COMMITTEE AMENDMENT FORM

DATE 9/30/03

COMMITTEE CD/HR PAGE#(S)_____

ORDINANCE# 03-O-1442 SECTION(S) 2

RESOLUTION#_____ PARAGRAPH_____

AMENDMENTS:

To insert a new Section 2 and re-number the old Sections 2 and 3 to Sections 3 and 4. The new Section 2 shall read:

Section 2: That Section 8-2094(c) (1) through (5) of the Commercial and Industrial Code are hereby amended to read as follows:

(1) Upon first conviction, each separate violation of this code shall be punishable A fine of not less than $500.00 nor more than $1000.00 or imprisonment for not more than 60 days or both.

(2) A second conviction for violation of this code shall be punishable by a fine of not less than $750.00 per separate offense nor more than $1000.00 or imprisonment for not more than 60 days or both.

(3) A third conviction and any conviction thereafter of this code shall be punishable by a fine of $1000.00 per separate offense nor more than 60 days or both.

(4) Where a person shall be convicted of more than one offense and sentenced to imprisonment, said sentences shall be served concurrently; provided however, the judge may in his/her discretion, direct that these sentences run severally if said sentence would not exceed 180 days.

(5) Any or all penalties prescribed in this subsection may be imposed upon the appropriate officers or partners of a corporation, partnership or other legal entity for the failure to comply with any provision of this code.

AN ORDINANCE BY
COUNCIL MEMBER MARY NORWOOD
AS AMENDED BY COMMUNITY DEVELOPMENT
& HUMAN RESOURCES COMMITTEE

03-O -1442

AN ORDINANCE INCREASING THE MINIMUM FINES IMPOSED FOR VIOLATIONS OF THE CITY OF ATLANTA HOUSING CODE, IMPOSING A RE-INSPECTION FEE FOR REPEAT INSPECTIONS OF PROPERTIES DEEMED IN VIOLATION OF THE HOUSING CODE, AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta Housing Code establishes minimum fines to be imposed by the Municipal Court upon their finding of a violation of the provisions of the Housing Code, and

WHEREAS, the current minimum fines do not provide adequate financial incentive to property owners to remedy violations of the Housing Code, and

WHEREAS, structures that are in violation of the provisions of the Housing Code constitute a threat to public health and safety,

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:

Section 1: That Appendix E, Article I, Section 18(d) of the City of Atlanta Code of Ordinances be amended to read as follows:

(d) *Penalties*. Failure to comply with any provision of this Code shall constitute an offense and shall be punishable as follows:

(1) Each separate violation of this Code shall be punishable by a fine of not less than One Hundred Dollars ($100.00) nor more than One Thousand Dollars ($1000.00) or imprisonment for not more than sixty (60) days or both.

(2) A second conviction for violation of this Code shall be punishable by a fine of not less than Three Hundred and Fifty Dollars ($350.00) nor more than One Thousand Dollars ($1000.00) or imprisonment for not more than sixty (60) days or both.

(3) A third or subsequent conviction for violation of this Code shall be punishable by a fine of **One Thousand Dollars ($1,000.00)** or imprisonment for not more than sixty (60) days or both.

(4) The Municipal Court shall levy a fee of **One Hundred Dollars ($100.00)** for each re-inspection by City Housing Inspectors of properties found in violation of this Code where, after the re-inspection, the property continues to be in non-compliance.

(5) Where a person shall be convicted of more than one (1) offense and sentenced to imprisonment, such sentences shall be served

concurrently; provided, however, that the judge may, at his or her discretion, direct that these sentences run severally if said sentence would not exceed one hundred and eighty (180) days.

(6) Any or all of the penalties prescribed in this Subsection may be imposed upon the appropriate officers or partners of a corporation, partnership or other legal entity that acts unlawfully pursuant to Section 17(a).

Section 2: That Section 8-2094(c) (1) through (5) of the Commercial and Industrial Code are hereby amended to read as follows:

(1) Upon first conviction, each separate violation of this code shall be punishable A fine of not less than $500.00 nor more than $1000.00 or imprisonment for not more than 60 days or both.

(2) A second conviction for violation of this code shall be punishable by a fine of not less than $750.00 per separate offense nor more than $1000.00 or imprisonment for not more than 60 days or both.

(3) A third conviction and any conviction thereafter of this code shall be punishable by a fine of $1000.00 per separate offense nor more than 60 days or both.

(4) Where a person shall be convicted of more than one offense and sentenced to imprisonment, said sentences shall be served concurrently; provided however, the judge may in his/her discretion, direct that these sentences run severally if said sentence would not exceed 180 days.

(5) Any or all penalties prescribed in this subsection may be imposed upon the appropriate officers or partners of a corporation, partnership or other legal entity for the failure to comply with any provision of this code.

Section 3: That this Ordinance shall become effective _____.

Section 4: That all Ordinances, or parts of Ordinances, in conflict herewith are repealed.