

AMENDMENT FORM

COMMITTEE: PUBLIC SAFETY & LEGAL ADMINISTRATION

PAGE NUMBER(S): \_\_\_\_\_

COMMUNICATION I.D.#: \_\_\_\_\_

CAPTION:  YES  NO

ORDINANCE I.D.#: 12-0-1820

SECTION(S): \_\_\_\_\_

RESOLUTION I.D.#: \_\_\_\_\_

PARAGRAPH(S): \_\_\_\_\_

AUTHORIZING SIGNATURE: \_\_\_\_\_

DATE: 1/15 2013

① Amend Section 4 <sup>to</sup> / change to Section 5,

② Create a new Section 4 which shall provide as follows:

" This ordinance shall be reviewed by the Chief Financial Officer ~~on~~ as of January 15, 2014 and should ~~have~~ the Chief Financial Officer have no objection to the continuation of the action authorized by this ordinance, this ordinance shall continue to <sup>remain</sup> ~~be~~ in full force and effect."

**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**

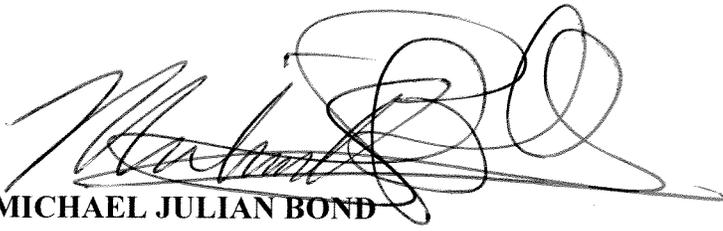
Fund	5401	Solid Waste Services Revenue Fund
Department	130501	DPW Solid Waste Admin
Account	5999999	Conversion/Summary
Function Activity	4510000	Solid Waste Administration
Award	9*****	City of Atlanta
Project	2*****	Non-Capital Project TBD

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:** That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed in this instance only.

AN ORDINANCE BY  
COUNCILMEMBER MICHAEL JULIAN BOND



12-0 -1820

**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.**

**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

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**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

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**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:

TRANSFER FROM APPROPRIATIONS

TRANSFER TO ANTICIPATIONS

ADD TO APPROPRIATIONS

**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 Renewal and Extension 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 Renewal and Extension Fund exclusively for the purposes of scrap tire clean-up within the corporate limits of the City.

**SECTION 4:** That the funds deposited from fines imposed for violations of the Scrap Tire Ordinance that have been deposited into the Solid Waste Renewal and Extension Fund are not available and are not to be considered in the annual allocation of fifty percent of the available funds from the Solid Waste Renewal and Extension Fund to the City's General Fund at the end of each Fiscal Year, beginning with Fiscal Year 2013.

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