

14-0-1170

(Do Not Write Above This Line)

AN ORDINANCE
BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE

AN ORDINANCE TO
AMEND THE CODE
OF ORDINANCES OF
THE CITY OF
ATLANTA, GEORGIA,
CHAPTER 106,
ARTICLE II, SECTION
106-52 (ENTITLED
EVADING PAYMENT
OF FARE FOR
TRANSPORTATION
SERVICE); TO WAIVE
CONFLICTING
ORDINANCES; AND
FOR OTHER
PURPOSES.

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

Date Referred: 4/21/14
Referred To: Public Safety
Date Referred:
Referred To:
Date Referred:
Referred To:

First Reading
Committee Public Safety & Legal Admin
Date March 25, 2014
Chair
Referred To Public Safety & Legal Admin

Committee	Public Safety & Legal Admin
Date	April 25, 2014
Chair	C. T. Miller
Action	Fav, Adv, Hold (see rev. side)
Other	

Members
Refer To

Committee	Public Safety & Legal Admin
Date	
Chair	
Action	Fav, Adv, Hold (see rev. side)
Other	

ADOPTED BY
Members
MAY 05 2014
COUNCIL
Refer To

FINAL COUNCIL ACTION
 2nd
 1st & 2nd
 3rd
Readings
 Consent
 V Vote
 RC Vote

CERTIFIED
MAY 05 2014
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
MAY 09 2014
R. L. ...

APPROVED
MAY 14 2014
WITHOUT SIGNATURE
BY OPERATION OF LAW

3965

AN ORDINANCE

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, CHAPTER 106, ARTICLE II, SECTION 106-52 (ENTITLED EVADING PAYMENT OF FARE FOR TRANSPORTATION SERVICE); TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, in connection with the construction and development of the Atlanta Streetcar Project ("Project"), which is a modern electric streetcar system the first phase of which will span 2.7 miles in downtown area of the City of Atlanta ("City"); and

WHEREAS, the City has an interest in maintaining the health, safety and welfare of the citizens of Atlanta and visitors of the City; and

WHEREAS, the City has an interest in regulating, through the lawful exercise of its police powers, the use of the Project; and

WHEREAS, the City of Atlanta is authorized to regulate the use of the Project; and

WHEREAS, the City has determined that it is necessary for the City to enact laws preventing persons from evading payment of the fare for the use of the Project; and

WHEREAS, the Commissioner of Public Works recommends that the City Council modify the Code of Ordinances of the City of Atlanta ("Code") to prevent persons from evading payment of the fare charged for using the Project; and

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

SECTION 1: Chapter 106 (Offenses and Miscellaneous Provisions), Article II (Offenses Against Property Rights), Section 106-52 (Evading Payment of Fare for Transportation Service) of the Code of Ordinances of the City of Atlanta, Georgia, currently provides as follows:

Sec. 106-52. Evading payment of fare for transportation service.

It shall be unlawful, within the corporate limits of the city, for any person to evade or attempt to evade payment of the fare for transportation service upon the Metropolitan Atlanta Rapid Transit Authority (MARTA) rapid rail system or public transit bus. As used in this section, "evasion of payment of the fare" shall include the following acts, activities or conduct:

- (1) Entry into or upon a rapid rail car or public transit bus without payment of the fare charged for transportation service.

- (2) Misuse of a transfer, TransCard, pass, ticket, token or other evidence of payment of or prepayment of a fare issued by MARTA with the intent to avoid or to assist another in avoiding payment of the fare charged for transportation service.
- (3) Use or attempted use of a signed MARTA TransCard for the payment of the fare charged for transportation service by a person who is not the person whose signature appears on the TransCard.

Is hereby amended and modified as follows in order to prohibit individuals from evading payment of the established fare for the City's streetcar transportation service, so that when amended, said new Section 106-52 shall provide as follows:

Sec. 106-52. Evading payment of fare for transportation service.

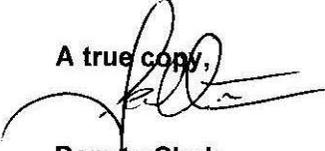
It shall be unlawful, within the corporate limits of the city, for any person to evade or attempt to evade payment of the fare for transportation service upon ~~a the Metropolitan Atlanta Rapid Transit Authority (MARTA) rapid rail system, or public transit bus, or~~ **upon city's streetcar transit system.** As used in this section, **the "evasion of payment of the fare"** shall include the following acts, activities or conduct:

- (1) Entry into or upon a rapid rail car, public transit bus, **or streetcar vehicle** without payment of the fare charged for transportation service.
- (2) Misuse of a transfer, TransCard, pass, ticket, token, **Metropolitan Atlanta Rapid Transit Authority (MARTA) Breeze Card, MARTA University Pass Program Card** or other evidence of payment of or prepayment of a fare issued by **the city or MARTA** with the intent to avoid or to assist another in avoiding payment of the fare charged for transportation service.
- (3) Use or attempted use of a signed **city or MARTA TransCard pass or ticket, MARTA Breeze Card or MARTA University Pass Program Card** for the payment of the fare charged for transportation service by a person who is not the person whose signature appears on the TransCard **who is not the owner of the city or MARTA pass or ticket or a MARTA Breeze Card.**

SECTION 2: All code sections, ordinances, and parts of code sections and ordinances in conflict herewith are hereby waived for the sole purpose of this ordinance only and shall otherwise remain in full force and effect.

SECTION 3: That this ordinance shall become effective upon the Mayor's signature or as specified by City Charter Section 2-403.

A true copy,


Deputy Clerk

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

MAY 05, 2014
MAY 14, 2014

RCS# 267
5/05/14
2:29 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I: EXCEPT
14-O-1178
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Norwood
NV Young	Y Shook	B Bottoms	Y Dickens
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

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		05-05-14
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED CONSENT	ITEMS ADVERSED ON CONSENT
1. 14-O-1172	43. 14-R-3418	85. 14-R-3460
2. 14-O-1185	44. 14-R-3419	86. 14-R-3461
3. 14-O-1186	45. 14-R-3420	87. 14-R-3462
4. 14-O-1187	46. 14-R-3421	88. 14-R-3463
5. 14-O-1188	47. 14-R-3422	89. 14-R-3464
6. 14-O-1189	48. 14-R-3423	90. 14-R-3465
7. 14-O-1190	49. 14-R-3424	91. 14-R-3466
8. 14-O-1192	50. 14-R-3425	92. 14-R-3467
9. 14-O-1193	51. 14-R-3426	93. 14-R-3468
10. 14-O-1174	52. 14-R-3427	94. 14-R-3469
11. 14-O-1176	53. 14-R-3428	95. 14-R-3470
12. 14-O-1095	54. 14-R-3429	96. 14-R-3471
13. 14-O-1110	55. 14-R-3430	97. 14-R-3472
14. 14-O-1179	56. 14-R-3431	98. 14-R-3473
15. 14-O-1198	57. 14-R-3432	99. 14-R-3474
16. 14-O-1200	58. 14-R-3433	100. 14-R-3475
17. 14-O-1201	59. 14-R-3434	101. 14-R-3476
18. 14-O-1170	60. 14-R-3435	102. 14-R-3477
19. 14-R-3493	61. 14-R-3436	103. 14-R-3478
20. 14-R-3494	62. 14-R-3437	104. 14-R-3479
21. 14-R-3495	63. 14-R-3438	105. 14-R-3480
22. 14-R-3496	64. 14-R-3439	106. 14-R-3481
23. 14-R-3497	ITEMS ADVERSED ON CONSENT	107. 14-R-3482
24. 14-R-3397	65. 14-R-3440	108. 14-R-3483
25. 14-R-3498	66. 14-R-3441	109. 14-R-3484
26. 14-R-3499	67. 14-R-3442	110. 14-R-3485
27. 14-R-3500	68. 14-R-3443	111. 14-R-3486
28. 14-R-3501	69. 14-R-3444	112. 14-R-3487
29. 14-R-3398	70. 14-R-3445	113. 14-R-3488
30. 14-R-3405	71. 14-R-3446	114. 14-R-3489
31. 14-R-3407	72. 14-R-3447	115. 14-R-3490
32. 14-R-3408	73. 14-R-3448	116. 14-R-3491
33. 14-R-3409	74. 14-R-3449	117. 14-R-3492
34. 14-R-3410	75. 14-R-3450	
35. 14-R-3411	76. 14-R-3451	
36. 14-R-3412	77. 14-R-3452	
37. 14-R-3402	78. 14-R-3453	
38. 14-R-3403	79. 14-R-3454	
39. 14-R-3502	80. 14-R-3455	
40. 14-R-3492	81. 14-R-3456	
41. 14-R-3416	82. 14-R-3457	
42. 14-R-3417	83. 14-R-3458	
	84. 14-R-3459	