

ADVISORY

NEIGHBORHOOD

COMMISSION 7 E

BYLAWS

Amended and Adopted January 10, 2023

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BYLAWS

OF

ADVISORY NEIGHBORHOOD COMMISSION 7E

ARTICLE I. NAME

Section 1. Name

The name of this Commission shall be Advisory Neighborhood Commission 7E, hereafter referred to as the “Commission.” The Commission is established pursuant to the D.C. Self Government and Governmental Reorganization Act, and the Advisory Neighborhood Commissions Act of 1975 as amended by the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000, the ANC Omnibus Amendment Act of 2016, and any other applicable statutes of the District of Columbia

Section 2. Boundaries

The Boundaries of ANC 7E are specified in DC as follows¹: All streets are located in the Southeast quadrant. Beginning at the intersection of East Capitol Street and Central Avenue, S.E.; then southeast along Central Avenue, S.E.; then southwest along the State of Maryland-District of Columbia boundary line; then northwest along Ridge Road, S.E.; to its intersection with Texas Avenue SE; then northeast along Texas Avenue SE to its intersection with East Capitol Street; then east along East Capitol Street to the point of beginning.

ARTICLE II. DUTIES AND RESPONSIBILITIES

Section 1. Advice to D.C. Government

The Commission may 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 with respect to all proposed matters of District governmental policy including or service delivery including, but not limited to, decisions regarding zoning, planning, liquor licenses, streets, parks and recreation, social service programs, education, health, safety, sanitation, budget, transportation services, taxation, public works which affect the Commission area. Proposed actions of the District government policy shall be the same

¹ July 16, 2022, D.C. Law 24-440, § 2(a)

as those for which prior notice of proposed rulemaking is required is required pursuant to D.C. Code Section 1-1050 (a) or as it pertains to the Council of the District of Columbia.

Section 2 D.C. Government Actions.

Proposed District government actions covered by these Bylaws shall include, but not limited to, actions of the Council of the District of Columbia, the executive branch or independent agencies, boards and commissions. The Commission may also advise each agency, board and commission regarding the award of any grant funds to a citizen organization or group, the formulation of any final policy decision or guideline with respect to grant applications, comprehensive plans, requested or proposed zoning changes, variances, public improvement, 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 3. Scope

The Commission may present its views to public and private entities including, but not limited to, any federal or District, or regional government agencies and may initiate its own proposals for neighborhood, District, regional or federal government action.

Section 4. Commission Recommendations

The recommendations of the Commission shall be in writing and such recommendations shall be adopted and communicated in accordance with these Bylaws and all applicable laws or regulations governing Commission action.

Section 5. Citizen Comment

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

Section 6. Programs

The Commission may operate neighborhood or community enhancement campaigns. In addition, it may operate programs in conjunction with existing governmental activities provided that such activities on behalf of the Commission does not duplicate already available programs or services of the District of Columbia Government and further, provided that the Commission's programs are not conducted on a contractual basis with existing governmental agencies.

Section 7. Other Functions

The Commission may carry out any other function as shall be provided by law or regulations.

ARTICLE III. MEMBERS

Section 1. Composition of the Commission

The Commission shall be comprised of those persons duly elected and certified by the D.C. Board of Elections as elected representative of the Single Member Districts within the Commission's boundaries.

Section 2. Term of Office

Each member of the Commission shall serve for a term of two years which shall begin at noon of 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.²

Section 3. Vacancies

Any vacancy in office due to death, resignation or change of residence shall be filled by special election held by the Board within a reasonable period, but not to exceed 120 days from such vacancy, except that if the vacancy occurs less than six months prior to a regularly scheduled election of members of Advisory Neighborhood Councils, the vacancy shall be filled at the regularly scheduled election.³

Section 4. Compensation of Commissioners

The members shall serve without compensation; however, appropriate expenses may be authorized by the commission in accordance with applicable laws and regulations.

Section 5. Conflict of Interest

Commissioners shall take due diligence to avoid actual or perceived conflicts of interest and shall at all times comply in accordance with the laws and regulations of the District of Columbia and the Board of Ethics and Governmental Accountability.⁴ If a commission is involved in civic, business, political, neighborhood or other organizations with seeking official action from the Commission, he or shall notify the Commission of this involvement and disclose his or her role in the matter. A Commissioner may voluntarily recuse himself or herself to avoid actual or perceived conflict of interest, but recusal will not be required except in cases involving a direct financial interest.

Section 6. Commission Policy Statements and Presentation of Testimony

The Chairperson shall serve as the representative of the Commission before any

² §1-309.6(b)(1).

³ § 1-309.06(d).

⁴ § 1-1162.23

governmental or public or private body. Notwithstanding the above, the Chairperson may designate another Commissioner to represent the Commission, provided however, that such delegation is limited to the specific authority, if any, stated in the Commission's authorizing resolution or a statement made by the Chairperson which must be approved by the Commission. The Chairperson or the Commission's authorized representative may participate procedurally or substantively in any case or proceeding provided such participation is in accordance with the Commission's stated position. Individual Commissioners shall not make public policy statements for the Commission or assume obligations for the Commission. Any individual Commissioner may communicate his or her views on any issue within the scope of his or her jurisdiction to any government entity; provided, however, that unless such communication has been approved by the Commission as an official action in accordance with these Bylaws, such Commissioner shall indicate in such communication that he or she is speaking as an individual Commissioner and not for the Commission itself. Commissions filing minority reports shall specify which commissioners support such minority report. Commissioners speaking on their own behalf shall confine their remarks to the substance of the matter and shall not disparage the Commission, its actions or any individual Commissioner. Commission stationary shall be used only for the approved business of the Commission. Single member district commissioners may use stationary specific to their individual single member district.

Section 7. Access to Resources

Each Commissioner shall have at all times equal access to the resources of the Commission, including, but not limited to reasonable use of Commission Staff (if any) for Commission related purposes, documents of the Commission, the Commission office (if any), and supplies.

ARTICLE IV. OFFICERS

Section 1. Election of Officers

The Commission shall elect a Chairperson, a Vice Chairperson, a Secretary, a Treasurer, and such other officers as may be necessary from among the Commissioners. The election process shall take place at a Commission meeting in January of each year, except that, if the certification of a majority of the members of the Commission by the District of Columbia Board of Elections and Ethics has not occurred by the first Commission meeting in January, then the election shall be held at a meeting not later than 30 days following such certification.

Section 2. Term of Office

The term of office of Officers shall be in accordance with the laws and regulations of the District of Columbia.⁵ Officers shall be elected to serve for a term of one year or until their successors are elected. Terms of office shall begin at the close of the regular meeting in which the election was held. In the event of a vacancy, the officer filling the vacant position shall only serve out the

⁵ § 1-309.11(e)(1).

term of the officer he or she replaced.

Section 3. Nominations.

Each candidate shall be nominated by a Commissioner and must be seconded by another Commissioner. A Commissioner may nominate himself or herself but may not second the nomination.

Section 4. Voting

Officers of the Commission shall be elected by a simple majority of those Commission members present and voting. In the event that no candidate has a simple majority, there shall be a run-off election between the two candidates having received the most votes. In the event of a tie in such a run-off vote, additional ballots shall be cast until a winner is elected. Voting of each office shall occur before the floor is open for nominations for another office.

Section 5. Vacancies

In the event of a vacancy among the officers of the Commission, an election shall be held at the next regularly scheduled meeting of the Commission to fill that vacancy. If there is a vacancy in the office of the Treasurer, the Commission shall elect a new Treasurer no later than at the next regular meeting.

Section 6. Removal

Removal of any officer shall be undertaken at a special Commission meeting, which shall be called if at least one-half of the elected Commissioners request in writing that the Chairperson take such action. After the request is made, the Chairperson shall schedule the meeting to take place within 30 days of receipt of the request. Notice to the public shall be given to the public in accordance with DC law.⁶ The Chairperson shall preside over the meeting unless the vote will affect the Chairperson's own position in which case the Vice-Chairperson shall act as the presiding officer. Provided a quorum is present at the special Commission meeting, the vote of a majority of the Commissioners present shall remove the officer from his or her office. Upon removal, the vacancy shall be filled in accordance with the election procedures set forth in these bylaws.

Section 7. Duties of Chairperson – The Table of Contents list Financial Management and Records as A. Should this be amended?

- A. Convener: The Chairperson shall serve as the convener of the Commission and shall chair the Commission meetings. In addition, the Chairperson shall have the power to call additional regular meetings and emergency meetings and special meetings of the Commission in accordance with the specific provisions for such

⁶ § 1-309.11(e)(2).

meetings as set forth in these Bylaws.

- B. Ruling on Procedural Matters: The Chairperson may rule on motions and procedural questions. Such rulings may be overturned by a majority vote of the Commission.
- C. Supervision of the ANC Administrator, Contractors or Staff: The Chairperson shall be responsible for the supervision of any individuals or entities engaged by the Commission including Commission staff or independent contractors. The Chairperson may delegate any such responsibilities in whole or in part to other Commission officers.
- D. Spokesperson: Except as otherwise provided herein and in accordance with the provisions of Article 3, Section 6, the Chairperson shall be the spokesperson of the Commission. He or she may delegate this duty to another Commissioner.
- E. Cosigner of Checks: Whenever the Chairperson or Treasurer is unavailable; any other officer may serve as a cosigner of Commission checks.
- F. Issuance of Notices of Meetings: The Chairperson may ask another officer to be responsible for the issuance of notices of meetings, and where necessary, other appropriate publicity.
- G. Inter-Commission Liaison: The Chairperson may ask another officer to be responsible for liaison between this Commission and other Commissions.

Section 8. Duties of the Vice-Chairperson

- A. Substitute for Chairperson: The Vice-Chairperson shall fulfill the obligations of the Chairperson in his or her absence or upon request of the Chairperson or as otherwise specified by the Bylaws. The Vice-Chairperson shall provide such assistance to the Chairperson as is requested and shall perform such duties as may be delegated by the Chairperson.

Section 9. Duties of the Treasurer

- A. Financial Management and Records: The Treasurer shall be responsible for the fiscal management of the Commission and for preparing and maintaining the financial records of the Commission, including, but not limited to, the annual budget and quarterly financial report as set forth in Article VIII below. The Treasurer shall serve as the Commission's contact with the Auditor of the District of Columbia or other District officials on financial matters.
- B. Bonding of Treasure: The treasure shall be bonded in accordance with District of Columbia laws and regulations or, in the alternative, the Commission may participate in the Advisory Neighborhood Commission Security Fund.

- C. Cosigning Checks: The Treasure shall, with the Chairperson, cosign all checks drawn on Commission accounts. Should this be consistent with the language used under Article IV, Section 7 (E)?
- D. Maintenance of Commission Accounts: The Treasurer shall maintain the Commission accounts on a fiscal year basis, as established by the District of Columbia government.
- E. Compliance with DC Regulations: The Treasurer shall comply with DC law.
- F. Authority in Absence of Chairperson and Vice-Chairperson: The Treasurer shall fulfill the obligations of the Chairperson and Vice-Chairperson if both the Chairperson and Vice-Chairperson are absent.
- G. Maximum Consecutive Terms: The Treasurer shall not serve more than two consecutive terms.

Section 10. Duties of the Secretary

- A. Preparation of the Minutes: The Secretary shall be responsible for the preparation of the minutes for all meetings of the Commission, for the distribution of copies of minutes to all members of the Commission and for making copies of the minutes available to residents of the Commission area. In the preparing of minutes, reports, and other official documents, the Secretary shall have the assistance of any Commissioner, as may be required. The Secretary (or the Commission staff under the Secretary's direction) shall bring a copy of the minutes book of the Commission to each meeting and shall at the request of the Chairperson, inform the Commission of its prior actions.
- B. General Correspondence: The Secretary shall be responsible for the general correspondence of the Commission and shall be responsible for maintaining records of all activities, including recordings and a record of notices. The Secretary shall perform such other duties as the Chairperson may direct. These duties may be delegated to a staff person under the Secretary's direction.
- C. Central Repository: The Secretary shall oversee the central repository of the minutes, recordings and other records of the Commission, which shall be maintained in accordance with the laws and regulations of the District of Columbia.⁷
- D. Reports. The Secretary of the Commission, or a member of the Commission appointed by the Chairperson, shall compile an annual report or newsletter in accordance with DC law⁸ for review and approval by the Commission.

⁷ § 1-309.13(e).

⁸ § 1-309.10(n-1).

ARTICLE V. MEETINGS

Section 1. Public Meeting Requirement

All meetings of the Commission at which official action of any kind is taken shall be in accordance with the open meeting laws and regulations of the District of Columbia.⁹

Section 2. Quorum

No official action may be taken by the Commission unless a quorum shall be present. A quorum shall be a majority of the current Commission members, provided that a majority of the Single Member Districts within the Commission area has Commissioners.

Section 3. Types of Meetings

- A. Regular Meetings: Regular meetings shall be held in accordance with the laws and regulations of the District of Columbia.
- B. Additional Regular Meetings and Emergency Meetings: Additional regular meetings and emergency meetings of the Commission shall be noticed in accordance with D.C. Code Section 1-309.11(c) and any other applicable District of Columbia statutes.¹⁰ Additional regular meetings and emergency meetings of the Commission shall be called, noticed, and convened by the Chairperson upon the occurrence of any of the following: (a) by a majority vote of the Commissioners present during a duly convened Commission meeting with a quorum present; (b) by written request to the Chairperson made by a majority of the Commissioners then in office; or (c) by action of the Chairperson, provided however, that any such meeting called by the Chairperson under this subsection shall be cancelled if a majority of the Commissioners then in office objects to such meeting in writing (including, without limitation, by email) to the Chairperson within 3 days of receiving notice of such additional regular or emergency meeting. No additional regular meeting shall be convened with less than 3 days' notice. No matter may be considered at any additional or emergency meeting except as stated in the agenda that must accompany any request and notification.
- C. Town Meetings: The Commission may periodically host "town hall" or community meetings to address particular issues or concerns.

Section 4. Hearing of Resident Views:

In accordance with DC laws¹¹, the Commission shall set aside a portion of each public meeting to hear the views of residents within the Commission area and other affected persons on problems or issues of concern within the Commission area and on proposed

⁹ § 1-309.11(g); § 1-207.42

¹⁰ These additional regular or emergency meetings of the Commission shall be a substitute for what is formally considered a special meeting under the ANC law.

¹¹ § 1-309.11(b)(3).

District government actions that affect the Commission area.

Section 5. Meeting Places

Meetings shall be held at such places as may be determined by the Commission.

Section 6. Public Notice of Meetings

All meetings and notices thereof shall be in accordance with applicable DC laws.¹²

Section 7. Incorporation of Resident Views

Community views shall be considered in positions taken by the commission.

Section 8. Dissemination of Information

In accordance with DC law¹³ the following categories of information shall specifically be made available to the public by posting such information on the Commission website:

- A. The names, salaries, title and dates of employment of all employees of the Commission.
- B. Final decisions of the Commission, including concurring and dissenting opinions.
- C. Information of every kind dealing with the receipt or expenditure of public or other funds by the Commission.
- D. All documents not related to personnel and legal matters.
- E. The minutes of all Commission meetings and Reports of the District of Columbia auditor.

In addition to the above, the Commission shall establish mechanisms, such as posting on its website, as will insure broad dissemination of information with respect to the Commission meetings, positions and actions.

Section 9. Commission Actions

Commission actions, except for amending these Bylaws, shall be approved by a majority of those Commission members present and voting. In the case of a tie vote, the Motion for the Commission action shall fail.

Section 10. Joint Meetings

¹² § 1-309.11(g); § 1-207.42; § 1-309.11(c).

¹³ §1-309.11(g)

The Commission may hold joint meetings in accordance with DC law.¹⁴

Section 11. Decorum of Members

Commission members shall not disparage other Commissioners or the Commission itself in either public, or in any communications subject to the District of Columbia Freedom of Information Act. When speaking or debating before the Commission or before any public body, members shall confine their remarks to the issue at hand or questions under discussion or debate, avoiding negative personal comments.

ARTICLE VI. VOTING

Section 1. Commissioner's Vote

Each Commissioner shall have one vote.

Section 2 Form of Vote

A Commissioner who states during a vote that he or she is either “present” or abstains from a vote because of a conflict of interest or for any other reason may, upon request to the Chair, have the reason for such non-vote recorded in the minutes.

Section 3. Proxy Voting

No proxy or absentee voting shall be permitted. However, a Commissioner who is not present may have entered into the record a written statement pertaining to any action or resolution before the Commission. At the Commissioner's request, this statement shall be read before any vote is taken on the action or resolution.

Section 4. Unanimous Consent

The Commission may act by unanimous consent.

Section 5. Demand for Roll Call Vote

Any member, in advance of a vote or promptly thereafter, may demand a roll call vote.

Section 6. Tie Vote

In the case of a tie vote the motion being voted upon shall fail.

Section 7. Voting Requirements

Except as otherwise provided by law or by these Bylaws official actions shall be approved by a simple majority of those Commissioners present and voting, provided a quorum shall be present.

¹⁴ §1-309.12(a)

Section 8. New Business

The Chairperson shall determine whether new business which is raised on the floor and which requires a vote shall be voted upon immediately, deferred to a time certain or directed to a committee. However, upon a motion carried by a majority vote of the Commission, new business shall be permitted to be discussed and voted upon at the current meeting.

Section 9. Meeting Agenda

In accordance with DC law¹⁵, the meeting agenda must be approved or modified at the beginning of any regular, additional or emergency meeting.

ARTICLE VII. COMMITTEES

Section 1. Establishment of Committees

The Commission may establish Committees upon the action of a majority of the Commissioners present and voting. The Commission may create standing and special committees. Standing committees are those created permanently; special committees are those created temporarily by the Commission. Each Commissioner shall be an ex-officio member of each committee, with the right to participate and vote in its deliberations. Any permanent committee established pursuant to this section may be dissolved only by a two-thirds vote of the Commissioners present and voting.

Section 2. Committee Mission and Procedures

The Commission shall charge a Committee with its mission, including its reporting requirements. The Chairperson shall ensure that items requiring committee action are referred to the appropriate committees(s) on receipt. Each Committee shall establish the procedure which, in its opinion, will facilitate achieving its mission. Committees may not speak for the Commission.

Section 3. Chairmanship

In accordance with DC laws¹⁶, the chairmanship of each Commission committee or task force shall be open to any resident of the Commission area, provided, however, that the Chairperson shall generally be a Commissioner. The Chairperson of each such committee or task force shall be appointed by the Commission.

¹⁵ §1-309.11c-1) (2).

¹⁶ §1-309.11(f).

ARTICLE VIII. COMMISSION STAFF

Section 1. Hiring

All employees and consultants of the Commission shall be hired by the Commission and shall serve at the pleasure of the Commission.

Section 2. Position Requirements and Eligibility

The Commission may establish position descriptions for its employees and shall have contracts for its employees, contractors, and consultants. The employees, contractors, and consultants of the Commission may be hired on a full-time or part-time basis and for an indefinite or a definite term. Persons hired by the Commission shall meet the qualifications established in the job descriptions or contracts.

ARTICLE IX. FINANCIAL MANAGEMENT

Section 1. Annual Budget

Within a month from the date that the Commission is informed of its annual appropriation, the Treasurer (or Commission staff under the Treasurer's direction) shall prepare an annual fiscal year budget for Commission consideration which outlines planned revenues and expenditures for the fiscal year. Prior to the adoption of the budget, the Commission shall present the budget at a public meeting of the Commission to elicit comments from the residents of the Commission area. The Commission may amend the budget by simple majority at any time during the fiscal year.

Section 2. Quarterly Financial Report

The Treasurer (or Commission staff under the Treasurer's direction) shall submit to the Commission a quarterly financial report within 30 days of the close of each fiscal quarter. These reports shall be public documents and shall be available for public inspection. The quarterly report signed by the Treasurer and the Chairperson of the Commission and attested to by the Secretary as having been approved by the Commission shall be filed within seven days of approval by the Commission with the District of Columbia Auditor. The minutes of the meeting shall note the reading and approval of this report.

Section 3. Authorization of Commission Expenditures

No expenditure of any amount may be made without authorization by the Commission. Each expenditure over \$50.00 must be specifically approved by the Commission, except that recurring expenditures, such as for rent, telephone, employment, and professional services may be approved as general budget items. Amounts of less than \$50.00 may be expended by general authorization, provided that records of general authorization expenditures must be transmitted to the Treasurer prior to any reimbursement for such funds.

Section 4. Authorized Signatures

The signatures of two officers, as provided in Article IV, shall be required on all drafts, money orders and expenditures of the Commission.

Section 5. Depositories

The Commission shall by resolution designate one or more financial institutions within the District of Columbia as depositories of Commission funds.

Section 6. Treasurer Vacancy

No expenditure whatsoever shall be made by the Commission during a vacancy in the Office of the Treasurer, or at a time when a current and accurate budget and bond or its equivalent is not on file with the District of Columbia Auditor.

Section 7. Solicitation or Acceptance of Funds

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 the Council of the District of Columbia provided that receipt of contributions of \$400 or less from a single contributor need not be approved by the District of Columbia.

Section 8. Pooling Funds with other ANC's

The Commission may pool its funds with other ANC's in accordance with agreements adopted by the Commission.

Section 9. Grant Guidelines

The Commission may issue guidelines for the awarding of grants. All provisions of these guidelines and any grants awarded under the guidelines must conform to DC Law.¹⁷

ARTICLE X. LEGAL STATUS

Should the Commission feel legal redress is required, it shall petition the Council through its special committee on Advisory Neighborhood Commissions or any successor committee. Any Commissioner may initiate a legal action as a private citizen in the courts of the District of Columbia or in the federal courts, but the Commission itself shall not have such power.

ARTICLE XI. PARLIAMENTARY AUTHORITY

The most recent edition of Robert's Rules of Order shall govern the Commission in all cases in which they are not inconsistent with these Bylaws and any special rules of order

¹⁷ §1-309.13(m)

the Commission may adopt.

ARTICLE XII. ENFORCEMENT OF BYLAWS

Should any Commissioner believe that any provision of the Commission Bylaws have been violated either in letter or spirit, then such Commissioner may either raise a point of order at any Commission meeting or pursuant to Article V. Section 3B, an additional regular or emergency meeting may be called in accordance with the procedures for calling such meeting for the purpose of determining whether such Bylaws have been violated and taking appropriate corrective action.

ARTICLE XIII. AMENDMENT OF BYLAWS

Section 1. Copy of Bylaws to Council

In accordance with DC laws¹⁸, an up-to-date copy of the Commission's Bylaws and all amendments thereto shall be filed with the Council and the Office of Advisory Neighborhood Commissions within 30 days of any amendment to the Bylaws.

Section 2. Revision of Bylaws

At least 30 days' notice, to each Commissioner and the public shall be given prior to Commission consideration of any revision of these Bylaws. The notice shall include the suggested revisions(s). A two-thirds majority of the Commissioners present and voting "yea or nay" is required for such revisions to be approved.

Section 3. Bylaws Consistent with Laws and Regulations

These Bylaws shall be consistent with any and all applicable federal, state and local laws and regulations, including laws of the District of Columbia pertaining to Advisory Neighborhood Commissions, and any inconsistencies are to be held null and void.

Section 4. Public Access to Bylaws

A current copy of these Bylaws and any amendments shall be available for public inspection and shall be posted on the Commission's website.

¹⁸ §1-309.11(d)(3)