



AN ORDINANCE BY

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
AS AMENDED BY THE COMMITTEE**

AN ORDINANCE TO AMEND ARTICLE VI "ENFORCEMENT," SECTION 94-120 "CIVIL ACTIONS BY AGGRIEVED PERSONS" AND TO ADD A NEW SECTION SO AS TO CLARIFY THE PROVISIONS RELATED TO WHERE AN AGGRIEVED PERSON MAY COMMENCE A CIVIL ACTION AND TO CLARIFY THAT A VIOLATION OF ATLANTA'S HUMAN RELATIONS PROVISIONS ARE CIVIL AND NOT CRIMINAL OFFENSES; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, 00-O-1983 which was adopted by the Council on December 4, 2000 and approved by the Mayor on December 12, 2000 was intended to provide persons who were victims of discriminatory practices an avenue for redress under the laws of the City of Atlanta; and

WHEREAS, the city adopted this ordinance as a valid exercise of the police power of the City for the protection of the public welfare, health, peace and safety of the residents of the city; and

WHEREAS, the Council seeks to provide the most efficient and effective avenue of redress to protect all persons from acts of unlawful discrimination.

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

SECTION 1.

That Section 94-120, subsections (a) and (b) which currently state:

(a) An aggrieved person may commence a civil action in the Atlanta Municipal Court or any other court of competent jurisdiction not later than two years after the occurrence of the alleged act of discrimination or unlawful practice.

(b) An aggrieved person filing a civil action in the Atlanta Municipal Court shall have the right to seek injunctive relief, actual and compensatory damages, and punitive damages, as well as attorney's fees and costs. Punitive damages may be awarded under this article only when the evidence shows that the respondent's actions showed willful misconduct, malice, fraud, wantonness, oppression, or that entire want of care which would raise the presumption of conscious indifference to consequences or to the rights of



the aggrieved person. Any aggrieved person seeking compensatory damages shall also have the right to demand a jury trial.

is amended by deleting said subsections and substituting in lieu thereof the following:

(a) An aggrieved person may commence a civil action in any court of competent jurisdiction not later than two years after the occurrence of the alleged act of discrimination or unlawful practice. The Atlanta Municipal Court shall not be considered a court of competent jurisdiction.

(b) An aggrieved person filing a civil action in a court of competent jurisdiction shall have the right to seek injunctive relief, actual and compensatory damages, and punitive damages, as well as attorney's fees and costs. Punitive damages may be awarded under this article only when the evidence shows that the respondent's actions showed willful misconduct, malice, fraud, wantonness, oppression, or that entire want of care which would raise the presumption of conscious indifference to consequences or to the rights of the aggrieved person.

SECTION 2.

That the current Section 94-113 be renumbered to be Section 94-14.

SECTION 3.

That a new Section 94-113 be inserted to state the following:

A violation of this Code section shall not be deemed a crime.

SECTION 4.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

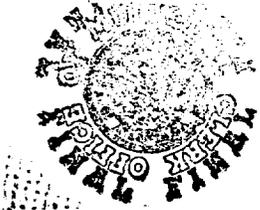
A true copy,

A handwritten signature in black ink, appearing to read "FOR...".

Deputy Clerk

ADOPTED as amended
APPROVED by the Mayor

March 5, 2001
March 13, 2001



RCS# 2689
3/05/01
6:36 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1 thru. 13

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas	ITEM (S) REMOVED FROM <u>CONSENT AGENDA</u> 01-O-0240 01-R-0307 01-R-0346
Y Starnes	Y Woolard	NV Martin	Y Emmons	
Y Bond	Y Morris	B Maddox	Y Alexander	
Y Winslow	Y Muller	Y Boazman	NV Pitts	

CONSENT

**ITEMS ADOPTED ON CONSENT
AGENDA**

**ITEMS ADVERSED
ON CONSENT AGENDA**

1. 01-O-0179
2. 01-O-0348
3. 00-O-1657
4. 01-O-0355
5. 01-O-0152
6. 01-R-0190
7. 01-R-0349
8. 01-R-0351
9. 01-R-0290
10. 01-R-0304
11. 01-R-0305
12. 01-R-0369
13. 01-R-0370
14. 01-R-0297
15. 01-R-0300
16. 01-R-0298
17. 01-R-0299
18. 01-R-0251
19. 01-R-0252
20. 01-R-0253
21. 01-R-0254
22. 01-R-0255
23. 01-R-0256
24. 01-R-0257
25. 01-R-0258
26. 01-R-0259
27. 01-R-0260
28. 01-R-0261
29. 01-R-0262
30. 01-R-0263
31. 01-R-0264
32. 01-R-0265
33. 01-R-0266
34. 01-R-0267
35. 01-R-0268
36. 01-R-0269
37. 01-R-0291
38. 01-R-0292

39. 01-R-0270
 40. 01-R-0271
 41. 01-R-0272
 42. 01-R-0273
 43. 01-R-0274
 44. 01-R-0275
 45. 01-R-0276
 46. 01-R-0277
 47. 01-R-0278
 48. 01-R-0279
 49. 01-R-0280
 50. 01-R-0281
 51. 01-R-0282
 52. 01-R-0283
 53. 01-R-0284
 54. 01-R-0285
 55. 01-R-0286
 56. 01-R-0287
 57. 01-R-0288
 58. 01-R-0289
-

01-0-0152

(Do Not Write Above This Line)

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ADOPTED BY

MAR 05 2001

AS AMENDED COUNCIL

- Consent Refer
Regular Report Refer
Advertise & Refer
1st Adopt 2nd Read & Refer
Personal Paper Refer

Date Referred

2/5/01

Referred To:

Public Safety & Legal Administration

Date Referred

EXECUTIVE 2ND

Referred To:

Finance / Executive

Date Referred

Referred To:

First Reading

Committee: P.S. & L.A.
Date: 1/30/01
Chair: F.W.
Referred to: F.W.

Committee

P.S. & L.A.

Date

2/13/01

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other: (Initials)

As Amended

Members

[Signatures]

Refer To

Finance - Executive

Committee

FIN & L.A.

Date

2-28-01

Chair

[Signature]

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

[Signatures]

FINAL COUNCIL ACTION

- 2nd, 1st & 2nd, 3rd, Consent, V Vote, RC Vote

CERTIFIED

CERTIFIED MAR 05 2001 ATLANTA CITY COUNCIL PRESIDENT [Signature]

CERTIFIED MAR 05 2001 [Signature] MUNICIPAL CLERK

MAYOR'S ACTION

MAR 13 2001

[Signature]