

CITY COUNCIL  
ATLANTA, GEORGIA

AN ORDINANCE ( 2/24/04 ) 04-O-0155  
BY COUNCILMEMBERS CLAIR MULLER AND CEASAR MITCHELL  
AS SUBSTITUTED AND AMENDED BY THE COMMUNITY  
DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE TO AMEND SECTION 130-44 AND SECTION 138-201  
OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA TO  
REQUIRE THAT RECYCLING BE PROVIDED ON ALL PROPERTIES  
USED FOR OR IN CONJUNCTION WITH A GATHERING OF TWO  
THOUSAND PEOPLE OR MORE; AND FOR OTHER PURPOSES.

**WHEREAS**, the City of Atlanta is host to a number of large events each year; and

**WHEREAS**, each of these events independently produces a large quantity of garbage, litter and other solid waste; and

**WHEREAS**, the nature of these events specifically tends to produce materials such as aluminum, plastic and glass that can be recycled; and

**WHEREAS**, most of these materials are not currently recycled; and

**WHEREAS**, recycling these materials would divert them from the waste stream; and

**WHEREAS**, the State of Georgia has mandated waste reduction goals of 25%; and

**WHEREAS**, implementing such a policy would help the City of Atlanta to achieve the waste reduction goals established by the State of Georgia.

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

SECTION 1: That Section 130-1 (b) shall be amended to include the following definitions:

*Chief of Staff* means the Chief of Staff to the Mayor of the City of Atlanta, or her/his designee.

*City* means City of Atlanta.

*Outdoor Festival* shall have the meaning ascribed in City Code of Ordinances section 138-187.

*Permit Holder* means the individual who is the named recipient of a City permit that authorizes a Special Event to occur on City-owned property.

*Property Owner* means the owner, or agent of the owner, of any property located in the City, where the City does not own the property.

*Recyclable materials* means those materials, including but not limited to aluminum, tin, plastics, glass and paper, which have known use, reuse, or recycling potential, and can be feasibly used, reused or recycled.

*Special Event* means any gathering of two thousand (2,000) people or more, including but not limited to a Class A, B, C, or D Outdoor Festival, and events such as sporting events, circuses, concerts, or exhibitions, and other events that may or may not qualify as an Outdoor Festival.

*Special Event Property* means any property located in the City, including but not limited to a parking lot, where the property has been used for or in conjunction with a Special Event.

**SECTION 2:** That Section 130-44 shall be deleted in its entirety and replaced with the following:

**Section 130-44. Removal of solid waste from special events.**

- (a) *Special events on private property.* The Owner of any Special Event Property shall clear and remove all solid waste from the Special Event Property after the Special Event ends, to the satisfaction of the Chief of Staff, in consultation with the Commissioner of Planning.
- (1) If the Special Event had fewer than 20,000 attendees, the Property Owner shall clear and remove all solid waste within twenty-four (24) hours of the conclusion of the Special Event.
  - (2) If the Special Event had 20,000 or more attendees but fewer than 49,999 attendees, the Property Owner shall clear and remove all solid waste within forty-eight (48) hours of the conclusion of the Special Event.
  - (3) If the Special Event had 50,000 attendees or more, the Property Owner shall clear and remove all solid waste within seventy-two (72) hours of the conclusion of the Special Event.
- (b) *Special events on public property.*
- (1) The Permit Holder for any Special Event on Public Property shall clear and remove all solid waste from the Special Event Property after the Special Event ends, according to the following guidelines:

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- a. If the Special Event had fewer than 20,000 attendees, the Permit Holder shall clear and remove all solid waste within twenty-four (24) hours of the conclusion of the Special Event.
  - b. If the Special Event had 20,000 or more attendees but fewer than 49,999 attendees, the Permit Holder shall clear and remove all solid waste within forty-eight (48) hours of the conclusion of the Special Event.
  - c. If the Special Event had 50,000 attendees or more, the Permit Holder shall clear and remove all solid waste within seventy-two (72) hours of the conclusion of the Special Event.

(2) Following any Special Event on property belonging to the City, solid waste shall be cleared and removed from the Special Event Property according to the following provisions:

- a. Where property belonging to the City has been used as a Special Event Property, and said property is a designated City Park, the Permit Holder shall clear and remove all solid waste from the Special Event Property after the Special Event ends, to the satisfaction of the Chief of Staff, in consultation with the Commissioner of Parks.
  - b. Where property belonging to the City has been used as Special Event Property, and said property is not a designated City Park, the Permit Holder shall clear and remove all solid waste from the Special Event Property after the Special Event ends, to the satisfaction of the Chief of Staff, in consultation with the Commissioner of Public Works.
- (c) The Chief of Staff may grant an extension of time in which to clear and remove solid waste, pursuant to subsections (b) and (c) above, where the Property Owner or the Permit Holder applies for an extension of time in writing, providing a detailed reason for the request, and where the Chief of Staff determines that inclement weather or other circumstances outside of the Property Owner's or Permit Holder's control make enforcement of the timeframes set forth in sections (b) and (c) above unreasonable or unrealistic. The Chief of Staff shall provide his response to the Property Owner's or Permit Holder's request in writing, and shall provide the reasoning for his decision therein.
- (d) *Recycling required.* As a part of requirements to clear and remove all solid waste from a Special Event Property, recycling shall be provided at all Special Events according to the following provisions:
- (1) A Property Owner of any Special Event Property shall provide a sufficient number of containers for the separate recovery, collection, and removal of recyclable materials, including, but not limited to aluminum, glass, and plastic #1 and #2, during any Special Event. At a minimum, the Property Owner shall have recycle containers next to each and every trashcan located on the Special Event Property during the Special Event. Separate recovery, collection, and removal of glass shall not be required where glass is prohibited on the Special Event Property



during the Special Event, but only if said prohibition is established in writing prior to and at the entrance to the Special Event and is enforced.

- (2) Where property belonging to the City has been used as Special Event Property, the Permit Holder shall provide a sufficient number of containers for the separate recovery, collection, and removal of recyclable materials, including, but not limited to aluminum, glass, and plastic #1 and #2, during the Special Event. At a minimum, the Permit Holder shall have recycle containers next to each and every trashcan located on the Special Event Property during the Special Event. Separate recovery, collection, and removal of glass shall not be required where glass is prohibited on the Special Event Property during the Special Event pursuant to the City Code of Ordinances or other City legislation.
- (e) Failure of a Property Owner or a Permit Holder to remove all solid waste from any Special Event Property, in the manner prescribed in this section, shall be deemed a Class D offense pursuant to the provisions of Section 130-12 of this chapter, and the Property Owner or Permit Holder shall be subject to any and all penalties established by subsection 130-12(b)(4).
- (f) Failure of a Property Owner or a Permit Holder to provide the minimum number of containers, as established in subsection (d) above, for the collection of recyclable material from any Special Event Property shall be deemed a Class C offense pursuant to the provisions of Section 130-12 of this chapter, and the Property Owner or Permit Holder shall be subject to any and all penalties established by subsection 130-12(b)(3).

SECTION 3: That Section 138-201 (15) shall be amended so that the new subsection (15) shall read as follows:

- (15) How the applicant proposes to insure the cleanup of the area, including the following information:
  - a. Pursuant to the requirements of Section 130-44, the applicant shall provide detailed plans regarding the following:
    1. The number, volume and location of containers within the festival assembly area for the collection and disposal of solid waste generated by the proposed outdoor festival.
    2. The number, volume and location of containers within the festival assembly area for the separate collection, removal and recovery of recyclable materials generated by the proposed outdoor festival.
  - b. For any outdoor festival required to provide private solid waste collection, the applicant shall provide the name and contact information of the private company contracted for the collection, removal and disposal of solid waste and recyclable materials from festival assembly area.

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 as amended by Council  
APPROVED by the Mayor

MAR 01, 2004  
MAR 09, 2004

RCS# 5475  
3/01/04  
3:54 PM

Atlanta City Council

Regular Session

CONSENT I                    CONSENT I , EXCEPT: 04-O-0328,04-O-0047  
04-O-0221,04-R-0309,04-O-0324,04-O-0216  
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    | Y Martin  | NV Norwood |
| Y Young   | Y Shook     | Y Maddox  | Y Willis   |
| Y Winslow | Y Muller    | Y Boazman | NV Woolard |

CONSENT I

| <b>3-01-04 Council Meeting</b>  |  |
|---|--|
| <b>ITEMS ADOPTED ON<br/>CONSENT</b>   | <b>ITEMS ADOPTED ON<br/>CONSENT</b>  |
| <ul style="list-style-type: none"> <li>1. 04-O-0324</li> <li>2. 04-O-0328</li> <li>3. 04-O-0332</li> <li>4. 04-O-0337</li> <li>5. 04-O-0338</li> <li>6. 04-O-0339</li> <li>7. 04-O-0155</li> <li>8. 04-O-0047</li> <li>9. 04-O-0221</li> <li>10. 04-O-0251</li> <li>11. 04-R-0039</li> <li>12. 04-R-0305</li> <li>13. 04-R-0306</li> <li>14. 04-R-0307</li> <li>15. 04-R-0308</li> <li>16. 04-R-0353</li> <li>17. 04-R-0298</li> <li>18. 04-R-0301</li> <li>19. 04-R-0313</li> <li>20. 04-R-0344</li> <li>21. 04-R-0345</li> <li>22. 04-R-0366</li> <li>23. 04-R-0248</li> <li>24. 04-R-0297</li> <li>25. 04-R-0325</li> <li>26. 04-R-0326</li> <li>27. 04-R-0336</li> <li>28. 04-R-0343</li> <li>29. 04-R-0355</li> <li>30. 04-R-0299</li> <li>31. 04-R-0316</li> <li>32. 04-R-0062</li> <li>33. 04-R-0302</li> <li>34. 04-R-0303</li> <li>35. 04-R-0304</li> <li>36. 04-R-0309</li> <li>37. 04-R-0354</li> <li>38. 04-R-0275</li> <li>39. 04-R-0276</li> <li>40. 04-R-0277</li> </ul> | <ul style="list-style-type: none"> <li>41. 04-R-0278</li> <li>42. 04-R-0279</li> <li>43. 04-R-0280</li> </ul> <p><b>ITEMS ADVERSED<br/>ON CONSENT</b></p> <ul style="list-style-type: none"> <li>44. 04-R-0281</li> <li>45. 04-R-0282</li> <li>46. 04-R-0283</li> <li>47. 04-R-0284</li> <li>48. 04-R-0285</li> <li>49. 04-R-0286</li> <li>50. 04-R-0287</li> <li>51. 04-R-0288</li> <li>52. 04-R-0289</li> <li>53. 04-R-0290</li> <li>54. 04-R-0291</li> <li>55. 04-R-0292</li> <li>56. 04-R-0293</li> <li>57. 04-R-0294</li> <li>58. 04-R-0295</li> <li>59. 04-R-0296</li> </ul> |

04-0-0155

(Do Not Write Above This Line)

AN ORDINANCE BY COUNCILMEMBER CLAIR MULLER

AN ORDINANCE TO AMEND SECTION 130-44 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA TO REQUIRE THAT RECYCLING BE PROVIDED ON ALL PROPERTIES USED FOR A SHOW GROUND, CIRCUS, CONCERT, OUTDOOR FESTIVAL OR OTHER EXHIBITION; AND FOR OTHER PURPOSES.

ADOPTED BY  
MAR 0 1 2004  
COUNCIL

As Amended

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

Date Referred: 1/20/04

Referred To: C.D. HARR

Date Referred: 2/2/04

Referred To: City Utilities

Date Referred: \_\_\_\_\_

Referred To: \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Referred To \_\_\_\_\_

First Reading

Committee: C.D. HARR

Date: 2/2/04

Chair: [Signature]

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

Other: Referred to CU

Members: [Signatures]

Refer To: CU

Committee: C.D. HARR

Date: 2/2/04

Chair: [Signature]

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

Other: [Signature]

Members: [Signatures]

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

Committee: C.D. HARR

Date: 2/2/04

Chair: \_\_\_\_\_

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

Other: \_\_\_\_\_

Members: [Signatures]

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

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Chair: \_\_\_\_\_

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

Other: \_\_\_\_\_

Members: \_\_\_\_\_

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

FINAL COUNCIL ACTION

2nd Reading 3-1-04

1st & 2nd Readings

3rd Reading

Consent

V Vote

RC Vote

CERTIFIED

MAR 0 1 2004

CERTIFIED

MAR 0 1 2004

MAYOR'S ACTION

APPROVED

[Signature]

MAYOR