



**AN ORDINANCE BY:
FINANCE/EXECUTIVE COMMITTEE**

03-0-0127

**AN ORDINANCE AMENDING BY SECTION 19-1014(c)
AND 19-1014(e) OF THE ATLANTA CITY CODE FOR
THE PURPOSE OF EXTENDING THE DATE BY
WHICH PRE-ORDINANCE IMPACT FEE CREDITS
MUST BE UTILIZED BY THOSE PERSONS TO WHOM
SUCH CREDITS WERE ISSUED; AND FOR OTHER
PURPOSES.**

WHEREAS, on March 18 1993, the City Council of the City of Atlanta passed Ordinance 92-O-1817 which imposed the City of Atlanta Development Impact Fee Ordinance (the "Impact Fee Ordinance") to regulate the use and development of land such that new growth and development would bear a proportionate share of the cost of public facilities needed provide services; and

WHEREAS, on March 26, 1993, the Impact Fee Ordinance became effective by operation of law; and

WHEREAS, the Impact Fee Ordinance, as now codified in Section 19-1001 *et seq* of the Atlanta City Code, also allowed for credits against future impact fees to be given for the construction, contributions or dedications by developers which had occurred prior to the effective date of the Impact Fee Ordinance ("pre-ordinance credits"); and

WHEREAS, pre-ordinance credits were given only for those projects, which involved the construction, contributions or dedications of improvements that provided additional public facilities needed to serve new growth and development; and

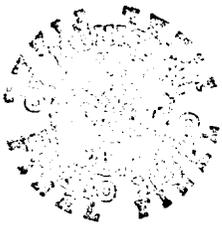
WHEREAS, the Impact Fee Ordinance required that pre-ordinance credits granted for construction, contributions or dedications of improvements that provided additional public facilities be applied for prior to April 1, 1994 such that the amount of such pre-ordinance credits is now fixed and cannot be increased; and

WHEREAS, the Impact Fee Ordinance provided that the pre-ordinance credits must be used within ten years of the effective date of the Impact Fee Ordinance, which date is March 26, 2003; and

WHEREAS, the Department of Planning and Neighborhood Development desires time to review the policies related to the expiration of pre-ordinance credits prior to their expiration;

**THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA HEREBY ORDAINS
AS FOLLOWS:**

SECTION 1: That Section 19-1014(c) of the Atlanta City Code be and is



amended by adding a new subsection (5) which shall state:

- (5) The time for persons entitled to a pre-ordinance credit for construction, contributions or dedications pursuant to subsection 19-1014(e), and limited by subsection 19-1014(c)(3) to 10 years from the effective date, is extended for one (1) additional year.

SECTION 2:

That Section 19-1014(e) of the Atlanta City Code be and is amended by adding a new subsection (4) which shall state:

- (5) The time for the director to deduct from the present value of the development impact fee the present value of the development impact fee that would have been charged for buildings or improvements within the project had this chapter been in effect on the date that the building permit(s) for construction of said buildings or improvements was filed and which is limited by subsection 19-1014(e)(4) to permits filed prior to 10 years from the effective date is extended for one (1) additional year.

A true copy,

Thanda Doughtin Johnson
Municipal Clerk, CMG

ADOPTED by the Council
APPROVED by the Mayor

FEB 17, 2003
FEB 25, 2003

RCS# 4470
2/17/03
2:22 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-11: Except 03-R-0224

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

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

CONSENT I

2/17/03 FULL COUNCIL MEETING

**Items Adopted on the
Consent Agenda**

1. 02-O-0037
2. 03-O-0127
3. 03-O-0185
4. 03-O-0187
5. 03-O-0085
6. 03-O-0125
7. 03-R-0143
8. 03-R-0144
9. 03-R-0189
10. 03-R-0210
11. 03-R-0211
12. 03-R-0212
13. 03-R-0213
14. 03-R-0145
15. 03-R-0146
16. 03-R-0149
17. 03-R-0150
18. 03-R-0151
19. 03-R-0152
20. 03-R-0153
21. 03-R-0160
22. 03-R-0207
23. 03-R-0208
24. 03-R-0209
25. 03-R-0141
26. 03-R-0142
27. 03-R-0140
28. 03-R-0128
29. 03-R-0129
30. 03-R-0130
31. 03-R-0131
32. 03-R-0132
33. 03-R-0133
34. 03-R-0134
35. 03-R-0135
36. 03-R-0136

**Items Adversed on the Consent
Agenda**

37. 03-R-0161
38. 03-R-0162
39. 03-R-0137
40. 03-R-0138
41. 03-R-0139
42. 03-R-0163
43. 03-R-0164
44. 03-R-0165
45. 03-R-0166
46. 03-R-0167
47. 03-R-0168
48. 03-R-0169
49. 03-R-0170
50. 03-R-0171
51. 03-R-0172
52. 03-R-0173
53. 03-R-0174
54. 03-R-0175
55. 03-R-0176
56. 03-R-0177
57. 03-R-0178
58. 03-R-0179
59. 03-R-0180
60. 03-R-0181
61. 03-R-0201

Consent I Vote: 14Yeas; 0 Nays: (See RCS #4470)
Item Removed from the Consent Agenda: 03-R-0224

(Do Not Write Over 0127)

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FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AMENDING BY
SECTION 19-1014 (c) AND 19-
104 (e) OF THE ATLANTA CITY
CODE FOR THE PURPOSE OF
EXTENDING THE DATE BY WHICH
PRE-ORDINANCE IMPACT FEE
CREDITS MUST BE UTILIZED BY
THOSE PERSONS TO WHOM SUCH
CREDITS WERE ISSUED, AND FOR
OTHER PURPOSES.

APPROVED BY:

ADOPTED BY

FEB 17 2003

COUNCIL

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

Date Referred 2/3/03

Referred To: Finance / Executive

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
Committee Finance / Executive
Date 1/27/03
Chair Blaine L. Moore
Referred To Finance

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

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)

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

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

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

CERTIFIED

FEB 17 2003

ATLANTA CITY COUNCIL PRESIDENT

Carroll W. Woodard

CERTIFIED

FEB 17 2003

Ronald Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

Randy Frank

FEB 25 2003

MAYOR