4C shall be responsible for ensuring uniform notices of the meetings of Commission 4C in accordance with this Section, and for distributing them in a manner designated by Commission 4C.

#### Section 5.08 Quorum

1. In order to take official action at any meeting, a quorum of Commission 4C must be present. Except for the circumstances noted in subsection (2) below, a quorum is a majority of the total number of commissioner positions currently filled in Commission 4C.
2. A majority of the positions which are currently filled shall be sufficient for quorum for official Commission 4C action when it is voting (a) to fill vacancies for positions on Commission 4C, according to District law, and (b) to adopt recommendations on a

proposed District government action such as a matter which is pending before the Board of Zoning Adjustment or Alcoholic Beverage Control Board.

### Section 5.09 Majority Vote; Voting

All motions, questions, or resolutions brought up for decision by Commission 4C shall be decided by a majority (more than half) of the Commissioners present and voting at a meeting of Commission 4C at which a quorum is present, unless otherwise provided in these Bylaws. In taking a vote,

- A. no vote at a meeting need be a written ballot, unless otherwise required by law;
- B. a roll call vote will be taken, upon request by a Commissioner;
- C. a Commissioner may not vote by proxy; and
- D. any Commissioner unable to attend a meeting may submit written views on any subject to be considered by the Commissioners participating in such meeting.

### Section 5.10 Proposals, Resolutions, and Letters on Behalf of the ANC

Any documents that the Commission will be voting on shall be completed and submitted as digital copies to the full Commission at least 48 hours prior to the public meeting when they will be on the agenda. Special exceptions shall only be granted for items deemed to be outside of the ANC's control.

The Commission shall not authorize resolutions, letters, or similar documents to be drafted after approval by the ANC unless it is a time sensitive manner and deemed to be outside of the ANC's control. In these cases the ANC shall only approve a document stating the exact motion, the vote total, and any necessary motions to authorize individuals to represent the Commission on that specific matter. The document shall be shared with the full Commission before submitting it to the appropriate recipient.

The Chair may determine whether any circumstances are outside of the ANC's control. The Commission may overrule that decision by a majority vote.

Any Alcohol Beverage Control Board (ABRA) new licenses or renewals shall include a Settlement Agreement approved by the Commission. The Single Member District Commissioner shall be responsible for negotiating the agreement with the applicant. The Single Member District Commissioner is responsible for doing one of the following:

- A. Submitting an agreed upon Settlement Agreement to the Commission for review in compliance with the 48 hour requirement
- B. Requesting a postponement from ABRA to allow them time to negotiate a Settlement Agreement.

If the Single Member District Commissioner does not do either of the above within 48 hours of the monthly Commission meeting when the case will be considered, the Chair may assign the case to another Commissioner.

Any Board of Zoning Adjustment case shall be placed on the Commission's agenda for consideration regardless of the recommendation. The Single Member District Commissioner where the case is based is responsible for doing one of the following:

- A. Submitting a letter to the Commission for review in compliance with the 48 hour requirement that outlines the recommendation to support, oppose, or take no action with any proposed modification requirements as needed
- B. Request a postment from BZA to allow them time to draft a recommendation letter for the Commission to review at the following Commission meeting.

If the Single Member District Commissioner does not do either of the above within 48 hours of the monthly Commission meeting when the case will be considered, the Chair may assign the case to another Commissioner.

### Section 5.11 Contents of the Minutes

The minutes of every public meeting of Advisory Neighborhood Commission 4C shall be recorded with the following information.

1. kind of meeting (regular, special, adjourned regular, etc), full name of the commission, date, time and place of the meeting, names of commissioners in attendance, approval of minutes from prior meeting.
2. all main motions, the disposition of the motion and the count of the vote, with the names of those in dissent, abstaining or absence being noted.
3. the time of adjournment.

## **ARTICLE VI: COMMITTEES**

### Section 6.01 Committees

Committees may be established by a resolution adopted by a majority vote of the Commissioners, in order to analyze the needs of the community, to propose ANC actions, and to carry out policies or programs of Commission 4C. The subject matter of a committee, rules for operation of a committee, and other guidelines shall be included in the resolution establishing a committee.

### Section 6.02 Membership

Each committee shall have at least one Commissioner member and may have additional local citizens appointed by the Commission 4C. Unless otherwise stated in the resolution the Commission shall appointed the chairperson. Membership shall be open to any resident of Commission 4C area. Community participation on the committees shall be actively sought by Commission 4C through public announcements.

# **ARTICLE VII: EMPLOYEES**

## **Section 7.01 Positions**

Commission 4C may employ personnel by a majority vote of the Commissioners. Personnel shall be supervised by the Chairperson or Vice-chairperson, in absence of the Chairperson, shall be responsible for coordinating day-to-day activities of the office, including but not limited to receipt and delivery of Commission mail, disbursing petty cash funds, maintaining time and attendance records, typing, filing, and other duties as designated by the Chairperson or Vice-Chairperson, in absence of the Chairperson.

## **Section 7.02 Hiring and Firing**

Commission 4C shall by resolution hire both full-time and part-time employees and shall set forth therein the job description of such positions. An employee may be fired only by a majority vote of the Commissioners. Commission 4C shall be an equal opportunity employer.

# **ARTICLE VIII: FINANCIAL ADMINISTRATION**

## **Section 8.01 Fiscal Year**

The fiscal year of Commission 4C shall begin on the first day of October and end on the last day of September in each year.

## **Section 8.02 Contracts**

Commission 4C may by resolution authorize the Chairperson to enter into any contract or execute and deliver any instrument in the name of and on behalf of Commission 4C.

## **Section 8.03 Checks, Drafts, etc.**

All checks, orders for the payment of money, bills of lading, warehouse receipts, obligations, bills of exchange, and insurance certificates shall be signed or endorsed by the Treasurer and the Chairperson, or other officer as long as that Commissioner is not also the Treasurer, in absence of the Chairperson.

## **Section 8.04 Deposits and Accounts**

All funds of Commission 4C, not otherwise needed for immediate use, shall be deposited in general or special accounts in such banks or other financial institutions as Commission 4C may select. For the purpose of deposit and collection for the account of Commission 4C. Checks,

drafts, and other orders for the payment of money that are payable to the order of Commission 4C may be endorsed, assigned and delivered on behalf of Commission 4C by the Treasurer or the Chairperson, other officer as long as that Commissioner is not also the Treasurer, in the absence of the Chairperson.

#### Section 8.05 Bonding of the Treasurer

Commission 4C will secure bonds for the faithful discharge of the duties of the Treasurer of Commission 4C, as may be required by the Office of the Auditor.

#### Section 8.06 Grant Guidelines

Commissioners shall adhere to the rules and regulations stipulated in the ANC 4C Small Grant Guidelines.

#### Section 8.07 Reimbursements and Payments

Budgetary reimbursements over \$100.00 need to be approved by a majority vote of the Commission. If a Commissioner cumulatively has \$500.00 in reimbursements in the current fiscal year all future reimbursement requests of any size during that fiscal year need to be approved by a majority vote of the Commission.

Individual Commissioners may not request reimbursement or advance payment to pay for any staff or individuals to perform work on behalf of the Commissioner. Commissioners may also not pay themselves for any work. The Commission may pay for staff or individuals to perform work on behalf of the Commission if approved by a majority vote of the Commission.

Budgetary reimbursements can not be made for food, entertainment, duplication of any services provided by the District government, or any other expenses prohibited by District law.

If there is any uncertainty the Commission shall request permission for an expense before making any purchases. The Commission reserves the right to deny a reimbursement requests that does not follow any of the policies outlined in this document or that is prohibited by law, advice of the Office of the Attorney General, or the Board of Ethics and Government Accountability.

The Treasurer shall be authorized to pay any bills or previously agreed payments unless instructed otherwise by a majority vote of the Commission or prohibited by law, advice of the Office of the Attorney General, or the Board of Ethics and Government Accountability.

# **ARTICLE IX: AMENDMENT OF BYLAWS**

## **Section 9.01 Amendments**

Amendments of these Bylaws may be proposed at any meeting of Commission 4C. Amendments shall be voted on at the first regular meeting thereafter, or at a special meeting called for that purpose not less than one week after the time of the offering of the amendment. The Bylaws may be amended by Commission 4C by a vote of two-thirds of the Commissioners present and voting at a meeting at which a quorum is present, provided that the notice of such meeting shall have stated the substance of the amendment or amendments. An up-to-date copy of these Bylaws and all amendments thereto shall be filed with the Council of the District of Columbia within seven days of their adoption.

## **Section 9.02 Separability Clause**

In the event that amendments to DC law or judicial rulings render any section or subsections of these Bylaws inapplicable, the remainders of these Bylaws are still in effect.