

12-0-1820

(Do Not Write Above This Line)

AN ORDINANCE BY *Michael Julian Bond*

COUNCILMEMBER MICHAEL JULIAN BOND

AN ORDINANCE TO REQUIRE THAT ALL FINES IMPOSED AND COLLECTED BY THE CITY OF ATLANTA MUNICIPAL COURT RESULTING FROM VIOLATIONS OF THE CITY OF ATLANTA SCRAP TIRE ENFORCEMENT ORDINANCE, CHAPTER 130 (SOLID WASTE MANAGEMENT), ARTICLE II (SCRAP TIRE ENFORCEMENT), SECTIONS 130-28 THROUGH 130-36, SHALL BE DEPOSITED IN THE CITY'S SOLID WASTE RENEWAL AND EXTENSION FUND, WITH SAID FINE AMOUNTS TO BE USED BY THE CITY EXCLUSIVELY FOR ALL COSTS ASSOCIATED WITH THE CLEAN-UP OF SCRAP TIRE DUMPING SITES THROUGHOUT THE CITY; AND FOR OTHER PURPOSES.

ADOPTED BY *mentad*

JAN 2 2 2013

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred 12/3/12

Referred To: Public Safety

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee

Date

Chair

Action Fav, Adv, Hold (See rev. side)

Other

Members

Refer To

Committee

Date

Chair

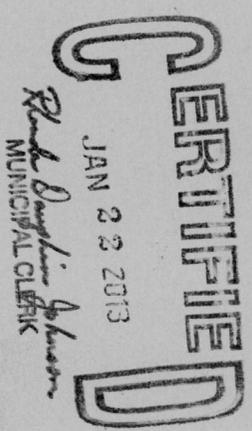
Action Fav, Adv, Hold (See rev. side)

Other

Members

Refer To

- FINAL COUNCIL ACTION
- 2ND
 - 1ST & 2ND
 - 3RD
- Readings
- Consent
 - V Vote
 - RC Vote



MAYOR'S ACTION

APPROVED

JAN 3 1 2013

WITHOUT SIGNATURE BY OPERATION OF LAW



**AN ORDINANCE BY
COUNCILMEMBER MICHAEL JULIAN BOND**

AS SUBSTITUTED BY PUBLIC SAFETY COMMITTEE

AN ORDINANCE TO REQUIRE THAT ALL FINES IMPOSED AND COLLECTED BY THE CITY OF ATLANTA MUNICIPAL COURT RESULTING FROM VIOLATIONS OF THE CITY OF ATLANTA SCRAP TIRE ENFORCEMENT ORDINANCE, CHAPTER 130 (SOLID WASTE MANAGEMENT), ARTICLE II (SCRAP TIRE ENFORCEMENT), SECTIONS 130-28 THROUGH 130-36, SHALL BE DEPOSITED IN THE CITY'S SOLID WASTE SERVICES REVENUE FUND, WITH SAID FINE AMOUNTS TO BE USED BY THE CITY EXCLUSIVELY FOR ALL COSTS ASSOCIATED WITH THE CLEAN-UP OF SCRAP TIRE DUMPING SITES THROUGHOUT THE CITY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the "City") finds that protection of the environment is vital to the health, welfare and economic progress of the City and its citizens; and

WHEREAS, the City encourages practices of sound solid waste collection activities that will minimize the potential for adverse environmental impacts; and

WHEREAS, the dumping of scrap tires has become a continuing and growing environmental and health and safety issue in the City; and

WHEREAS, pursuant to Ordinance 12-O-0357, adopted by the City Council of the City on December 3, 2012, legislation known as the "The City of Atlanta Scrap Tire Enforcement Ordinance" ("Scrap Tire Ordinance") has been added to the City's Code of Ordinances at Code Sections 130-28 through 130-36; and

WHEREAS, the Scrap Tire Ordinance seeks to establish and enforce standards for the collecting, handling, storing, transporting and disposing of scrap tires, and has established penalties for violations of said standards; and

WHEREAS, citations issued for violations of the Scrap Tire Ordinance are to be brought to the City's Municipal Court for adjudication; and

WHEREAS, in order to provide a source of funding for scrap tire cleanup, all fines imposed by the Municipal Court for violations of the Scrap Tire Ordinance should be used to pay the costs of scrap tire cleanup throughout the City.

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



SECTION 1: That the City's Municipal Court is hereby authorized and directed to cause the deposit of all amounts received from fines imposed by the Municipal Court for violations of the Scrap Tire Ordinance into the City's Solid Waste Revenue Fund as follows:

ADD TO ANTICIPATIONS

Fund	5401	Solid Waste Services Revenue Fund
Department	130501	DPW Solid Waste Admin
Account	3360002	City Grants/Entitlements
Function Activity	4510000	Solid Waste Administration
Award	9*****	City of Atlanta
Project	2*****	Non-Capital Project TBD

ADD TO APPROPRIATIONS

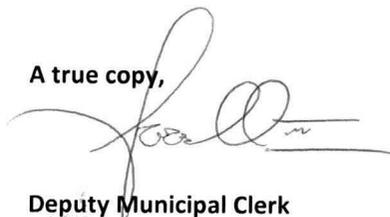
Fund	5401	Solid Waste Services Revenue Fund
Department	130501	DPW Solid Waste Admin
Account	5999999	Conversion/Summary
Function Activity	4510000	Solid Waste Administration
Award	9*****	City of Atlanta
Project	2*****	Non-Capital Project TBD

SECTION 2: That the City's Department of Finance is hereby authorized and directed to create a project in Oracle to allow all available funds from fines imposed for violations of the Scrap Tire Ordinance that have been deposited into the City's Solid Waste Services Revenue Fund by the Municipal Court to be used exclusively for the purposes of scrap tire clean-up within the corporate limits of the City.

SECTION 3: That the Commissioner of the Department of Public Works or his designee is authorized and directed to use all available funds from fines imposed for violations of the Scrap Tire Ordinance that have been deposited into the Solid Waste Services Revenue Fund exclusively for the purposes of scrap tire clean-up within the corporate limits of the City.

SECTION 4: This Ordinance shall be reviewed by the Chief Financial Officer as of January 15, 2014 and should the Chief Financial Officer have no objection to the continuation of the action authorized by this ordinance, this ordinance shall continue to remain in full force and effect.

SECTION 5: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed in this instance only.

A true copy,

 Deputy Municipal Clerk

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

January 22, 2013
 January 31, 2013

RCS# 2513
1/22/13
3:11 PM

Atlanta City Council

12-O-1820

FINES IMPOSED BY COA COURT FROM SCRAP
TIRE ENFORCEMENT TO BE USED FOR CLEANUP
ADOPT

YEAS: 8
NAYS: 6
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

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

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