



**CITY COUNCIL  
ATLANTA, GEORGIA**

**AN ORDINANCE BY CITY UTILITIES COMMITTEE  
AS SUBSTITUTED BY FULL COUNCIL**

**01-O-0240**

**AN ORDINANCE TO IMPOSE INTERIM CONTROLS ON SEWER PERMITS TO THE  
INDIAN CREEK – HIGHLAND TRUNK SEWER UNTIL THE INDIAN CREEK TRUNK  
RELIEF SEWER PROJECT IS COMPLETED, AND FOR OTHER PURPOSES**

**WHEREAS**, The City of Atlanta is a party to a consent Decree entered in U.S. District Court, Northern District of Georgia, Civil Action File No. 1:98-CV-1956-TWT; and

**WHEREAS**, pursuant to the Consent Decree the City is required to construct the Indian Creek Trunk Relief Sewer (the "Project") among other projects; and

**WHEREAS**, the residents on Crane Road and the surrounding area have experienced and continue to experience sewage spills; and

**WHEREAS**, the City Council has weighed the City's interest in facilitating development on the one hand, and the public's health, safety and welfare on the other hand, and has determined that the public's health, safety and welfare calls for interim controls on new permits until the Project is complete:

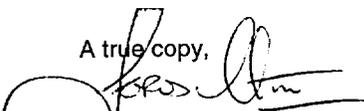
**NOW, THEREFORE BE IT AND IT IS HEREBY ORDAINED** that no sewer permits shall be issued by the City in the Indian Creek Highland Trunk Sewer basin until the Indian Creek Trunk Relief Sewer Project is completed, except as follows:

- (1) For projects which have prior to the effective date of this Ordinance received land disturbance permits, this ordinance shall not apply and instead the granting or denial of sewer permits shall be controlled by the processes set forth in the Consent Decree;
- (2) Because the flows from projects south of Buford Highway would not contribute to spills in the Crane Road and surrounding area, for projects south of Buford Highway this Ordinance shall not apply, and instead the granting or denial of sewer permits shall be controlled by the processes set forth in the Consent Decree.

Nothing herein shall prohibit the issuance of land disturbance or building permits after the effective date of this Ordinance, so as to allow the construction of projects during the time the Indian Creek Relief Sewer Project is being constructed, with the understanding of the permit applicants that sewer permits will not be issued until the completion of the Indian Creek Relief Sewer Project.

All Ordinances in conflict herewith are hereby repealed.

A true copy,



Deputy Clerk

**ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403**

March 5, 2001

March 14, 2001



RCS# 2702  
3/05/01  
8:14 PM

Atlanta City Council

Regular Session

01-O-0240      Impose interim controls on sewer permits  
                  to Indian Creek-Highland Trunk Sewer  
                  ADOPT ON SUB

YEAS: 10  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 2  
ABSENT 1

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

01-O-0240

(Do Not Write Above This Line)

AN ORDINANCE BY CITY UTILITIES COMMITTEE

AN ORDINANCE TO IMPOSE INTERIM CONTROLS ON SEWER PERMITS TO THE INDIAN CREEK - HIGHLAND TRUNK SEWER UNTIL THE INDIAN CREEK TRUNK RELIEF SEWER PROJECT IS COMPLETED, AND FOR OTHER PURPOSES

3/5/01 - Substitute Brought Forward Without Objection

ADOPTED BY MAR 0 5 2001

COUNCIL

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

Date Referred 2/19/01

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

Committee City Utilities

Date 2-27-01

Chair Clark Muller

Referred to

Committee City Utilities

Date 2-27-01

Chair Clark Muller

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 Readings

1st & 2nd Readings

3rd Readings

Consent

V Vote

RC Vote

CERTIFIED

Removed from copy by Clark Muller

CERTIFIED

MAR 5 2001

ATLANTA CITY COUNCIL CLERK

CERTIFIED

MAR 0 5 2001

COUNCIL CLERK

MAYOR'S ACTION

APPROVED

MAR 1 4 2001

WITHOUT SIGNATURE BY OPERATION OF LAW