

AN ORDINANCE  
BY COMMITTEE ON COUNCIL

08-O-

**AN ORDINANCE TO ABOLISH THE FUND APPEALS INVESTIGATION COMMITTEE ESTABLISHED IN SECTION 42-40 OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO THEN REPEAL SECTIONS 42-1 THROUGH 42-42 OF SAID CHAPTER 42 (ENTITLED “CHARITABLE SOLICITATION”), AND TO MOVE SECTION 42-43 FOUND IN ARTICLE III OF CHAPTER 42 AND INSERT SAID SECTION, IN ITS ENTIRITY, IN ARTICLE IV, DIVISION 3, OF CHAPTER 150 (ENTITLED “STOPPING, STANDING AND PARKING”) AS NEW SECTION 150-137, AND FOR OTHER PURPOSES.**

**WHEREAS**, Article I of Chapter 42 (Code Sections 42-1 through 42-42) of the Code of Ordinances (“Code”) of the City of Atlanta (“City”) requires that all persons or organizations that solicit funds for charitable purposes on the public streets of the City must first obtain a recommendation from the License Review Board (“LRB”) and approval by the Mayor for the issuance of a permit to conduct such solicitations; and

**WHEREAS**, the charitable solicitation permitting process requires that applications be made to the chief of police, and further requires that each such applications be fully investigated by the Chief of Police who shall then make a recommendation to the LRB; and

**WHEREAS**, the charitable solicitation permitting process then requires that the LRB consider each such application; and

**WHEREAS**, as a part of the LRB process set out in Section 42-37(b) of Article II of Chapter 42, Section 42-40 of Article II of Chapter 42 establishes the Fund Appeals Investigation Committee (“FAIC”) to assist the LRB in consideration of all such permit applications; and

**WHEREAS**, the FAIC has not been populated and has not functioned since the date that it was created; and

**WHEREAS**, the FAIC, serving no useful purpose, should be abolished; and

**WHEREAS**, there is no effective method of ensuring that such persons and businesses comply with the requirements of Chapter 42 of the Code; and

**WHEREAS**, Only a very small percentage of the persons or organizations that are engaged in charitable solicitation file permit applications with the Chief of Police; and

**WHEREAS**, Section 42-43 of Article III which is entitled “Parking meters designated as ‘giving meters’” is a charitable program that is now in the planning stage; and

**WHEREAS**, it is the desire of City Council that the “Parking meters designated as ‘giving meters’” program continue to move forward; and

**WHEREAS**, Section 42-43 of Article III can be removed and inserted in Division 3, Article IV, of Chapter 150 entitled “Parking Meters” and appropriately renumbered.

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

**SECTION 1:** That Code Sections 42-1 through 42-42 which comprise Articles I and II of Chapter 42 of the Code of Ordinances of the City of Atlanta, pertaining to the establishment of processes and requirements for the issuance of charitable solicitation permits are hereby repealed in their entirety, with said sections to be hereby redesignated as “Reserved”.

**SECTION 2:** That Code Section 42-43 which comprises Article III of Chapter 42 of the Code of Ordinances of the City of Atlanta, pertaining to the establishment of a charitable program entitled “Parking meters designated as giving meters” is retained in the Code of Ordinances of the City of Atlanta by inserting said section, in its entirety, in Division 3, Article IV of Chapter 150 and renumbering said section as Sec. 150-137.

**SECTION 3:** That the Fund Appeals Investigation Committee is hereby abolished.

**SECTION 4:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

RCS# 1760  
2/18/08  
3:04 PM

Atlanta City Council

REGULAR SESSION

08-O-0335

ABOLISH THE FUND APPEALS INVESTIGATION  
COMMITTEE  
REFER/FINANCE

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

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

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