AN ORDINANCE

02- 0 -1014

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 DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON April 25,2002.**

| | | |
|---|---|---|
| **1851** | **Lakewood Terrace, SE** | **01** |
| **2300** | **Thomas Road, NW** | **09** |
| **558** | **Western Avenue, NW** | **03** |

**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 April 25, 2002 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,** April 25, 2002, 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 forthwith demolish and clean the following real property, upon which structure(s) are located:

| Proper Street Address | | City Council District |
|---|---|---|
| **1851** | **Lakewood Terrace, SE** | **01** |
| **2300** | **Thomas Road, NW** | **09** |
| **558** | **Western Avenue, NW** | **03** |

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) Demolish the structures and clean the premises.
(3) Plant grass in conformance with the Order of the In Rem Review Board
(4) File a lien against the real property on which the structures(s) are attached
In an amount necessary to recover the costs incurred by the City of Atlanta

**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.

To Mayor's Office: Greg Pridgeon
(for review & distribution to Executive Management

Commissioner Signature _____ Director Signature _____
From: Originating Dept. Housing Demolition Contact (name) Dale Haygood – 6195
Committee(s) of Purview: Comm. Dvlpmt./HR Committee Deadline: 5/31/02
Committee Meeting Date(s) 6/11 & 25, 2002 City Council Meeting Date: 6/17 & 7/1, 2002

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO CLEAN AND CLOSE THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD April 25, 2002.

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|---|---|
| 1851 Lakewood Terrace, SE | 01 |
| 2300 Thomas Road, NW | 09 |
| 558 Western Avenue, NW | 03 |

BACKGROUND/PURPOSE/DISCUSSION:
Owner(s) and/or Parties in interest at above properties did not repair or demolish the structure and clean the premises in accordance with the Atlanta Housing Code of 1987.

FINANCIAL IMPACT (if any): Approximately $3,600.00

(The actual calculations are not made until the property is released to the contractor. The cost for cleaning and boarding the property is calculated for each structure depending on the number of window and door openings and the trash and debris that is removed).

OTHER DEPARTMENT(S) IMPACTED: _____

Coordinated Review With: _____

Mayor's Staff Only

Received by Mayor's Office: 5/28/02 (date) Reviewed: _____ (initials) (date)

Submitted by Council: _____ (date)

Action by Committee: ___Approved ___Adversed ___Held ___Amended ___Substitute ___Referred ___Other