COMMITTEE AMENDMENT FORM

DATE **2/12/02**

COMMITTEE **CD/HR** PAGE#(S)_____

ORDINANCE# **02-O-0149** SECTION(S)_____

RESOLUTION#_____ PARAGRAPH_____

AMENDMENT:

To correct the council district numbers for the following 2 parcels of property:

1925 Harbin Road, SW	from 10 to **11**
1255 Plaza Avenue, SW	from 10 to **4**

CITY COUNCIL
ATLANTA, GEORGIA

AN AMENDED ORDINANCE

02-O-0149

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO CLEAN THE PREMISES AND CLOSE THE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON DECEMBER 27, 2001.

1301 Chattahoochee Avenue	**09**
961 Conley Road, SE	**12**
1925 Harbin Road, SW	**11**
2940 Old Jonesboro Road, SE	**12**
1255 Plaza Avenue, SW	**04**

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on December 27, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, on December 27, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to clean the premises and close the various structures following real property, upon which structure(s) are located:

Proper Street Address	City Council District
1301 Chattahoochee Avenue	**09**
961 Conley Road, SE	**12**
1925 Harbin Road, SW	**11**
2940 Old Jonesboro Road, SE	**12**
1255 Plaza Avenue, SW	**04**

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

(1) Vacate the structures, (if occupied).
(2) Clean the premises and board the structures(s) in conformity with the In Rem Review Board's Orders.
(3) File a lien against the real property on which the structures(s) are attached for the cost incurred.
(4) Maintain the property in conformity with the In Rem Review Board's Order until the structure(s) are repaired or demolished.

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.