

**AN ORDINANCE BY COUNCILMEMBER MICHAEL JULIAN BOND TO AMEND CHAPTER 150, ARTICLE II, N 150-26 OF THE CITY OF ATLANTA CODE OF ORDINANCES TO ADD QUALIFICATIONS FOR TEMPORARY USE PARKING LOT PERMITS AND OPERATIONAL RULES GOVERNING THE OPERATION OF PARKING LOTS PERMITTED THEREUNDER; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**Workflow List:**

Atlanta City Council	Completed	05/21/2014 5:57 PM
Transportation Committee	Pending	
Atlanta City Council	Pending	

**HISTORY:**

05/19/14	Atlanta City Council	REFERRED WITHOUT OBJECTION
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<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 5/28/2014 10:30 AM</b>
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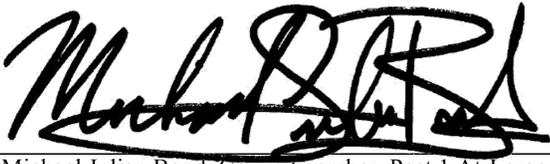
Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

CITY COUNCIL  
ATLANTA, GEORGIA

14-O-1270

SPONSOR SIGNATURES

A handwritten signature in black ink, appearing to read "Michael Julian Bond", written over a horizontal line.

Michael Julian Bond, Councilmember, Post 1 At-Large

**AN ORDINANCE BY COUNCILMEMBER MICHAEL JULIAN BOND TO AMEND CHAPTER 150, ARTICLE II, N 150-26 OF THE CITY OF ATLANTA CODE OF ORDINANCES TO ADD QUALIFICATIONS FOR TEMPORARY USE PARKING LOT PERMITS AND OPERATIONAL RULES GOVERNING THE OPERATION OF PARKING LOTS PERMITTED THEREUNDER; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

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

WHEREAS, the City of Atlanta Charter provides that the City of Atlanta may regulate parking in the City of Atlanta. Atlanta City Charter, 1-1 02( c )(36); and

WHEREAS, Chapter 150, Article II, Section 150-26 permits the police chief with the concurrence of the commissioner of public works to issue temporary 30 day off-street parking permits for use during athletic events or annual fairs; and

WHEREAS, unlike parking lots and parking garages operating in accordance with permits issued under Chapter 30, Article XVII, holders of permits issued in accordance with Section 150-26 are not permitted to provide monthly parking, or to operate without an attendant or cashier; and

WHEREAS, Section 150-26 does not currently contain qualifications for the issuance of permits issued thereunder; and

WHEREAS, Section 150-26 does not currently contain operational rules governing the operation of lots permitted thereby; and

WHEREAS, it is the desire of the City of Atlanta to amend Section 150-26 to add qualifications for permits issued thereunder, and operational rules governing the operation of lots permitted thereunder; and

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

Section 1: That Chapter 150, Article II, Section 150-26 of the City of Atlanta Code of Ordinances which currently reads as follows:

Sec. 150-26. Temporary and experimental regulations.

The police chief, with the concurrence of the commissioner of public works, may make regulations necessary to make effective this chapter and other traffic ordinances of the city and may make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than 90 days or involve off-street parking, except that a temporary or experimental regulation involving off-street parking may be made and enforced, without regard to the zoning of any tract of land affected thereby, for a limited period of time not to exceed 30 days and only during athletic events or annual fairs. Certain areas of the city are excluded from the issuance of temporary offstreet parking permits as follows:

( 1) The Vine City neighborhood, described as the area bounded by Simpson Street, Northside Drive, Martin Luther King, Jr., Drive and Ashby Street, with the exception of the properties known as 90-124 Northside Drive and 30-158 Northside Drive, as well as properties within the following boundaries (as included in Exhibit "A" and narratively described herein): at a point which begins at the Southwest corner of Thurmond Street and Northside Drive traveling westward along the southern right-of-way of Thurmond Street to the Southeast corner of Maple Place and Thurmond Street; Thence traveling south along the eastern right-of-way to Maple Place to the Northeast corner of the intersection of Maple Place and Spencer Street; Thence traveling eastward along the Northern right-of-way of Spencer Street to a point parallel to the Southeast corner of the intersection of Spencer Street and Electric A venue; Thence traveling south along the eastern right-of-way of Electric Avenue to a point at the Northeast corner of Electric A venue and Carter Street; to also include the properties described by parcel numbers 1400830008115, 1400830008116, 1400830008044, 1400830007113 and 1400830007114, all of said properties being bounded by Carter Street on the north; Thence traveling northward to the Southwest corner of the intersection of Northside Drive and Thurmond Street to the point of beginning.

(2) The area bounded on the north by Interstate 20; on the east by Connally Street, Ormond Street and Primrose Street; on the south by the CSX Railroad; and on the

west by the Norfolk-Southern Railroad, Humphries Street, Gleen Street and McDaniel Street, and generally described as the neighborhoods of Mechanicsville, Peoplestown and Summerhill, with the exception of that parcel known as 496 Martin Street, S.E. for the remainder of the 1993 Atlanta Braves baseball season.

(3) The English Avenue Neighborhood, described as the area bounded by Simpson Street, Northside Drive, North Avenue and Ashby Street with the exception of the property known as 505 Jones Avenue, N.W., Atlanta, Georgia 30318 (Parcel Identification Number 14-0082-0009-077-1 ).

523 Joseph E. Boone Boulevard, N. W., Atlanta, Georgia 30318 (Parcel Identification Number 14-0082-0009-069-8).

510 Jones Avenue, N. W., Atlanta, Georgia 30318 (Parcel Identification Number 14-0082-0009-071-4 ).

517 Jones Avenue, N.W., Atlanta, Georgia 30318 (Parcel Identification Number 14-0082-0009-067-2).

551-573 Cameron Alexander Boulevard, N. W ., Atlanta, Georgia 30318 (Parcel Identification Numbers; 14-0082-0001 14-0082-0001-091-0; 14-00820001-095-1; 14-0082-0005-076-7; 14-0082-0005-0007-2).

440 Northside Drive, N.W., Atlanta, Georgia 30318 (Parcel Identification Number 14-0082-0005-053-6).

Be deleted in its entirety and replaced with the following language:

Sec. 150-26. Temporary Use Parking Lot Permits.

(a) Before any lot or building may be used for off-street public parking pursuant to this section, the owner of the lot or the operator thereof must first obtain a permit from the Department of Public Works' Office of Transportation for such use.

(b) The application form for the permit shall contain the following information:

- (1) The address and location of the lot involved;
- (2) The capacity of the lot;
- (3) The square footage of the lot;
- (4) Occupation tax certificate issued pursuant to Chapter 30, (business license),

unless otherwise exempted by city ordinance;

(5) Written verification from the bureau of buildings that the lot is in compliance with applicable zoning regulations.

(6) Two site plans will be attached to the application form. The site plans will be drawn to an engineer's scale such that the following are easily identified:

- (i) The proposed location of entrances and exits to the facility;
- (ii) The widths of access streets.

(7) A copy of either the warranty deed (if the applicant is the title holder) or lease agreement or management contract for the property upon which the proposed park-for-hire facility is to be located, which should contain the current names, addresses and phone numbers of the owner, leaseholder and/or property manager (as appropriate) of said property.

(8) Written verification from the Chief of Police or his/her designee that the Atlanta Police Department has received notice of the applicant's intention to operate a lot at the address and location specified in the application.

(c) A permit issued pursuant to this section shall be valid for no less than 45 days and no more than 180 days from the date of issuance. No earlier than 15 days prior to and no later than 30 days from the expiration date, the operator must contact the Office of Transportation to request renewal certification of their permit. The Office of Transportation shall then verify that the operations of the temporary use parking lot have not changed since the issuance of the permit (or since the last renewal). Once this has been determined, the renewal certification is approved.

(d) Any lot permitted under this Section shall provide and maintain the following:

(1) An onsite operator who shall remain on lot property during the time the lot is in operation;

(2) A permitted parking notice sign to be placed at the main entrance of the lot in such a manner so that it is easily viewable from the driver's seat of an entering vehicle and which shall be 30 inches x 30 inches, made of a waterproof material and shall include the following information:

- (i) The name and cellular telephone number of the onsite operator of the facility;
- (ii) The name of the permit holder;
- (iii) Parking lot permit number;
- (iv) Business license number;
- (v) The name of the operator;

- (vi) The physical street address of the lot;
  - (vii) The permit expiration date; and
  - (viii) The number of parking spaces permitted.
- (3) Portable restrooms the number of which shall be based on the number of parking spaces permitted as follows, and which shall remain in place during the time the lot is in operation, and shall be removed within 24 hours of the conclusion of lot operations:

1-50 spaces - 3 portable restrooms

51-100 spaces - 4 portable restrooms

101-150 spaces - 6 portable restrooms

151-200 spaces- 8 portable restrooms

200 spaces and above - 10 portable restrooms

(4) Roping or fencing to surround the boundaries of the permitted lot and which shall remain in place during the time the lot is in operation.

(5) A fire extinguisher to be maintained on the premises of the lot by the onsite operator.

(6) Trash receptacle(s) adequate to ensure the receptacles do not become filled in any manner that causes or allows trash to overflow from the receptacle. It shall be the responsibility of the onsite operator of the lot to see that the lot is free of litter and debris at the end of the time the lot is in operation. It shall further be the responsibility of the onsite operator to properly collect, remove, and dispose of all trash, litter and debris at the conclusion of lot operations.

(e) Lots permitted under this section shall not provide monthly

(f) Certain areas of the city are excluded from the issuance of Temporary Use Parking Lot Permits issued under this Section as follows:

The area bounded on the north by Interstate 20; on the east by Connally

Street, Ormond Street and Primrose Street; on the south by the CSX Railroad; and on the west by the Norfolk-Southern Railroad, Humphries Street, Gleen Street and McDaniel Street, and generally described as the neighborhoods of Mechanicsville, Peoplestown and Summerhill, with the exception of that parcel known as 496 Martin Street, S.E. for the remainder of the 1993 Atlanta Braves baseball season.

(g) Any violation of this Section shall be punished as provided in section 1-8 of the Code of Ordinances of the City of Atlanta.

Section 2: Certain areas of the city shall be excluded from the issuance of Temporary Use Parking Lot Permits issued under this Ordinance for eight months following the approval of this Ordinance as follows:

(1) The Vine City neighborhood, described as the area bounded by Simpson Street, Northside Drive, Martin Luther King, Jr., Drive and Ashby Street, with the exception of the properties known as 90-124 Northside Drive and 30-158 Northside Drive, as well as properties within the following boundaries (as included in Exhibit "A" and narratively described herein): at a point which begins at the Southwest corner of Thurmond Street and Northside Drive traveling westward along the southern right-of-way of Thurmond Street to the Southeast corner of Maple Place and Thurmond Street; Thence traveling south along the eastern right-of-way to Maple Place to the Northeast corner of the intersection of Maple Place and Spencer Street; Thence traveling eastward along the Northern right-of-way of Spencer Street to a point parallel to the Southeast corner of the intersection of Spencer Street and Electric Avenue; Thence traveling south along the eastern right-of-way of Electric Avenue to a point at the Northeast corner of Electric Avenue and Carter Street; to also include the properties described by parcel numbers 1400830008115, 1400830008116, 1400830008044, 1400830007113 and 1400830007114, all of said properties being bounded by Carter Street on the north; Thence traveling northward to the Southwest corner of the intersection of Northside Drive and Thurmond Street to the point of beginning; and The property located at 566 Spencer Street

(2) The English Avenue Neighborhood, described as the area bounded by Simpson

Street, Northside Drive, North Avenue and Ashby Street with the exception of the property known as 505 Jones Avenue, N.W., Atlanta, Georgia 30318 (Parcel Identification Number 14-0082-0009-077-1).

523 Joseph E. Boone Boulevard, N.W., Atlanta, Georgia 30318 (Parcel Identification Number 14-0082-0009-069-8).

510 Jones Avenue, N.W., Atlanta, Georgia 30318 (Parcel Identification Number 14-0082-0009-071-4).

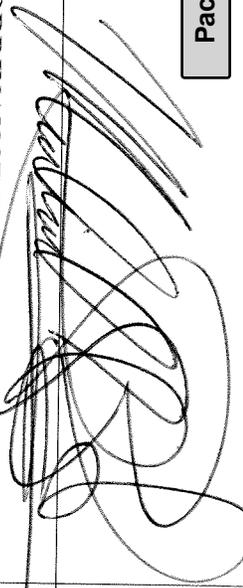
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440 Northside Drive, N. W., Atlanta, Georgia 30318 (Parcel Identification Number 14-0082-0005-053-6).

Section 3: This Ordinance shall become effective on July 1, 2014 except for those properties with pending applications for a special use permit, special administrative permit, or rezoning or a written request for zoning interpretation and clarification, as applicable. Such applications must be submitted to the Office of Planning on or before July 1, 2014.

Section 4: That the provisions of Ordinance 13-0-1154 placing a moratorium on the issuance of Temporary Parking lot permits in the Castleberry Hill Neighborhood, are hereby rescinded. Section JS: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.



AN ORDINANCE BY COUNCIL MEMBER  
MICHAEL J. BOND

AN ORDINANCE TO AMEND CHAPTER 150, ARTICLE II, SECTION 150-26 OF THE CITY OF ATLANTA CODE OF ORDINANCES TO ADD QUALIFICATIONS FOR TEMPORARY USE PARKING LOT PERMITS AND OPERATIONAL RULES GOVERNING THE OPERATION OF PARKING LOTS PERMITTED THEREUNDER; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

**FINAL COUNCIL ACTION**  
 2<sup>nd</sup>     1<sup>st</sup> & 2<sup>nd</sup>     3<sup>rd</sup>  
**Readings**  
 Consent     V Vote     RC Vote

Committee \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Chair \_\_\_\_\_

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

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

Other

Other

Members

Members

Refer To

Refer To

Committee \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Chair \_\_\_\_\_

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

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

Other

Other

Members

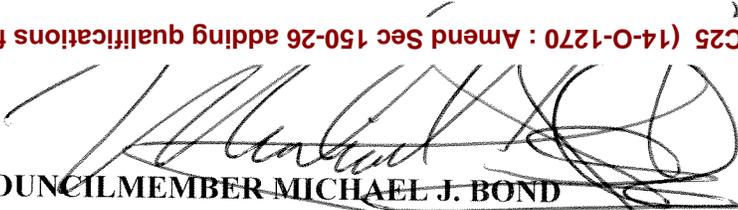
Members

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPER REFER

Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

**MAYOR'S ACTION**

**CERTIFIED**

  
 AN ORDINANCE BY COUNCILMEMBER MICHAEL J. BOND

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

**WHEREAS**, the City of Atlanta Charter provides that the City of Atlanta may regulate parking in the City of Atlanta. Atlanta City Charter, 1-102(c)(36); and

**WHEREAS**, Chapter 150, Article II, Section 150-26 permits the police chief with the concurrence of the commissioner of public works to issue temporary 30 day off-street parking permits for use during athletic events or annual fairs; and

**WHEREAS**, unlike parking lots and parking garages operating in accordance with permits issued under Chapter 30, Article XVII, holders of permits issued in accordance with Section 150-26 are not permitted to provide monthly parking, or to operate without an attendant or cashier; and

**WHEREAS**, Section 150-26 does not currently contain qualifications for the issuance of permits issued thereunder; and

**WHEREAS**, Section 150-26 does not currently contain operational rules governing the operation of lots permitted thereby; and

**WHEREAS**, it is the desire of the City of Atlanta to amend Section 150-26 to add qualifications for permits issued thereunder, and operational rules governing the operation of lots permitted thereunder; and

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- (2) The area bounded on the north by Interstate 20; on the east by Connally Street, Ormond Street and Primrose Street; on the south by the CSX Railroad; and on the west by the Norfolk-Southern Railroad, Humphries Street, Gleen Street and McDaniel Street, and generally described as the neighborhoods of Mechanicsville, Peoplestown and Summerhill, with the exception of that parcel known as 496 Martin Street, S.E. for the remainder of the 1993 Atlanta Braves baseball season.
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440 Northside Drive, N.W., Atlanta, Georgia 30318 (Parcel Identification Number 14-0082-0005-053-6).

**Be deleted in its entirety and replaced with the following language:**

**Sec. 150-26. Temporary Use Parking Lot Permits.**

- (a) Before any lot or building may be used for off-street public parking pursuant to this section, the owner of the lot or the operator thereof must first obtain a permit from the Department of Public Works' Office of Transportation for such use.
- (b) The application form for the permit shall contain the following information:
- (1) The address and location of the lot involved;
  - (2) The capacity of the lot;
  - (3) The square footage of the lot;
  - (4) Occupation tax certificate issued pursuant to Chapter 30, (business license), unless otherwise exempted by city ordinance;
  - (5) Written verification from the bureau of buildings that the lot is in compliance with applicable zoning regulations.
  - (6) Two site plans will be attached to the application form. The site plans will be drawn to an engineer's scale such that the following are easily identified:
    - (i) The proposed location of entrances and exits to the facility;
    - (ii) The widths of access streets.
  - (7) A copy of either the warranty deed (if the applicant is the title holder) or lease agreement or management contract for the property upon which the proposed park-for-hire facility is to be located, which should contain the current names, addresses and phone numbers of the owner, leaseholder and/or property manager (as appropriate) of said property.
  - (8) Written verification from the Chief of Police or his/her designee that the Atlanta Police Department has received notice of the applicant's intention to operate a lot at the address and location specified in the application.

(c) A permit issued pursuant to this section shall be valid for no less than 45 days and no more than 180 days from the date of issuance. No earlier than 15 days prior to and no later than 30 days from the expiration date, the operator must contact the Office of Transportation to request renewal certification of their permit. The Office of Transportation shall then verify that the operations of the temporary use parking lot have not changed since the issuance of the permit (or since the last renewal). Once this has been determined, the renewal certification is approved.

(d) Any lot permitted under this Section shall provide and maintain the following:

- (1) An onsite operator who shall remain on lot property during the time the lot is in operation;
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  - (ii) The name of the permit holder;
  - (iii) Parking lot permit number;
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  - (vi) The physical street address of the lot;
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  - 1-50 spaces - 3 portable restrooms
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200 spaces and above - 10 portable restrooms

- (4) Roping or fencing to surround the boundaries of the permitted lot and which shall remain in place during the time the lot is in operation.
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  - (6) Trash receptacle(s) adequate to ensure the receptacles do not become filled in any manner that causes or allows trash to overflow from the receptacle. It shall be the responsibility of the onsite operator of the lot to see that the lot is free of litter and debris at the end of the time the lot is in operation. It shall further be the responsibility of the onsite operator to properly collect, remove, and dispose of all trash, litter and debris at the conclusion of lot operations.
- (e) Lots permitted under this section shall not provide monthly parking.
- (f) Certain areas of the city are excluded from the issuance of Temporary Use Parking Lot Permits issued under this Section as follows:
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**Section 4: That the provisions of Ordinance 13-O-1154 placing a moratorium on the issuance of Temporary Parking lot permits in the Castleberry Hill Neighborhood, are hereby rescinded.**

**Section 35: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.**