

AN ORDINANCE

04-0-0504

BY COUNCILMEMBER CEASAR C. MITCHELL

AN ORDINANCE TO AMEND ARTICLE II, SECTIONS 162-29 SO AS TO EXPAND THE NUMBER HEARING OFFICERS AND ALLOW THE VEHICLES FOR HIRE ADVISORY COMMISSION TO PROVIDE HEARING OFFICER NOMINATIONS TO THE MAYOR; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public health, safety and welfare; and

WHEREAS, an advisory group made up of representatives of all stakeholders was convened and met for over seven months concluding with a series of recommendations, including the expansion of the number of hearing officers; and

WHEREAS, pursuant to its police powers, the City of Atlanta is authorized to enact legislation to regulate certain types of businesses and industries which could potentially affect the public health, safety and welfare, including businesses which involve vehicles for hire.

NOW THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

**Section 1**

That section 162-29, which currently reads as follows:

Sec. 162-29. Hearing officers.

(a) The mayor shall have the authority to appoint 16 hearing officers for the purpose of acting as fact finders regarding charges brought by the bureau against individuals and entities for violation of this article. Each hearing officer shall be appointed for a two-year term and shall receive \$75.00 for each day or part thereof the hearing officer appears for hearing. Six of the hearing officers shall be attorneys at law with at least three years in the practice of law. A panel of three hearing officers shall be designated by the director for each case heard. Each panel shall have at least one attorney at law but shall not have more than two attorneys. No person shall be appointed as a hearing officer who holds any interest in any licenses issued under the police powers of the city or who represents any interest which may be adverse to that of the city.

be amended by deleting said section and replacing it in lieu of with the following:

Sec. 162-29. Hearing officers.

(a) The mayor shall have the authority to appoint **24** hearing officers for the purpose of acting as fact finders regarding charges brought by the bureau against individuals and entities for violation of this article. **Six (6) of the mayor's appointments shall come from a list of nominees submitted by the Vehicles for Hire Advisory Commission.** Each hearing officer shall be appointed for a two-year term and shall receive \$75.00 for each day or part thereof the hearing officer appears for hearing. Six of the hearing officers shall be attorneys at law with at least three years in the practice of law. A panel of three hearing officers shall be designated by the director for each case heard. Each panel shall have at least one attorney at law but shall not have more than two attorneys. No person shall be appointed as a hearing officer who holds any interest in any licenses issued under the police powers of the city or who represents any interest which may be adverse to that of the city.

**Section 2**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

RCS# 6391  
1/03/05  
3:54 PM

Atlanta City Council

Regular Session

MULTIPLE

0502 0503 0504 0931 1270  
1271 1628-SUB 1806 1923 1924 2023  
FILE

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 5  
EXCUSED: 0  
ABSENT 0

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

MULTIPLE

25  
 (Do Not Write Above This Line)  
**04-0-0504**

AN ORDINANCE  
 BY COUNCILMEMBER CEASAR  
 C. MITCHELL

AN ORDINANCE TO AMEND  
 ARTICLE II, SECTIONS 162-  
 29 SO AS TO EXPAND THE  
 NUMBER HEARING OFFICERS  
 AND ALLOW THE VEHICLES  
 FOR HIRE ADVISORY  
 COMMISSION TO PROVIDE  
 HEARING TO OFFICER  
 NOMINATIONS TO THE  
 MAYOR; AND FOR OTHER  
 PURPOSES.

FILED BY  
 CITY COUNCIL

JAN 03 2005

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

Date Referred: 3/15/04  
 Referred To: Public Safety  
 Date Referred:  
 Referred To:

Committee: \_\_\_\_\_ First Reading  
 Date: \_\_\_\_\_  
 Chair: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

Public Committee  
 Date: \_\_\_\_\_  
 Chair: \_\_\_\_\_

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

Members

Refer To

Committee

Date

Chair

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

Members

Refer To

Committee

Date

Chair

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

Members

Refer To

Refer To

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

CERTIFIED

CERTIFIED  
 JAN 03 2005  
 MAYOR

CERTIFIED  
 JAN 03 2005  
 MAYOR

MAYOR'S ACTION