CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION BY

03-R-0405

Councilwoman Mary Norwood:

Authorizing the Mayor and the City of Atlanta to hereby impose a temporary moratorium to study and evaluate the potential impact of the demolition and of any residential structure over 50 years old that is currently or formerly was used for human habitation and located in any residentially zoned district for a period of 120 days from the enactment hereof; and during this period of moratorium no employee or official of the City of Atlanta shall accept an application for a permit, nor issue a permit that would authorize any activity in connection with a demolition of a structure within the scope of this moratorium.

Whereas, the City of Atlanta is widely recognized for the quality of its neighborhoods; and

Whereas, the continued vitality and rejuvenation of its neighborhoods has contributed substantially to the growth of the City's tax base and helped the City to meet its revenue needs; and

Whereas, the City has a diversity and abundance of neighborhoods that have resulted in a net growth in the population of the incorporated area of the City; and

Whereas, the City has previously found that the City's existing tree canopy is an important and essential element of its neighborhoods and has passed an ordinance to preserve and protect such trees; and

Whereas, the demolition of an existing house and the construction of a new one often results in the destruction of mature trees; and

Whereas, Atlanta's neighborhoods are desirable because they are viewed as well established and well developed neighborhoods whose character is enhanced by the presence of existing homes with cultural, architectural, and historical significance; and

Whereas, the preservation of such homes is an important and essential element of preserving the character of many of Atlanta's residential neighborhoods; and

Whereas, the City Council finds that the demolition and destruction of residential structures that have potential cultural, architectural, or historical significance is occurring and threatens the character and quality of the City's neighborhoods; and

Whereas, the City desires to study the impact of such demolitions and to prevent any further demolitions while it undertakes such study;

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

SECTION 1. In order to study and evaluate the potential impact of such demolitions on the City of Atlanta, and to pass such legislation as may be found necessary as a result of such study, the City of Atlanta hereby imposes a temporary moratorium on the demolition of any residential structure over 50 years old that currently or formerly was used human for habitation and located in any residentially zoned district for a period of 120 days from the enactment hereof.

SECTION 2. During the period of this temporary moratorium no employee or official of the City of Atlanta shall accept an application for a permit, nor issue a permit that would authorize any activity in connection with a demolition of a structure within the scope of this moratorium. Any demolition applied for or authorized after final passage of this ordinance shall automatically be stayed until this moratorium expires or is rescinded and shall thereafter be required to comply with the standards adopted in any new ordinance. The acceptance of an application or the granting of a permit in violation of this provision shall not confer any rights on the applicant or holder of the permit.

SECTION 3. The owner of any structure which is an imminent danger to public health or safety may apply for an exemption from this provision and shall be entitled to a permit or other approval for demolition upon presenting a certification from a licensed engineer or architect that the residential structure for which demolition is sought poses an imminent danger to health or safety which can only be abated by its demolition. Such application shall be presented to the Bureau of Buildings, which, upon presentation of a sufficient certification as described above shall post notice of the request for demolition approval on the property for a period of no less than 15 days and any person wishing to challenge such request shall have 15 days from such posting in which to appeal any preliminary approval to the Board of Zoning Adjustments. The Board of Zoning Adjustments shall approve such demolition only if the applicant proves that the structure poses an imminent danger to health of safety that can only be abated by demolition.

SECTION 4: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

RCS# 4568
3/17/03
4:52 PM

Atlanta City Council

Regular Session

03-R-0405 Temporary Moratorium Study on Demolition of 50+ year-old Residential Structures
FILE

YEAS:	12
NAYS:	1
ABSTENTIONS:	0
NOT VOTING:	2
EXCUSED:	0
ABSENT	1

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

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03-R-0405

(Do Not Write Above This Line)

A RESOLUTION BY COUNCILMEMBER MARY NORWOOD

A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY OF ATLANTA TO HEREBY IMPOSE A TEMPORARY MORATORIUM TO STUDY AND EVALUATE THE POTENTIAL IMPACT OF THE DEMOLITION OF ANY RESIDENTIAL STRUCTURE OVER 50 YEARS OLD THAT IS CURRENTLY OR FORMERLY WAS USED FOR HUMAN HABITATION AND LOCATED IN ANY RESIDENTIALLY ZONED DISTRICT FOR A PERIOD OF 120 DAYS FROM THE ENACTMENT THEREOF; AND DURING THIS PERIOD OF MORATORIUM NO EMPLOYEE OR OFFICAL OF THE CITY OF ATLANTA SHALL ACCEPT AN APPLICATION FOR A PERMIT, NOR ISSUE A PERMIT THAT WOULD AUTHORIZE ANY ACTIVITY IN CONNECTION WITH A DEMOLITION OF A STRUCTURE WITHIN THE SCOPE OF THIS MORATORIUM; AND FOR OTHER PURPOSES.

FILED BY
CITY COUNCIL
MAR 17 2003

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

Date Referred 03/03/03

Referred To: CD/HR

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

Committee CD/HR	Committee
Date 3/11/03	Date
Chair [signature]	Chair
Action: Fav, Adv, Hold (see rev. side)	Action: Fav, Adv, Hold (see rev. side)
Other: File	Other:
Members [signature]	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action: Fav, Adv, Hold (see rev. side)	Action: Fav, Adv, Hold (see rev. side)
Other:	Other:
Members	Members
Refer To	Refer To

FINAL COUNCIL ACTION

☐2nd ☐1st & 2nd Readings ☐3rd

☐Consent ☐V Vote ☐RC Vote

CERTIFIED

CERTIFIED
MAR 17 2003
ATLANTA CITY COUNCIL PRESIDENT
[signature]

CERTIFIED
MAR 17 2003
Rhonda Dauphin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION