

Proposed amendments to Administrative Code Section 22.819 – Neighborhood Council Subdivision

- (a) **Subdivision Petition.** A stakeholder within an existing certified Neighborhood Council who desires forming a separate certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils shall submit a subdivision petition to the Department of Neighborhood Empowerment (Department) on a form approved by the Department. The subdivision petition shall identify five stakeholders who are authorized to receive notice and make decisions regarding the subdivision petition, including any bylaw changes. The Department shall review the subdivision petition to determine if the subdivision petition complies with the components of a Certification Application stated in Article III, Section 2 of the Plan for a Citywide System of Neighborhood Councils (Plan), except that the subdivision petition may propose boundaries that are within one or more existing certified Neighborhood Councils. ***The Department shall notify all affected certified Neighborhood Councils when a subdivision petition is requested. The Department shall also notify all affected certified Neighborhood Councils when a subdivision petition is filed and when any amendment or amendments to the original petition are filed. The petition and any amendments shall be posted on the Department’s web site. Notice shall be to all current board members of the affected certified Neighborhood Councils in file with the Department, and shall include a link to the original petition and any amendments. All such notices shall be accomplished as soon as practicable.***
- (b) **Outreach.** ***The Department shall be responsible for outreach to both the proposed subdivision and any effected certified Neighborhood Councils. To the extent possible the Department shall hold informational town hall meetings in both the proposed subdivision area and within the boundaries of any effected certified Neighborhood Councils excluding the proposed subdivision area. Outreach by the Department shall not relieve the proponents of the proposed subdivision of any outreach requirements imposed by the Department.***
- (c) **Petition, Bylaws and Boundaries.** ***After conducting suitable outreach, but in no event longer than 90 days after final approval of the subdivision petition by the Department, the Department shall forward to the Board of Neighborhood Commissioners (Commission) the approved subdivision petition and the bylaws of the proposed subdivision. Within 30 days the Commission shall hold a hearing in the proposed subdivision area for reviewing the subdivision petition and the proposed bylaws and boundaries. The Commission, after making any necessary findings shall approve or disapprove of the subdivision petition. If the subdivision petition is approved, then the Commission is authorized to make any amendments to the bylaws to satisfy Article III***

Section 2 of the Plan. The Commission is also authorized to make any amendments to the boundaries it deems necessary to preserve the integrity of the affected neighborhood council or councils and the subdivision.

(d) **Election Approving a Subdivision.** The Department shall conduct an election within the boundaries stated in the subdivision petition within 90 days of the Department's approval of the subdivision petition **Commission's approval of the subdivision petition and the bylaws and boundaries. To the extent possible the Departments shall also utilize polling locations within the boundaries of the effected certified Neighborhood Councils excluding the proposed subdivision area.** A stakeholder is eligible to vote in the election if the person is a stakeholder in the proposed area for subdivision or in any of the Neighborhood Councils that are proposed for subdivision. A majority of the voters from the entire Neighborhood Council or Neighborhood Councils being subdivided must approve the subdivision in order to create the new Neighborhood Council. **If, after certification of the election by the Department it is determined that a majority of the stakeholders voting at the election approves of the subdivision the Department shall forward the results to the Commission for certification of the subdivision as a Neighborhood Council at its next regular or special meeting.**

(e) **Bylaws for the Existing Neighborhood Council.** If a majority of the stakeholders at the election approve the subdivision, **If the Commission certifies the new neighborhood council,** then the existing certified Neighborhood Council or Neighborhood Councils being subdivided shall amend their bylaws within ~~30~~ 60 days of the election ~~certification~~ to reflect changes to the boundaries and, if applicable, the board structure. If the existing certified Neighborhood Council or Neighborhood Councils fail to provide amended bylaws within ~~30~~ 60 days of the election ~~certification~~ then the Department is authorized to amend the bylaws to reflect any changes to the boundaries or board structure. The Department shall forward the bylaws for any Neighborhood Council that is being subdivided and the subdivision petition to the Board of Neighborhood Commissioners ~~for to the Commission for approval of the bylaws. The Commissions is authorized to make any amendments to the bylaws to satisfy Article III Section 2 of the Plan.~~