

AN ORDINANCE
BY COUNCIL MEMBER DERRICK BOAZMAN

[Handwritten signatures and names: "Able", Thomas, Davy, John]

AN ORDINANCE TO AMEND CHAPTER 58 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA SO AS TO CREATE A NEW ARTICLE IV TO BE ENTITLED "PROHIBITION AGAINST PREDATORY LENDING;" TO PROHIBIT ALL BUSINESS ENTITIES AND THEIR AFFILIATES FROM MAKING, ISSUING OR ARRANGING ANY SUBPRIME OR HIGH-COST LOAN, OR ASSISTING OTHERS IN DOING SO IN THE CITY OF ATLANTA; TO AMEND CHAPTER 2, ARTICLE X, DIVISION 4 BY CREATING A NEW SECTION 2-1213 SO AS TO PROHIBIT PREDATORY LENDERS FROM CONTRACTING WITH THE CITY OF ATLANTA; TO AMEND CODE SECTION 2-1623 SO AS TO DEBAR PREDATORY LENDERS FROM DOING BUSINESS WITH THE CITY OF ATLANTA; TO AMEND SECTION 2-965 SO AS TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO WITHDRAW FUNDS FROM ANY DEPOSITORY THAT IS ITSELF OR IS AN AFFILIATE OF A PREDATORY LENDER; TO AMEND CHAPTER 2, ARTICLE VI SO AS TO CREATE A NEW SECTION 2-324 TO PREVENT INVESTMENT OF CITY FUNDS IN PREDATORY LENDERS OR THEIR AFFILIATES; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the governing body of the City of Atlanta has received complaints that its elderly and fixed-income residents are losing their homes because the loan documents they signed contained unconscionable terms that they misunderstood or did not understand; and

WHEREAS, the Mayor and the governing body of the City of Atlanta seek to protect the health, safety and welfare of its citizens; and

WHEREAS, the Charter of the City of Atlanta empowers its governing authority to make, ordain, and establish such bylaws, ordinances, rules, and regulations as shall appear necessary for the security, welfare, convenience, and interest of the city and the inhabitants thereof and for preserving the health, peace, order, and good government of the city

WHEREAS, loan practices that take advantage of the most vulnerable of our citizens are contrary to the public interest and threaten the viability and stability of area neighborhoods and their citizens.

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