

#14

12-0-0360  
(Do Not Write Above This Line)

AN ORDINANCE 12-0-  
BY: COUNCILMEMBERS H. LAMAR WILLIS AND C.T. MARTIN

AN ORDINANCE TO AMEND ATLANTA CODE OF ORDINANCES CHAPTER 106, ARTICLE 1, SECTION 106-12, ENTITLED URBAN CAMPING AND IMPROPER USE OF PUBLIC PLACES; AND FOR OTHER PURPOSES.

ADOPTED BY

MAR 19 2012

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

Date Referred: 3/5/12  
Referred To: Public Safety

Date Referred  
Referred To:  
Date Referred  
Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

PSLA Committee

3/13/12 Date

13 Chair

Action

Fav, Adv, Hold (see rev. side)

311 Other

Members

Paye m. Steg and  
at

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

Refer To

Refer To

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

CERTIFIED

MAR 19 2012

ATLANTA CITY COUNCIL PRESIDENT

Signature

CERTIFIED  
MAR 19 2012

MAYOR'S ACTION

MAYOR'S ACTION

APPROVED

MAR 28 2012

WITHOUT SIGNATURE  
BY OPERATION OF LAW

**AN ORDINANCE**

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

**AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE**

**AN ORDINANCE TO AMEND ATLANTA CODE OF  
ORDINANCES CHAPTER 106, ARTICLE I, SECTION 106-12,  
ENTITLED URBAN CAMPING AND IMPROPER USE OF  
PUBLIC PLACES; AND FOR OTHER PURPOSES.**

**WHEREAS**, Atlanta Code of Ordinances (“Code”) section 106-12 (“Urban Camping Law”) prohibits camping and storing personal property on City-owned property; and

**WHEREAS**, the Urban Camping Law was passed in 1996; and

**WHEREAS**, it is in the best interest of the City to refine the definitions established in the Urban Camping Law and clarify the Law’s applicability.

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

Chapter 106, Article I, Section 106-12 of the Atlanta Code of Ordinances, entitled “Urban camping and improper use of public places”, a copy of which is attached hereto as Exhibit A, is hereby deleted in its entirety and replaced with the following:

“Sec. 106-12. - Urban camping and improper use of public places.

(a) Definitions. The following words, terms and phrases, when used in this Section 106-12, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

(1) “Camp” or “Camping” means the use of a City-owned or controlled street, sidewalk and/or other right-of-way for living accommodation purposes such as sleeping activities, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings, or making a fire, or carrying on cooking activities, or using a tent or other structure for habitation. These activities



constitute camping if, in light of all the circumstances, it reasonably appears that in conducting one or more of these activities, the participant is in fact using the area as a living accommodation, regardless of the intent of the participant or the nature of any other activities in which s/he may also be engaging. For purposes of this Section 106-12 (a), the terms “Camp” and “Camping” do not include activity that occurs solely within City-owned parks.

(2) “City” means the City of Atlanta.

(3) “City Property” means any City-owned or controlled street, sidewalk and/or other right-of-way. For purposes of this Section 106-12, “Personal Property” does not include Parks.

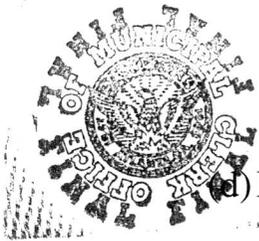
(4) “Interference (or “Interfere”) with Ingress and Egress” means standing, sitting, lying down, using personal property, or performing any other activity on Public Property and/or in a Park, where such activity: a) materially interferes with the ingress into and egress from buildings, driveways, streets, alleys, or any other real property that has a limited number of entrances/exits, regardless of whether the property is owned by the City, a private owner or another public entity; b) reasonably appears, in light of all of the circumstances, to have the purpose of blocking ingress and egress; and c) occurs without the express written permission of the owner of the property at issue. Where written permission has been granted, the individuals interfering with ingress and egress must have possession of the permission at the time of the activity in question.

(5) “Park” or “Parks” means any City-owned park.

(6) “Storing (or “Store”) Personal Property” means leaving one's personal effects unattended on City Property and/or in a Park, such as but not limited to clothing, bedrolls, cookware, sleeping bags, luggage, knapsacks, or backpacks. This term does not include parking a bicycle or other mode of transportation.

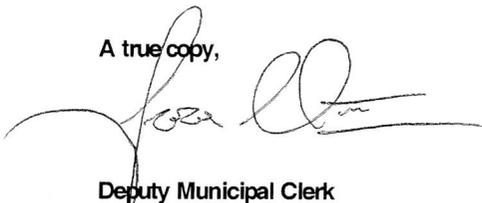
(b) It shall be unlawful for any person to Camp.

(c) It shall be unlawful for any person to Store Personal Property.



- (d) It shall be unlawful for any person to Interfere with Ingress and Egress.
- (e) No person may be arrested for violating this code section until s/he has received an oral or written warning from the Atlanta Police Department to cease the prohibited conduct. If the violator fails to comply with the warning issued, s/he may be arrested for violation of this section.
- (f) Where personal property is stored in violation of Subsection (c) above, the Atlanta Police Department may deem the property to be abandoned and may confiscate it. No warning is required prior to the confiscation. The Department shall retain the property in a manner consistent with the handling of other confiscated property.
- (g) The prohibitions set forth in subsections (b) and (c) above shall not apply during a permitted Outdoor Event (as defined in City Code of Ordinances Chapter 142) on property where the Outdoor Event is located, as set forth in a City-issued Outdoor Event Permit, unless the Permit explicitly prohibits the activity.
- (h) The prohibitions set forth in subsections (c) and (d) above shall not apply to activity permitted pursuant to Article III of City Code of Ordinances Chapter 138.
- (i) The prohibitions set forth in this Section 106-12 shall not apply to City officials or employees acting in their official capacity, performing the activities as part of their official City duties.
- (j) The prohibitions set forth in this Section 106-12 shall not apply to City contractors or subcontractors where said activities are associated and performed in conjunction with the scope of work set forth in the City contract.”

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



**Sec. 106-12. - Urban camping and improper use of public places.**

(a) Definitions. For purposes of this section,

(1)"Camp" shall mean residing in or using a public street, sidewalk, or park for private living accommodations, such as erecting tents or other temporary structures or objects providing shelter; sleeping in a single place for any substantial prolonged period of time; regularly cooking or preparing meals; or other similar activities.

(2)"Storing personal property" shall mean leaving one's personal effects, such as, but not limited to, clothing, bedrolls, cookware, sleeping bags, luggage, knapsacks, or backpacks, unattended for any substantial prolonged length of time. This term shall not include parking a bicycle or other mode of transportation.

(3)"Public park" includes all municipal parks, public playgrounds, public plazas, attractions, and monuments.

(4)"Public street" includes all public streets and highways, public sidewalks, public benches, public parking lots, and medians.

(b)Public parks. It shall be unlawful to camp or to store personal property in any park, as defined above, owned by the city.

(c)Public streets. It shall be unlawful to camp, to sleep, to store personal property, to sit or to lie down on any public street, as defined above.

(d)Other public property—Blocking ingress and egress. It shall be unlawful to camp, to sleep, to store personal property, to sit or to lie down on any public property so as to interfere with ingress or egress from buildings.

(e)Warning. No person may be arrested for violating this code section until he or she has received an oral or written warning to cease the unlawful conduct. If the violator fails to comply with the warning issued, he or she is subject to arrest for urban camping.

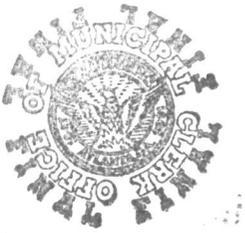
(f)Exceptions. This code section shall not be construed to prohibit the following behavior:

(1)Persons sitting or lying down as a result of a medical emergency;

(2)Persons in wheelchairs sitting on sidewalks;

(3)Persons sitting down while attending parades;

(4)Persons sitting down while patronizing sidewalk cafes;



- (5) Persons lying down or napping while attending performances, festivals, concerts, fireworks, or other special events;
- (6) Persons sitting on chairs or benches supplied by a public agency or abutting private property owner;
- (7) Persons sitting on seats in bus zones occupied by people waiting for the bus;
- (8) Persons sitting or lying down while waiting in an orderly line outside a box office to purchase tickets to any sporting event, concert, performance, or other special event;
- (9) Persons sitting or lying down while waiting in an orderly line awaiting entry to any building, including shelters, or awaiting social services, such as provision of meals; or
- (10) Children sleeping while being carried by an accompanying person or while sitting or lying in a stroller or baby carriage.

(Ord. No. 1996-82, §§ 1—6, 11-26-96; Ord. No. 1998-68, § 1, 10-13-98)

RCS# 1847  
3/19/12  
6:33 PM

Atlanta City Council

12-O-0360

AMEND CODE SECTION 106-12: URBAN CAMPING  
AND IMPROPER USE OF PUBLIC PLACES  
ADOPT

YEAS: 11  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 1  
ABSENT 1

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

12-O-0360