

**AN ORDINANCE BY  
COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**AN ORDINANCE AMENDING THE CITY OF ATLANTA CODE OF ORDINANCES SECTIONS 110-3 AND 142-22 TO EXPAND THE SCOPE OF FEES RELATED TO AMENITIES AND SERVICES OFFERED BY THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; AND TO DIRECT THAT THE REVENUE FROM THE FEES BE DEPOSITED INTO THE ACCOUNTS SET FORTH HEREIN; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta Code of Ordinances (the “Code”), Section 110-3 (“Fee Schedule”) establishes a fee structure for individuals and groups wishing to utilize City of Atlanta (“City”) amenities and participate in City programs, including classes, and activities, offered by the Department of Parks, Recreation, and Cultural Affairs (“DPRCA”); and

**WHEREAS**, Code, Section 142-22 (“Outdoor Fee Schedule”) establishes a fee structure for outdoor events; and

**WHEREAS**, the Fee Schedule provides for a “sanitation bond” that is “forfeited to the city if reserving party fails to clean the pavilions” and the Outdoor Fee Schedule also provides for a sanitation bond and the DPRCA has determined that it would be beneficial to expand the scope of this bond to include financial penalties to individuals and groups that fail to comply with park rules and ordinances as set for in the Code in addition to sanitation; and

**WHEREAS**, the City desires to amend the Fee Schedule and the Outdoor Fee Schedule to allow for event bonds, instead of sanitation bonds to be required to ensure compliance with all park rules and ordinances as well as, for ensuring the facility is cleaned after use.

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

**SECTION 1:**

Atlanta Code of Ordinances Section 110-3 (e)(2) discussing sanitation bonds shall be amended by:

- 1) Changing the name of the refundable “sanitation bond” to a refundable “event bond.”
- 2) Allowing the event bond to be held to ensure compliance with park rules and city ordinances.

Section 110-3(e)(2) shall now read as follows (bold indicates a new or changed language or fee):

(2) A refundable **event** bond of \$100.00 will be charged to reserve the referenced pavilions, payable on the date the reservation is made. The bond shall be forfeited to the city if reserving party fails to clean the pavilions and deposit trash in the trash receptacles provided by the city prior to leaving the site or if the reserving party is found to be in violation of any terms and conditions as described on the event permit or as described by the city code of ordinances.

**SECTION 2:**

Atlanta Code of Ordinances Section 142-22(f)(3) discussing sanitation bonds shall be amended by:

- 1) Changing the name of the refundable “sanitation bond” to a refundable “event bond.”
- 2) Allowing the event bond to be held to ensure compliance with park rules and city ordinances.
- 3) Allowing DPRCA to charge and withhold Large Gathering in a Park bonds for purposes including sanitation, compliance with park rules and compliance with city code of ordinances.

Section 142-22(f)(3) shall now read as follows (bold indicates a new or changed language or fee):

(3)

**Event** bonds. The **event** bonds described below shall be refunded if the city determines, after the conclusion of the outdoor event, that no more than minimal clean-up is required to be performed by the city and there has been no damage to any city property. Where the city determines that a **event** bond should be refunded, it shall refund the bond within 45 days after the conclusion of the outdoor event.

(A)

If the host has conducted a previous outdoor event in the city and has been billed after the outdoor event for restoration services and/or supplemental services, and the host did not pay said bill in full within 30 days of receiving the bill, the city shall require the host to obtain a refundable **event** bond in the amount of said bill for all future outdoor events.

(B)

The city may require a \$100.00 refundable **event** bond where the host applies to reserve a park facility (see also section 110-3(e)(2)) or to have any other outdoor event in a park, provided there is no formal agreement between the host and the city. Where a **event** bond has been posted as part of an outdoor festival application or other outdoor event application, no additional **event** bond shall be required. No more than one **event** bond shall be required for any particular outdoor event. With the exception of bonds required for outdoor festivals, the **event** bond requirement may be waived if the host has performed or held an outdoor event at least once per year during the past three consecutive years and completed all clean-up and cooperated fully with the city during each of those outdoor events.

(C)

A \$100.00 refundable **event** bond shall be required for all assemblies, as defined in article VI of this chapter.

**SECTION 3:** The new and modified event bond created by Section 1 and Section 2 of this Ordinance shall be deposited into the following ACCOUNT SEGMENTS: 7701 (Trust Fund) 140201 (PRC Parks Admin.) 3472009 (Fees- Pavilion) 6210000 (Parks Admin.) 600359 (Ground & Site Improvements) 69999 (Non Capital Trust); Greenspace.

**SECTION 4:** All ordinances and resolutions in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of said conflict.

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Community Development/Human Resources Committee

**Caption:** AN ORDINANCE BY  
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**AN ORDINANCE AMENDING THE CITY OF ATLANTA CODE OF ORDINANCES SECTIONS 110-3 AND 142-22 TO EXPAND THE SCOPE OF FEES RELATED TO AMENITIES AND SERVICES OFFERED BY THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; AND TO DIRECT THAT THE REVENUE FROM THE FEES BE DEPOSITED INTO THE ACCOUNTS SET FORTH HEREIN; AND FOR OTHER PURPOSES.**

**Council Meeting Date:** December 3, 2012

**Requesting Dept.:** Department of Parks, Recreation and Cultural Affairs

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

**THE PURPOSE OF THIS LEGISLATION IS TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES SECTIONS 110-3 AND 142-22 TO EXPAND THE SCOPE OF FEES RELATED TO AMENITIES AND SERVICES OFFERED BY THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; AND TO DIRECT THAT THE REVENUE FROM THE FEES BE DEPOSITED INTO THE ACCOUNTS SET FORTH HEREIN;**

**2. Please provide background information regarding this legislation.**

**3. If Applicable/Known:**

**(a) Contract Type:**

**(b) Source Selection:**

**(c) Bids/Proposals Due:**

**(d) Invitations Issued:**

**(e) Number of Bids:**

**(f) Proposals Received:**

**(g) Bidders/Proponents:**

**(h) Term of Contract:**

**4. Fund Account Center:**

**5. Source of Funds:**

**6. Fiscal Impact: none**

**7. Method of Cost Recovery:**

**This Legislative Request Form Was Prepared By:** Trina Horton, Departmental Contracting Officer

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Trina Horton

Contact Number: (404) 546-6795

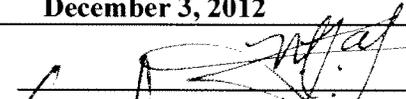
Originating Department: Department of Parks, Recreation and Cultural Affairs

Committee(s) of Purview: Community Development/Human Resources Committee

Chief of Staff Deadline: November 9, 2012

Anticipated Committee Meeting Date(s): November 27, 2012

Anticipated Full Council Date: December 3, 2012

Legislative Counsel's Signature: 

Commissioner's Signature: 

Chief Information Officer Signature (for IT Procurements) \_\_\_\_\_

Chief Procurement Officer Signature: \_\_\_\_\_

**CAPTION**

**AN ORDINANCE BY**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

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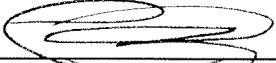
**FINANCIAL IMPACT: (if any)**

**Mayor's Staff Only**

Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office: 11.9.12   
(date)

Reviewed by:   
(date)

Submitted to Council: \_\_\_\_\_ (date)