

AN ORDINANCE BY COUNCILMEMBER  
MICHAEL BOND,

*C. T. Martin*

*Clara Winslow Sherry Dorsey*  
*"Able" Mable Thomas*  
*John M. Hogg*  
*Raymond*

AN ORDINANCE TO ENACT A NEW ARTICLE OF CHAPTER 30 OF THE CITY OF ATLANTA CODE OF ORDINANCES ENTITLED HOME IMPROVEMENT CONTRACTORS SO AS TO PROVIDE FOR THE LICENSING OF HOME IMPROVEMENT CONTRACTORS DOING BUSINESS IN THE CITY OF ATLANTA; TO PROVIDE GROUNDS FOR DENIAL OF LICENSES TO SUCH CONTRACTORS; TO PROVIDE FOR APPROPRIATE INVESTIGATION; TO PROVIDE FOR PAYMENT OF AN INVESTIGATION FEE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, numerous citizens of the City of Atlanta have complained that they are the victims of deficient and defective work performed on their homes by home improvement contractors, and that after the work is performed, numerous home improvement contractors fail or refuse to correct deficient and defective work; and

WHEREAS, numerous citizens of the City of Atlanta have complained that they have been victimized by fraudulent and misleading practices by door to door representatives employed by home improvement contractors to solicit business in the City, and that these fraudulent and misleading practices have included inducing citizens of Atlanta to enter into inappropriate loans;

WHEREAS, it is within the police power of the City of Atlanta, acting through the Mayor and the governing body of the City, to protect the health, safety and welfare of its citizens, and to require licensing of home improvement contractors.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA HEREBY ORDAINS.

SECTION 1

A new Article XXV of Chapter 30 of the City of Atlanta Code of Ordinances be created entitled "Home Improvement Contractors", to read as follows:

Article XXVI Home Improvement Contractors

Division 1. Generally

Section 30-1601

Definitions

The term "home improvement contractor" shall have the same meaning as that term is defined in the Home Improvement Finance Act, 73 P.S. § 500-102(a).

## Division 2. Permit

### Section 30-1651 Compliance Required

It shall be unlawful for any home improvement contractor to operate in the City of Atlanta without having first complied with this article, including obtaining a permit.

### Section 30-1652 Application; Qualifications of Applicant

An application for license to operate as a home improvement contractor shall be made to the Department of Housing, Neighborhood Conservation and Development. Such application shall contain the following information

- (1) the names of all of the owners of the business;
- (2) the address and telephone number of the business;
- (3) if a corporation, conformed copies of the articles of incorporation and current annual report filed with the Secretary of State's office;
- (4) if a partnership, a conformed copy of the partnership agreement;
- (5) a summary of all projects undertaken in the City of Atlanta in the twelve month period prior to the application, which summary should detail the name and address of each customer; the dollar value of the job itemizing both labor, materials and overhead, and whether each job is pending or completed;
- (6) a summary of the prior years' gross revenues from projects completed in the City of Atlanta;
- (7) a bond in the current amount of five (5%) percent of prior years gross revenues to secure performance for future projects in the City of Atlanta; and
- (8) identification of any litigation, arbitration or mediation which is pending or was pending in the twelve (12) month period prior to the application.

### Section 30-1653 Door to Door Solicitation

In addition to complying with the license and permit requirements set forth above, any home improvement contractor that employs or utilizes employees, agents or independent contractors to solicit contracts for home improvement contracting services in the City of Atlanta shall comply with Article VII of the Chapter governing "Door to Door Sales".

Section 30-1654 Investigation

The department shall investigate each application for home improvement contractor license and ascertain that such applicant is qualified to engage in the home improvement contracting business and has engaged in the business in the City in a responsible manner. "Responsible manner" shall mean that the home improvement contractor has not charged exorbitant prices for its work, has completed at least ninety-five (95%) percent of its project satisfactorily, has complied with the door to door solicitation laws of the City and has not engaged in any fraudulent or misleading practices.

Section 30-1655 Investigation Fee

The applicant for a permit required by this division shall pay to the City an application fee of \$500. Annual/renewal permit fees shall be \$250.

Section 30-1656 Renewal

A permit required under this division shall be renewed on or before the anniversary date of the issuance of the original permit in the calendar year.

Section 30-1657 False Information; Revocation

Any material omission, untrue or misleading information contained in or left out of an original or renewal application for a permit under this division shall be cause for the denial thereof, and if any permit has previously been granted under these circumstances, such shall constitute cause for the revocation of the permit.

SECTION 2

That all ordinances and parts of ordinance in conflict herewith be and the same are hereby repealed.

RCS# 3378  
12/04/01  
12:04 AM

Atlanta City Council

Regular Session

MULTIPLE 01-O-1908;99-O-0932;01-O-1289;01-O-1481  
01-O-1339;01-O-1340;01-O-1644;01-R-0209  
FILE

YEAS: 11  
NAYS: 2  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

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

MULTIPLE

01-0 -1289

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 AN ORDINANCE BY *Handwritten signature*  
 COUNCIL MEMBER MICHAEL BOND  
*Chad Thompson*  
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 INVESTIGATION; TO PROVIDE FOR  
 PAYMENT OF AN INVESTIGATION FEE; TO  
 REPEAL CONFLICTING ORDINANCES AND  
 FOR OTHER PURPOSES.

FILED BY  
CITY COUNCIL

- CONSENT REFER DEC 03 2001
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

*8/6/01*  
*C.D./HR*

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 3 2001  
 CLERK OF THE CITY

**CERTIFIED**  
 DEC 03 2001

DEPUTY MUNICIPAL CLERK

MAYOR'S ACTION