

5th BY NORTHWEST AREA COMMISSION BY LAWS

As adopted on August 1, 2005

(Rev. May 1, 2007, November 1, 2016, July 7, 2020, and March 2, 2021)

PREAMBLE

WE, residents, employees and property owners of the City of Columbus in the 5th By Northwest Area, in order to: study problems and needs of the area, recommend solutions and bring these needs to the attention of proper government agencies; determine the need for, and recommend legislation affecting the area; provide communication within the area and between the area and city government; solicit cooperation of all segments of the community; afford additional voluntary citizen participation in decision-making in an advisory capacity to the city administration and city council; and, develop techniques for creating and promoting a community dialogue so that the different values and interests of residents, employees and property owners can be articulated and understood; and, therefore, we do establish and ordain these by laws.

Article I. GENERAL PROVISIONS

Section 1.

The name of this organization shall be the 5th By Northwest Area Commission, herein referred to as "Commission".

Section 2.

The boundaries of the Commission shall be: The alley to the South of West Third Avenue and the alley just West of Westwood Avenue Southward to the alley just South of West Third Avenue then Eastward along said alley to the railroad bridge then North to Third Avenue then East to Olentangy River Road, then North on Olentangy River Road to the City of Columbus, Clinton Township boundary, then Westward to Hess Boulevard, North on Hess Boulevard to Chambers Road, West on Chambers Road to Concord Avenue, then Westward along the Clinton Township, City of Columbus boundary, to Chesapeake Avenue, then Northward along the Clinton Township, City of Columbus boundary to Sells Avenue, East to Kenny Road, North to Kinnear Road, then West to North Star Road, then South on North Star Road to the alley just North of King Avenue then West on said alley to the alley just West of Wyandotte Road then South on said alley to 5th Avenue then East on 5th Avenue to the alley just West of Glenn Avenue then South on the alley to the alley just North of Third Avenue then East to the alley just West of Westwood Avenue then south to the alley just South of Third Avenue.

Article II. DUTIES / PURPOSE

Section 1.

Area commissions are established in the City of Columbus to afford additional voluntary citizen participation in decision-making in an advisory capacity and to facilitate communication, understanding and cooperation between neighborhood groups, city officials and developers.

Section 2.

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.

Section 3.

The Commission shall identify and study the problems and requirements of the Commission area in order to:

- a. Create plans and policies which will serve as guidelines for future development of the area
- b. Bring the problems and needs of the area to the attention of appropriate government agencies or residents
- c. Recommend solutions or legislation.
- d. Aid and promote communications within the Commission area and between it and the rest of the city by means of:
 - i. Regular and special meetings of the Commission which are open to the public
 - ii. Public hearings on problems, issues, and proposals affecting the area
 - iii. Public forums and surveys to provide an opportunity for area residents, businesses, and organizations to state their problems and concerns
 - iv. Soliciting active cooperation of all segments of the area and city, including organizations, institutions, and government
 - v. 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
 - vi. Promoting and encouraging businesses whose functions, methods of operation, architectural appearance, and locations are consistent with the character and requirements of the area.
 - vii. Initiating, reviewing and recommending criteria and programs for the preservation, development, and enhancement of the Commission area, including, but not limited to, parks, recreational areas, sidewalks, streets 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
 3. Receiving and reviewing for recommendation, prior to adoption by governmental bodies, any new or revised comprehensive plan affecting the area.

- e. Recommend priorities for and review government services and operation of the various government departments in the Commission area by means of:
 - i. Requesting and receiving from departments or agencies periodic reports concerning governmental services or practices in the area
 - ii. 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
 - iii. 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
 - iv. Reviewing and evaluating pending legislation substantially affecting the area prior to its consideration by council
 - v. 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.
- f. Recommend persons from the Commission area for nomination to membership on city boards and commissions which make decisions or recommendations affecting the commission area.

Section 4.

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.

- a. 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.

Section 5.

The Commission shall not endorse any candidate for public office.

Article III. MEMBERS AND TERMS

Section 1.

There shall be seven (7) members of the Commission.

Section 2.

Members shall serve without compensation the following terms of office:

- a. Effective with terms commencing January 1, 2021 - every member elected will serve a three year term that starts January 1 and ends December 31 exactly 36 months later.
- b. To ensure continuity the following plan for staggered terms will be implemented:
 1. The (3) three commissioner seats elected for terms starting January 1, 2021 will commence their three-year term ending December 31, 2023.
 2. The (2) two commissioner seats currently filled by active commissioners as of January 1, 2021 with terms ending December 31, 2021 – will begin new three year terms commencing January 1, 2022 and ending December 31, 2024.
 3. The (2) two commissioner seats currently vacant as of January 1, 2021 if filled in accordance to Article III, Section 4 will convert to now end their terms December 31, 2022. The new three year term for those (2) commissioner seats will commence January 1, 2023 ending December 31, 2025.
- c. There are no term limits.
- d. All area commissioners must be appointed by the Mayor with the concurrence of Columbus City Council. Compliance with Columbus City Code 3109.08, 3109.10 and /or 3109.12 must be satisfied to officially participate as an area commissioner.

Section 3.

Members are qualified to run and serve as long as they live, own property or work within the boundaries of the Commission pursuant to Article VIII, Section 5. Anyone who does not meet this qualification is prohibited from running and/or becoming a member of the Commission.

Section 4.

Vacancies shall be filled as follows:

- a. If a vacancy occurs in the Commission because of resignation, death, disqualification, or other means, the Recording Secretary shall give public notice of the vacancy at least thirty (30) days before the date on which the Commission will vote to recommend a candidate to fill the vacancy.
- b. After providing an opportunity for persons interested in filling the vacancy to indicate their interest to the Commission, the Commission shall vote by individual, private ballots to select a candidate to fill the vacancy for the unexpired term.
- c. Only qualified candidates may seek and be appointed to a vacancy. See Article VIII, Section 8 for Commissioner candidate qualifications.

Section 5.

Commission member attendance at meetings shall be regulated according to the following rules:

- a. Three unapproved absences from regular Commission meetings between annual meetings shall constitute resignation from the Commission. In addition to regular monthly meetings, Commissioners may not have more than three unapproved absences from each committee on which each Commissioner serves between annual meetings.

- b. The Recording Secretary shall notify in writing or electronic correspondence a Commissioner who has been absent from two such meetings within fifteen days of the second absence.
- c. Absent Commissioners may petition the Chairperson for approval of an absence from Commission and may petition the appropriate committee chair for approval of an absence from an assigned committee meeting. This petition for approval of an absence as excusable shall be in writing or electronic form and submitted to the Chairperson thirty-days (30) prior to the absence or within thirty-days (30) after the absence. A commissioner may have no more than 3 absences (including both excused and unexcused absences). After the third (3) absence, the commissioner in question may come up for review with the Commission for expulsion.

Section 6.

The members of the Commission shall be approved and appointed by the Mayor of Columbus in accordance with Chapter 3109 of the City Code. The Chairperson shall notify the Mayor, the City Council and the Department of Development of all appointments, elections, and vacancies within thirty-days (30) of such action.

- a. In the event notification of appointment by the mayor to an area Commission is not received by the City Clerk within thirty-days (30) after; (1) receipt of the certified results of the selection procedure from the appropriate task force or area Commission; or (2) receipt of notice of a vacancy or nomination of a candidate to fill such vacancy, whichever occurs later; each such nominee shall be presumed qualified to serve until actual notice of a mayoral appointment to such position and term is received, and such nominee shall have all the privileges and duties of an area Commission membership during the interim

Section 7.

No Commission member shall represent the Commission in its official actions before any other public body or official, except as specifically authorized 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, provided they do not represent themselves as speaking for the Commission.

Article IV. OFFICERS

Section 1.

The officers of the Commission shall be a Chairperson, Vice Chairperson, a Treasurer, and a Recording Secretary.

Section 2.

The officers shall be elected by the Commission at the January meeting and shall take office immediately for a one year term according to the following rules:

- a. The Commission shall elect a temporary Recording Secretary for purposes of conducting the officer election.

- b. Members shall nominate themselves or another member and seconded by another member for an officer position.
- c. Once all nominations have been heard, the temporary Recording Secretary shall call for a motion to close nominations and open voting.
- d. Voting shall be done in accordance to Article V, Section 2.
- e. The temporary Recording Secretary and one other member shall count the votes and the temporary Recording Secretary announce the vote total.
- f. The candidate for each officer position with a plurality of votes wins.

Section 3.

The Chairperson shall:

- a. Chair all meetings of the Commission;
- b. Coordinate the actions of all officers and representatives of the Commission;
- c. Chair all public hearings called by the Commission;
- d. Select, supervise, direct or delegate any volunteers or staff hired by or assigned to the Commission; and represent or appoint a Commissioner to represent the 5th By Northwest Area Commission at City Council meetings and other meetings affecting the 5th By Northwest Area.
- e. Notify the Mayor, the City Council and the Department of Neighborhoods of all appointments, elections, and vacancies within thirty-days (30) of such action.

Section 4.

The Vice Chairperson Shall:

- a. Assist the Chairperson.
- b. Preside at meetings in the absence of the Chairperson.
- c. Have responsibility for managing all committees, the First Vice Chairperson shall be a member of each committee but shall not serve as the chair.
- d. Assist the Chairperson in establishing and distributing the monthly agenda.
- e. Assist the Chairperson as requested and assigned.
- f. Manage and direct digital and physical storage of Commission records.

Section 5.

The Recording Secretary Shall:

- a. Keep meeting minutes and permanently file all resolutions considered by the Commission, as well as a record of all actions taken with the City of Columbus.
- b. Call the roll at each meeting of the Commission and record times of arrival and departure of Commissioners after roll has been taken or before the adjournment of the meeting.

Section 6.

The Treasurer shall:

- a. Receive all monies and approve all payments for the Commission in accordance with Article VI.
- b. Prepare and present an Annual Budget for the Commission in accordance with Article VI, Section 4.
- c. Report on the financial condition of the Commission at each regular meeting.
- d. Submit a written report of the finances of the Commission at the November Annual Meeting.
- e. Participate in the preparation of budget of expenditure of any grant moneys.
- f. Manage the distribution and administration of grant moneys.
- g. And shall exercise all duties incident to the office of Treasurer, including compliance with all fiscal requirements within the memorandum of agreement with the city.

Section 7.

Vice Chairperson shall fill a vacancy in the office of Chairperson. A vacancy in any other position shall be filled in the same manner as the original selection as set forth in Article IV, Section 2.

Article V. MEETINGS

Section 1.

Meeting scheduling and cancelling shall be in accordance to these rules:

- a. The Commission shall hold a regular monthly meeting on the first Tuesday of each month in a public place and shall be open to the public.
- b. A regular meeting may be cancelled or rescheduled by two-thirds vote of the Commission at the regularly scheduled prior meeting of the Commission.
- c. The regular meeting in November shall be the meeting at which new Commissioners are elected and annual reports from the committees are received.
- d. At least a five-day notice of all meetings shall be given, such notice to include the agenda. All meetings of the Commission shall be open to the public. All Commission meetings shall comply with the Ohio open meeting law and the open meeting requirements pursuant to C.C. 121.01.

Section 2.

The Commission, and all its bodies thereof, shall be governed by Robert's Rules of Order Newly Revised, except as inconsistent with these Bylaws and except that:

- a. The motion "to reconsider and enter on the minutes" shall never be in order;
- b. The Chairperson may vote on a motion as any other member;
- c. A roll-call vote on a motion may be ordered by one-fourth of the Commissioners present
- d. The division of a motion may be ordered by any one Commissioner;

- e. A motion to reconsider may be made by any Commissioner;
- f. A quorum shall be a majority of current Commissioners. Once a quorum is established, business can be conducted unless the number of Commissioners present drops below three, at which time the meeting is declared adjourned.

Section 3.

The order and allowance for business and comment shall be as follows:

- a. The order of business shall be: Community Liaison Reports, Public Comment; Zoning Committee Business; Other Commission Business.
- b. The Commission shall consider no business unless introduced by a Commissioner or a committee of the Commission.
- c. No person shall speak during a Commission meeting except when recognized by the presiding officer. This can be subject to approval of the Commission by a majority vote.
- d. Allowance shall be made for public comment on any issue to be voted on by the Commission or a committee of the Commission.
- e. Time shall be allowed following each presentation for Commissioners to discuss and ask questions of the speaker.
- f. At their discretion, the presiding officer may limit the number of speakers to three (3) on each side of an issue and limit the amount of time to speak to three (3) minutes per speaker. Such limitation shall be announced at the beginning of public comments on that issue.

Section 4.

The Commission will vote on issues by roll call and verbal vote. In the situation of a tie, the issue does not pass.

Section 5.

The Chairperson may call special meetings; or the Vice Chairperson upon receiving a petition signed by one-third of the Commissioners in office.

- a. Any such petition shall specify the date, time and place of the special meeting and shall include all business to be conducted at the meeting.
- b. No business shall be conducted at a special meeting, unless explicitly included in the notice of such meeting.

Section 6.

A Public Hearing may be directed to be held by either: a majority vote of the Commission, or a committee (with the approval of the Chairperson).

- a. With the permission of a majority vote of the Commission, a public hearing may be held in conjunction with a Commission meeting.
- b. A record shall be made and filed of each public hearing by the Secretary, or other provided recording officer from the directing committee.

- c. If a committee has called a public hearing, it shall provide the presiding and recording officer.
- d. At least a fifteen (15) day public notice shall be given for all public hearings.

Section 7.

The Commission shall consider zoning cases received and recommended by the Zoning Committee Chair.

- a. Before the Commission shall hear a zoning case, the case must be presented to the Zoning Committee prior to the regular monthly Commission meeting.
- b. The Zoning Committee is obligated to meet all standards of the City of Columbus with regards to zoning cases.

Article VI. TREASURY & EXPENDITURES

Section 1.

All Commission monies received and spent shall comply with all fiscal requirements within the memorandum of agreement with the city.

Section 2.

Any monies received shall be deposited immediately by the Treasurer.

Section 3.

The expenditure of monies shall follow these rules:

- a. All purchases must follow the guidelines allowed in current Columbus City Code for Commissioners.
- b. No monies shall be expended or encumbered save pursuant to the Annual Budget.
 - a. For purchases for Commission activities that are not itemized in the approved annual budget that are twenty-five dollars (\$25) or less, any Commissioner may request reimbursement by providing the Treasurer with a written, dated request which explains the purchase and also provide a paper copy of the receipt. Permission to grant reimbursement may be given by the Treasurer.
 - b. For purchases for Commission activities that are not itemized in the approved annual budget that are more than twenty-five dollars (\$25), any Commission member may request reimbursement from the Chairperson and the Treasurer by providing the Treasurer a written, dated request which explains the purchase and also provide a paper copy of the receipt. Permission to grant reimbursement may be given by agreement of the Chairperson and the Treasurer, which then shall report the expenditure at the next regular meeting.
- c. Any Commissioner may request a full Commission vote on any expense reimbursement not itemized in the approved annual budget.

Section 4.

Within thirty (30) days of receipt of the draft annual agreement with the City of Columbus, the Treasurer shall propose the annual budget to the Commission. At the next regular meeting, the Commission shall review, approve or amend the proposed annual budget with a majority vote.

Article VII. COMMITTEES

Section 1.

The Commission shall have the following standing committees: Zoning and Community Relations.

Section 2.

The appointment to these standing committees follows these rules:

- a. The Chairperson shall appoint Commissioners to the standing committees subject to approval by the Commission.
- b. The Chairperson shall consider requests for assignments from all Commissioners but is not bound by those requests.
- c. The initial appointments shall be made at the January meeting.
- d. The terms of office of all members of all committees shall end the beginning of the January meeting.
- e. A vacancy in a committee shall be filled in the manner of the original selection.
- f. To be qualified to be appointment to serve on a committee, a person may or may not be a Commissioner but must live, own property or work within the boundaries of the Commission. Each qualified and appointed committee member will be a voting member on the committee to which he/she serves.

Section 3.

Rules governing each Committee shall follow:

- a. The Chairperson shall be ex-officio a member of all committees and may elect to be a voting member of any committee at any meeting.
- b. Each committee shall select a chair, and may select other officers and adopt internal rules.
- c. All Committees shall meet on a monthly basis and report at each Commission meeting.
- d. All Committees are required to write a summary of completed activities for the November Annual Meeting.

Section 4.

The Community Relations Committee shall:

- a. Promote the activities and existence of the Commission to the community and other groups throughout the city;

- b. Assist the board of elections with promotion of elections upon request;
- c. Distribute a monthly Commission activity fact sheet on Commission activity;
- d. Oversee maintenance and development of the Commission website; and,
- e. Respond to the general electronic communication with the Commission.

Section 5.

The Zoning Committee shall:

- a. Regularly receive, review with each applicant, and make recommendations to the Commission on all applications for rezoning, variances, graphics and other zoning adjustment appeals, and special permits located wholly or partially in the area; and,
- b. Shall review, monitor, and approve all requests for demolitions. The decision of this committee on all such requests is not final until and must be reported to the Commission at the next regularly scheduled meeting. Upon a motion by any Commissioner, requests may be reconsidered by the entire Commission and approved by majority vote.
- c. Zoning business brought before the Commission must follow Article V, Section 7.

Section 6.

An ad hoc committee may be established or dissolved by a majority vote of the Commission. Its size, powers and duties shall be specified by the creating resolution. Unless otherwise specified, the term of a special committee shall be one year.

Section 7.

All reports to the Commission shall be delivered by the person chairing the committee (unless the committee directs otherwise). If a minority of a committee wishes to make a report, it may do so after the committee reports and as an addition to the report.

Section 8.

Any Commissioner may attend any meeting of any committee as an ex-officio member.

Section 9.

In the event a matter overlaps the area of two or more committees, the Chairperson of the Commission shall have the authority to assign such issues to a specific standing committee, or charge two or more of the committees to work as a special combined committee for the issue.

Article VIII. ELECTIONS

Section 1.

The date, location and order of business of Election Day is as follows:

- a. Election Day shall be held during the November meeting of each year
- b. The Election shall be the first order of business at the November meeting.

Section 2.

Notice of Election Day must be given thirty (30) days before the election, publicizing in at least one newspaper of general circulation within the Commission boundaries, and by such other means as may be available and appropriate, a call for candidates, announcing the elections are to be held, and the places where petitions and copies of the Election Rules may be obtained.

Section 3.

Elections shall be conducted by the following personnel:

- a. The Recording Secretary
- b. A Poll Watcher to watch and review the ballot distribution, collection and counting.
 1. The Poll Watcher is to be motioned and voted upon by the Commission as the first order of business within the Election business.
 2. A Poll Watcher may be any qualified Elector who is not a Commission Candidate.

Section 4.

Elector qualifications are as follows:

- a. Any person eighteen years of age or older who lives, works or owns property within the Commission boundaries may run for office and vote in the election. Electors need not be registered with the Franklin County Board of Elections.
- b. Provide identification and proof of residence, employment, or property owned within the Commission boundaries. Such identification may include, but is not limited to a valid driver's license or state-issued ID, employment pay stub that shows the name, employer address and date stamped within thirty (30) days of the election or a property tax bill that lists the owner's name, address and most recent tax period. Other identification may be accepted at the discretion of the majority vote of the Commission, whose determination shall be final. Affidavits and other sworn statements, by themselves, shall never be sufficient.
- c. Provide identification to the Recording Secretary before they are permitted to vote.

Section 5.

Commissioner Candidate Qualifications are as follows:

- a. Any person eighteen years of age or older who lives, works or owns property within the Commission boundaries may run for office and vote in the election. Candidates need not be registered with the Franklin County Board of Elections.
- b. File a nominating petition for candidacy completed pursuant to the requirements set forth below, for candidacy with the Election Committee at least thirty days prior to Election Day.
- c. Provide identification and proof of residence, employment, or property owned within the Commission boundaries. Such identification may include, but is not limited to a valid driver's license or state-issued ID, employment pay stub that shows the name, employer address and date stamped within thirty (30) days of the election or a property tax bill that lists the owner's name, address and most recent tax period. Other identification may be

accepted at the discretion of the majority vote of the Commission, whose determination shall be final. Affidavits and other sworn statements, by themselves, shall never be sufficient.

- d. Provide identification to the Recording Secretary in order to be put in nomination for voting by the Electorate.

Section 6.

The Petition Procedures and Rules are as follows:

- a. All nominations shall be by petition as provided in the Election Rules.
- b. Nominating petitions shall be made available by the Recording Secretary upon request as well as at the September and October monthly meetings prior to Election Day.
- c. A person desiring to qualify as a candidate for election to the Commission shall obtain petitions from the Recording Secretary, and shall at the time of receipt of the petitions, place on file his or her name, signature, residence address, employer or address of property owned, and telephone number. Failure to complete this section upon submission will void this petition.
- d. Each potential candidate must submit a petition containing valid signatures of at least twenty-five (25) persons, age eighteen or older, who reside, work or own property in the Commission.
- e. Each potential candidate must complete and execute the affidavit at the end of the petition prior to its submission to the Recording Secretary at the location specified by the Committee.
- f. The petition must be completed and turned in to the Recording Secretary no more than thirty (30) days prior to Election Day.
- g. If a petition is called into question, the Recording Secretary shall check the validity of the petition signatures for each potential candidate by attempting to contact a representative number of petition signers by telephone. If any discrepancies or possible improprieties are discovered from these contacts, the Recording Secretary shall check all signatures for that potential candidate for validity in a like manner until either twenty-five (25) valid signatures are found or the potential candidate's petition is ruled invalid for lack of sufficient signatures.
- h. If a candidate's petition meets all of the above rules, then the Recording Secretary shall certify the candidate named on the petition within five days of the receipt of the petition.

Section 7.

Ballots shall be produced according to the following rules:

- a. The Recording Secretary shall produce and print the ballots.
- b. Each ballot shall list the name of the certified petition candidates
- c. Each ballot shall clearly state that no more than three (if an Election Day is an odd number year) or no more than four (if an Election Day is an even number year) candidates on a ballot may receive a vote and no candidate shall receive more than one vote per ballot.

Any ballot with more than the allotted votes or where one candidate receives more than one vote will be disqualified.

- d. No political party or other organization shall be named on the ballot.

Section 8.

Voting shall be executed according to the following rules:

- a. Electors must show qualifying identification to the Recording Secretary
- b. Upon such verification, the Elector shall register in the poll book, entering signature, residence address, place of employment or property owned and residence phone number.
- c. Voting shall be cast by private ballot.
- d. The Recording Secretary shall record the total ballots reproduced and notify the Poll Watcher.
- e. The Recording Secretary shall distribute the ballots to each qualified Elector with the Poll Watcher in attendance.
- f. Electors shall vote for no more than the allotted number of votes listed on the ballot and may not cast more than one vote for the same candidate. Any ballot with more than the allotted votes or where one candidate receives more than one vote will be disqualified.
- g. Electors are to return the completed ballots back to the Recording Secretary upon the close of the Election period.
- h. No person shall engage in any campaigning on the premises of the polling place during the time the poll is open on Election Day.

Section 9.

The counting of the votes shall be executed according to the following rules:

- a. The Poll Watcher shall be in attendance for all of the counting rules and procedures.
- b. The Recording Secretary shall total to number of ballots received to ensure that no more than the number distributed was returned.
- c. The Recording Secretary shall list the candidates on a sheet of paper and give each candidate a mark according to the marks on the ballots.
- d. Any ballot with more than the allotted number of candidates voted upon or where one candidate received more than one vote on a single ballot shall be disqualified.
- e. The Recording Secretary shall review the tally and the ballots with the Poll Watcher to verify accuracy.
- f. Witnesses: A candidate, or an individual or group supporting or opposing any issues or candidate on the ballot may be represented by a witness in the appropriate polling place. No witness shall directly or indirectly campaign for issues or candidates on the premises of a polling place. A candidate shall not serve as a witness to the voting.

Section 10.

The results and winners of each race must follow these rules:

- a. The Recording Secretary shall announce the vote totals upon successful review with the Poll Watcher.
- b. The top three (3) candidates if it is an odd number year or the top four (4) candidates if it is an even number year receiving a plurality of valid votes cast shall be the winners.
- c. In the event of a tie vote, the relevant ballots shall be recounted, and if the tie vote is verified, a coin toss shall decide the winner.
- d. The Chairperson shall, on behalf of the Area Commission, notify the Office of the Mayor of the City of Columbus, in writing, within thirty days of election results.

Section 11.

Any disputes in the election results will require a special committee to be formed according to the ad hoc committee rules in Article VII, Section 6. This special committee will review the petitions, Elector sign-in sheet and ballots. Rules for the special committee shall be set at the formation of this special committee.

Article IX. TRAINING

Section 1.

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

Section 2.

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

Section 3.

Newly elected Chairpersons, Vice Chairpersons and Zoning Chairpersons are required to 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 X. PUBLIC RECORDS

Section 1.

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

Section 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.

Section 3.

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

Article XI. CODE OF CONDUCT

Section 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.

Section 2.

Area commissioners shall treat other area commissioners, developers, and members 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.

Section 3.

Area commissioners, their family members, or business associates shall not benefit financially, or in any way 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 a 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.

Section 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 XII. AMENDMENT

Section 1.

As permitted per C.C. 3109.13, these by-laws may be amended in part or in whole at any regularly scheduled meeting of the Commission by an affirmative vote of a two-thirds (2/3) majority of all Commission members provided that the amendments were submitted in writing at the previous regularly scheduled meeting. The Corresponding Secretary shall file any approved amendments immediately after its adoption with the City Clerk for publication in the City Bulletin. Such amendments shall take effect ten (10) days after such publication per C.C.121.05.