

07-0-0971

**AN ORDINANCE BY
COUNCILMEMBER JOYCE M. SHEPERD**

**AS SUBSTITUTED BY THE PUBLIC SAFETY/LEGAL ADMINISTRATION
COMMITTEE**

AN ORDINANCE TO AMEND CHAPTER 122, ARTICLE V, DIVISION 2, SECTION 122-173 (2) (ENTITLED, "GROUNDS FOR DENIAL, SUPSPENSION, OR REVOCATION") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO REVISE THE CITY OF ATLANTA CODE ON SECONDARY METAL RECYCLERS, TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, currently secondary metal recyclers are not held accountable for actions made against the environment as cited by the Georgia Department of Environmental Protection Division and the U. S. Environmental Protection Agency; and

WHEREAS, Chapter 122, Article V, Division 2, Section 122-173 (2) of the City Code establishes how many violations of this Code constitutes a denial, suspension or revocation of any license or application for a license; and

WHEREAS, it is the intent of the city council to include violations of State and Federal laws and regulations in determining the grounds for denial, suspension or revocation of a secondary metal recycler.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY
ORDAINS AS FOLLOWS:**

Section 1: Chapter 2, Article V, Division 2, Section 122-173, which reads:

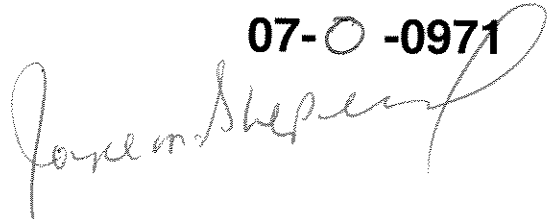
(2) For three violations within a 12-month period by the holder of the license of any laws or sections of this Code or other ordinances regulating the business licensed pursuant to this article; or

be hereby amended to read as follows:

(2) For any three violations within a 12-month period by the holder of the license or an applicant for a license, of any laws or sections of this Code, or other ordinances regulating the business licensed pursuant to this article, for the violation of any laws, rules or regulations of the Georgia Environmental Protection Division (EPD) or any successor agency with the same or similar regulatory function or of the U. S. Environmental Protection Agency (EPA) or any successor agency with the same or similar regulatory function.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

AN ORDINANCE BY
COUNCILMEMBER JOYCE M. SHEPERD



AN ORDINANCE TO AMEND CHAPTER 122, ARTICLE V, DIVISION 2, SECTION 122-173 (2) (ENTITLED, "GROUNDS FOR DENIAL, SUPSPENSION, OR REVOCATION") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO REVISE THE CITY OF ATLANTA CODE ON SECOND METAL RECYCLERS, TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, currently second metal recyclers are not held accountable for actions made against the environment as by the City of Atlanta, Georgia as cited by the Environmental Protection Division and the Environmental Protection Agency; and

WHEREAS, Chapter 122, Article V, Division 2, Section 122-173 (2) of the City Code establishes how many violations of this Code constitutes a denial, suspension or revocation of any license or application for a license; and

WHEREAS, it is the intent of the city council to include violations of State and Federal laws and regulations in determining the grounds for denial, suspension or revocation of a second metal recycler.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

Section 1: Chapter 2, Article V, Division 2, Section 122-173, which reads:

(2) For three violations within a 12-month period by the holder of the license of any laws or sections of this Code or other ordinances regulating the business licensed pursuant to this article; or

be hereby amended to read as follows:

(2) For three violations within a 12-month period by the holder of the license of any laws or sections of this code, other ordinances regulating the business, Environmental Protection Agency, and Environmental Protection Agency licensed pursuant to this article

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.