

**AN ORDINANCE BY  
COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE**

**AN ORDINANCE AUTHORIZING THE CLEANING AND CLOSING OF  
VARIOUS STRUCTURES PURSUANT TO ARTICLE III OF THE ATLANTA  
HOUSING CODE, AND HEARINGS CONDUCTED BY THE IN REM REVIEW  
BOARD ON THE DATES LISTED HEREIN; AND FOR OTHER PURPOSES.**

**WHEREAS**, pursuant to Article III of the Atlanta Housing Code, entitled “In Rem Procedures”, hearings were held before the In Rem Review Board on the dates listed below, after due notice to owners of and / or parties in interest, regarding certain structures at the addresses below, which were believed to be unfit for occupancy or habitation in violation of Article III; and

<b>Address</b>	<b>Hearing Date</b>
74 Ormond St. Se	2/22/07
79 Delmoor Dr NW	6/30/07
1375 Hartford Ave. SW	6/30/07
139 Laurel Ave. SW	2/28/08

**WHEREAS**, at the hearings, the In Rem Review Board determined that the structures were unfit for occupancy or habitation, and could be improved, repaired or altered at a cost less than 50% or less of the value of the structures, exclusive of the foundation and lots after the improvements were made; and

**WHEREAS**, the In Rem Review Board stated these facts in writing, and served an Order upon the owners and / or parties of interest, requiring the owners and/ or parties of interest to make repairs or vacate the structures and comply with Section 29 of the Atlanta Housing Code to abate interior requirements; and

**WHEREAS**, the owners/ and or parties in interest were given 30 days to comply with the Order; and

**WHEREAS**, the owners/ and or parties in interest failed to comply with the Order of the In Rem Board within the specified time.

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

**SECTION 1:** That the Commissioner of the Department of Planning and Community Development is hereby authorized to vacate, clean and close the following properties upon which structures are located:

74 Ormond St. Se	Clean & Close
79 Delmoor Dr NW	Clean & Close
1375 Hartford Ave. SW	Clean & Close
139 Laurel Ave. SW	Clean & Close

**SECTION 2:** That the Commissioner of the Department of Planning and Community Development is authorized to:

- (1) Vacate the structure (if occupied)
- (2) Clean the premises and board the structure(s) in conformity with the In Rem Board's Order
- (3) Maintain the property in conformity with the In Rem Board's Order until the structure(s) are repaired or demolished
- (4) File a lien against the real property on which the structure(s) are attached in an amount necessary to recover the costs incurred by the City of Atlanta.

**SECTION 3:** That all Ordinances and parts of Ordinances in conflict herewith are hereby waived to the extent of the conflict.

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Community Development/ Human Resources

**Caption:** AN ORDINANCE AUTHORIZING THE CLEANING AND CLOSING OF VARIOUS STRUCTURES PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE, AND HEARINGS CONDUCTED BY THE IN REM REVIEW BOARD ON THE DATES LISTED HEREIN; AND FOR OTHER PURPOSES.

**Council Meeting Date:** May 5, 2008

**Requesting Dept.:** Department of Planning

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

Authorizes the Mayor to authorize the cleaning and closing of numerous structures as approved by the City's In Rem Board.

139 Laurel Avenue, SW	Clean/ Close
79 Delmoor Drive, NW	Clean/ Close
1375 Hartford Avenue, SW	Clean/ Close
74 Ormond St. SE	Clean/ Close

**2. Please provide background information regarding this legislation.**

In Rem Board proceedings must be enacted by Ordinance approval.

**3. If Applicable/Known:**

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** NA
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:**

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

**4. Fund Account Center (Ex. Name and number):**

Fund: 1A01 Account: 524001 Center: Y45001

**5. Source of Funds: Example: Local Assistance Grant** General Fund Monies: Consultant /Professional Fees

**6. Fiscal Impact:** These In Rem Board actions will reduce the fund account by the final actual cost of each actions. Final cost is not determined until contractor submits bid for each individual project.

**7. Method of Cost Recovery:** Liens placed against property(s) that work is completed by a city-wide contractor.

**This Legislative Request Form Was Prepared By:** garnett brown

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Garnett Brown

Contact Number: 404-330-6724


Originating Department: Department of Planning/ Bureau of Housing


Committee(s) of Purview: Community Development/ Human Resources

Chief of Staff Deadline: April 9, 2008

Anticipated Committee Meeting Date(s): April 29-30, 2008

Anticipated Full Council Date: May 5, 2008

Legislative Counsel's Signature: 

Commissioner Signature: 

Chief Procurement Officer Signature: \_\_\_\_\_

**CAPTION**

AN ORDINANCE AUTHORIZING THE CLEANING AND CLOSING OF VARIOUS STRUCTURES PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE, AND HEARINGS CONDUCTED BY THE IN REM REVIEW BOARD ON THE DATES LISTED HEREIN; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ (date) Received by LC from CPO: \_\_\_\_\_ (date)

Received by Mayor's Office: 4/10/08  Reviewed by:  (date)

Submitted to Council: \_\_\_\_\_ (date)