

# BYLAWS

## CAPITOL ZONING DISTRICT COMMISSION

### **ARTICLE I: NAME**

The name of this organization shall be called the Capitol Zoning District Commission, being an agency of the State of Arkansas.

### **ARTICLE II: PURPOSE**

The purpose of these bylaws is to prescribe the organization of the Capitol Zoning District Commission and to establish orderly, equitable and expeditious procedures for the conduct of its affairs to the end that all may be informed and the public well served.

### **ARTICLE III: EFFECTIVE DATE**

The effective date of these bylaws shall be upon adoption by the Capitol Zoning District Commission.

### **ARTICLE IV: AUTHORITY**

Authorization for the Capitol Zoning District Commission is Act 267 of 1975, as amended by the General Assembly of the State of Arkansas.

### **ARTICLE V: MEMBERSHIP**

Membership of the Capitol Zoning District Commission shall be composed of nine (9) members who are resident electors of the State of Arkansas. One member shall be the designee of the Governor of Arkansas; one, the designee of the Secretary of State of Arkansas; and one, the designee of the Little Rock Department of Planning and Development. Six members shall be at-large members appointed by the Governor, of whom one must be black, one must be a resident or property owner of the Mansion area and one must be an owner of property within the Capitol area.

#### **SECTION A: TERMS OF MEMBERSHIP**

Designee members serve at the pleasure of their designating authorities. At-large members serve three (3) year terms.

#### **SECTION B: VOTING RIGHTS**

Each member, including the chairman, shall have one vote. In the absence of a designee member, the designating authority may designate another person to attend with full voting rights and privileges. In such cases, the designees shall declare themselves to the chairman at the beginning of the meeting. At-large members shall not be authorized to assign a designee or proxy.

#### **SECTION C: TERMINATION OF MEMBERSHIP**

Termination of membership shall occur when:

1. A letter of resignation is presented to the Governor or designating authority and copied to the chairman; or
2. A member fails to attend three (3) consecutive regular meetings without attending any intermediary called special meetings, and the Governor removes the member in accordance with the provisions of ACT 219 of 1997 or any subsequent amendments; or
3. The appointing authority fails to reappoint an at-large member upon completion of a term or terminates a designated member by appointing another person in the member's place.

## **ARTICLE VI:        OFFICERS**

The Capitol Zoning District Commission shall have a chairman, vice-chairman, and any other officers deemed necessary by the Commission. The Secretary shall be the Director of the Capitol Zoning District Commission, serving as an ex-officio member of the Commission.

### **SECTION A: SELECTION**

The Governor's designee shall serve as Chairman. In the event of the vacancy or discontinuance of the position of Director of the Capitol Zoning District Commission, the Chairman shall appoint a Secretary. All other officers shall be elected at the annual meeting from nominations submitted by membership. A majority vote of the Commission membership shall constitute election. Voting on an officer in which there is a contest shall be by written, secret ballot. In the event of a vacancy, the Chairman shall appoint a member to fill the unexpired term.

### **SECTION B: TERMS**

The terms of office for officers other than chairman and secretary shall be one year. There is no limit on the number of terms an officer may serve.

### **SECTION C: DUTIES**

#### Chairman

The chairman shall preside at all meetings and hearings of the Commission; appoint members of committees established by the Commission; sign all approved minutes and, when authorized, other documents assigned by the Commission.

#### Vice Chairman

The Vice Chairman shall preside over any meeting or hearing of the Commission in the absence or disability of the chairman and fulfill other duties assigned by the Commission.

#### Secretary

The Secretary shall attend all meetings of the Commission, its committees and advisory committees, providing advice on request and shall be responsible for:

Seeing that minutes are recorded for each meeting;

Carrying on routine correspondence;

Seeing that the files of the Commission are maintained;

Maintaining a record of the rules and policies of the Commission;

Maintaining a record of the organization of the Commission and its staff;

Preparing the agenda of items to be considered at each meeting;

Attesting documents of the Commission;

Maintaining a liaison between the City of Little Rock and the State of Arkansas;

Preparing financial reports for the Commission; and

Any other responsibility the Commission might assign.

## **ARTICLE VII :        COMMITTEES**

### **SECTION A: SPECIAL COMMITTEES**

Special committees may be created by the Commission and charged with such duties as the Commission deems necessary or desirable. Such committees shall include at least one Commission member. Special Committees shall include at least one Commission member. Special committees shall submit a report to the chairman and shall be dissolved on such date as their particular function or task has been completed. The completion date may be established by the chairman.

## **SECTION B: ADVISORY COMMITTEES**

The Capitol Zoning District Commission shall have (3) advisory committees: the Mansion Area Advisory Committee, the Capitol Area Advisory Committee and the Design Review Committee. Each advisory committee shall have its own bylaws to establish its purpose, organizational structure and manner of operation, so long as the Commission names its members and approves its bylaws and amendments thereto.

## **ARTICLE VIII: MEETINGS**

The Commission shall, at the last regular meeting of each calendar year, adopt a schedule of regular meeting dates, including time and location, for the forthcoming year. The schedule shall normally consist of monthly meetings.

### **SECTION A: QUORUM**

A quorum for the transaction of business shall consist of the majority of the Commission members.

### **SECTION B: MEETING NOTICES**

The mailing or emailing of a copy of the regular agenda to each Commission member one week prior the date set for the regular meeting shall constitute notice of meeting.

### **SECTION C: RULES OF PROCEDURE**

Parliamentary procedure shall be as prescribed in the latest edition of Robert's Rules of Order.

### **SECTION D: VOTING**

Any matter business requiring action by the Commission may be presented by oral motion. *Passage of any motion shall require an affirmative vote of the majority of the full Commission membership for passage. Failure of a motion to grant a permit shall constitute a denial of the permit.* Action on permit applications shall be voted on by roll call vote and the minutes shall reflect the number of yeas, nays and abstentions, if any. Other matters may be voted on by voice vote and the minutes shall reflect the motion to be "passed" or "failed:

### **SECTION E: OPEN MEETINGS**

All regular and special meetings of the Capitol Zoning District Commission shall be open to the public and public notice shall be given as required by the Arkansas Freedom of Information Act.

### **SECTION F: PUBLIC RECORD**

All minutes of the Commission meetings and all certificates, permits, applications and other documents on which action has been taken by the Commission shall be open to the public according to the Arkansas Freedom of Information Act.

### **SECTION G: SPECIAL MEETINGS**

Special meetings may be called by the Chairman or the Secretary or by a quorum of the Commission members. Notice of such meetings shall be given as Prescribed in Article VIII, Section B, unless such meeting is to be held within less than three (3) days, in which case notice by telephone will suffice.

### **SECTION H: EXECUTIVE SESSIONS**

The Commission may, either before, during or after any meeting, sit in executive session or private session. No official business shall be transacted except privileged matters relating to personnel, pursuant to the exemption found in the Arkansas Freedom of Information Act.

### **SECTION I: ANNUAL MEETING**

The Annual Meeting shall be held at the last meeting of each calendar year.

**SECTION J: CONDUCT OF PERMIT APPLICATION HEARINGS**

Public hearings for consideration of property permit applications shall be conducted in an orderly and rational manner. The order of hearing shall be as follows:

1. Announcement of subject
2. Finding of compliance with notice requirements.
3. Staff report to consist of a summary of the hearing topic, a report of staff findings and applicable advisory committee recommendations.
4. Presentation by applicant.
5. Questions and comments by Commissioners.
6. Public comment.
7. Rebuttal by applicant.
8. Staff recommendation.
9. Motion and vote by Commissioners

**SECTION K: ABSENCE OF CHAIRMAN OR VICE CHAIRMAN**

In the absence or disability of both the chairman and vice chairman at any Commission meeting or hearing, the member present with the longest continuous membership on the Commission shall act as chair during such meeting.

**ARTICLE IX: AMENDMENTS**

These bylaws may be amended or repealed by an affirmative vote of not less than a majority of the full membership of the Capitol Zoning District Commission.

**ATTEST:**

Date \_\_\_\_\_

Secretary \_\_\_\_\_

Chairman \_\_\_\_\_

Adopted by the Capitol Zoning District Commission on 12-22-77  
Amended by the Capitol Zoning District Commission on 11-27-87  
Amended by the Capitol Zoning District Commission on 10-25-90  
Amended by the Capitol Zoning District Commission on 1-27-94  
Amended by the Capitol Zoning District Commission on 2-26-98  
Amended by the Capitol Zoning District Commission on 3-25-99  
Amended by the Capitol Zoning District Commission on 11-13-2012