

AN ORDINANCE BY COUNCILMEMBERS NATALYN M. ARCHIBONG AND KWANZA HALL AMENDING PART III CODE OF ORDINANCE, LAND DEVELOPMENT CODE, APPENDIX A, BUILDING CODE AMENDMENTS, CHAPTER 1 ADMINISTRATION, SECTION 105.1 ENTITLED “REMOVAL OR REPAIR OF BUILDINGS” BY ADDING SUBSECTION (C) FOR THE PURPOSE OF INCLUDING LANGUAGE FOR THE DEMOLITION OF PROPERTIES LOCATED WITHIN A HISTORIC DISTRICT; AND FOR OTHER PURPOSES.(HELD 9/9/14 AT THE REQUEST OF THE AUTHOR FOR FURTHER REVIEW.)

WHEREAS, Section 105.1 of the Land Development Code entitled “Removal or Repair of Buildings” (the “Code Section”), provides a process for the demolition of properties that have been deemed dangerous or unsafe; and

WHEREAS, the Code Section does not provide language for the demolition of properties located within historic districts of the City of Atlanta (“City”); and

WHEREAS, it is necessary to add additional language to the Code Section for the purpose of providing language for the demolition of historic properties or those properties located within historic districts.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

SECTION 1: That Part III- Land Development Code, Appendix A- Building Code Amendments, Chapter 1- Administration, Section 105.1 entitled “Removal or Repair of Buildings” shall be amended by adding Subsection (c), so that Section 105.1 shall now read:

105.1. REMOVAL OR REPAIR OF BUILDINGS.

(a) A building or structure which may be or shall be found upon inspection to have become dangerous or unsafe, shall, unless made safe and so certified by the Director, be taken down and removed.

(b) A building, structure or site condition declared unsafe by duly constituted authority set up by the City of Atlanta may be restored to safe condition, provided that if the damage or cost of reconstruction or restoration is in excess of 50% of the value of the building or structure, exclusive of foundations, such building or structure, if reconstructed or restored, shall be made to conform with respect to materials and type of construction, to the requirements for buildings and structures hereafter erected; but no change of use or occupancy shall be compelled by reason of such reconstruction or restoration. The term unsafe buildings shall include buildings structurally unsafe, unstable or unsanitary; inadequately provided with exit facilities; constituting a fire hazard, unsuitable or improper for the use or occupancy to which it is put; vacant buildings which are not continuously guarded or not sealed and kept secured against unauthorized entry; constituting a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or otherwise dangerous to life or property; and all excavations for new construction or resulting from the demolition of existing buildings that are closer to the street property line than 10 feet or more than 18 inches deep.

(c) That historic properties, or those properties located within a historic district as defined by 16-20.001, shall be required to obtain a Certificate of Appropriateness as part of the application for a demolition permit. If the property is deemed dangerous under Sections 105.4 or 105.5, then a Certificate of Appropriateness shall not be required.

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed for purposes of this ordinance only, and only to the extent of the conflict.

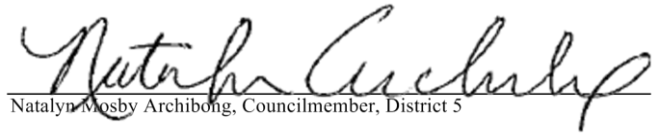
**CITY COUNCIL
ATLANTA, GEORGIA**

14-O-1442

SPONSOR SIGNATURES



Kwana Hall, Councilmember, District 2



Natalyn Mosby Archibong, Councilmember, District 5

**CITY COUNCIL
ATLANTA, GEORGIA**

14-O-1442

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Workflow List:

Elizabeth Jones	Completed	09/03/2014 10:41 AM
Theresa Payne	Skipped	09/03/2014 4:42 PM
Atlanta City Council	Completed	09/02/2014 1:00 PM
Community Development & Human Resources Committee	Completed	09/09/2014 12:30 PM
Atlanta City Council	Completed	09/15/2014 1:00 PM
Community Development & Human Resources Committee	Completed	09/23/2014 12:30 PM
Atlanta City Council	Completed	10/06/2014 1:00 PM
Community Development & Human Resources Committee	Completed	10/14/2014 12:30 PM
Atlanta City Council	Completed	10/20/2014 1:00 PM
Community Development & Human Resources Committee	Completed	10/28/2014 12:30 PM
Atlanta City Council	Completed	11/03/2014 1:00 PM
Community Development & Human Resources Committee	Completed	11/10/2014 12:30 PM
Atlanta City Council	Completed	11/17/2014 1:00 PM
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Community Development & Human Resources Committee	Completed	07/14/2015 12:30 PM

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Atlanta City Council	Completed	07/20/2015 1:00 PM
Mayor's Office	Skipped	07/28/2015 1:52 PM
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Atlanta City Council	Completed	08/17/2015 1:00 PM
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Atlanta City Council	Pending	09/06/2016 1:00 PM

HISTORY:

09/02/14

Atlanta City Council

REFERRED WITHOUT OBJECTION

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ABSENT:	Michael Julian Bond, Cleta Winslow	
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COMMITTEE		

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Certified by Presiding Officer	Certified by Clerk
<p style="text-align: center;">Mayor's Action</p> <p style="text-align: center;">APPROVED by Operation Of Law per City Charter Section 2-403 - July 28, 2015</p> <p style="text-align: center;"><i>See Authentication Page Attachment</i></p>	