

12-0-0359
 (Do Not Write Above This Line)

AN ORDINANCE
 BY: COUNCIL MEMBERS H. L. MAR WILLIS
 AND C. T. MARTIN
 12-0-

AN ORDINANCE TO UPDATE THE ACTIVITIES PROHIBITED IN CITY OF ATLANTA PARKS AS SET FORTH IN CODE SECTION 110-59, AND FOR OTHER PURPOSES.

substitute

ADOPTED BY

MAR 1 9 2012

COUNCIL

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

Date Referred 3/5/12

Referred To: CD/HR

Date Referred

Referred To:

Date Referred

Referred To:

Committee _____
 Date _____
 Chair _____
 Referred To _____

First Reading

Committee CD/HR
 Date 3/13/12
 Chair Loyce H. Stepp

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

Members

H. L. Willis
C. T. Martin

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

Refer To:

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

CERTIFIED
 MAR 1 9 2012

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED
 MAR 1 9 2012

Karla Campbell
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAR 2 8 2012

WITHOUT SIGNATURE
 BY OPERATION OF LAW



**CITY COUNCIL
ATLANTA, GEORGIA**

AN ORDINANCE

12-O-0359

BY: COUNCILMEMBERS H. LAMAR WILLIS AND C.T. MARTIN

**AS SUBSTITUTED BY COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE**

AS SUBSTITUTED BY FULL COUNCIL

**AN ORDINANCE TO UPDATE THE ACTIVITIES PROHIBITED
IN CITY OF ATLANTA PARKS AS SET FORTH IN CODE
SECTION 110-59, AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta (“City”) Code of Ordinances Section 110-59 (“Park Rules”) establishes a list of activities that are prohibited in City-owned parks (“Parks”); and

WHEREAS, there are certain activities occurring in Parks that are damaging Park turf, and other activities that are creating health and safety risks, and the activities are not currently prohibited by City law; and

WHEREAS, the City wishes to update the Park Rules in order to enhance the welfare of Park infrastructure, and the general safety, health, and welfare of Park users.

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

SECTION 1. Chapter 110, Article III, Section 110-59 of the City Code of Ordinances shall be amended by adding additional items to the list of prohibited activities set forth in Subsection (a). Code Section 110-59(a), which begins “No person shall do any of the following in any park:” shall be amended by adding the following immediately after number 17:

“(18) Lay any of the following items on any permeable surface in a Park: plywood, a non-permeable tarp, or any other item used as a ground covering that is made of a material that does not allow water to penetrate to the ground below. Chairs made of non-permeable material, coolers, and other items not utilized as ground covers do not violate this subsection. This subsection shall not apply where the activity is performed at the direction of the Parks Commissioner or her/his designee by a City contractor, a City subcontractor, or a City official or employee acting in her/his official capacity, performing the activities as part of her/his official City duties. In addition, the subsection shall not apply to the Host of a permitted Outdoor Festival, as defined in Chapter 142 of this Code of Ordinances, during those times when the Permit is in effect, provided that use of the items is associated with elements of the event that are authorized by the Festival Permit.



- (19) Urinate or defecate in any Park regardless of whether the location is in public view, including without limitation in or upon any Park building, monument or structure, except in permanent restrooms or portable lavatories open to the public. This rule shall not apply to individuals wearing diapers or who accidentally soil themselves. Soiled diapers must be wrapped tightly so that no waste can escape, and must either be removed from the park or disposed of in a trash can.
- (20) Spit or expectorate in or upon any park building, monument or structure.
- (21) Use any water fountain, drinking fountain, pool, sprinklers, reservoir, lake or any other water contained in a Park for the purpose of bathing, or cleaning clothing or other personal belongings, except in Park bathrooms and showers.
- (22) Use any athletic field or court for other than its intended purpose, including without limitation: baseball, football and soccer fields; volleyball courts; and tennis courts. Where a sports field is designated for a particular sport, this provision does not prohibit the field's use for a different sport provided that the alternative use is compatible with the type of field and unlikely to cause damage, and provided that no one is using or waiting to use the field to play the sport for which it is intended. This subsection shall not apply to use of athletic fields or courts during a permitted Outdoor Festival, as defined in Chapter 142 of this Code of Ordinances, where the terms of use are established in the Festival Permit, and the use is consistent with those terms.
- (22) Enter or attempt to enter to any portion of a Park that is closed to the public, unless providing City services as a City employee, contractor or subcontractor acting at the direction of the Parks Commissioner or his designee.
- (24) Enter or attempt to enter to any portion of a Park that is reserved for private use without express permission from the reservation holder. Express permission may be provided in the form of a ticket.
- (25) Enter or attempt to enter any portion of a Park or a Park facility when a charge is required for admission, without paying the charge or without receiving express permission from the entity requiring the payment.
- (26) "Store Personal Property" as provided in City code of Ordinances section 106-12."

SECTION 2. Chapter 110, Article III, Section 110-59 of the City Code of Ordinances shall be amended by adding a new Subsection (g) that establishes rules for tents and canopies erected in parks, and that reads as follows:

- “(g) Tents. In addition to meeting the requirements of Subsections 110-59(a)(10) and (a)(12) above and any other requirements established by the City Code of Ordinances and other applicable law, any tent or canopy erected in a Park must meet the following criteria:



- (1) The structure may have no more than two opaque sides. The non-opaque sides must remain visually unobstructed. Said sides may be made of netting or mesh, provided that said netting or mesh does not materially impede visibility into the structure from the outside. Tents with more than two opaque sides are acceptable provided that: a) the opaque sides (other than two) can be opened such that at least two thirds of each side becomes non-opaque; and b) the opaque sides (other than two) are opened to the greatest extent possible and fastened in a manner that does not materially impede visibility into the structure from the outside. Tents located at the Outdoor Activity Center or Camp Allatoona shall be exempt from this regulation, and may be permitted to have all opaque sides.
- (2) The structure may not have a floor, unless erected at the Outdoor Activity Center or Camp Allatoona.
- (3) Tents must have a distance between them of no less than twelve feet.
- (4) The following items may not be located inside of any tent or canopy absent all required permits and licenses, including without limitation a permit from the Atlanta Fire Rescue Department:
 - (A) Generators, heaters and/or stoves powered by gasoline, kerosene, propane, or other flammable substance;
 - (B) Flammable gasses, liquids or accelerants of any kind, including but not limited to, gasoline, propane, and kerosene;
 - (C) A flame/flames from any source, whether open or enclosed, including but not limited to, candles, lanterns, and torches.”

A true copy,

Deputy Municipal Clerk

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

MAR. 19, 2012
MAR. 28, 2012

RCS# 1842
3/19/12
6:10 PM

Atlanta City Council

12-O-0359

AMEND CODE SECTION 110-59
PARK ACTIVITIES
ADOPT ON SUB

YEAS: 9
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 1
ABSENT 1

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

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