AN ORDINANCE BY

03- O -1472

COUNCILMENBER C. T. MARTIN

AN ORDINANCE TO AMEND SECTION 106-81(6) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA SO AS TO DEFINE SPECIFIC PUNISHMENTS FOR VIOLATION OF THIS SECTION; AND FOR OTHER PURPOSES.

WHEREAS, the battle against drugs and the drug industry requires constant creative thinking and making every effort to stay in front of the organizations; and

WHEREAS, the City seeks to develop laws that directly impact the drug industry and those who further it through their use, sale and distribution of the product; and

WHEREAS, defining the penalties for violation of this ordinance that will further the battle against the drug industry in Atlanta.

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

SECTION 1:

That Section 106-81(6) of the code of ordinance is hereby amended to read as follows::

(6) Be in or about any place where gaming or the illegal sale or possession of alcoholic beverages or narcotics or dangerous drugs is practiced, allowed or tolerated, for the purpose of or intent to engage in gaming or the purchase, use, possession or consumption of such illegal drugs, narcotics or alcoholic beverages;

(a) The following penalties shall be imposed upon conviction of 106-81(6):

1. **First Conviction.** Punishment as provided in section 1-8 of the code
2. **Second Conviction.** The punishment shall be a minimum of three months confinement with no reduction in time.
3. **Third and Subsequent Convictions.** The punishment shall be a minimum of six months confinement with no reduction in time.

(b) Any vehicle impounded as a result of an arrest for violation of this section shall be subject to an administrative fee associated with impoundment prior to release of said vehicle. The administrative fee shall not exceed $2,500.

(c) All fines paid and collected by the Atlanta Municipal and City Courts pursuant to conviction under this section shall be deposited into the Inmate

Welfare Trust Fund Budget (FAC 3P02 494008 I21W02CL9999) to defray the cost of substance addiction treatment for sentenced defendants.

SECTION 2:

That all ordinances and parts of ordinances in conflict herewith are hereby repealed.