

12-0-0502

(Do Not Write Above This Line)

AN ORDINANCE TO AMEND SECTION 74-137(A) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, "THE ATLANTA NOISE ORDINANCE", SO AS TO PROHIBIT CAR DRIFTING ON PRIVATE PROPERTY WITHIN ONE THOUSAND (1000) FEET OF A RESIDENTIALLY ZONED DISTRICT.

ADOPTED BY

MAY 07 2012

COUNCIL

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

Date Referred

4/16/12

Referred To:

Public Safety

Date Referred

Referred To:

Date Referred

4/20/12

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

PSA Committee

Date

Chair

Action

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

Members

James M. Sheperd
Adopted
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

CERTIFIED

MAY 07 2012

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED

MAY 7 2012

Rachel Blankinship Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAY 16 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW



AN ORDINANCE
BY COUNCIL MEMBER CARLA SMITH

AN ORDINANCE TO AMEND SECTION 74-137(A) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, "THE ATLANTA NOISE ORDINANCE", SO AS TO PROHIBIT CAR DRIFTING ON PRIVATE PROPERTY WITHIN ONE THOUSAND (1000) FEET OF A RESIDENTIALLY ZONED DISTRICT.

WHEREAS, car drifting produces excessive noise which is a nuisance to residential neighborhoods; and

WHEREAS, the City Council adopts this ordinance pursuant to its police power to provide for the public, health, safety and welfare.

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

Section 1. Sec 74-137(a) of the Code of Ordinances of the City of Atlanta and which reads as follows:

Sec. 74-137. - Specific prohibited acts.

(a) It is unlawful and a violation of this Code for any person to cause, suffer, allow, or permit any of the following acts:

(1) Owning, possessing, or harboring any animal or bird that, for a continued duration in excess of 15 minutes, generates noise that is plainly audible at a distance of five feet or more from the real property line of a residential property;

(2) Loading, unloading, opening, closing, or other handling of boxes, crates, containers, building materials, liquids, or the pneumatic or pumped loading or unloading of bulk materials in liquid, gaseous, powder, or pellet form, between 9:00 p.m. and 5:00 a.m. the following day on a weekday and between 9:00 p.m. and 9:00 a.m. the following day on a weekend day or legal holiday, except by permit, when the noise source is located 50 feet or less from the nearest residential property line;

(3) Operating or permitting the operation of any motor vehicle or any auxiliary equipment attached to such a vehicle, for a period of longer than five minutes in any hour while the vehicle is stationary, for reasons other than traffic congestion or emergency work, and where such vehicle's manufacturer's gross weight rating



(4) Operating or permitting the operation of any power tools or other motorized equipment used in construction, drilling, earthmoving, excavating, or demolition work between 7:00 p.m. and 7:00 a.m. the following day on a weekday or between 7:00 p.m. and 9:00 a.m. on a weekend day or legal holiday, except for emergency work or by permit for temporary variance pursuant to section 74-139

(5) Compacting or collecting of refuse by persons engaged in the business of scavenging or garbage collection, whether private or municipal, during nighttime hours and between 9:00 p.m. and 7:00 a.m. the following day on a weekend day or legal holiday, except by permit.

**IS HEREBY AMENDED BY ADDING SUB-PARAGRAPH (6) SUCH THAT
HEREAFTER SECTION 74-137(A) SHALL HEREAFTER READ AS FOLLOWS:**

Sec. 74-137. - Specific prohibited acts.

(a) It is unlawful and a violation of this Code for any person to cause, suffer, allow, or permit any of the following acts:

(1) Owning, possessing, or harboring any animal or bird that, for a continued duration in excess of 15 minutes, generates noise that is plainly audible at a distance of five feet or more from the real property line of a residential property;

(2) Loading, unloading, opening, closing, or other handling of boxes, crates, containers, building materials, liquids, or the pneumatic or pumped loading or unloading of bulk materials in liquid, gaseous, powder, or pellet form, between 9:00 p.m. and 5:00 a.m. the following day on a weekday and between 9:00 p.m. and 9:00 a.m. the following day on a weekend day or legal holiday, except by permit, when the noise source is located 50 feet or less from the nearest residential property line;

(3) Operating or permitting the operation of any motor vehicle or any auxiliary equipment attached to such a vehicle, for a period of longer than five minutes in any hour while the vehicle is stationary, for reasons other than traffic congestion or emergency work, and where such vehicle's manufacturer's gross weight rating is in excess of 10,000 lbs., on a public right-of-way or public property within 150 feet of a residential area during nighttime hours;

(4) Operating or permitting the operation of any power tools or other motorized equipment used in construction, drilling, earthmoving, excavating, or demolition work between 7:00 p.m. and 7:00 a.m. the following day on a weekday or



between 7:00 p.m. and 9:00 a.m. on a weekend day or legal holiday, except for emergency work or by permit for temporary variance pursuant to section 74-139;

(5) Compacting or collecting of refuse by persons engaged in the business of scavenging or garbage collection, whether private or municipal, during nighttime hours and between 9:00 p.m. and 7:00 a.m. the following day on a weekend day or legal holiday, except by permit; or

(6) Car drifting on private property within 1000 feet of a residentially zoned district. For purposes of this section, car drifting shall mean a driving technique or motorsport where the driver intentionally oversteers, causing loss of traction in the rear wheels, while maintaining control from entry to exit of a corner. A car is drifting when the rear slip angle is greater than the front slip angle, to such an extent that the front wheels are pointing in the opposite direction to the turn (e.g. car is turning left; wheels are pointed right or vice versa).

A true copy,

Shonda Daughin Johnson

Municipal Clerk

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

May 07, 2012
May 16, 2012

		05-07-12
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 12-O-0392	38. 12-R-0596	66. 12-R-0533
2. 12-O-0495	39. 12-R-0598	67. 12-R-0534
3. 12-O-0500	40. 12-R-0599	68. 12-R-0535
4. 12-O-0410	41. 12-R-0601	69. 12-R-0536
5. 12-O-0411	42. 12-R-0602	70. 12-R-0537
6. 12-O-0487	43. 21-R-0603	71. 12-R-0538
7. 12-O-0490	44. 12-R-0511	72. 12-R-0539
8. 12-O-0499	45. 12-R-0512	73. 12-R-0540
9. 12-O-0408	46. 12-R-0513	74. 12-R-0541
10. 12-O-0409	47. 12-R-0514	75. 12-R-0542
11. 12-O-0412	48. 12-R-0515	76. 12-R-0543
12. 12-O-0482	49. 12-R-0516	77. 12-R-0544
13. 12-O-0502	50. 12-R-0517	78. 12-R-0545
14. 12-R-0572	51. 12-R-0518	79. 12-R-0546
15. 12-R-0573	52. 12-R-0519	80. 12-R-0547
16. 12-R-0574	Items Adversed On	81. 12-R-0548
17. 12-R-0576	Consent	82. 12-R-0549
19. 12-R-0577	53. 12-R-0520	83. 12-R-0550
20. 12-R-0580	54. 12-R-0521	84. 12-R-0551
21. 12-R-0604	55. 12-R-0522	85. 12-R-0552
22. 12-R-0221	56. 12-R-0523	86. 12-R-0553
23. 12-R-0564	57. 12-R-0524	87. 12-R-0554
24. 12-R-0451	58. 12-R-0525	88. 12-R-0555
25. 12-R-0508	59. 12-R-0526	89. 12-R-0556
26. 12-R-0492	60. 12-R-0527	90. 12-R-0557
27. 12-R-0618	61. 12-R-0528	
28. 12-R-0586	62. 12-R-0529	
29. 12-R-0587	63. 12-R-0530	
30. 12-R-0588	64. 12-R-0531	
31. 12-R-0589	65. 12-R-0532	
32. 12-R-0590		
33. 12-R-0605		
34. 12-R-0606		
35. 12-R-0607		
36. 12-R-0593		
37. 12-R-0594		