

10-0-0735

AN ORDINANCE BY TRANSPORTATION COMMITTEE

AN ORDINANCE TO CORRECT CERTAIN SCRIVENER'S ERRORS THAT WERE CONTAINED IN THE TEXT OF ATLANTA CITY COUNCIL ORDINANCE NO. 09-O-0765 ADOPTED BY THE ATLANTA CITY COUNCIL ON JULY 20, 2009, WITH RESPECT TO CITY CODE SECTIONS 150-88 AND 150-131 RESULTING IN SAID SECTIONS BEING INCORRECTLY SET OUT IN BOTH THE ELECTRONIC AND NON-ELECTRONIC PUBLISHED VERSIONS OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

SUBSTITUTE

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

Date Referred 05/03/10
 Referred To: Transportation
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

First Reading
 Committee TRANSPORTATION
 Date 5-28-10
 Chair [Signature]
 Referred To TRANSPORTATION

Committee Transportation
 Date 5-12-10
 Chair [Signature]
 Action Substitute
 Fav, Adv, Hold (see rev. side)
 Other
 Members [Signature]
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side)
 Other
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side)
 Other
 Members _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side)
 Other
 Members _____

ADOPTED BY
 MAY 17 2010
 COUNCIL

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

CERTIFIED
 MAY 17 2010
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 MAY 17 2010
[Signature]
 MUNICIPAL CLERK

MAYOR'S ACTION
 APPROVED
 MAY 25 2010
[Signature]
 MAYOR



**A SUBSTITUTE ORDINANCE
BY TRANSPORTATION COMMITTEE**

10-O-0735

A SUBSTITUTE ORDINANCE TO CORRECT CERTAIN ERRORS THAT WERE CONTAINED IN THE TEXT OF ATLANTA CITY COUNCIL ORDINANCE NO. 09-O-0765 ADOPTED BY THE ATLANTA CITY COUNCIL ON JULY 20, 2009, WITH RESPECT TO CITY CODE SECTION 150-131 RESULTING IN SAID SECTION BEING INCORRECTLY SET OUT IN BOTH THE ELECTRONIC AND NON-ELECTRONIC PUBLISHED VERSIONS OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta wished to improve parking management within the public right of way; and

WHEREAS, to that end, the Atlanta City Council adopted Ordinance No. 09-O-0765 on July 20, 2009, to amend city code sections 150-88, 150-131, and 162-258, a copy of which is appended hereto; and

WHEREAS, it was subsequently discovered that both the electronic and non-electronic published versions of city code section 150-131 had been improperly revised due to certain errors contained in the legislation that had been adopted; and

WHEREAS, it is necessary to correct these errors in city code section 150-131 so that said section contains the complete text as adopted by the Atlanta City Council.

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

SECTION 1: Section 150-131 of the City of Atlanta Code of Ordinances was amended, pursuant to adopted Ordinance No. 09-O-0765, with revisions made to the introductory paragraph and subsections (b) and (c) which are set out correctly below with formerly misplaced text inserted in italics and small caps for purposes of clarity.

Sec. 150-131. Enforcement.

Enforcement of this division, including issuance of citations for vehicles parked in restricted areas, shall be the responsibility of parking enforcement officers, the parking management service, and/or the police chief or his designee.

(a) *Parking enforcement officer* means non-sworn personnel designated by the commissioner of public works, and appointed by the police chief or his designee as code enforcement agents pursuant to section 98-1 of the Code



of Ordinances, for the purpose of enforcing parking regulations including issuance of citations, towing of vehicles, and/or immobilization of vehicles parked in restricted areas. In order to enforce these code provisions, these employees must apply for and receive the status of code enforcement agent.

(b) *Parking management service* is the private vendor retained by the City of Atlanta that employs off duty or retired police officers to perform services described in subsection (c) below, and in addition, that employs non-sworn personnel (parking management agents) that are authorized to issue parking citations for vehicles that are illegally parked only in the following three instances:

(1) The issuance of citations for vehicles that violate the provisions of Atlanta City Code Section 150-132 which provides for parking time limits at metered parking spaces.

(2) The issuance of citations for vehicles that violate the provisions of Atlanta City Code Section 150-133 which prohibits overtime parking at metered parking spaces.

(3) The issuance of citations for vehicles that are illegally parked on streets that are included in residential permit *PARKING AREAS AUTHORIZED AT DIVISION 4 OF CHAPTER 150 OF THE ATLANTA CITY CODE*.

(C) SWORN POLICE OFFICER IS:

(1) ANY ACTIVE DUTY POLICE OFFICER; OR

(2) ANY OFF DUTY POLICE OFFICER EMPLOYED BY THE PARKING MANAGEMENT service for the purpose of enforcing City of Atlanta parking regulations, including the issuance of citations for vehicles that are illegally parked, and the immobilization and impoundment of vehicles that are illegally parked; or

(3) Any retired police officer presently employed by the parking management service for the purpose of enforcing City of Atlanta parking regulations, including the issuance of citations for vehicles that are illegally parked, and the immobilization and impoundment of vehicles that are illegally parked.



SECTION 2: Section 150-131 of the City of Atlanta Code of Ordinances, having been amended as set out in Section 3 above, shall appear as follows in the City of Atlanta Code of Ordinances:

Sec. 150-131. Enforcement.

Enforcement of this division, including issuance of citations for vehicles parked in restricted areas, shall be the responsibility of parking enforcement officers, the parking management service, and/or the police chief or his designee.

(a) *Parking enforcement officer* means non-sworn personnel designated by the commissioner of public works, and appointed by the police chief or his designee as code enforcement agents pursuant to section 98-1 of the Code of Ordinances, for the purpose of enforcing parking regulations including issuance of citations, towing of vehicles, and/or immobilization of vehicles parked in restricted areas. In order to enforce these code provisions, these employees must apply for and receive the status of code enforcement agent.

(b) *Parking management service* is the private vendor retained by the City of Atlanta that employs off duty or retired police officers to perform services described in subsection (c) below, and in addition, that employs non-sworn personnel (parking management agents) that are authorized to issue parking citations for vehicles that are illegally parked only in the following three instances:

(1) The issuance of citations for vehicles that violate the provisions of Atlanta City Code Section 150-132 which provides for parking time limits at metered parking spaces.

(2) The issuance of citations for vehicles that violate the provisions of Atlanta City Code Section 150-133 which prohibits overtime parking at metered parking spaces.

(3) The issuance of citations for vehicles that are illegally parked on streets that are included in residential permit parking areas authorized at Division 4 of Chapter 150 of the Atlanta City Code.

(c) *Sworn police officer* is:

(1) Any active duty police officer; or

(2) Any off duty police officer employed by the parking management service for the purpose of enforcing City of Atlanta parking regulations, including the issuance of citations for vehicles that are



illegally parked, and the immobilization and impoundment of vehicles that are illegally parked; or

(3) Any retired police officer presently employed by the parking management service for the purpose of enforcing City of Atlanta parking regulations, including the issuance of citations for vehicles that are illegally parked, and the immobilization and impoundment of vehicles that are illegally parked.

SECTION 3: All ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

A true copy,

Phonda Daughin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

MAY 17, 2010
MAY 25, 2010

RCS# 241
5/17/10
2:50 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-0743, 10-R-0839

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	NV Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	B Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		05-17-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0741	35.10-R-0903	57. 10-R-0828
2. 10-O-0742	36. 10-R-0868	58. 10-R-0829
3. 10-O-0744	37. 10-R-0869	59. 10-R-0830
4. 10-O-0745	38. 10-R-0871	60. 10-R-0831
5. 10-O-0746	39. 10-R-0872	61. 10-R-0832
6. 10-O-0747	40. 10-R-0873	62. 10-R-0833
7. 10-O-0748	41. 10-R-0809	63. 10-R-0834
8. 10-O-0796	42. 10-R-0810	64. 10-R-0835
9. 10-O-0798	43. 10-R-0811	65. 10-R-0836
10. 10-O-0889	44. 10-R-0812	66. 10-R-0837
11. 10-O-0893	45. 10-R-0814	67. 10-R-0838
12. 10-O-0627	46. 10-R-0815	68. 10-R-0840
13. 10-O-0330	47. 10-R-0816	69. 10-R-0841
14. 10-O-0331	48. 10-R-0819	70. 10-R-0842
15. 10-O-0632	49. 10-R-0820	71. 10-R-0843
16. 10-O-0633	50. 10-R-0821	72. 10-R-0844
17. 10-O-0730	51. 10-R-0822	73. 10-R-0845
18. 10-O-0731	52. 10-R-0823	74. 10-R-0846
19. 10-O-0732	53. 10-R-0824	75. 10-R-0847
20. 10-O-0733	54. 10-R-0825	76. 10-R-0848
21. 10-O-0735	55. 10-R-0826	77. 10-R-0849
22. 10-O-0779	56. 10-R-0827	78. 10-R-0850
23. 10-R-0882		79. 10-R-0851
24. 10-R-0883		80. 10-R-0852
25. 10-R-0884		81. 10-R-0853
26. 10-R-0885		82. 10-R-0854
27. 10-R-0887		83. 10-R-0856
28. 10-R-0638		84. 10-R-0857
29. 10-R-0639		85. 10-R-0858
30. 10-R-0818		
31. 10-R-0859		
32. 10-R-0860		
33. 10-R-0861		
34. 10-R-0862		