

AN ORDINANCE

BY COUNCIL MEMBERS HOWARD SHOOK, YOLANDA ADREAN, NATALYN MOSBY ARCHIBONG, C. T. MARTIN, CARLA SMITH, ALEX WAN & AARON WATSON

*Handwritten signatures of Howard Shook, Yolanda Adrean, Natalyn Mosby Archibong, C. T. Martin, Carla Smith, Alex Wan, and Aaron Watson.*

**AN ORDINANCE TO AMEND ORDINANCE NO. 93-O-1484 SO AS TO PROVIDE THAT THE CITY ATLANTA SOLID WASTE MANAGEMENT AUTHORITY MEETS PERIODICALLY AND DECLARE THE NEED TO REACTIVATE THE AUTHORITY, TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**WHEREAS**, on September 20, 1993 the Council of the City of Atlanta passed legislation (93-O-1484) to activate the City of Atlanta Solid Waste Management Authority pursuant to the Regional Solid Waste Management Authorities Act (Code 1981, §12-8-50), enacted by Ga. (1990, p. 412, §1.); and

**WHEREAS**, the Authority has not met in several years and several positions are vacant and need to be reappointed; and

**WHEREAS**, the Authority was not mandated by Ordinance No. 93-O-1484 to have periodic meetings and has to be reactivated in order to get its work done when required; and

**WHEREAS**, the Authority and the city would benefit from having a specified meeting frequency as part of this document.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, as follows:

**SECTION 1:** That the City of Atlanta Solid Waste Management Authority is reactivated and the necessary appointments be made to this Authority as soon as possible.

**SECTION 2:** That a new Section 7 be inserted which reads as follows:

The City of Atlanta Solid Waste Management Authority shall meet at least once per calendar year and as frequent as deemed appropriate by the Authority.

**SECTION 3:** That the old Section 7 be renumbered to Section 8 and subsequent sections renumbered as appropriate.

**SECTION 4:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

MUNICIPAL CLERK  
ATLANTA GEORGIA

A SUBSTITUTE ORDINANCE  
BY CITY UTILITIES COMMITTEE

93-0-1484

AN ORDINANCE TO DECLARE THE NEED FOR THE ACTIVATION OF A SOLID WASTE MANAGEMENT AUTHORITY TO FUNCTION IN THE CITY OF ATLANTA, GEORGIA, PURSUANT TO THE PROVISIONS OF THE CONSTITUTION OF THE STATE OF GEORGIA AND THE REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES ACT; TO ACTIVATE SUCH SOLID WASTE MANAGEMENT AUTHORITY AND TO APPOINT A BOARD OF DIRECTORS FOR SAID AUTHORITY; TO AUTHORIZE THE AUTHORITY TO EXERCISE CERTAIN POWERS CONTAINED IN SAID REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES ACT; TO RESCIND CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the General Assembly of the State of Georgia, pursuant to authority granted it by the Constitution of Georgia, enacted the Regional Solid Waste Management Authorities Act (Code 1981, § 12-8-50), enacted by Ga. (1990, p. 412, § 1.); and

WHEREAS, pursuant to said Act, a "Solid Waste Management Authority" was created in and for each municipal corporation in this state; and

WHEREAS, no such authority shall transact any business or exercise any powers under said Act until the governing body of the municipal corporation, by proper legislation, declares that there is a need for an authority to function in the municipal corporation; and

WHEREAS, the Regional Solid Waste Management Authorities Act authorizes, among other things, the issuance of revenue bonds, notes and other obligations in order to finance, in whole or in part, the cost of any project undertaken by said authority as therein provided; and

WHEREAS, the City of Atlanta, Bureau of Sanitary Services is, among other things, charged with the collection and disposal of solid waste matter and the operation of facilities for such purposes;

WHEREAS, it has been determined by the Council of the City of Atlanta that there exists an urgent need for a solid waste management authority to function in the City of Atlanta; and

WHEREAS, the Council of the City of Atlanta, acting under the authority above set forth, deems it necessary and desirable that the City of Atlanta Solid Waste Management Authority be activated immediately to function in the City of Atlanta;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: There is hereby determined and declared to be an urgent existing and future need for a solid waste management authority to function in the City of Atlanta, Georgia.

Section 2: There is hereby activated in the City of Atlanta, Georgia, the public body corporate and politic known as the City of Atlanta Solid Waste Management Authority which was created pursuant to the Regional Solid Waste Management Authorities Act.

Section 3: The Board of Directors of the City of Atlanta Solid Waste Management Authority shall consist of five (5) members, at least three (3) of which shall be elected officials of the City of Atlanta, one (1) of which shall be the Mayor or his designee. Directors shall be appointed, and may be reappointed by the City Council for terms of four (4) years, and if at the end of any term of office of any director, a successor thereto shall not have been appointed then the director whose term of office shall have expired shall continue to hold office until his/her successor shall be so appointed.

Section 4: The following persons are hereby appointed as the initial members of the Board of Directors whose terms shall commence upon the approval of this ordinance by the Mayor:

1. Mayor or his designee
2. Chair, City Utilities Committee
3. Chair, Finance Committee
4. Member of Council (to be selected by Council)
5. Commissioner of Department of Public Works
6. The Chief Financial Officer
7. Chair of APAB or designee

Section 5: The directors shall receive no compensation for their services but shall be reimbursed for their actual expenses incurred in the performance of their duties.

Section 6: The Board of Directors above appointed shall organize itself, carry out its duties and responsibilities and exercise its powers and prerogatives in accordance with the terms and provisions of the Regional Solid Waste Management Authorities Act as it now exists and as it might hereafter be amended or modified.

Section 7: This ordinance shall be effective immediately upon its adoption by the City Council and approval by the Mayor and from and after such adoption and approval, the City of Atlanta Solid Waste Management Authority shall be deemed fully created and activated.

Section 8: This ordinance shall in no way abridge or supersede the functions and duties vested in the Bureau of Sanitary Services or the functions and duties vested in the governing authority of the City of Atlanta.

Section 9: Any contract which the City of Atlanta may enter into with the City of Atlanta Solid Waste Management Authority shall be for the sole purpose of financing and administration of the closure of the Gun Club Road Landfill.

Section 10: All ordinances or parts of ordinances in conflict herewith are hereby rescinded.

A true copy,

  
Municipal Clerk, CMC

ADOPTED AS AMENDED  
APPROVED by the Mayor

September 20, 1993  
September 28, 1993