

12-0-0361
(Do Not Write Above This Line)

AN ORDINANCE BY

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

[Signature]
12-0-0361

AN ORDINANCE AMENDING CITY OF ATLANTA CODE OF ORDINANCES SECTION 110-60 SUBSECTION (A) TO INCLUDE LATE NIGHT AND OVERNIGHT PROGRAMMING AT THE OUTDOOR ACTIVITY CENTER AND AT THE LAKE ALLATOONA PROPERTY; AND FOR OTHER PURPOSES.

substitute

ADOPTED BY

MAR 19 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:

First Reading
Committee _____
Date _____
Chair _____
Referred To _____

Committee CD/HR
Date 2/13/12
Chair [Signature]
Action Fav, Adv, Hold (see rev. side) supp
Other _____

Members [Signature]
[Signature]
[Signature]

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 _____

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

CERTIFIED

CERTIFIED
MAR 19 2012
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
MAR 19 2012
Kinda Campbell
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAR 28 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW



**CITY COUNCIL
ATLANTA, GEORGIA**

AN ORDINANCE BY

12-O-0361

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

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

**AN ORDINANCE AMENDING CITY OF ATLANTA CODE OF
ORDINANCES SECTION 110-60, ENTITLED USE OF PUBLIC PARKS
AT NIGHT, TO ALLOW LATE NIGHT AND OVERNIGHT
PROGRAMMING AT THE OUTDOOR ACTIVITY CENTER AND AT
THE LAKE ALLATOONA PROPERTY; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta (“City”) owns a 21.76 acre nature preserve located at 1442 Richland Road, S.W. in Atlanta, Georgia called the Outdoor Activity Center. The Outdoor Activity Center includes a natural science museum, meeting rooms and offices (the 21.76 acre parcel, including all improvements thereon, but excluding the residential building located at 1357 Montreat Road in Atlanta, is hereafter referred to as the “OAC”); and

WHEREAS, though the OAC is under the purview of the Department of Parks, Recreation and Cultural Affairs, it is different from other parks, in part because it is completely fenced and inaccessible to the public after closing time; and

WHEREAS, the City entered into a Management, Operating, and Programming Agreement (“Agreement”) with the Chattahoochee Nature Center and the West Atlanta Watershed Alliance to manage and operate the OAC pursuant to Ordinance 08-O-0234, adopted by the City Council on March 3, 2008, and approved by the Mayor on March 11, 2008; and

WHEREAS, the Agreement authorizes the West Atlanta Watershed Alliance (“WAWA”) to conduct educational programming at the OAC regarding greenspace and the environment; and

WHEREAS, as part of its programming, WAWA would like to conduct late night and overnight programming; and

WHEREAS, the City leases property located on Lake Allatoona (“Lake Allatoona Property”) in Cherokee County from the United States Department of the Army at no cost. The lake-front property contains cabins, a dining hall, camping areas, and other amenities. The City runs camps and other programming thereon; and

WHEREAS, the Lake Allatoona Property is not a traditional park, but rather is intended to be an overnight facility. The City Code of Ordinances sets forth fees for use of the property, but does not address its permitted hours of use; and



WHEREAS, currently Atlanta Code of Ordinances section 110-60 provides that all City parks close at 11:00 p.m., and that people are prohibited from being inside of the parks after that time except in very limited circumstances; and

WHEREAS, given that the OAC can be locked and closed to the general public at night, and given that late night and overnight programming is consistent with the educational programming being performed by WAWA at that location, the City wishes to amend Section 110-60 of the City of Atlanta Code of Ordinances to allow WAWA to conduct programming that may extend past 11:00 p.m.; and

WHEREAS, given that the Lake Allatoona Property is intended to be utilized as an overnight facility, the City wishes to clarify that the property is exempt from the park closure law set forth in City Code Section 110-60.

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

SECTION 1: Atlanta Code Ordinances Section 110-60 entitled "Use of public parks at night," shall be amended to allow late night events and overnight events at the Outdoor Activity Center, and to clarify that late night and overnight events are permitted at the Lake Allatoona Property. Section 110-60 shall be amended by adding new subsections (d) and (e) at the end of the Section as follows:

Sec. 110-60. - Use of public parks at night. ...

- "(d) The park hours established in Subsection 110-60(a) above shall not apply to any person who is part of a permitted Outdoor Event, pursuant to Chapter 142 of this Code of Ordinances, that occurs at the Outdoor Activity Center located at 1442 Richland Road, S.W. Atlanta, Georgia. Outdoor Events at the Outdoor Activity Center may occur past 11:00 p.m. and may be overnight events, provided that the applicable City-issued Outdoor Event Permit is received by the Host.
- (e) The park hours established in Subsection 110-60(a) above shall not apply to any person who has obtained a permit, pursuant to Section 110-3(g) of this Code of Ordinances, to utilize the Lake Allatoona Property. Use of the Lake Allatoona property may occur past 11:00 p.m. and may extend overnight if the applicable City-issued permit is received."

SECTION 2: All ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of said conflict

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# 1843
3/19/12
6:11 PM

Atlanta City Council

MULTIPLE

12-O-0358, 12-O-0361

ADOPT

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

MULTIPLE