01- O -0309

AN ORDINANCE BY

COUNCILMEMBER MICHAEL BOND, Cleta Winslow, Sherry Dorsey, Jim Maddox, "Able" Mable Thomas

AN ORDINANCE TO ESTABLISH THE CITY OF ATLANTA TAX LIEN COMMISSION; TO ESTABLISH ITS MEMBERSHIP AND RESPONSIBILITIES; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the governing body of the City of Atlanta is receiving numerous complaints, particularly from senior citizens, of tax liens that are sold to numerous buyers while simultaneously increasing the amount of the tax lien when fees and costs are added; and

WHEREAS, these senior citizens and other low income persons, after having difficulty paying the original amount of taxes, find it impossible to pay the tax liens once the amount is greatly inflated through each subsequent sale to buyers of these tax liens; and

WHEREAS, the City of Atlanta desires to establish a Tax Lien Commission to hold public hearings and provide findings and recommendations on requests from citizens of the city of Atlanta who petition for their tax liens to be held by the city before sale to a third party; to consider payment arrangements on tax liens imposed by the city, and to consider the exclusion of the tax liens on properties of senior citizens to prevent the automatic sell to third parties.

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

Section 1.
That a Section 146-139 be created in Chapter 146, Article II, Division 1 which states the following:

Sec. 146-139. Creation; Composition; Terms of Office.
There is hereby created and established a Tax Lien Commission to conduct public hearings on tax liens that are sold by the City of Atlanta before the commission of such a sale. This Commission may have such other functions, powers and duties as may be hereafter prescribed by the council. The Commission shall be composed as follows:

(1) The Tax Lien Commission shall be composed of nine (9) members who shall select a chairman from the membership of the Commission. No member of the Commission shall be actively involved as a principal occupation in the purchase or sale of real estate in the city of Atlanta.

(2) One member of the Commission shall be appointed by the President of Council.
(3) One member of the Commission shall be appointed by the mayor.
(4) One member of the Commission shall be a councilmember nominated by a fellow member and approved by majority vote of council.
(5) The council shall appoint three members in the following manner:
(i) Districts 1,2, 3, and 4, and at-large Post 1.
(ii) Districts 5, 6, 7, and 8 and at-large Post 2
(iii) Districts 9, 10, 11, and 12 and at large Post 3

No more than five (5) candidates for membership shall be nominated by Districts 1,2, 3, and 4, and at-large Post 1. One member shall be chosen by majority vote of council to represent that paired grouping. No more than five candidates for membership shall be nominated by Districts 5,6,7, and 8, and at-large Post 2. One member shall be chosen by majority vote to represent that paired grouping. No more than five (5) candidates for membership shall be nominated by Districts 9,10, 11, and 12, and at-large Post 3. One member shall be chosen by majority vote of council to represent that paired grouping.
(6) In the event that a list of names is not received from a paired grouping within 60 days of the President of Council's request, the president shall proceed to nominate for the position in accordance with the remainder of this section. Said nominations shall be confirmed by a majority of council members present and voting on these nominations.
(7)The remaining three (3) members of the Commission shall be residents of the city who shall be or have been actively engaged in the profession of a) municipal planning, b) law and c) accounting. These three (3) members shall be selected by the mayor and must receive a majority vote of the council.
(8) Members of the Commission appointed by the mayor and the president of council shall serve one year terms. Members of the Commission selected from paired council districts 1 2, 3, and 4 shall serve two (2) year terms. The three (3) members of the Commission appointed by the mayor and receiving a majority vote by council in the profession of municipal planning, law and accounting shall serve three (3) year terms. Members may serve more than one term on the Commission.

Section. 146-140 Compensation; Staff; .
With the exception of the councilmember, each member of the Commission shall be paid $25 for each meeting of the Commission that the member attends, but in no event shall the total amount so paid any member exceed the sum of $300 in any one (1) calendar year. The executive branch shall provide such staff as is required for efficient operation of the Commission. The finance department shall provide forms for the request for a delay in the transfer of tax liens, the request for payment arrangements with the city of Atlanta, and the exclusion of tax liens from sale to third parties.

Section 146-141. Functions; Duties; Transmission of Findings and Recommendations.

(1) The Commission shall hold public hearings and provide findings and recommendations to the Finance Department on requests from citizens of the city of Atlanta who petition for their tax liens to be held by the city before sale to a third party, for payment arrangements on tax liens imposed by the city, and for the exclusion of the tax liens on properties of senior citizens from being automatically sold to third parties.

(2) The chairman shall cause accurate minutes of all proceedings to be maintained and transcribed, shall certify the accuracy of the transcript of the minutes of any hearing within 10 days after the date this hearing is held, and shall cause this transcript to be filed with the clerk forthwith upon certification.

(3) This Commission shall make, and the minutes of each hearing shall set forth, separate findings of fact and conclusions on each request and shall transmit these findings, conclusions and recommendations to the Finance Department.

(4) If the recommendations of the Commission are rejected by the Finance Department, the Department shall send an explanation of the rejection to the Council within 30 days of any action taken with respect to the request.

Section 2.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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(Do Not Write Above This Line)

AN ORDINANCE

Councilmember Michael J. Bond

An Ordinance to establish the City of Atlanta Tax Lien Commission; to establish its membershiop and responsibilities; to repeal conflicting ordinances; and for other purposes

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

Date Referred 2/19/01

Referred To: Finance / Executive

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee
Date
Chair
Referred to

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

Committee	Committee
Date	Date
Chair	Chair
Action: Fav, Adv, Hold (see rev. side) Other:	Action: 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

MAYOR'S ACTION