



AN ORDINANCE

02-0-1382

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON June 27, 2002

59	Daniel Street, SE	02
1573	Lakewood Avenue, SE	01
553	Middle Street, SW	04
3078	Panther Trail, SW	11

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on September 27, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, September 27, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.



NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith demolish and clean the following real property, upon which structure(s) are located:

<u>Proper Street Address</u>		<u>City Council District</u>
59	Daniel Street, SE	02
1573	Lakewood Avenue, SE	01
553	Middle Street, SW	04
3078	Panther Trail, SW	11

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Demolish the structures and clean the premises.
- (3) Plant grass in conformance with the Order of the In Rem Review Board
- (4) File a lien against the real property on which the structures(s) are attached
In an amount necessary to recover the costs incurred by the City of Atlanta

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

SEP 16, 2002
SEP 24, 2002

RCS# 3993
9/16/02
3:05 PM

Atlanta City Council

Regular Session

MULTIPLE

02-O-1381 & 02-O-1382
Demolish & Clean Premises
ADOPT

YEAS: 8
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 7
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	NV Moore	NV Mitchell
Y Starnes	NV Fauver	NV Martin	B Norwood
Y Young	Y Shook	NV Maddox	Y Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

MULTIPLE

02-0 -1382

(Do Not Write Above This Line)

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HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO
DIRECT THE DEPARTMENT OF PLANNING,
DEVELOPMENT AND NEIGHBORHOOD CONSERVATION
(BUREAU OF NEIGHBORHOOD CONSERVATION) TO
DEMOLISH AND CLEAN THE PREMISES OF VARIOUS
STRUCTURES, PURSUANT TO ARTICLE III OF THE
ATLANTA HOUSING CODE AND A HEARING
CONDUCTED BY THE IN REM REVIEW BOARD ON
June 27, 2002

- 59 Daniel Street, SE 02
- 1573 Lakewood Avenue, SE 01
- 553 Middle Street, SW 04
- 3078 Panther Trail, SW 11

ADOPTED BY
SEP 10 2002
COUNCIL

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

Date Referred 9/3/02

Referred To: Community Development / Human Resources

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee CP/HR
Date 9/10/02
Chair [Signature]
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 Reading
 1st & 2nd Reading
 3rd Reading
 Consent
 V Vote
 RC Vote

CERTIFIED

CERTIFIED
SEP 16 2002
CITY CLERK
Catherine M. Woodard

CERTIFIED
SEP 10 2002
CITY CLERK
Catherine M. Woodard

MAYOR'S ACTION

APPROVED
SEP 24 2002
MAYOR
[Signature]