

A RESOLUTION BY COUNCILMEMBER IVORY LEE YOUNG, JR.

A RESOLUTION AUTHORIZING THE CITY OF ATLANTA TO EXERCISE ITS URBAN REDEVELOPMENT PROJECT POWERS UNDER O.C.G.A. 36-61-2, (THE URBAN REDEVELOPMENT LAW) TO DESIGNATE A CERTAIN AREA WITHIN ITS GEOGRAPHIC BOUNDARIES AS ATLANTA URBAN REDEVELOPMENT AREA FOR DISTRICT 3 AS DEFINED IN O.C.G.A. SECTION 36-61-2(18) AND (19); TO DIRECT THE PREPARATION OF AN URBAN REDEVELOPMENT PLAN AND THE PUBLICATION OF A NOTICE OF PUBLIC HEARING FOR SUCH PLAN; AND FOR OTHER PURPOSES.

WHEREAS, it has been determined that there exist within the City of Atlanta (the “City”) areas in which there is inadequate transportation, connectivity and infrastructure, unoccupied and deteriorated buildings, tax delinquency, and other adverse economic and social conditions; and

WHEREAS, Chapter 61 of Title 36 of the Official Code of Georgia Annotated, as amended (the “Urban Redevelopment Law”) authorizes municipalities to designate areas within their “area of operation” as “blighted areas” or “Urban Redevelopment Areas” and to exercise certain redevelopment powers and carry out “urban redevelopment projects” therein; and

WHEREAS, the Urban Redevelopment Law requires, as a condition to the exercise of any of the powers conferred by the Urban Redevelopment Law, to adopt an ordinance finding that one or more slum areas exist in the municipality (“Urban Redevelopment Area”) and that the rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of its residents; and

WHEREAS, the Urban Redevelopment Law defines an Urban Redevelopment Area to include an area which (1) the governing body of the municipality designates as appropriate for an urban redevelopment project and (2) by reason of the presence of a substantial number of deteriorated, or deteriorating structures, prominence of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; unsanitary or unsafe conditions; deterioration of site or other improvements; tax or special assessment delinquency exceeding the fair value of the land; the existence of conditions which endanger life or property by fire and other causes; or any combination of such factors substantially impairs or arrests the sound growth of the municipality, retards the provisions of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use; and

WHEREAS, the City has determined that one or more areas exist within the City meeting the Urban Redevelopment Law’s definition of a slum area and that it is in the public interest of the City that the Urban Redevelopment Law be exercised in order to remediate conditions within the City which constitute an economic and social liability and impairs the sound growth of the City.

WHEREAS, the governing body of the City of Atlanta (the “City Council”) desires to designate an area of approximately _____ acres within the geographic boundaries of the City located in District 3 as a “blighted area” or “Urban Redevelopment Area,” as particularly described in Exhibit “A.”

WHEREAS, in order to facilitate the financing of certain “urban redevelopment projects” within the Atlanta Urban Redevelopment Area for District 3, the City Council desires that an Urban Redevelopment Plan be prepared in accordance with Section 36-61-7(b) of the Urban Redevelopment Law;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows;

BE IT FURTHER RESOLVED, that this Resolution is adopted pursuant to the provisions of the Urban Redevelopment Law and other laws of the State of Georgia.

The City Council hereby finds, determines, and declares that one or more slum areas exist in the City and that the rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City.

The City Council hereby declares that the area described in Exhibit "A" attached to this ordinance ("City of Atlanta Urban Redevelopment Area for District 3) qualifies as an Urban Redevelopment Area (i) in which there is a predominance of buildings or improvements which by reason of dilapidation, deterioration, age or obsolescence and inadequate provision for ventilation, light, air, sanitation, or open spaces of buildings of improvements is conducive to ill health, delinquency and its detrimental to the public health, safety, morals or welfare, (ii) which by reason of a predominance of defective or inadequate street layout substantially impairs the sound growth of the City and (iii) which by reason of the presence of a substantial number of deteriorated or deteriorating structure constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use. The City Council furthermore declares that by reason of these conditions such area is designated as appropriate for an Urban Redevelopment Project.

The City Council finds, determines and declares that the rehabilitation and redevelopment of each Urban Redevelopment Area is likely to improve the economic and social conditions of the related Urban Redevelopment Area and abate or eliminate deleterious effects of its current depressed and underutilized state.

This resolution shall be effective immediately upon its adoption by the City Council and from and after such adoption the City may exercise any of the powers conferred upon it by the Urban Redevelopment Law.

The appropriate officers of the City are hereby directed to cause an "Urban Redevelopment Plan" to be prepared for the Atlanta Urban Redevelopment Area in accordance with Section 36-61-7(b) of the Urban Redevelopment Law and to cause notice of a public hearing to be published for the purpose of considering such plan in accordance with Section 36-61-7(c) of the Urban Redevelopment Law.

BE IT FINALLY RESOLVED, that any and all ordinances or resolutions or parts of ordinances or resolutions in conflict with this ordinance shall be and the same hereby are repealed, and this ordinance shall be in full force and effect from and after its adoption.