

# NCTAPA BYLAWS

## **Bylaws Of the North Central Texas Section Of the Texas Chapter American Planning Association As Amended and Effective on July 1, 2008**

### **ARTICLE I. NAME AND TERRITORY**

#### Part 1. Name

- A. The name of this organization is the North Central Texas Section of the Texas Chapter American Planning Association.
- B. In these bylaws, the North Central Texas Section is referred to as “The (this) Section”; the Texas Chapter American Planning Association as “The Chapter” and the American Planning Association as “The Association”.

#### Part 2. Territory

The geographical territory within which this section shall represent the Association and the Chapter is that area comprised in Addendum “A”, a list of Texas Counties and a map.

### **Article II. PURPOSES**

The purpose of this section shall be to promote and forward established purposes of the American Planning Association, namely; to study and advance the art and science of planning, to further the interests of the profession; to promote professional development; and encourage understanding and fellowship among it members.

### **Article III. MEMBERSHIP**

#### Part 1. Regular Meetings

A person who is a member of the Chapter and resides or works in the Section territory indicated by the address of record maintained by the Association, shall automatically be a section member and, upon payment of established dues, shall be known as a “Regular Member”. A Regular Member shall be eligible to hold office and shall be eligible to vote.

#### Part 2. Non-Resident Members

A person eligible for Regular Membership but residing and working outside the Section territory shall be eligible for membership as a “Regular Non-Resident Member: A Regular Non-Resident Member shall not be eligible to hold office and shall not be eligible to vote.

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## Part 3. Termination of Membership

- A. Any Section member leaving the territory permanently (longer than six months) both in residence and primary place of work shall automatically cease to be a Resident Member of the Section and Shall be removed from the rolls unless written application for non-resident status is received by the Secretary/Editor.
- B. Any member may be suspended and/or removed from the rolls upon finding by the Board of Officers that said member:
  - (1) Is default of his financial responsibilities to the Section as herein provided; or
  - (2) Has acted in such a manner as to violate the code of ethics in addendum "B", American Planning Association's Ethical Principles for Planning, as included herein or as may be amended from time to time.

## **ARTICLE IV. FISCAL ADMINISTRATION**

### Part 1. Fiscal Year

The Section fiscal year shall be October to October.

### Part 2. Budget

Each year newly elected officers and past year's officers shall draw up a budget for the coming fiscal year, setting forth in detail the anticipated income and expenses for the next year, and recommended annual appropriations for anticipated normal operating expenses.

### Part 3. Assessments

- A. The Section, with a concurring vote of not less than two-thirds (2/3) of the total eligible votes cast at an officially called meeting, may levy an assessment on its members which shall be equal in amount by category of membership.
- B. Notice of the intention to levy an assessment shall be mailed through the newsletter to each member of the Section prior to the meeting at which the proposed assessment is to be voted on.

### Part 4. Default of Assessments

- A. Every member who has not paid the entire amount of his required assessments for a fiscal year within four months of the date of the assessment shall be considered in default and shall be notified in writing of this fact.
- B. Should payment in full not be received by the Treasurer within one (1) month following issuance of notification, a member receiving such notice shall be subject to suspension of membership.

### Part 5. Vouchers

All claims for payments owed by the Section shall be submitted to the Treasurer in the form of written and signed statement.

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## ARTICLE V. OFFICERS AND BOARD OF OFFICERS

### Part 1. Number and Type of Officers

The officers of this Section shall be six (6) in number and shall be a Director, a Past Director, Director-Elects, a Secretary/Editor, Treasurer, and Professional Development Officer.

### Part 2. Eligibility for Office

- A. Officers shall be open to any Regular Member in good standing in the Association.
- B. A “member in good standing” is defined as a member meeting all requirements for membership as herein provided and neither delinquent nor in default of dues and assessment responsibilities.

### Part 3. Terms of Office

Except as otherwise provided herein the normal term of office for all officers shall be one (1) year, commencing at the beginning of the fiscal year.

### Part 4. Duties of Officers

- A. The Director shall be the administrative head of this Section. He shall call and preside at all meetings, except as otherwise provided herein; shall create, appoint, and discharge all standing and special committees, make other appointments as necessary; sign all contracts and agreements to which the Section is a party; and shall perform all other duties usual and incidental to his office.
- B. The Director-Elect shall act in the absence or incapacity of the Director and, under such circumstances, shall perform all duties normally required of the Director and shall discharge all other duties as may be assigned to him by the Director. He shall be responsible for programs for the meeting. Upon expiration of the Director’s term, the Director-Elect shall assume the office of Director and serve one full term as Director.
- C. The Secretary/Editor shall act as recording and corresponding Secretary and as Secretary for Section meetings. He shall have custody of and shall safeguard and keep in good order all property of this Section, except that which may be placed under charge of the Director or Treasurer. He shall keep all minutes and notices; keep the membership roll complete and current; distribute as necessary all publications other than minutes and notices; maintain and publish the bi-monthly newsletter, and shall discharge all duties usual and incidental to the office, or as assigned by the Director.
- D. The Treasurer shall have charge of and exercise general supervision of the Section’s financial affairs keeping records and books as may be required for complete accountability. He shall collect amounts due the section; receive and have custody of all funds; and make authorized disbursements s necessary in a timely manner. He shall have custody of any instruments or papers involving finances and financial commitments; conduct corresponding relating to is office; and shall perform all duties usual and incidental to his office, or as assigned by the Director. He shall be in charge of educational programs for the Section. The Treasurer shall not personally be liable for any loss of funds from this Section as the result of acts performed in good faith while

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- conducting usual business of his office. He may make disbursements up to five hundred (\$500.00) dollars without approval of the Board of Officers. Disbursement of five hundred (\$500.00) or greater shall first be approved by the Board of Officers.
- E. The Past Director shall be a voting member of the Board of Officers and shall assist the Board in preparation of the Annual Report and Budget, shall advise the Board on all matters of protocol and old business, and shall discharge all duties usual and incidental to the office.
  - F. The Professional Development Officer (PDO), who must be a member of the American Institute of Certified Planners (AICP), shall be appointed by the board officers at the first meeting of the new term immediately following the state conference. The Professional Development Officer shall advise prospective members of the AICP as to the requirement for membership. He or she shall be responsible for conducting local test preparation workshops and study groups (or ensure a prospective AICP candidate is leading a study group). The section's PDO shall act as the Section's liaison with the Chapter Professional Development Officer and the President's standing TX APA Continuing Education Committee for AICP certification Maintenance.
  - G. There shall be an Annual Report prepared in collaboration by the officers of this Section and presented in writing in the first newsletter of the fiscal year to the membership. This report shall include both a summary of all major business and other activities accomplished by the Section during the then past fiscal year and a financial statement setting forth acquisition and disbursement of funds over that year.
  - H. Except as otherwise provided by Chapter and/or Association bylaws, the Board of Officers may transact Section business in the interim between Section meetings; the Board of Officers shall also act on matters of membership; shall determine when committee reports are to be issued; shall effectuate motions voted by the Sections Membership and may adopt rules for the regulation of its proceedings.
  - I. Official findings and recommendations of the Board of Officers shall be determined by a majority vote. All members of the Board shall have one (1) vote.

## ARTICLE VI. ELECTIONS AND VOTING

### Part 1. Nomination of Officers

- A. The Director shall appoint a nomination committee consisting of three or more persons who are Regular Members in good standing by June 15<sup>th</sup>.
- B. The nominating committee shall prepare a slate of nominees for the offices of Director-Elect, Secretary/Editor, and, Treasurer.
- C. The committee may select and recommend one or more persons for any or all officers, not to exceed three persons per office.
- D. The slate shall be mailed to the membership by August 15<sup>th</sup> of each year. Ballots shall be returned to the Director by August 30<sup>th</sup>. Write-in ballots for members in good standing shall be accepted.

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- E. The Director shall announce the results of all balloting and shall declare all elections at the September meeting.
- F. Formal notification of the election results shall be prepared by the Secretary and mailed to each Section Member through use of the newsletter.
- G. If, for any reason, the candidate receiving the largest number of votes is unusable to accept the office prior to the commencement of the term, the candidate receiving the second largest number of votes will fill the office.
- H. If the name of no other candidate appeared on the ballot, a special election will be called at the earliest practicable date for the purpose of filling the term of office from among the qualified Regular Membership.

### Part II. Vacancies and Removal

- A. In the event a vacancy is created in the Office of Section Director, the Director-Elect shall immediately vacate his office and assume the office of Section Director and shall then call an election to be held at the earliest practicable date for the purpose of electing from the qualified Regular Membership a person to fill the unexpired term of Director-Elect.
- B. In the event a vacancy is created in any of the offices of Director-Elect, Secretary, or Treasurer, the Director shall call an election to be held at the earliest practicable date for the purpose of filling any or all of such unexpired terms from among the qualified Regular Membership. The Director may appoint a qualified person to fill a vacancy until an election can be called.

### Part III. Voting

- A. All Regular Members in good standing shall be eligible to vote on items of Section business.
- B. A quorum for a valid vote on Chapter, Association, or Section matters, whether the voting occurs in a Section meeting, mail ballot, or by email ballot, shall be a majority of those casting ballots.
- C. No action on Chapter, Association or Section affairs shall be reported as an official expression of Section opinion unless passed by a two-thirds (2/3) vote of those casting ballots.
- D. Written qualified votes received by mail or e-mail, sent to the Section prior to the call for a vote on any Section on any Section, Chapter, or Association matter shall be counted toward a quorum of those casting ballots.
- E. Any member eligible to vote on a specific matter coming before the Section may vote by proxy, if said proxy states the specific matter under consideration for which the proxy is given, is signed, and names a person actually present at the meeting who is himself qualified to vote on the specific matter in question.

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- F. Proxies shall count toward any quorum required to transact business as herein provided.

### ARTICLE VII. MEETINGS

#### Part 1. Annual Business Meeting

- A. There shall be an Annual Business Meeting held during the month of January of each year. This meeting shall take place between the immediate past and newly elected Board of Officers.
- B. The primary purposes of the Annual Business Meeting shall be: (1) to receive the Annual Report from the retiring Section Officers; (2) to receive the files from retiring Section Officers; and (3) to adopt a budget for the next year.

#### Part 2. Regular Meetings

There shall be held each year at least six (6) regular meetings at such dates, times, and places as may be decided by the Director-Elect.

#### Part 3. Special Meetings

The Director or a majority of the Board of Officers may call special meetings at such dates, times, and places as he or she may consider appropriate.

#### Part 4. Chapter Meetings

- A. The Section shall be officially represented at called Chapter meetings.
- B. The Director shall normally be expected to attend Chapter meetings and represent the Section membership in business matters.
- C. In the event that the Director is unable to attend such meetings, this responsibility shall be assumed by the Director-Elect. Should the Director-Elect be unable to attend, the Director shall delegate this responsibility to another Regular Member in good standing, with preference given to other Section Officers.
- D. The Director, or his officially appointed delegate, shall be entitled to receive, from the Section treasury, reimbursement for expenses incurred while attending called Chapter Meetings. Such reimbursement shall be as specified in the annual budget.

#### Part 5. Notice of Meetings

- A. Notice of date, location, time, and program subject shall be mailed to each Section member not later than fifteen (15) days prior to each regularly scheduled meeting.
- B. Notices of special meetings shall be mailed to each member involved not later than ten (10) days prior to such meetings.

#### Part 6. Minutes of Business Meetings

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- A. Minutes shall be recorded at each Board of Officers and Section meetings by either the Secretary/Editor or some other qualified member designated by the Secretary/Editor.
- B. All minutes, once recorded and approved by the Section membership as to accuracy, shall become part of the permanent Section record, of which the Secretary/Editor shall be custodian.
- C. The annual Business Meeting shall be recorded by the incoming Secretary/Editor.

### **ARTICLE VIII. COMMITTEES**

#### Part 1. Appointment

The Director shall, whenever necessary and appropriate, appoint special committees to perform specific and limited duties for a specified period of time.

#### Part 2. Tenure

The tenure of each special committee shall be for the duration of the specific duty assigned to it but shall not exceed beyond the end of the Section fiscal year in which the particular committee was appointed, except that any committee may be continued and added to the following year by the succeeding Director.

### **ARTICLE IX. BYLAW AMENDMENTS**

#### Part 1. Proposal

Upon recommendation by the Board of Officers or upon a written petition of at least thirty (30) members in good standing officially transmitted to the Board of Officers, any proposed amendment shall, after full discussion at one or more regularly called Section meetings, be prepared as a written postal or electronic e-mail ballot for action by the membership.

#### Part 2. Adoption

- A. All votes on any amendment for adoption shall conform to Article VI, Part 3. Written ballots may be transmitted to the Secretary either by mail, email, or by handing them to him or her directly.
- B. A specified period of time from mailing shall be allowed for the return of ballots prior to certification of results. The Director shall specify the time.

### **ARTICLE X. RULES OF PROCEDURE**

Except herein provided, all matters of procedure shall be governed by Roberts Rules of Order, latest revised edition.

**ADDENDUM "A"**  
**TEXAS COUNTIES**  
**IN THE NORTH CENTRAL TEXAS SECTION**  
**OF THE TEXAS CHAPTER**  
**AMERICAN PLANNING ASSOCIATION**

ANDERSON  
BOWIE  
CAMP  
CASS  
CHEROKEE  
COLLIN  
DALLAS  
DELTA  
ELLIS  
FANNIN  
FRANKLIN

FREESTONE  
GRAYSON  
GREGG  
HARRISON  
HENDERSON  
HOPKINS  
HUNT  
KAUFMAN  
LAMAR  
MARION  
MORRIS

NAVARRO  
PANOLA  
RAINS  
RED RIVER  
ROCKWALL  
RUSK  
SMITH  
TITUS  
UPSHUR  
VAN ZANDT  
WOOD

**Insert section Map here:**

**ADDENDUM “B”\***  
**AMERICAN PLANNING ASSOCIATION**  
**PRINCIPALS TO WHICH WE ASPIRE**  
**AND RULES OF CONDUCT**

**PRINCIPALS**

1. Our Overall Responsibility to the Public

Our primary obligation is to serve the public interest and we, therefore, owe our allegiance to a conscientiously attained concept of the public interest that is formulated through continuous and open debate. We shall achieve high standards of professional integrity, proficiency, and knowledge. To comply with our obligation to the public, we aspire to the following principles:

- a) We shall always be conscious of the rights of others.
- b) We shall have special concern for the long-range consequences of present actions.
- c) We shall pay special attention to the interrelatedness of decisions.
- d) We shall provide timely, adequate, clear, and accurate information on planning issues to all affected persons and to governmental decision makers.
- e) We shall give people the opportunity to have a meaningful impact on the development of plans and programs that may affect them. Participation should be broad enough to include those who lack formal organization or influence.
- f) We shall seek social justice by working to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of the disadvantaged and to promote racial and economic integration. We shall urge the alteration of policies, institutions, and decisions that oppose such needs.
- g) We shall promote excellence of design and endeavor to conserve and preserve the integrity and heritage of the natural and built environment.
- h) We shall deal fairly with all participants in the planning process. Those of us who are public officials or employees shall also deal evenhandedly with all planning process participants.

2. Our Responsibility to Our Clients and Employers

We owe diligent, creative, and competent performance of the work we do in pursuit of our client or employer's interest. Such performance, however, shall always be consistent with our faithful service to the public interest.

- a) We shall exercise independent professional judgment on behalf of our clients and employers.

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\* Revised 1-30-07 to reflect 2007 American Planning Association Code of Ethics available online @ <http://www.planning.org/ethics/conduct.html>

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b) We shall accept the decisions of our client or employer concerning the objectives and nature of the professional services we perform unless the course of action is illegal or plainly inconsistent with our primary obligation to the public interest.

c) We shall avoid a conflict of interest or even the appearance of a conflict of interest in accepting assignments from clients or employers.

### 3. Our Responsibility to Our Profession and Colleagues

We shall contribute to the development of, and respect for, our profession by improving knowledge and techniques, making work relevant to solutions of community problems, and increasing public understanding of planning activities.

a) We shall protect and enhance the integrity of our profession.

b) We shall educate the public about planning issues and their relevance to our everyday lives.

c) We shall describe and comment on the work and views of other professionals in a fair and professional manner.

d) We shall share the results of experience and research that contribute to the body of planning knowledge.

e) We shall examine the applicability of planning theories, methods, research and practice and standards to the facts and analysis of each particular situation and shall not accept the applicability of a customary solution without first establishing its appropriateness to the situation.

f) We shall contribute time and resources to the professional development of students, interns, beginning professionals, and other colleagues.

g) We shall increase the opportunities for members of underrepresented groups to become professional planners and help them advance in the profession.

h) We shall continue to enhance our professional education and training.

i) We shall systematically and critically analyze ethical issues in the practice of planning.

j) We shall contribute time and effort to groups lacking in adequate planning resources and to voluntary professional activities.

## **RULES OF CONDUCT**

We adhere to the following Rules of Conduct, and we understand that our Institute will enforce compliance with them. If we fail to adhere to these Rules, we could receive sanctions, the ultimate being the loss of our certification:

1. We shall not deliberately or with reckless indifference fail to provide adequate, timely, clear and accurate information on planning issues.

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2. We shall not accept an assignment from a client or employer when the services to be performed involve conduct that we know to be illegal or in violation of these rules.
3. We shall not accept an assignment from a client or employer to publicly advocate a position on a planning issue that is indistinguishably adverse to a position we publicly advocated for a previous client or employer within the past three years unless (1) we determine in good faith after consultation with other qualified professionals that our change of position will not cause present detriment to our previous client or employer, and (2) we make full written disclosure of the conflict to our current client or employer and receive written permission to proceed with the assignment.
4. We shall not, as salaried employees, undertake other employment in planning or a related profession, whether or not for pay, without having made full written disclosure to the employer who furnishes our salary and having received subsequent written permission to undertake additional employment, unless our employer has a written policy which expressly dispenses with a need to obtain such consent.
5. We shall not, as public officials or employees; accept from anyone other than our public employer any compensation, commission, rebate, or other advantage that may be perceived as related to our public office or employment.
6. We shall not perform work on a project for a client or employer if, in addition to the agreed upon compensation from our client or employer, there is a possibility for direct personal or financial gain to us, our family members, or persons living in our household, unless our client or employer, after full written disclosure from us, consents in writing to the arrangement.
7. We shall not use to our personal advantage, nor that of a subsequent client or employer, information gained in a professional relationship that the client or employer has requested be held inviolate or that we should recognize as confidential because its disclosure could result in embarrassment or other detriment to the client or employer. Nor shall we disclose such confidential information except when (1) required by process of law, or (2) required to prevent a clear violation of law, or (3) required to prevent a substantial injury to the public. Disclosure pursuant to (2) and (3) shall not be made until after we have verified the facts and issues involved and, when practicable, exhausted efforts to obtain reconsideration of the matter and have sought separate opinions on the issue from other qualified professionals employed by our client or employer.
8. We shall not, as public officials or employees, engage in private communications with planning process participants if the discussions relate to a matter over which we have authority to make a binding, final determination if such private communications are prohibited by law or by agency rules, procedures, or custom.
9. We shall not engage in private discussions with decision makers in the planning process in any manner prohibited by law or by agency rules, procedures, or custom.
10. We shall neither deliberately, nor with reckless indifference, misrepresent the qualifications, views and findings of other professionals.
11. We shall not solicit prospective clients or employment through use of false or misleading claims, harassment, or duress.

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12. We shall not misstate our education, experience, training, or any other facts which are relevant to our professional qualifications.

13. We shall not sell, or offer to sell, services by stating or implying an ability to influence decisions by improper means.

14. We shall not use the power of any office to seek or obtain a special advantage that is not a matter of public knowledge or is not in the public interest.

15. We shall not accept work beyond our professional competence unless the client or employer understands and agrees that such work will be performed by another professional competent to perform the work and acceptable to the client or employer.

16. We shall not accept work for a fee, or pro bono, that we know cannot be performed with the promptness required by the prospective client, or that is required by the circumstances of the assignment.

17. We shall not use the product of others' efforts to seek professional recognition or acclaim intended for producers of original work.

18. We shall not direct or coerce other professionals to make analyses or reach findings not supported by available evidence.

19. We shall not fail to disclose the interests of our client or employer when participating in the planning process. Nor shall we participate in an effort to conceal the true interests of our client or employer.

20. We shall not unlawfully discriminate against another person.

21. We shall not withhold cooperation or information from the AICP Ethics Officer or the AICP Ethics Committee if a charge of ethical misconduct has been filed against us.

22. We shall not retaliate or threaten retaliation against a person who has filed a charge of ethical misconduct against us or another planner, or who is cooperating in the Ethics Officer's investigation of an ethics charge.

23. We shall not use the threat of filing an ethics charge in order to gain, or attempt to gain, an advantage in dealings with another planner.

24. We shall not file a frivolous charge of ethical misconduct against another planner.

25. We shall neither deliberately, nor with reckless indifference, commit any wrongful act, whether or not specified in the Rules of Conduct, that reflects adversely on our professional fitness.