



CITY COUNCIL
ATLANTA, GEORGIA

AN ORDINANCE BY

Carla Smith

02-0-1891

COUNCILMEMBER CARLA SMITH

AN ORDINANCE TO AMEND APPENDIX E, ATLANTA HOUSING CODE, ARTICLE II, SECTION 25 SO AS TO PROHIBIT THE REPAIR OR SERVICING OF A MOTOR VEHICLE ON PRIVATE PROPERTY; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta, through its charter, has been granted the authority to define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental, or likely to be detrimental, to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city; and

WHEREAS, the City has been granted the authority to regulate land use so as to promote public health, safety, aesthetic and general welfare of the City; and

WHEREAS, the City has been granted the authority to regulate housing and conditions of housing; and

WHEREAS, the repairing and servicing of motor vehicles on property not zoned for search activity constitutes conduct that negatively impacts the health, cleanliness, safety and the general welfare of citizens and their communities.

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

SECTION 1:

That Appendix E, Atlanta Housing Code, Article II, Section 25, is amended by adding the following:

- (e) It shall be unlawful for the owner, occupant or operator of any lot, tract, parcel of land or premises in the City of Atlanta, to conduct, permit or allow the repair or servicing of a motor vehicle on such real property; and it shall be unlawful for any person to cause, permit or allow the repair or servicing of a motor vehicle on the real property of another. Except that it shall not be unlawful to repair and service a motor vehicle, in an otherwise lawful manner:
 - (1) Any vehicle that is the property of the owner or occupant of the real property, as established by proof of insurance or vehicle registration;
 - (2) Any vehicle in an emergency situation where such repairs are necessary to restore said vehicle to immediate operation;



- (3) Any vehicle on the premises of a business enterprise operated in a lawful manner, when necessary to the operation of such business enterprise; or
- (4) Any vehicle on property occupied and used for repair, reconditioning and remodeling of motor vehicles in conformance with the zoning ordinances of the city.

SECTION 2:

That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Shonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

NOV 04, 2002
NOV 08, 2002

RCS# 4209
11/04/02
6:38 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-10; Except 02-R-1871
02-R-1885; 02-O-1879
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

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

CONSENT I

11/08/02 Council Meeting

ITEMS ADOPTED ON CONSENT

AGENDA

1. 02-O-1730
2. 02-O-1733
3. 02-O-1734
4. 02-O-1891
5. 02-O-1537
6. 02-O-1550
7. 02-R-1587
8. 02-R-1893
9. 02-R-1857
10. 02-R-1858
11. 02-R-1883
12. 02-R-1901
13. 02-R-1851
14. 02-R-1852
15. 02-R-1729
16. 02-R-1910
17. 02-R-1846
18. 02-R-1862
19. 02-R-1626
20. 02-R-1855
21. 02-R-1876
22. 02-R-1815
23. 02-R-1816
24. 02-R-1817
25. 02-R-1818
26. 02-R-1819
27. 02-R-1820
28. 02-R-1821
29. 02-R-1822
30. 02-R-1823
31. 02-R-1824
32. 02-R-1825
33. 02-R-1826

ITEMS ADVERSED

ON CONSENT AGENDA

34. 02-R-1827
35. 02-R-1828
36. 02-R-1829
37. 02-R-1830
38. 02-R-1831
39. 02-R-1832
40. 02-R-1833
41. 02-R-1834
42. 02-R-1835
43. 02-R-1836
44. 02-R-1837
45. 02-R-1838
46. 02-R-1839
47. 02-R-1841
48. 02-R-1842
49. 02-R-1843
50. 02-R-1844
51. 02-R-1845

Consent I Vote: 13 Yeas; 0 Nays (See RCS #4209)
Items Removed from Consent: 02-R-1871; 02-R-1885; 02-O-1879
(Initial Consent Vote Reconsidered; See RCS #4162 & RCS #4208)

#18

02-0-1891
(Do Not Write Above This Line)

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ADOPTED BY

NOV 04 2002

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

Date Referred 10/21/02
 Referred To: CD/HR
 Date Referred
 Referred To:
 Date Referred
 Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee CD/HR Date 10/21/02 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
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FINAL COUNCIL ACTION
 2nd
 1st & 2nd
 3rd
 Consent
 V Vote
 RC Vote

CERTIFIED

NOV 04 2002

NOV 04 2002
 [Signature]

MAYOR'S ACTION

NOV 08 2002
 [Signature]

NOV 08 2002