

**BY-LAWS  
OF  
ADVISORY NEIGHBORHOOD COMMISSION 5C**

**ARTICLE 1: NAME**

The name of this Commission is Advisory Neighborhood Commission 5C. It is established by DCL 14-1433, as amended. The boundaries of the Commission are those described in that law and are presented in the attached exhibit.

**ARTICLE 2: PURPOSE AND RESPONSIBILITIES**

**Section 1**      The purpose of the Commission is to advise the Council of the District of Columbia, the Mayor, executive agencies, independent agencies, and boards and commissions of the Government of the District of Columbia on proposed matters of District Governmental policy, including decisions regarding planning, streets, recreation, social service programs, education, health, safety, and sanitation that affect the Commission area. Proposed actions of the District Government policy shall be the same as those for which prior notice of proposed rule-making is required pursuant to D.C. Code 1-1505c or as it pertains to the Council of the District of Columbia.

- (a)      Proposed District Government actions that the Commission shall have the opportunity to comment upon shall include, but shall not be limited to, actions of the Council of the District of Columbia, the executive branch, or an independent agency. The Commission may advise each agency, board and commission regarding the award of any grant funds to a citizen, organization or group; the formation of any final agency policy decision or guideline with respect to grant applications, comprehensive plans, requested or proposed zoning changes, variances, public improvements, licenses, or permits affecting said Commission area, the District budget and city goals and priorities, proposed changes in District Government service delivery, and the opening of any proposed facility system.

**Section 2**      The Commission may present its views to any federal or District agency.

**Section 3**      The Commission may initiate its own proposals for District Government action.

- (a)      All proposals initiated by the Commission for District Government action must be signed by the chairperson and the recording secretary.

**Section 4**      The Commission shall monitor complaints of Commission area residents with respect to the delivery of District Government services and file comments on the same with the appropriate District Government entity as well as the Council.

- Section 5** On or before November 30<sup>th</sup> of each year, the Commission may file an annual report with the Council of the District of Columbia and the Mayor for the preceding fiscal year. Such report can include, but may not necessarily be limited to, the following: summaries of important problems perceived by the commission in order of their priority; recommendations for actions to be taken by the District Government; recommendations for improvements on the operation of the Commission; financial reports, and a summary of Commission activities.
- Section 6** The Commission, other than for neighborhood or community enhancement campaigns, may operate programs only in conjunction with existing governmental activities provided that such activities on behalf of the Commission not duplicate already available programs or services and further, provided that the Commission's programs are not conducted on a contractual basis with existing governmental agencies.
- Section 7** The Commission may, where appropriate, constitute the citizen advisory mechanism required by any federal statute.

### **ARTICLE 3: MEMBERS**

- Section 1** The Commission shall be comprised of those persons duly elected and certified by the D.C. Board of Elections to Single Member Districts within the Commission area of ANC 5C.
- Section 2** All members shall have equal voting rights following the principle of one person, one vote. There shall be no voting by proxy.
- Section 3** Each member of the Commission shall serve for a term of two (2) years that shall begin at Noon on the second day of January next following the date of election of such member, or at Noon on the day after the date the Board certifies such election of such member, whichever is later.
- Section 4** Vacancies shall be filled in accordance with the existing section of the District of Columbia Code that pertains to such matters.
- Section 5** Members of the Commission shall serve without compensation; however, appropriate expenses may be reimbursed upon authorization by the Commission.
- Section 6** The Commission, as well as each committee of the Commission, shall maintain a record of attendance of its members. Such records shall be forwarded to the Commission Recording Secretary for recordation.
- Section 7** Members who miss two consecutive Commission meetings of any kind may be subjected, by the Executive Committee of the Commission, to the following action:
- a) Issued a warning in writing by registered mail giving the member an opportunity to respond within fifteen (15) days to justify his/her absence.
  - b) If the member does not respond or if in the judgment of the Executive Committee of the Commission, the explanation is not adequate, he/she may be:

- 1) Requested to resign,  
and/or,
- 2) Recommended to voters of his/her Single Member District for non-re-election.

#### **ARTICLE 4: ELECTION OF OFFICERS**

- Section 1** The Commission shall elect a Chairperson, Vice-Chairperson, Recording Secretary, Corresponding Secretary, Financial Secretary, Treasurer and such other officers as may be necessary from among the Commission members.
- a) A Parliamentarian and a Historian shall be appointed by the chairperson.
- Section 2** The election shall take place in January of each year at a regularly scheduled, Commission meeting.
- Section 3** The elected officers shall be elected to service for one year or until their successors are elected, and their terms of office shall commence at the close of the regular meeting at which they are elected.
- Section 4** If there are vacancies among officers, the Executive Committee shall appoint an interim officer from among the Commissioners. At the next regular meeting of the Commission, nominations and elections shall occur in accordance with the election procedures set forth in these By-Laws. In case of a vacancy in the office of Treasurer, a special meeting of the Commission will be held to elect a new Treasurer within seven (7) days of the vacancy in accordance with the election procedures set forth in these By-Laws.
- Section 5** Officers elected to fill vacant positions shall only serve out the term of the officer he/she replaced.
- Section 6** A quorum for the election shall be one half of the Commission membership, plus one.
- Section 7** Each candidate for office shall be nominated from the floor by a member of the Commission. There shall be no limit to the number of nominations except that each nomination must be seconded.
- a) A candidate may nominate himself or herself but may not second the nomination.
- b) A nomination speech of two minutes may be made.
- c) No seconding speech will be permitted.
- Section 8** When nomination roll call votes are closed, the elections shall take place by a person designated by the Commission or by persons who have not been nominated. The candidate who receives the most votes shall be elected.

- Section 9** A simple majority shall be required for election of officers. In the event that there is not a simple majority after the first ballot, there shall be an election between the two candidates receiving the most votes.
- Section 10** Voting on each office shall occur before the floor is opened for nominations for another office.
- Section 11** The election of officers cannot be conducted by secret ballot. It must be performed by roll call vote.

#### **ARTICLE 5: DUTIES OF OFFICERS**

- Section 1** THE CHAIRPERSON shall serve as a convener of the Commission and shall chair the Commission meetings.
- a) The Chairperson shall have the power to call special meetings of the Commission and of the Executive Committee.
  - b) The Chairperson may rule on procedural questions from the chair and such rulings may be overturned by a majority vote of the Commission.
  - c) The Chairperson shall be bonded. The Chairperson shall file with the District of Columbia Auditor, a cash surety bond in the amount of One Thousand Dollars (\$1,000.00). The Chairperson shall also file with the Office of the District of Columbia Auditor, on a form provided by said Auditor, a statement giving: (a) treasurer's name, (b) home address, (c) business telephone number, (d) business address, (e) home telephone number, (f) location of the books and records of the Commission, and (g) name and location of each depository
- Section 2** The VICE CHAIRPERSON shall perform the duties of the Chairperson, in the absence of the chairperson or when the chairperson wishes to vacate the chair.
- Section 3** The RECORDING SECRETARY shall be responsible for the recording and preparation of the minutes of all meetings of the Commission and the Executive Committee, and for the distribution of copies of the minutes to all members of the Commission.
- a) The Recording Secretary shall also be responsible for maintaining records of all activities of the Commission and shall serve as a central depository of copies of minutes and reports of all standing, special and administrative committees, and shall perform such other duties as the Chairperson may direct.
  - b) The Recording Secretary shall have the assistance of the Commission staff; as may be required in the performance of the duties of the office of Recording Secretary.
- Section 4** The CORRESPONDING SECRETARY shall issue proper notice of all meetings, and conduct the general correspondence of the Commission with assistance of the Commission staff.

**Section 5** The FINANCIAL SECRETARY shall maintain complete records, in bound books, of all financial transactions of the Commission, including receipts and expenditures.

- a) The Financial Secretary shall prepare a voucher for all Commission authorized expenditures.
- b) The Financial Secretary shall give a report at each Commission meeting and shall prepare written quarterly reports, copies of which shall be distributed to the Commission members.

**Section 6** The TREASURER shall be bonded. The Treasurer shall file with the District of Columbia Auditor, a cash surety bond in the amount of One Thousand Dollars (\$1,000.00). The Treasurer shall also file with the Office of the District of Columbia Auditor, on a form provided by said Auditor, a statement giving: (a) treasurer's name, (b) home address, (c) business telephone number, (d) business address, (e) home telephone number, (f) location of the books and records of the Commission, and (g) name and location of each depository.

- a) The Treasurer shall maintain the Commission accounts on a fiscal year basis, beginning October 1<sup>st</sup> and ending September 30th.
- b) The Treasurer shall prepare and the Commission approves a quarterly financial report within thirty (30) days of the close of the fiscal quarter. These reports shall be public documents and shall be available for public inspection. The quarterly report signed the Treasurer, Recording Secretary, and the Chairperson of the Commission, and attested to by the Commission shall be filed, within seven (7) days of approval by the Commission, with the District of Columbia Auditor.

## **ARTICLE 6: FINANCES**

**Section 1** The Treasurer's and the Chairperson's signature shall be required on every draft or order drawn on the Commission depository. The Commission may, if it desires, require additional signatures on such drafts or orders. The Commission shall by resolution, approved by a majority of its members, designate one or more financial institutions within the District of Columbia as depositories of Commission funds.

**Section 2** Every expenditure of funds by the Commission shall be authorized by a voucher issued by the Financial Secretary to the Treasurer. All expenditures must be authorized by the Commission.

**Section 3** Records of expenditures of such funds shall be transmitted to the Financial Secretary and then to the Treasurer prior to any further disbursement of funds.

**Section 4** No expenditure, whatsoever, shall be made by the Commission during a vacancy in the office of Treasurer or at any time when a current and accurate statement and bond are not on file with the District of Columbia Auditor.

**Section 5** The PARLIAMENTARIAN shall advise the Chair, when requested, on parliamentary orders during the meeting.

**Section 6** The HISTORIAN shall maintain an ongoing record or scrapbook of facts, events and newsworthy pictures and narrations pertaining to the ANC and its Commissioners.

#### **ARTICLE 7: ACTION PROCEDURES**

**Section 1** Any notification of proposed action of the District of Columbia Government or any request for action by a Single Member District Commissioner or a citizen shall be transmitted to the Chairperson of the Commission. Citizen requests for action shall also be transmitted to the appropriate Single Member District Commissioner.

**Section 2** The Chairperson of the Commission may refer the matter to the entire Commission or to the appropriate committee or task force within thirty (30) days of such transmittal, unless by law or otherwise stated by the Chairman that a shorter time is required.

**Section 3** The referred body shall, within a period of time designated by the Chairperson, report its recommendation to the full Commission.

**Section 4** The Commission shall meet at a time and place designated by the Chairperson to make a determination as to what action, if any, it will take.

**Section 5** Within thirty (30) days of receiving a notification from the District Government of proposed actions or proposed final policy decisions or guidelines, the Commission shall forward its written recommendations with respect to the proposed actions to the Council of the District of Columbia, the Mayor and the appropriate agency, board, or commission.

**Section 6** If, with respect to the proposed action, the Commission does not have a recommendation, it shall indicate the same in writing within the required time.

#### **ARTICLE 8: MEETINGS**

**Section 1** Pursuant to the provisions of 742 (a) of the District of Columbia Self-Government Reorganization Act, all meetings of the Commission shall be open to the public. Section 742 (a) of The Home Rule Bill states: "All meetings (including hearings) of any department, agency, board, or commission of the District Government, including meetings of the District Council, at which official action of any kind is taken, shall be open to the public. No resolution, rule, act, regulation or other official action shall be effective "unless taken, made or enacted at such a meeting."

**Section 2** No official action may be taken by the Commission unless a majority of elected representatives of the Commission are present and voting.

**Section 3** The Commission shall convene the residents of its Commission area at regular intervals at least four (4) times a year to hear resident views on problems in the Commission area and on proposed District Government actions affecting said areas.

- Section 4** The Commission shall establish and publicize a regular monthly public meeting time, except July and August, or not less than nine times a year to consider matters before the Commission which may include, but not be limited to, consideration of actions or proposed actions of the legislative and executive branches of the D.C. Government or any independent agency, board or commission and recommendation thereof.
- Section 5** Meeting places shall be varied so as to be held in all geographical areas of the Commission.
- Section 6** No less than seven (7) days notice shall be given by the Commission of its meetings or convocations except where shorter notice for good cause is necessary or in the case of an emergency by posting written notices in at least four (4) conspicuous places in each Single Member District within the Commission area.
- Section 7** The Commission may also establish such mechanisms as will insure the broadest dissemination of information with respect to the Commission meetings, positions, and actions. The Commission shall make a good faith effort to involve all segments of the Commission population in its deliberations regardless of race, sex, age, voting status, religion, or economic status.
- Section 8** Resident views shall be incorporated into positions taken by the Commission.
- Section 9** Special meetings of the Commission may be called by the Chairperson or by the Executive Committee or by written request of one-sixth of the Commission membership. The purpose of the meeting shall be stated in the notice and no other topic may be discussed at that meeting. Notice shall be given in writing, in compliance with Section 6 of Article 7.
- Section 10** The Commission may hold joint meetings with other Advisory Neighborhood Commissions to deal more effectively with or respond to similar concerns and issues which transcend and affect the areas of the Commissions jointly meeting, and for informational purposes.
- Section 11** Joint Commission meetings may be held only after authorization to participate in such joint meetings and to discuss such matters as have been given to each participant Commission in a meeting held prior to such joint meetings.
- Section 12** The Commission may elect officers or representatives to the joint Commission in accordance with the election procedure set forth in these By-Laws.
- Section 13** The Commission members shall reflect but not necessarily be bound by the views of the Commission. The Commission members attending the associated Commissions shall have no power other than what their respective Commission has agreed upon.
- Section 14** All associated meetings of Commissions shall be open and at least fourteen (14) days notice shall be given by posting written notices in at least two (2) conspicuous places in each Single Member District of the Commission.

- Section 15** Discussions and voting at such meetings shall be limited to the Commission members.
- Section 16** Commission actions, except for amending these By-Laws, shall be approved by a simple majority of those Commission members present and voting.
- Section 17** Meetings shall follow the agenda established by the Executive Committee. Commission members may submit proposed agenda items to the Chairperson, for consideration, two weeks prior to the meeting date. Notice of special agenda items shall be made at the time of the meeting notice.

#### **ARTICLE 9: EXECUTIVE COMMITTEE**

- Section 1** Advisory Neighborhood Commission 5C shall have an Executive Committee consisting of and limited to the elected and appointed officers of the Commission and a member of the Commission elected at-large.
- Section 2** The Executive Committee of the Commission shall have the authority to establish special committees.
- Section 3** The Executive Committee of the Commission shall draft plans and recommendations for approval or ratification by the Commission. Emergency actions shall be presented to the Commission for ratification.
- Section 4** Vacancies on the Executive Committee shall be promptly filled, using the procedures, and maintaining the composition, outlined in these By-Laws.
- Section 5** Executive Committee meetings may be closed to the public.
- Section 6** A majority of the members of the Executive Committee shall constitute a quorum.
- Section 7** A regular meeting time of the Executive Committee shall be established.

#### **ARTICLE 10: COMMITTEES**

- Section I** There shall be two (2) categories of committees:
- a) Standing Committees: those created permanently with the concurrence by majority vote of the Commission.
  - b) Special Committees: those created temporarily by the Commission and/or the Executive Committee of the Commission.

These committees may include citizen representation. Each Commission may involve representatives of other neighborhood groups in the work of its standing or special committees.

- Section 2** Each standing committee shall be composed initially of at least one Commission person.

- Section 3** The selection of a standing committee chairperson shall precede the appointment of standing committee members.
- Section 4** The Executive Committee of the Commission shall have the power to appoint or remove standing committee chairpersons and vice-chairpersons.
- Section 5** The Executive Committee of the Commission shall appoint the committee chairperson and vice-chairperson from among the standing committee membership as appointed by the Commission; and the chairperson of each committee shall have the right to vote.
- Section 6** The chairperson of a Commission committee or task force shall be open to any resident of the Commission area. The chairperson of each such committee or task force shall be appointed by the Commission and, as such, shall be a member of that task force or committee.
- Section 7** The standing committee shall also elect such other officers as are needed.
- Section 8** The composition, manner of selection and duties of all special committees shall be determined by the Executive Committee of the Commission with the concurrence of the Commission.
- Section 9** Any special committee created by the Commission and/or the Executive Committee of the Commission may become a standing committee with the concurrence of the Commission.
- Section 10** Upon transformation of a special committee into a standing committee, the Commission members serving on and the purpose of the Committee shall remain the same; except that the Executive Committee of the Commission may make such changes as are necessary.
- Section 11** Standing and special committees shall have the authority to set up sub-committees, which can include non-voting, non-Commission members.
- Section 12** The time and regularity of Executive, standing, and special committee meetings shall be established by the respective committees themselves.
- Section 13** The Chairperson shall be an ex-officio member of all committees.
- Section 14** The Chairperson shall ensure that items requiring committee action are referred to the appropriate committee(s) upon receipt.
- Section 15** Committee recommendations for Commission action shall be placed on the agenda for the first ANC meeting after they are adopted, if requested by the Committee.

#### **ARTICLE 11: PARLIAMENTARY AUTHORITY**

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

**ARTICLE 12: STANDING RULES**

- Section 1** The Commission shall develop an annual fiscal year budget on forms to be provided by the Mayor prior to which such budget shall be submitted to the residents of the Commission's area in March of each year for their review and comment.
- Section 2** A final budget shall be submitted to the Council and to the Mayor on or before April 30 of each year provided that submission of any different dates may be required to conform to the District of Columbia budget schedule.
- Section 3** The Commission may not solicit or accept funds from a federal or District Government agency or private source except as may be specifically or previously authorized by resolution of the Council provided that receipt of contributions of \$100 or less from a single contributor need not be approved by the Council.
- Section 4** The Commission may adopt rules to implement the requirements of the Bylaws and to enhance the efficiency and operation of the Commission. These rules may be adopted or amended by majority vote at any Commission meeting.
- Section 5** The Commission shall adopt rules for the use of the ANC office and supplies based on the principles that all commissioners shall have equal access to the office and that use of the office and Commission supplies shall meet the "public" purpose test.
- Section 6** The Commission shall adopt standing rules for handling constituent recommendations. The rules shall designate one person to ensure that constituent recommendations are referred to the proper Commission or government agency for action.

**ARTICLE 12: MISCELLANY**

- Section 1** The Commission, within its ward, may pool its funds in accordance with agreements established by the Commission members.
- Section 2** Should the Commission feel legal redress is required, it shall petition the Council through its special committee on Advisory Neighborhood Commissions or such successor committee.
- Section 3** Any Commission member may institute a legal action in the courts of the District of Columbia or in the federal court but the Commission itself shall not have such power.
- Section 4** The Commission shall have no authority to incorporate; however, no member of the Commission may be liable for action taken as an elected representative from a single member district.
- Section 5** All employees of the Commission shall be hired by the Commission and shall serve at the pleasure of the Commission.
- Section 6** All employees of the Commission shall be supervised by the Chairperson and /or by his/her designee.

**Section 7** The Commission shall establish position descriptions for its employees. The employees of the Commission may be hired on a full time or part-time basis and for an indefinite term. Persons hired by the Commission shall meet the qualifications established in the job description.

**ARTICLE 13: AMENDMENT OF BY-LAWS**

**Section 1** The Commission shall file an up-to-date copy of each and all amendments thereto with the Council of the District of Columbia within seven (7) days of their initial adoption.

**Section 2** Revision of these By-Laws requires a two thirds vote of the entire Commission with at least two weeks prior notice to each Commission member that the rules will be recommended for change. Such notification shall include the suggested changes.

**Section 3** These By-Laws shall be consistent with all congressional and District legislation and other applicable laws regarding Advisory Neighborhood Commissions and any inconsistencies are to be held null and void.

**Section 4** Where not otherwise provided, the procedures of the Commission shall be governed by Robert's Rules of Order.

**Section 5** These Rules shall be open to the public.

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