

CITY COUNCIL
ATLANTA, GEORGIA

**A SUBSTITUTE ORDINANCE BY FULL COUNCIL
(AS INTRODUCED BY COUNCILMEMBER JIM MADDOX)**

00-O-1113

**OF AN ORDINANCE BY
COUNCILMEMBER DERRICK BOAZMAN**

AN ORDINANCE TO AMEND CHAPTER 162, SECTION 162-260 OF THE CITY OF ATLANTA CODE OF ORDINANCES; SO AS REGULATE THE FEES AUTHORIZED TO BE CHARGED BY VEHICLE IMMOBILIZATION SERVICES AS ENACTED BY 00-O-1111 EFFECTIVELY IMMEDIATELY; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, on November 28, 2000, Ordinance No. 00-O-1111 regulating the vehicle immobilization service industry or "booting" industry, which had not been regulated by either the State or the City of Atlanta, became effective; and

WHEREAS, the ordinance was enacted in order to combat complaints from citizens and visitors to the City of Atlanta about unfair business practices in the vehicle immobilization service or "booting" industry, including the charging by the industry of excessive fees to remove vehicle immobilization devices or "boots," from automobiles; and

WHEREAS, the ordinance provided that those persons and entities affected by the new regulations had ninety (90) days from the date the ordinance becomes effective to comply with such ordinance; and

WHEREAS, the City authorized the ninety (90) day compliance period in an effort to allow those persons and entities in the industry time to take the necessary steps to apply for and obtain permits from the City and to meet the requirements of the new regulations; and

WHEREAS, by providing the ninety (90) day compliance period, the City also desired to provide the Atlanta Police Department's Licenses and Permits Unit ample time to process all applications for permits filed by affected persons and entities in the industry; and

WHEREAS, Council members and other City of Atlanta officials continue to receive numerous complaints from citizens and visitors to the City of Atlanta about the continued unfair business practices by certain members of the industry; and

WHEREAS, the complaints are that certain members of the industry are taking advantage of the ninety (90) day compliance time and are now charging significantly higher fees for the removal of vehicle immobilization devices than the fees that they were charging prior to the date the ordinance was adopted by the City Council; and

WHEREAS, the City of Atlanta has an interest in controlling the unscrupulous conduct taking place in the industry; and

WHEREAS, the City of Atlanta is empowered and charged with the responsibility to prohibit and regulate conduct and activities within the territorial limits of the City of Atlanta that are deemed to be detrimental and offensive to the peace, safety, good order and general welfare of the City of Atlanta, its citizens and its visitors; and

WHEREAS, in order to protect the public health, safety and welfare it is the intent of the City Council that the fee provisions of 00-O-1111 become effective immediately.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section One: Amend Chapter 162, Section 162-260 of the Code of Ordinances of the City of Atlanta by deleting the existing language in its entirety and inserting in lieu thereof the following:

Sec. 162-260. Fees charged by vehicle immobilization service.

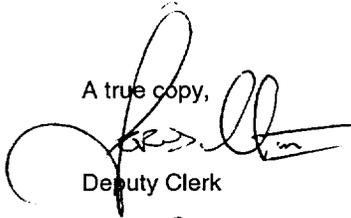
(a) Any vehicle immobilization service engaged in the business of the immobilization of vehicles shall not charge the owner of any immobilized vehicle or personal property in excess of \$50.00 per day for the removal of the vehicle immobilization device or devices. The \$50.00 fee shall be all inclusive; no additional fees may be charged for using other equipment.

(b) Fees may be paid by cash, credit card, or debit card. Credit and debit cards must be processed promptly on-site.

(c) This Section shall become effective and enforceable immediately upon adoption by the Council and approval by the Mayor.

Section Two: That all other provisions of 00-O-1111 not in conflict herewith are not affected by this ordinance.

A true copy,



Deputy Clerk

ADOPTED by the City Council
APPROVED by the Mayor

December 4, 2000
December 6, 2000

RCS# 2446
12/04/00
5:36 PM

Atlanta City Council

Regular Session

00-0-1113

Create New Code Section Regarding
Vehicle Immobilization Services
ADOPT ON SUB

YEAS: 11
NAYS: 3
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y McCarty	Y Dorsey	Y Moore	B Thomas
Y Starnes	Y Woolard	N Martin	Y Emmons
N Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	N Boazman	NV Pitts

00-0-1113

(Do Not Write Above This Line)

AN ORDINANCE BY COUNCILMEMBER DERRICK BOAZMAN

AN ORDINANCE TO AMEND CHAPTER 106, ARTICLE I OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA SO AS TO CREATE A NEW SECTION 106-13, TO BE ENTITLED "USE OF VEHICLE IMMOBILIZATION DEVICES ON PRIVATE PROPERTY"; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

ADOPTED BY DEC 0 4 2000 COUNCIL

SUBSTITUTE

- CONSENT REFER
REGULAR REPORT REFER
ADVERTISE & REFER
1st ADOPT 2nd READ & REFER
PERSONAL PAPER REFER

Date Referred 7/17/00

Referred To: Public Safety

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee
Date
Chair
Referred to

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote RC Vote

CERTIFIED

CERTIFIED DEC 4 2000

ATLANTA CITY COUNCIL PRESIDENT

Signature of President

CERTIFIED DEC 0 4 2000

Signature of Municipal Clerk

MAYOR'S ACTION

APPROVED DEC - 6 2000 MAYOR

MAYOR