06- O -1196

AN ORDINANCE

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

AN ORDINANCE TO RE-IMPOSE A MORATORIUM ON THE ACCEPTANCE OF NEW PRIVATE PROPERTY VENDING APPLICATIONS AND ON THE ISSUANCE OF PRIVATE PROPERTY VENDING PERMITS FOR NEW VENDORS UNTIL DECEMBER 31, 2006,OR UNTIL ANTICIPATED REVISIONS TO THE "PRIVATE PROPERTY VENDING ORDINANCE" ARE ADOPTED AND APPROVED, IF SOONER; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Whereas, the City has the responsibility and the authority to regulate and prohibit any act, practice, conduct, or use of property which is detrimental, or likely to be detrimental, to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city and to provide for the enforcement of such standards; and

Whereas, the City has the power to make, ordain and establish such laws, 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; and

Whereas, pursuant to its police powers, the City is authorized to enact legislation to regulate certain types of businesses and industries which could potentially affect the public health, safety and welfare, including vending on private property; and

Whereas, there is a proliferation of private property vendors some of whose vending sites and structures are unsightly and unsafe; and

Whereas, this proliferation of private property vendors has also led to traffic congestion and the creation of dangerous traffic conditions; and

Whereas, the City ordinances regarding vending on private property should be reviewed, revised and updated in order to eliminate the problems associated with vending on private property; and

Whereas, it is anticipated that said review, revision and updating should be completed by December 31, 2006; and

Whereas, no new applications or permits for private property vending locations should be accepted during the period of time in which the moratorium is in effect.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: A moratorium on the acceptance of new private property vending applications and on the issuance of private property vending permits for new vendors is hereby re-imposed until December 31, 2006, or until anticipated revisions to the "Private Property Vending Ordinance" are adopted and approved, if sooner.

Section 2: Pursuant to Ordinance # 06-O-0966, the moratorium hereby imposed shall not apply to existing private property vendors with a valid vending permit issued pursuant to Atlanta City Code Sections 30-1461, et seq.

Section 2: All ordinances or parts of ordinances in conflict with this ordinance are hereby waived to the extent of any such conflict.