



AN ORDINANCE

02-D-1383

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 CLEAN THE PREMISES AND CLOSE THE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON May 30, 2002

857	Proctor Street, NW	03
835	Kennedy Street, NW	03

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, on 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 clean the premises and close the various structures following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
857 Proctor Street, NW	03
835 Kennedy Street, NW	03

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) Clean the premises and board the structures(s) in conformity with the In Rem Review Board's Orders.
- (3) File a lien against the real property on which the structures(s) are attached for the cost incurred.
- (4) Maintain the property in conformity with the In Rem Review Board's Order until the structure(s) are repaired or demolished.

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# 3994
9/16/02
3:06 PM

Atlanta City Council

Regular Session

MULTIPLE

02-O-1383 & 02-O-1384
Clean & Close Premises
ADOPT

YEAS: 9
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 6
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	NV Moore	Y 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 -1383

(Do Not Write Above This Line)

ORDINANCE 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 CLEAN THE PREMISES AND CLOSE THE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON May 30, 2002

857 Proctor Street, NW 03
835 Kennedy Street, NW 03

ADOPTED BY
SEP 16 2002
COUNCIL

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

Date Referred 9/3/02

Referred To: Administration / Development / Human Resources

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee CP/HR
Date 8/27/02
Chair Charles Stewart
Referred to CP/HR

Committee CP/HR
Date 9/10/02
Chair Charles Stewart
Action: Fav, Adv, Hold (see rev. side)
Other:
Members: Martin Luther King, Jr., Martin Luther King, Jr., Martin Luther King, Jr.
Refer To: David M. Stokes

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
SEP 16 2002
COUNCIL CLERK: [Signature]

CERTIFIED
SEP 16 2002
COUNCIL CLERK: [Signature]

MAYOR'S ACTION

CERTIFIED
[Signature: Audrey Franklin]
SEP 24 2002
MAYOR