

11-0 -1293  
(Do Not Write Above This Line)

AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AMENDING Sec. 2-240 OF THE CODE OF THE CITY OF ATLANTA RELATING TO THE "FUNCTIONS AND DUTIES OF THE BUREAU OF BUILDINGS" FOR THE PURPOSE OF AUTHORIZING THAT ITS REVENUE AND EXPENSES BE ACCOUNTED FOR AS AN ENTERPRISE FUND; CLARIFYING THOSE ACTIVITIES THAT ARE PERFORMED BY THE OFFICE OF BUILDINGS; AND FOR OTHER PURPOSES.

substitute  
ADOPTED BY  
NOV 07 2011  
COUNCIL

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

Date Referred 9/6/11  
 Referred To: Fin/Exec  
 Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_

Committee Financial Executive  
 Date 8/17/11  
 Chair Adrian  
 Referred To Finance/Executive

Committee Finance Exec  
 Date 9-14-11  
 Chair Adrian  
 Action Hold  
 Fav, Adv, Hold (see rev. side)  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

Committee Finance Executive  
 Date 11/2/11  
 Chair Adrian  
 Action Hold  
 Fav, Adv, Hold (see rev. side)  
 Other \_\_\_\_\_  
 Members Shirley L. Moore  
[Signature]  
[Signature]  
 Refer To \_\_\_\_\_

Committee Finance Executive  
 Date 10/2/11  
 Chair \_\_\_\_\_  
 Action on substitute  
 Fav, Adv, Hold (see rev. side)  
 Other \_\_\_\_\_  
 Members [Signature]  
[Signature]  
 Refer To \_\_\_\_\_

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

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

CERTIFIED  
 CERTIFIED  
 NOV 07 2011  
 ATLANTA CITY COUNCIL PRESIDENT  
[Signature]

CERTIFIED  
 NOV 07 2011  
 Rhonda Dausheim Johnson  
 MUNICIPAL CLERK

MAYOR'S ACTION  
 APPROVED  
 NOV 16 2011  
 WITHOUT SIGNATURE  
 BY OPERATION OF LAW

**A SUBSTITUTE ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE**

**11-O-1293**

**AN ORDINANCE AMENDING Sec. 2-240 OF THE CODE OF THE CITY OF ATLANTA RELATING TO THE "FUNCTIONS AND DUTIES OF THE BUREAU OF BUILDINGS" FOR THE PURPOSE OF AUTHORIZING THAT ITS REVENUE AND EXPENSES BE ACCOUNTED FOR AS AN ENTERPRISE FUND; CLARIFYING THOSE ACTIVITIES THAT ARE PERFORMED BY THE OFFICE OF BUILDINGS; AND FOR OTHER PURPOSES.**

**WHEREAS**, to better serve the citizens of the City of Atlanta and those developers and builders who seek permission to perform construction related activities, the consolidation of the functions of various agencies that now regulate those activities such as the Atlanta Fire Rescue Department and the Department of Watershed Management into the Office of Buildings (also from time to time referred to the Code of Ordinances as the "bureau of buildings") is being undertaken; and

**WHEREAS**, this consolidation of functions into a single operating unit performing its accounting as an enterprise fund unit as defined by state law offers the ability to better track total cost of service and reduce duplication of effort and personnel; and

**WHEREAS**, additional language clarifying those functions that are currently performed by the Office of Buildings and giving clearly defined authority for cooperation with other City agencies with respect to certain functions that may be undertaken in the future and promotes efficiency in permitting activities; and

**WHEREAS**, the authority for the Office of Buildings to delegate the performance of certain functions and receive the delegation of authority to perform certain functions promotes the enforcement of regulatory activates related to construction, development and the condition of structures and real property in the City; and

**WHEREAS**, the Department of Finance has been consulted and will assist with and/or perform the accounting functions necessary to carry out the transition of the Office of Buildings from a General Fund accounting system to an Enterprise Fund; and

**WHEREAS**, the Departments of Personnel and Human Resources and Finance has been consulted and will assist with and/or cause the transition of employees necessary for the Office of Buildings to operate as an Enterprise Fund with the employees performing the functions and duties set forth herein; and

**WHEREAS**, to the extent that this realignment of the functions of the Office of Buildings may be considered a reorganization of a department pursuant to Sec. 3-302 of the City Charter, this ordinance is submitted to the City Council as a plan which the Mayor has approved and directed that it be carried out;



**NOW THEREFORE, the City Council of the City of Atlanta, Georgia, hereby ordains as follows:**

**SECTION 1:** Section 2-240 of the Code of Ordinances, City of Atlanta, Georgia, as it currently exists is hereby amended to read as follows with the present language to be stricken indicated by a ~~strikethrough~~ and the language to be added indicated by underlined text as follows:

Sec. 2-240. - Functions and duties of bureau of buildings.

The functions and duties of the bureau of buildings shall include:

- (1) ~~Enforcing all construction~~ state minimum codes and other codes of the city relating to the construction and renovation of buildings and associated accessory structures, the demolition of buildings and associated accessory structures, and the disturbance of land, including, but not limited to building, plumbing, electrical, heating and air conditioning, building regulations, mechanical, fuel gas, fire, grading and drainage of sites, and tree ordinance;
- (2) ~~Regulating building standards maintenance~~ Cooperate with such other agencies of the city as may be charged with the enforcement of building maintenance codes and enforcing ordinances and other laws related the condition of existing structures and vacant or undeveloped real property;
- (3) Supervising elevator regulations and ordinances either under the authority of the city or in coordination with agencies of the state;
- (4) Supervising and administering the Georgia Fire Safety Law in cooperation with the Atlanta Fire Rescue Department;
- (5) ~~Issuing permits relative to the functions contained herein~~ Administering the permit process and issuing permits for construction related activity, the demolition of structures, the disturbance of land and other related activities even if such activity is not specifically listed herein but is necessary for the convenience of city operations and the health safety and welfare of citizens and visitors, provided however that this authority shall not relieve an applicant from receiving approvals from other city agencies, including, without limitation, the office of planning, the urban design commission, the department of watershed management and the department of parks recreation and cultural affairs, as may be required by other parts of the City Code;
- (6) Providing assistance and advice to the trade examining boards; keeping all codes up to date with assistance of advisory boards;
- (7) In cooperation with office of planning handling the administration, interpretation and enforcement of the zoning ordinance; administering including appeals to such board as is established by ordinance to handle those appeals;



- (8) Issuing street numbers;
- (9) Assisting builders and developers with their plans through the various city systems;
- (10) Processing of all development impact and building permit fees;
- (11) Perform its accounting functions as an enterprise fund as directed by the department of finance as to method under which that this system of accounting is to be adopted;
- (12) Coordinate the approval of plans with the office of transportation planning and the department of public works for the ingress and egress of vehicular traffic in a manner that best accommodates the orderly and safe flow of such traffic onto city rights of way and provides for the safety of pedestrians and bicyclists;
- (13) Coordinate the approval of plans and the enforcement of ordinances related to the discharge of stormwater from building sites and other parcels with the department of watershed management when necessary to protect and the health safety and welfare of citizens and visitors;
- (14) Perform and/or, delegate to other agencies of the city, such tasks as may be necessary in order to perform the functions and duties set forth herein; regulate construction and demolition related activity; regulate the repair or/reconstruction of existing structures for safe occupancy and the performance of all work in a safe and clean condition so as not to be a nuisance to neighboring properties or the general public. In the general performance of such functions and duties set forth herein, the director is also authorized to receive the delegation of authority from other agencies.

such that Section 2-240 of the Code of Ordinances, City of Atlanta, Georgia shall read as follows:

Sec. 2-240. - Functions and duties of bureau of buildings.

The functions and duties of the bureau of buildings shall include:

- (1) Enforcing all state minimum codes and other codes of the city relating to the construction and renovation of buildings and associated accessory structures, the demolition of buildings and associated accessory structures, and the disturbance of land, including, but not limited to building, plumbing, electrical, heating and air conditioning, building regulations, mechanical, fuel gas, fire, grading and drainage of sites, and tree ordinance;
- (2) Cooperate with such other agencies of the city as may be charged with the enforcement of building maintenance codes and enforcing ordinances and other



laws related the condition of existing structures and vacant or undeveloped real property;

- (3) Supervising elevator regulations and ordinances either under the authority of the city or in coordination with agencies of the state;
- (4) Supervising and administering the Georgia Fire Safety Law in cooperation with the Atlanta Fire Rescue Department;
- (5) Administering the permit process and issuing permits for construction related activity, the demolition of structures, the disturbance of land and other related activities even if such activity is not specifically listed herein but is necessary for the convenience of city operations and the health safety and welfare of citizens and visitors, provided however that this authority shall not relieve an applicant from receiving approvals from other city agencies, including, without limitation, the office of planning, the urban design commission, the department of watershed management and the department of parks recreation and cultural affairs, as may be required by other parts of the City Code;
- (6) Providing assistance and advice to the trade examining boards; keeping all codes up to date with assistance of advisory boards;
- (7) In cooperation with the office of planning, handling the administration, interpretation and enforcement of the zoning ordinance including appeals to such board as is established by ordinance to handle those appeals;
- (8) Issuing street numbers;
- (9) Assisting builders and developers with their plans through the various city systems;
- (10) Processing of development impact and building permit fees;
- (11) Perform its accounting functions as an enterprise fund as directed by the department of finance as to method under which that this system of accounting is to be adopted;
- (12) Coordinate the approval of plans with the office of transportation planning and the department of public works for the ingress and egress of vehicular traffic in a manner that best accommodates the orderly and safe flow of such traffic onto city rights of way and provides for the safety of pedestrians and bicyclists;
- (13) Coordinate the approval of plans and the enforcement of ordinances related to the discharge of stormwater from building sites and other parcels with the department of watershed management when necessary to protect and the health safety and welfare of citizens and visitors;



Perform and/or, delegate to other agencies of the city, such tasks as may be necessary in order to perform the functions and duties set forth herein; regulate construction and demolition related activity; regulate the repair or/reconstruction of existing structures for safe occupancy and the performance of all work in a safe and clean condition so as not to be a nuisance to neighboring properties or the general public. In the general performance of such functions and duties set forth herein, the director is also authorized to receive the delegation of authority from other agencies.

**SECTION 2:** None of the amendments to Section 2-240 of the Code of Ordinances, City of Atlanta, Georgia, as set forth herein shall be construed to remove the authority of any agency of the City which currently performs any function relating to the construction of buildings and associated accessory structures, including repairs and renovations, the demolition of buildings and associated accessory structures, and the disturbance of land as to any permits currently pending but only to authorize its delegation to the Office of Buildings at the time when, in the discretion of the Director, such functions can be undertaken personnel in the Office of Buildings.

**SECTION 3:** None of the amendments to Section 2-240 of the Code of Ordinances, City of Atlanta, Georgia, as set forth herein shall be construed to cause any permit legally issued and remaining valid to become invalid or affect the status of any permit which is presently in process.

**SECTION 4:** None of the amendments to Section 2-240 of the Code of Ordinances, City of Atlanta, Georgia, as set forth herein shall be construed to cause any citation previously issued to be invalid or affect the status of any citation which is pending adjudication.

**SECTION 5:** This ordinance shall be effective when signed by the Mayor but because of the delegation and cooperation authorized herein, transition of the duties and functions may occur at the convenience of the Director of the Office of Buildings before July 1, 2012, provided however that such duties and functions for which payments must be made to other agencies of the City out of the Office of Buildings enterprise fund shall appropriately tracked and fund transfer shall occur by such date.

**SECTION 6:** That this ordinance shall become effective upon the Mayor's signature or as specified by City Charter Sec. 2-403.

A true copy,

Deputy Municipal Clerk

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

Nov. 07, 2011  
Nov. 16, 2011

RCS# 1513  
11/07/11  
3:15 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I  
NOVEMBER 7, 2011  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

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

CONSENT I