

Councilman Jim Mackey Retained

03-0-0677

(Do Not Write Above This Line)

AN ORDINANCE BY:

COUNCILMEMBER DEBI STARNES

AN ORDINANCE AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, ON BEHALF OF THE MAYOR TO WAIVE PARAGRAPHS FOUR (4), AND SEVEN (7) OF SECTION 138-8 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, FOR THE ISSUANCE OF A BANNER PERMIT TO THE UNITED WAY OF METROPOLITAN ATLANTA; AND FOR OTHER PURPOSES.

ADOPTED BY

- CONSENT REFER
- REGULAR REPORT REF MAY 05 2003
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REB COUNCIL
- PERSONAL PAPER REFER

Date Referred: 4/21/03  
 Referred To: City Utilities  
 Date Referred:  
 Referred To:  
 Date Referred:  
 Referred To:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

Committee: H. Starnes  
 Date: 4/29/2003  
 Chair: \_\_\_\_\_

Action: Fav, Adv, Hold (see rev. side)  
 Other: \_\_\_\_\_

Members

Refer To: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

CERTIFIED

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

CERTIFIED  
 MAY 05 2003

ATLANTA CITY COUNCIL PRESIDENT  
 Catherine W. Westland

CERTIFIED  
 MAY 05 2003

DEPUTY MUNICIPAL CLERK  
 MAYOR'S ACTION

MAYOR  
 MAY 13 2003



AN ORDINANCE BY

03-0-0677

COUNCILMEMBER DEBI STARNES

**AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, ON BEHALF OF THE MAYOR TO WAIVE PARAGRAPHS FOUR (4), AND SEVEN (7) OF SECTION 138-8 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, FOR THE ISSUANCE OF A BANNER PERMIT TO THE UNITED WAY OF METROPOLITAN ATLANTA; AND FOR OTHER PURPOSES.**

**WHEREAS**, the United Way of Metropolitan Atlanta has requested a Banner Permit to promote fundraising efforts for worthy causes in the community; and

**WHEREAS**, the United Way of Metropolitan Atlanta wishes to display one hundred fifty (150) banners and therefore requests that the maximum number of banners, as prescribed in paragraph seven (7) of Section 138-8 of the Atlanta City Code of Ordinances be waived; and

**WHEREAS**, the United Way of Metropolitan Atlanta wishes to display the Banners from September 01, 2003 through October 13, 2003 and thereby requests that the banner display time limitation, as prescribed in paragraph four (4), Section: 138-8, Atlanta City Code be waived.

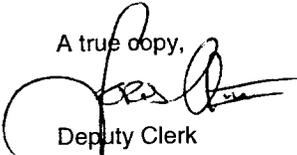
**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA** that the Mayor or her designee, the Commissioner of Public Works, be authorized to grant a banner permit to the United Way of Metropolitan Atlanta exempting that organization from the following provision of Section 138-8 of the Atlanta City Code of Ordinances:

Paragraph **four (4)**, which limits the banner display time to thirty (30) days; and

Paragraph **seven (7)**, which limits the number of banners to be displayed to one hundred (100).

**BE IT FURTHER ORDAINED** That all other provisions of the Atlanta City Code Section 138-8, be complied with prior to the granting of a Banner Permit to the United Way of Metropolitan Atlanta.

A true copy,



Deputy Clerk

**ADOPTED** by the City Council  
**APPROVED** by the Mayor

May 5, 2003  
May 13, 2003

RCS# 4674  
5/05/03  
2:40 PM

Atlanta City Council

Regular Session

03-O-0677

Banner Permit for the United Way

ADOPT

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

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

03-O-0677



# United Way of Metropolitan Atlanta

100 Edgewood Avenue, NE  
Atlanta, Georgia 30303-3026

www.unitedwayatl.org  
404 527-7200

March 14, 2003

Councilman Jim Maddox  
District 11  
City of Atlanta  
55 Trinity Avenue, SW - 2<sup>nd</sup> Floor East  
Atlanta, Georgia 30335

MAR 16 2003

Dear Councilman Maddox,

We have now begun the paperwork for our Request for Banner Attachments 2003. Thank you so very much for everything you have done in the past to assist United Way and this year, we are requesting your help again.

United Way would like to display its banners from September 1 through October 13, 2003 on City poles. However, we need your help in getting a resolution from City Council for the following:

- Extension in the time allowed to display banners beyond 30 days
- Amendment to increase the number of banners to be displayed from 100 to 150
- Waiver of the \$100 fee and the \$1,000 deposit

Also, included are the street locations in which we wish to hang our banners. The banners we propose putting up will be different than the ones from the 2002 campaign season and will be designed to meet the City's specifications. We are still in the process of designing the new banners and will send you a copy of the new proposed banners for the 2003 campaign year once they are complete for your use.

Thanks again for all your help. If you have further questions, please feel free to call me at 404-614-2903.

Sincerely,

Charna Knight  
Marketing & Communications Coordinator

Cc: Ed Sabatio

The POWER of COMMUNITY





# United Way of Metropolitan Atlanta

100 Edgewood Avenue, NE  
Atlanta, Georgia 30303-3026

www.unitedwayatl.org  
404 527-7200

March 14, 2003

Mr. Dave Peters  
Deputy Commissioner  
Department of Public Works  
City of Atlanta  
55 Trinity Avenue, Suite 4900  
Atlanta, Georgia 30335

Dear Deputy Commissioner Peters:

United Way of Metropolitan Atlanta is requesting again to place banners on the City of Atlanta poles for our fundraising campaign from September 1 through October 13, 2003.

As I understand the current restrictions regarding banners in the City, there is a limit of 100 banners and one month unless an exception is made by the City Council. We have been granted exemptions for the past twelve years, and we are requesting such a waiver again. Our desire is to have enough banners for our fundraising campaign to cover these streets for a month and a half time period. A Request for Banner Attachments has been submitted.

The banners we propose putting up will be different than the ones from the 2002 campaign season and will be designed to meet the City's specifications. We are still in the process of designing them and getting the new ones done and will send you a copy of the new proposed banners for the 2003 campaign year once they are complete for your use. We also understand that we will be responsible for the placement and removal if we are approved and we will make sure all that is taken care of.

I appreciate your consideration of our request. If you have any questions, feel free to call me at 404-614-2903.

Sincerely,

Charnae Knight  
Marketing & Communications Coordinator

Cc: Councilman Jim Maddox

**CITY OF ATLANTA  
REQUEST FOR BANNER ATTACHMENTS  
ON PERMITTED BANNER POLES  
FOR OUTDOOR SPECIAL EVENT**

Permit Requested By Mark Dvorak  
(Applicant's Name)

Name and Address of Organization United Way of Metro Atlanta  
100 Edgewood Ave  
Atlanta, GA. 30303

Telephone Number 404-527-7223

Streets on Which Banners Are to Be Displayed See Attachment

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Number of Banners to be Displayed (Maximum of 100 on All Poles) 150

Inclusive Date Banners to be Displayed September 1 - October 13, 2003

- Attached is the approval required in City Code Section 138-8(a)(2) ". . . No permit shall be issued under this section by the commissioner of public works until the materials to be used in such decorations have been approved in writing by the fire chief."
- Attached is the approval required in City Code Section 138-8(a)(3) "No permit shall be issued by the commissioner of public works for any decorations to be attached to any poles or standards in any sidewalk area, which poles or standards belong to any person, other than the city, unless permission in writing from the owners of the poles or standards to attach the decorations is submitted to the commissioner of public works with the application for the

**permit."**

- A deposit of \$1,000.00 is required by the Commissioner of Public Works which will be refunded upon the satisfactory inspection of City light poles for damages and the removal of all display materials authorized under this request within five (5) days after the end of the permit period. In the event the poles are damaged or the display materials are not removed within five (5) days, the deposit shall be forfeited as liquidated damages and the Department of Public Works shall remove the display materials.
- Should the expense of removal or repair exceed the amount of the deposit, the excess over the amount of the deposit will be collected from the person, firm, company or corporation to which the permit was issued, as provided by law.
- Upon completion of removal of the permitted banners, Traffic & Transportation will be notified.

The undersigned applicant agrees to abide and to be bound by the provisions of City Code Section 138-8 and other pertinent code sections as they relate to attachments to light poles, etc. during the period of this permit.

Handbook  
Signature of Applicant

3/11/03  
Date

**AGREEMENT OF INDEMNITY**

**GEORGIA, FULTON COUNTY:**

For and in consideration of the granting of a permit by the City of Atlanta to suspend a banner or banners described on the attached permit, the undersigned does agree to indemnify and hold harmless the City of Atlanta, its officers, agents, and employees from any and all claims arising out of the placement of, maintenance of, use of, or removal of banners including claims of banners or the structure upon which they are hung falling on people or property.

This 14 day of March 2003 19.

**INDEMNITOR**

*Mark Dvorak*  
**Signature of Authorized Representative**

Mark Dvorak  
**Name**

100 Edgewood Ave.  
**Address**

Atlanta, GA 30303  
**Address**

(404) 527-7223  
**Telephone Number**

## Metropolitan Atlanta Locations- 2003

United Way has gained approval for banners for the past eleven years, and we hope to be approved again. The streets included in the program are the same as the locations currently marked for banners on:

### Downtown

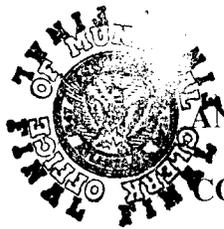
- Peachtree Street from Peachtree Avenue and Tenth Street
- Marietta Street from Peachtree Street and Techwood
- International Boulevard from Marietta Street and Piedmont Avenue
- Auburn Avenue from Peachtree Street and the downtown connector

### Midtown

- Tenth Street from Peachtree Street to the Downtown Connector

### Buckhead

- Peachtree Road from Peachtree Battle and Wesley
- Peachtree Road from Pharr and East Paces Ferry Road/Bolling Way



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