

11-0-1290

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AN ORDINANCE
BY: COMMUNITY DEVELOPMENT/
HUMAN RESOURCES
COMMITTEE

AN ORDINANCE TO AMEND
SECTION 104 OF APPENDIX
"A" TO VOLUME III OF THE
CODE OF ORDINANCES OF
THE CITY OF ATLANTA
WHICH CONTAINS THE
BUILDING CODE
AMENDMENTS AND
APPENDIX "B" OF VOLUME II
OF THE CODE OF
ORDINANCES OF THE
CITY OF ATLANTA WHICH
CONTAINS A CROSS
REFERENCE TO SCHEDULE
OF FEES IMPOSED FOR CITY
OPERATIONS; AND FOR
OTHER PURPOSES.

ADOPTED BY

OCT 17 2011

COUNCIL

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

Date Referred

9/6/11
CD/HZ

Referred To:

Date Referred

Referred To:

Date Referred

47 Referred To:

First Reading
Committee Date
Chair 8/13/11
Referred to *CD/HZ*

Committee Date
Chair 9/13/11

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee Date

CD/HZ
9/14/11

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Committee Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Refer To

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

CERTIFIED
OCT 17 2011
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
OCT 17 2011
MAYOR'S ACTION
[Signature]
MUNICIPAL CLERK

APPROVED
OCT 26 2011
WITHOUT SIGNATURE
BY OPERATION OF LAW



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

**AN ORDINANCE TO AMEND SECTION 104 OF APPENDIX
“A” TO VOLUME III OF THE CODE OF ORDINANCES OF
THE CITY OF ATLANTA WHICH CONTAINS THE
BUILDING CODE AMENDMENTS AND APPENDIX “B” OF
VOLUME II OF THE CODE OF ORDINANCES OF THE
CITY OF ATLANTA WHICH CONTAINS A CROSS
REFERENCE TO SCHEDULE OF FEES IMPOSED FOR
CITY OPERATIONS; AND FOR OTHER PURPOSES.**

WHEREAS, the fees for building permits in the City of Atlanta are based on a cost per square foot table developed by the International Code Council (“ICC”) which has been incorporated into Section 104 of Appendix “A” Building Code Amendments; and

WHEREAS, the general fee schedules for City of Atlanta are incorporated in Appendix “B” which also sets forth the text of Section 104; and

WHEREAS, the building valuation data reflected as a cost per square for considers factors that reflect the relative value of one construction classification/occupancy group to another so that more expensive construction is assessed greater permit fees than less expensive construction; and

WHEREAS, the cost per square foot table is updated by ICC every six months to reflect the changes in the actual cost of development over time; and

WHEREAS, the building valuation data used by the City of Atlanta should be based on the latest data available from ICC which refers to the current state minimum standard codes adopted by the State of Georgia as set forth in O.C.G.A. § 8-2-20 as it may be from time to time amended; and

WHEREAS, there is an increased demand from certain segments of the users of the services of the Office Buildings for additional services above that which is provided at a level of service at the cost recovery rates based on fee calculated on the value of construction; and

WHEREAS, additional services such as inspection or plan review appointments which occur outside of regular business hours, expedited plan review requiring overtime hours by plan reviewers or other specialized services are an enhancement to the service provided by the Office of Buildings for which additional fees must be charged in order to provide such services; and



WHEREAS, the implementation of improvements in the Bureau of Buildings requires an investment in maintenance, technical support, increased staffing, document storage capabilities and the payment of yearly licensing fees which are in addition to the present cost of plan review and administration of the Office of Buildings.

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

Section 1: That Section 104 of Appendix A of Part III of the Code of Ordinances of the City of Atlanta (“the Land Development Code”) entitled “Building Code Amendments” be amended as set forth in the attached Exhibit “A.”

Section 2: That the portion of Appendix B following Part II of the Code of Ordinances of the City of Atlanta entitled “Fees” which contains the text of Section 104.2 of Appendix A (“Building Code Amendments”) be amended such that the entire text of Section 104 as set forth in Exhibit “B,” specifically including the table of building valuation data, replaces the text of Section 104.2 as previously set forth. All other parts of Appendix B following Part II of the Code of Ordinances of the City of Atlanta entitled “Fees” are to remain unaffected.

Section 3: That the fee schedule set forth in Section 104 becomes effective as of the date that the Director of the Office of Buildings is able to implement the necessary changes to the administrative and operational procedures of the Office of Buildings but no later than July 1, 2012. The Director may but is not required to give additional notices of the effective date through posting of the planned date in the Office of Buildings or on the City’s website.

Section 4: That the Chief Financial Officer be and is authorized to create any new accounts necessary to receive any new fees set forth in the amendments to the fee schedule in Section 104 as set forth in this ordinance.

Section 5: That this ordinance become effective upon the Mayor’s signature or as specified by City Charter Sec. 2-403.

A true copy,


Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

Oct. 17, 2011
Oct. 26, 2011



104.1 APPLICATIONS

(a) Applications for permits shall be examined within a reasonable time after filing, provided however that no applicant shall be prevented from exercising their rights pursuant to O.C.G.A. § 8-2-26 to request in writing for a determination as whether their application can be processed within the time frame set forth by such state law. If, after examination, no objection is found to the same and it appears that the proposed work will be in compliance with the laws and ordinances applicable thereto, the application shall be approved and a permit issued for the proposed work. If examination reveals otherwise, such application shall be rejected and the applicant notified by a written report or otherwise.

(b) A non-refundable minimum initial permit fee of ~~\$75.00~~ and a technology surcharge of ~~\$25.00~~ of \$200.00 shall be imposed for all building permit applications accepted for review. Any failure of the form of the payment offered for permit fees shall result in the immediate cancellation of the application. \$25.00 of the non-refundable minimum permit fee shall be allocated to fund the cost of process improvement and \$25.00 shall be allocated to fund the cost of technology improvement and such payments may be allocated to pay the cost of improvements already undertaken.

(c) For all permits requiring plan review, a portion of the total building permit fee shall be paid to cover the cost of plan review before any further processing of the application shall occur. The applicant shall be responsible for providing accurate cost of construction information to the director in such form as the director shall specify.

(i) All applicants shall pay 50% of the total building permit fee ~~before plan review will commence~~ based on the cost of construction information to provided to the director at the time of the submittal of the application for plan review. The



director may decline to continue plan review upon a finding that the cost of construction information submitted was inaccurate and if such determination is made, the director shall notify the applicant within three business (3) days that such determination has been made and that payment of the amount necessary to bring the amount paid to 50% of the total building permit fee that plan review will recommence.

- (ii) Amendments or corrections to plans requiring a third review of the plans, and each subsequent plan amendment or correction may require the payment of an additional 25% of the estimated building permit fee or a fee of \$150.00 per hour of plan review time whichever is smaller.
 - (iii) Revisions or amendments to plans for which a building permit has been issued, but for which no certificate of occupancy has been issued may, at the discretion of the director, require an additional plan review fee of up to 25% of the original plan review fee, 50% of the permit fee of the additional valuation of the work, or a fee of \$150.00 per hour of plan review time whichever is smaller.
 - (iv) Within 30 days after the payment of the initial permit fee (50% of the total building permit fee estimate), the applicant may present in writing a request that the building permit application be withdrawn. The Director may authorize a refund of up to 50% of the plan review fee payment, provided that the cost for the plan review (\$150.00 per hour of review) does not exceed the amount of refund requested as of the date when the Bureau of Buildings received the refund request.
- (d) An application shall expire when there has been no activity on the application for a period of 180 days.



- (i) With respect to an application not approved for issuance of the building permit, "no activity" shall mean that the applicant of record has not responded to the director's notification that additional information or correction of any of the required plans is required before further processing of the application can take place or that the applicant has failed to submit corrections to plans or additional information after having received the director's instructions.
- (ii) With respect to an application approved for issuance of the building permit, "no activity" shall mean that the applicant of record has not responded to the director's notification that all required approvals have been obtained and the building permit is awaiting issuance and that the final fee payment is due.
- (iii) An expired application shall not be vested against any change in the zoning code, or any applicable building code, or any other ordinance of the City of Atlanta.
- (iv) An expired application may be reactivated by the director, by the payment of the actual cost (\$150.00 per hour) to review the plans for any change in the zoning code and any applicable building code but in no case shall this cost be less than \$150.00.
- (v) Any changes requested to an expired application shall require an additional 50% of the cost of the building permit to cover the cost of review by all affected departments.
- (e) An application shall be cancelled and shall not be reactivated after 365 days of no activity. For the purposes of determining when cancellation of the permit shall occur, "no activity" shall have the same meaning which applies to the expiration of applications and begin as of the same date that the expiration period begins.



- (i) Upon the request of applicant and prior to the cancellation date of the permit application, it may be extended for a period of up to 180 days. The cost for such permit extension shall be \$110.00. During the period of the extension, the time for the application to be considered a cancelled permit by the operation of law shall be tolled but the fact that the extension has been granted shall not act to prevent the imposition of additional cost for the reactivation of an expired permit.
- (f) Once the applicant has been contacted in the manner set forth in their application and been informed that all required approvals have been obtained and the building permit does not issue within 365 days of the date of such contact, the permit application shall be cancelled and may not be reactivated.
- (g) The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of any violation of any of the provisions of this Code. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work or use which it authorizes is lawful.
- (h) Nothing in this section shall be construed to prevent the building official from issuing a permit for the construction of a part of a building or structure before the entire plans and detailed statements of said building or structure have been submitted or approved.
- (i) Interior work on the build-out of commercial buildings is permitted prior to the final approval of building plans provided however that such work shall be limited to the use of metal stud members. Such work can only be performed by a



licensed contractor and shall require the submission of plans and the payment of a \$200.00 non-refundable "fast-track metal stud only" fee. Any licensed contractor applying for such fee shall acknowledge at the time of permit application and plan submission that the work is entirely at risk and that any work not in conformity with the code or the plans must be corrected.

(i) The issuance of a permit based on applications, plans and/or specifications shall not prevent the director from thereafter requiring the correction of errors when in violation of this Code or of other ordinances of the City of Atlanta, Georgia.

(j) Information provided by an applicant of record including all details shown on the plans submitted shall be presumed to be given to the City with the consent of the owner and shall be binding with respect to all actions taken by the City in reliance upon such information. The submission of the application shall be sufficient for this presumption to become effective and signature of the applicant is not required.

104.2 FEES

Any persons obtaining a building permit shall pay to the City of Atlanta fees in accordance with the value of the proposed work per square foot of building. For purposes of this section, the minimum value of proposed new work (including new work to existing structures) shall be based on Table 100, Bureau Valuation Data provided by the International Code Council as updated ~~February 2008~~ February 2009 and as set forth herein. Valuation of alteration projects shall be based upon the estimated construction costs for new work. Minimum value for interior alterations without engineered structural work shall be 20% of the valuation of new building construction. For interior alterations involving structural engineering, the minimum valuation shall



be 40% of the value of new building construction. The factor shall apply only the square footage being altered in the application and not the entire structure.

- (a) No permit or permit fee is required for any repair work with a total valuation of less than \$2,500.00 provided that such work is otherwise lawful.
- (b) ~~A total permit fee~~ The amount of ~~\$5.00~~ \$7.00 per \$1,000.00 of valuation based on Table 100 is the fee for the plan review of the building permit. ~~shall be paid.~~ The final fee payment shall be the total of the valuation cost calculation less the plan review cost previously paid. The fact that the valuation cost calculation does not include the amount of development impact fees imposed pursuant to Chapter 19 or other fees imposed elsewhere in the Code does not relieve any applicant from the payment of any fees. No permit is valid until all ~~such~~ fees imposed by the City have been paid ~~to the City of Atlanta~~ and the payment validated by ~~Bureau of Treasury~~ the Office of Revenue
- (c) A reinspection fee of \$50.00 shall be imposed for each reinspection after the initial inspection when a written notice has been issued requiring the correction of inferior work.
- (d) A fee of double the usual permit fee will be charged for all building begun without a permit. However, in no case shall the penalty portion of said fee exceed \$1,000.00. In the event that work is stopped for failure to obtain a permit and citations are issued for violation of the stop work order, any court imposed fines shall be for violation of the stop work and every violation may constitute a separate offense
- (e) The fee for changing the contractor of record on a permit or permit application shall be ~~\$50.00~~ \$100.00.



(f) A fee of \$1.00 per square foot for any new signs or ~~\$100.00~~, whichever is greater, shall be charged for all sign permits. The fees for sign permits set forth in this section shall supersede all fees charged elsewhere for sign permits.

(g) A fee of double the usual permit fee shall be charged for signs erected without a permit. However, in no case shall the penalty portion of said fee exceed \$1,000.00.

(h) Fees for the issuance of certificates of occupancy ~~occupancies~~ fees (whether temporary or permanent which are each a separate fee) shall be as follows:

- a. New one- and two-family residences shall be ~~\$50.00~~ \$100.00.
- b. Additional units to one- and two-family residence shall be \$50.00.
- c. Tenant building-out for residential condominium units shall be ~~\$50.00~~ \$100.00 per unit.
- d. New commercial building one story shall be ~~\$100.00~~ \$200.00.
- e. New commercial building ~~exceeding~~ two stories but less than eight stories in height shall be \$200.00 plus \$200.00 per additional floor.
- f. ~~New high-rise~~ Any building eight stories or higher shall be \$300.00 per floor.
- g. Tenant building-out for interior commercial spaces shall be ~~\$50.00~~ \$100 per story.
- h. ~~All temporary certificates of occupancy shall be \$100.00.~~ Condominium development (residential or commercial) common area and major systems (HVAC, gas, electrical, sprinklers, parking decks, and like components) shall be charged fees in the same manner as new commercial buildings.
- i. The fee for the issuance of duplicate certificate of occupancy shall be \$50.00



(i) ~~"All building permit fees are waived for the non-profit development of housing for the homeless, all other requirements remaining applicable. A non-profit entity applying for a permit for the development of not for profit housing for the homeless may request an exemption from building permit fees. In such cases, the director shall investigate the application and decide whether the application meets the criteria set forth in this subsection.~~ For purposes of this sub-section a non-profit development is that constructed by an entity recognized as non-profit under § 501(c)(3) of the Internal Revenue Code or an entity meeting the requirements of § 501(c)(3).

(j) Development impact fees shall be imposed in accordance with Section 19-1001 *et seq* of the City of Atlanta Code of Ordinances.

(k) The fee for the registration of contractors pursuant to O.C.G.A. § 8-2-26 shall be \$200.00.

(l) Fees for Additional Plan Review Services Requested by Applicant.

By written request to the director, an applicant may receive additional services at a cost above the normal permit fees and which shall be performed by appointment outside of normal business hours at the discretion of the director, subject to availability of personnel and a written fee agreement concerning the following rates:

a. Initial consultation and preliminary plan review

Single family interior alteration \$200.00

Commercial interior alterations \$500.00

Single family new construction \$500.00

Land Disturbance \$500.00

b. Expedited plan review



Requires initial consultation and payment of the lesser of 10% of plan review fee or the listed hourly rate:

<u>Single family interior alteration</u>	<u>\$150.00 hour</u>
<u>Commercial interior alterations</u>	<u>\$200.00 hour</u>
<u>Single family new construction</u>	<u>\$200.00 hour</u>
<u>Land Disturbance</u>	<u>\$200.00 hour</u>

(m). Miscellaneous permits – where a minimum permit fee is set forth, the rate of \$7.00 per thousand dollars of the value of work shall be used to determine if the permit fee is to be above the minimum.

<u>a. Construction of new cellular communication tower:</u>	<u>\$1,825.00</u>
<u>b. Co-location of antennas on existing towers:</u>	<u>\$100.00</u>
<u>c. Awnings/Canopies -- per linear foot</u>	<u>\$35.00</u>
<u>d. SF Residential carport</u>	<u>\$350.00</u>
<u>e. SF residential garage -- per square foot</u>	<u>\$550.00</u>
<u>f. Basement build-out SF residential – minimum fee</u>	<u>\$350.00</u>
<u>g. Decks/Balconies/Porches SF residential minimum fee</u>	<u>\$350.00</u>
<u>h. Re-roofing of existing structures – minimum fee:</u>	<u>\$360.00</u>
<u>i. Demolition of residential buildings– minimum fee:</u>	<u>\$650.00</u>
<u>j. Demolition of commercial buildings – minimum fee:</u>	<u>\$1,860.00</u>
<u>k. Retaining walls – minimum fee:</u>	<u>\$220.00</u>
<u>l. Fences 6 ft or less in height– minimum fee:</u>	<u>\$75.00</u>
<u>m. Fences greater than 6 ft in height– minimum fee:</u>	<u>\$120.00</u>
<u>n. Paving or resurfacing – minimum fee:</u>	<u>\$200.00</u>
<u>o. SF Residential swimming pools or spas – minimum fee</u>	<u>\$240.00</u>



p. Other swimming pools or spas – minimum fee \$1,750.00

(n). Fees for services provided by the Zoning Enforcement Division -- where a minimum permit fee is set forth, the rate of \$150.00 per hour shall be used to determine if the permit fee is to be above the minimum.

a. Verification of non-conformity where necessary for determination of application for building permit - minimum fee of \$300.00.

b. Letters requesting verification of non-conformity - minimum fee of \$300.00.

c. Letters requesting zoning verification without investigation of non-conformity - minimum fee of \$100.00.

d. Verification of zoning for business license without investigation of non-conformity - minimum fee of \$50.00.

(o). Fee for sign permits -- where a minimum permit fee is set forth and the cost above then minimum is not rated per square foot, the rate of \$150.00 per hour shall be used to determine if the permit fee is to be assessed shall be above the minimum. The rating of fees in square feet is for the purpose of determining the charge for the installation of signs and does not determine whether a sign of a particular size will be allowed under the City of Atlanta Sign Ordinance. All permit fees are payable upon application and are non-refundable.

a. General advertising signs – new applications and conversions involving changing signs – minimum fee \$1050.00.

b. Wall signs – new applications and conversions involving changing signs – minimum fee of \$300.00 plus \$1.00 per square foot of sign area. Where a second



wall sign is reviewed as a part of the same application, only the \$1.00 per square foot of sign area shall be charged for the second sign.

c. Freestanding signs - new applications and conversions involving changing signs – minimum fee of \$450.00 plus \$1.00 per square foot of sign area. Where a second freestanding sign is reviewed as a part of the same application, only the \$1.00 per square foot of sign area shall be charged for the second sign.

d. Shopping center signs shall be charged at the same rate as freestanding signs.

e. Permits for change of copy shall be \$75.00.

f. Portable signs - \$300.00.

(n). Fee for sign permits -- where a minimum permit fee is set forth in Chapter 28A of the Zoning Code forth and the cost set for the herein would rise above that fee, the fees charged herein shall be in the nature of an additional fee.

TABLE 100 inserted here

104.3. - REFUND OF PERMIT FEES.

Within six months from the date of issuance of a permit, a refund request of 50% of the permit fee may be granted for the following:

- (a) When a permit has been issued in error as determined by the director provided no work has commenced on that permit.
- (b) When a permit has been issued and the job has been cancelled by the applicant, provided no work has commenced on that permit.
- (c) All applications for refunds shall be in writing and shall state the reasons for the request. However no refund shall be issued for less than \$50.00.



104.4. - CONDITIONS FOR PERMIT.

(a) All work performed under a permit shall conform to the approved application and plans, and approved amendments thereto, and all codes or ordinances governing the work or equipment for which the permit was issued. All work requiring a building permit shall be performed by an individual, contractor, firm or corporation holding a valid business license in the City of Atlanta for the operation of a building contracting business, unless said work is performed by a homeowner in a single family or duplex dwelling occupied by that individual.

(b) One set of approved plans, specifications and computations shall be retained by the Director, and one set of approved plans and specifications shall be returned to the applicant, which shall be kept on such building or work at all times during which the work authorized thereby is in progress.

(c) It shall be unlawful to reduce or diminish the area of a lot or plot on which a plot plan has been filed and has been used as the basis for a permit unless a revised plot plan showing the proposed change in conditions shall have been filed and approved; provided that this shall not apply when the lot is reduced by reason of a street opening or widening or other public improvement.

104.5. - EXPIRATION OF PERMITS.

~~A permit for construction under which no work is commenced within six months after issuance, or where the work commenced is suspended or abandoned for six months, shall expire by limitation, and fees paid shall be forfeited. The application, plans and specifications shall be reviewed and a new permit required before work is started or resumed. The demolition of structures within the City equivalent in size to a four (4) unit residential structure or less will be limited to 60 days.~~



A permit under which no work is commenced within six months after issuance, or where the work commenced is abandoned for six months, shall expire and fees paid shall be forfeited; provided however that for permits for the demolition of residential structures of four (4) units or less, the time shall expire after 60 days. The director may upon written request of the permit holder received in the Office of Building prior to the date that the permit would be deemed expired extend the time that the permit will be effective for a period not to exceed thirty (30) days and upon a showing of good cause for a period not to exceed ninety (90) days.

(a) The application, plans and specifications connected with any expired permit shall again be reviewed and a new permit and application fee paid before abandoned work is started or resumed.

(b) Upon expiration of the permit any right to have the application reviewed under the laws in effect at the time of submission of any earlier permit shall also expire.

(c) The determination that the work has not been commenced or has been abandoned shall be made by the director and based on an inspection of the progress of the work undertaken at site since the last activity recorded by the City and such other factors as the director may deem relevant.

(d) The period of time that an appeal which challenges the issuance of a stop work order for a violation of Chapter 16 or the validity of the permit alleging that the structure or use is not allowed by Chapter 16 is before the board of zoning adjustment or the appeal of the decision of the board of zoning adjustment shall toll the expiration of a permit until the decision of the board of zoning adjustment is final. This subsection shall not be construed to expand the jurisdiction of the board of zoning adjustment beyond that which is set forth in Chapter 6.



104.6. - REVOCATION OF PERMIT.

The Director may revoke a permit or approval, issued under the provisions of this Code in conformity with Section 106 in any case where there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based, or whenever any work done under said permit violates the provisions of any Code applicable thereto or is done in violation of the approved plans or specifications on file in the Bureau of Buildings.

104.7. - POSTING OF PERMIT. A copy of the permit shall be kept on the premises for public inspection during the prosecution of the work and until the completion of the same.

104.8. - CERTIFICATE OF OCCUPANCY.

(a) New buildings. No building hereafter erected shall be occupied or used, in whole or in part, until a Certificate of Occupancy shall have been issued by the Director and posted on the premises certifying that such building conforms to the provisions of this Code and other laws and ordinances affecting the construction, maintenance, alteration, repairs and use of buildings and facilities. See also SCOPE.

(b) Temporary Occupancy. Upon request of the holder of a permit, or of the owner, the Director may issue a Temporary Certificate of Occupancy for part of a building; provided that such temporary occupancy or use would not jeopardize life or property.

(c) Buildings hereafter altered. No building hereafter enlarged or extended, or so altered, wholly or part, as to change its classification of occupancy, and no building hereafter altered for which a Certificate of Occupancy has not been heretofore issued, shall be occupied or used, in whole or in part, until a Certificate of Occupancy shall have been issued by the Director; provided that if the occupancy or use of such building was



not discontinued during the work of alteration, the occupancy or use of the building shall not continue for more than 30 days after completion of the alteration unless such certificate shall have been issued.

(d) Certificate of Occupancy. The Certificate of Occupancy shall state the purposes for which the building may be used in its several parts, the maximum permissible live loads on the several floors, the number of individual persons that may be accommodated in the several stories, in case such number is limited by a provision of law or by the permit, and all special stipulations of the permit, if any.

(e) Issuance of certificate. A Certificate Occupancy shall be issued within 5 days after written application thereof, if the building at the time of such application shall be entitled thereto. Copies of Certificates of Occupancy shall be furnished, on request, to persons having a proprietary interest in the building.

(f) Change of occupancy. No change of occupancy shall be made in a building hereafter erected or altered that is not consistent with the last issued Certificate of Occupancy for such building, unless a new certificate of occupancy is secured. No change of occupancy that would bring a building under some special provisions of this Code shall be made, unless the Director finds, upon inspection, that such building conforms substantially to the provisions of law with respect to the proposed new occupancy, and issues a Certificate of Occupancy therefor.

(g) The occupancy of a building shall not be deemed to have changed because of a temporary vacancy or change of ownership or tenancy. The reestablishment in a building, after a change of occupancy has been made, of a prior use that would not have been permitted in a new building of the same type of construction, is prohibited. The



change from a specifically prohibited use to another specifically prohibited use shall not be made.

RCS# 1478
10/17/11
2:41 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I
OCTOBER 17, 2011
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

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

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	10-17-11 ITEMS ADVERSED ON CONSENT
1. 11-O-1292 2. 11-O-1383 3. 11-O-1483 4. 11-O-1380 5. 11-O-1371 6. 11-O-1372 7. 11-O-1421 8. 11-O-0815 9. 11-O-1234 10. 11-O-1290 11. 11-O-1291 12. 11-O-1235 13. 11-O-1375 14. 11-O-1376 15. 11-R-1443 16. 11-R-1471 17. 11-R-1444 18. 11-R-1445 19. 11-R-1472 20. 11-R-1485 21. 11-R-1438 22. 11-R-1439 23. 11-R-1440 24. 11-R-1481 25. 11-R-1482 26. 11-R-1406 27. 11-R-1448 28. 11-R-1449 29. 11-R-1450 30. 11-R-1451 31. 11-R-1452 32. 11-R-1453 33. 11-R-1454 34. 11-R-1455 35. 11-R-1456 36. 11-R-1457	37. 11-R-1458 38. 11-R-1459 39. 11-R-1460 40. 11-R-1461 41. 11-R-1462 42. 11-R-1463 43. 11-R-1464 44. 11-R-1465 45. 11-R-1466 46. 11-R-1467	47. 11-R-1468 48. 11-R-1469 49. 11-R-1470