06- 0 -2598

AN ORDINANCE

BY COUNCILMEMBER CLETA WINSLOW

AN ORDINANCE TO REAUTHORIZE THE EXTENSION OF ALL PERMITS FOR VENDING ON PUBLIC PROPERTY ISSUED IN 2003 TO JUNE 30, 2007, OR UNTIL ANTICIPATED REVISIONS TO THE "PUBLIC PROPERTY VENDING CODE" ARE ADOPTED AND APPROVED, WHICHEVER COMES SOONER; TO RE-IMPOSE A MORATORIUM ON THE ISSUANCE OF PERMITS TO VEND ON PUBLIC PROPERTY UNTIL JUNE 30, 2007, OR UNTIL ANTICIPATED REVISIONS TO THE "PUBLIC PROPERTY VENDING CODE" ARE ADOPTED AND APPROVED, WHICHEVER COMES SOONER; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City is considering modifications to its public property vending program that may substantially alter the City Code as it relates to vending in the public right-of-way; and

WHEREAS, the evaluation process will not be completed prior to the time the site selection process must be initiated to insure issuance of new permits; and

WHEREAS, there is a likelihood that as a result of the vending code review, the timing and nature of the permitting process will be altered possibly resulting in a need to reissue permits; and

WHEREAS, having to reissue permits will result in unnecessary and duplicitous workforce hours and use of resources; and

WHEREAS; the authority to issue vending permits constitutes an exercise of the City's police power and the avoidance of unnecessary expenditures is consistent with public policy; and

WHEREAS, the City will maintain the option to assess a prorated permit fee in proportion to the additional time granted to current permit holders by virtue of the extension.

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

Section 1: Any permits issued pursuant to Chapter 30, Article XXIII of the City of Atlanta Code of Ordinances for the purpose of vending on public property during

calendar year 2003, are hereby reauthorized and extended, and shall remain in effect and valid through June 30, 2007, or until anticipated revisions to the "Public Property. Vending Code" are adopted and approved, whichever comes sooner. All current permit holders subject to this extension shall be required to pay a prorated permit fee in proportion to the length of the extension.

Section 2: A moratorium on the issuance of new permits to vend on public property be and is hereby re-imposed and shall remain in effect through and including June 30, 2007, or until anticipated revisions to the "Public Property Vending Code" are adopted and approved, whichever comes sooner.

Section 3: All ordinances or parts of ordinances in conflict with this ordinance are hereby waived to the extent of any such conflict.