00- O-0672
Z-00-47

AN ORDINANCE
BY COUNCILMEMBER DOUG ALEXANDER

AN ORDINANCE TO REGULATE THE ISSUANCE OF CERTIFICATES OF OCCUPANCY, AND FOR OTHER PURPOSES.

Be it Ordained by the Council of the City of Atlanta as follows:

Section 1. That a new section (4) be added to Section 16.30.005 so that the section will read as follows:

16.30.5. Certificate of Occupancy.

(1) *For New or Altered Structures and Uses.* No persons shall use or permit the use of any structure or premises or part thereof hereafter created, erected, changed, converted, enlarged or moved wholly or partly, in use or structure, until a certificate of occupancy reflecting use, extent, and location shall have been issued to the owner or tenant by the director, bureau of buildings. Where a building permit is involved, such certificate shall show that the structure or use, or both, to affected part thereof, are in conformity with the provisions of this part; and it shall be the duty of the director, bureau of buildings to issue such certificate if he finds that all of the requirements of this part have been met, and to withhold such certificates unless he finds that all of the requirements of this part have been met.

(2) *Temporary Certificates of Occupancy.* A temporary certificate of occupancy for a part of a building or premises may be issued in accordance with general rules or regulations concerning such temporary certificates, and with such additional conditions and safeguards as are necessary in the circumstances of the case to protect the safety of occupants and the general public.

(3) *Certificates of Occupancy for Existing Uses or Structures.* Upon written request from the owner and upon inspection to determine the facts in the case, if in conformity with the requirements of this part, the

director, bureau of buildings shall issue a certificate of occupancy for any buildings, premises or use, certifying that the building, premises or use is in conformity with the provisions of this part.

(4) *Withholding of Permit.* The director shall not issue a certificate of occupancy to any building or part of a commercial building that does not have an unrestricted pedestrian entrance fronting the street or thoroughfare, when required by zoning code or site plan amendment.

a. The City Council may grant a waiver of this requirement. The only applicable considerations for a such a waiver are demonstrable public safety considerations.

b. If a waiver is requested, the director may issue a temporary certificate of occupancy for a period up three (3) months for the affected building, buildings or parts thereof. The director may extend the temporary certificate until the Council has ruled on the waiver for a period of up to nine (9) months.

Section 2. That all laws, or parts of laws, that in conflict with the above are hereby repealed.

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(Do Not Write Above This Line)

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FILED BY
CITY COUNCIL

DEC 03 2001

☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred 5/1/00 ZRB
Referred To: Zoning
Date Referred
Referred To:
Date Referred
Referred To:

First Reading

Committee
Date
Chair
Referred to

Committee	Committee
Date	Date
Chair	Chair
Actions: Fav, Adv, Hold (see rev. side) Other:	Actions: Fav, Adv, Hold (see rev. side) Other:
Members	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Actions: Fav, Adv, Hold (see rev. side) Other:	Actions: Fav, Adv, Hold (see rev. side) Other:
Members	Members
Refer To	Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd Readings ☐ 3rd

☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

CERTIFIED
DEC 03 2001
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
DEC 03 2001
Rhonda Dauphin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

(5)