



**A SUBSTITUTE ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE TO AMEND THE PROVISIONS OF CHAPTER 150, ARTICLE IV, DIVISION 2, SECTION 150-111 OF THE CITY OF ATLANTA CODE OF ORDINANCES, AND APPENDIX B: FEES, FOR THE PURPOSE OF MAKING MINOR TEXTUAL REVISIONS TO SECTION 150-111; TO ADJUST THE FINE FOR FAILURE TO DISPLAY THE PASS REQUIRED FOR PARKING CERTAIN COMMERCIAL VEHICLES IN LOADING ZONES AND FOR PARKING WITHOUT CHARGE AT METERED PARKING SPACES; TO IMPOSE A FEE FOR REPLACING SUCH PASS IF LOST, STOLEN, DAMAGED OR OTHERWISE AMENDED; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta (the "City") formed the Blue Ribbon Commission on Waste and Efficiency in Government (the "Commission") in March of 2014 to identify cost-savings strategies in City government; and

**WHEREAS**, the Commission recommended a comprehensive review of the City's current fees and fines to assess, adjust, and execute fees and fines that accurately reflect the cost of services; and

**WHEREAS**, the Department of Finance has determined that the fine amounts charged for failure to display the pass required for parking certain commercial vehicles in loading zones and for parking without charge at metered parking spaces as set forth in Section 150-111 and Appendix B of the Atlanta City Code must be increased to deter violators; and

**WHEREAS**, the Department of Finance has determined the need to impose a fee to cover the cost to replace such parking pass if lost, stolen or destroyed, or if the passholder wishes to substitute one permitted vehicle in place of another; and

**WHEREAS**, the Department of Finance has determined that certain minor textual revisions to Section 150-111 of the Atlanta City Code must be made for the purpose of clarity.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS** as follows:

**SECTION 1:** That Section 150-111 of the Code of Ordinances of the City of Atlanta, which currently reads as follows (with deletions in ~~strikeout font~~ and permanent amendments in **bold font**):

**Section 150-111.- Pass required for parking of certain commercial vehicles in truck loading zones and without charge at metered parking spaces.**



(a) As used in this section, the term "commercial vehicles other than commercial trucks," ~~as defined by the state~~, means vehicles that are used primarily in the transportation of property ~~used in the normal course of business for compensation~~, including but not limited to **wreckers, tow trucks**, station wagons and vans used for commercial purposes, but **shall not include any vehicle having a gross weight of 10,001 pounds or over which is designed and used for the transportation of merchandise or freight** and shall not include vehicles used primarily for the transportation of passengers.

(b) Commercial vehicles other than **commercial** trucks are authorized to park in areas of the city designated as truck loading zones and without charge at all metered parking spaces so long as a truck loading zone/parking meter pass is first obtained from the ~~bureau of traffic and~~ **office of transportation** as prescribed in this section, **and only during loading and unloading of the vehicle.**

(c) The pass, valid for 12 months, shall be issued upon payment of a yearly pass fee of \$300.00.

(d) Every person desiring to obtain a pass required under this section shall make written application to the ~~bureau of traffic and~~ **office of transportation** upon forms to be prepared and approved by the ~~bureau~~ **office**. Such application shall state the name and address of the applicant, the nature of the vehicle, the nature and character of the business conducted by the applicant and the location of the commercial uses of the vehicle in the city. Such application shall be sworn to and subscribed to by the applicant before a notary public. Upon submission of the application and upon payment of a the yearly **pass** fee of \$300.00 ~~as required in subsection (g) below~~, the pass shall be issued. Prior revocation of a pass under this section shall be grounds for not issuing a pass under this section.

(e) Any passholder while parked in a truck loading zone or in a space where a parking meter is installed shall have ~~placed in~~ **adhered to** the windshield on the driver's side of the vehicle a ~~12-inch by 12-inch sign~~ **3 inch by 3 inch decal** with letters not less than one-inch high indicating the name of company and city permit number granted for use of the vehicle. **which shall be supplied to the passholder by the bureau of traffic and office of transportation.**

(f) Any material omission, untrue or misleading information contained in or left out of an original or renewal application for a pass under this section shall be cause for the denial of the pass. If any pass has been granted under these circumstances, such shall constitute cause for the revocation of the pass.

(g) Every pass issued under this section shall be renewed annually on or before the anniversary of the date of issuance of the pass on forms prescribed by the ~~bureau of traffic and~~ **office of transportation** and upon payment of a renewal fee of \$300.00.



(h) A pass issued pursuant to this section may be revoked or suspended upon the failure of any commercial vehicle permitted under this section to comply with this section.

(i) The ~~bureau of traffic and~~ **office of** transportation may revoke or suspend, for a definite or an indefinite period, any pass granted under this section whenever it shall be made to appear that the holder of such pass has violated this section or has made any false statement upon any application for a pass under this section.

(j) Prior to any suspension or revocation as set forth in subsection (f) of this section, it shall be the duty of the ~~bureau of traffic and~~ **office of** transportation to notify in writing any person holding the pass that the ~~bureau of traffic and~~ **office of** transportation has grounds for the revocation or suspension of such pass and further notifying such pass holder that the pass holder may, within a period of five days, appear to present any defense that the pass holder may have to the proposed revocation of such pass. The notice shall further advise the holder of such pass that failure to appear **within such five-day period** shall result in the revocation or suspension of the pass. Such notice shall be mailed to the last known address of the holder of such pass as the address appears from the files of the department of police. Such notice shall set forth the grounds upon which the proposed revocation or suspension is predicated.

No passholder under this section shall be authorized to stand in an area designated as a truck loading zone or freight loading zone for any time beyond that authorized in section 150-114 **of this Chapter**.

**Is hereby further amended to add the following subsections after subsection (j):**

(k) Any commercial vehicles other than commercial trucks found standing or parked in a truck loading zone, or in a space where a parking meter is located, that is not displaying a pass issued under this section, shall be issued a citation which shall impose a fine in the amount of \$100.00. If the said fine is not paid within a period of fourteen (14) days, the fine will be doubled to \$200.00.

(l) The fee to replace a lost, stolen or damaged pass, or to issue a new pass for the purpose of substituting one permitted vehicle in place of another, shall be \$20.00, and such replacement or substituted pass shall carry the same expiration date of the initial pass.

**SECTION 2:** That Appendix B: Fees shall be revised, as necessary, to reflect the imposition of the fine and replacement fee in accordance with Section 1, above.

**SECTION 3:** Said fine and replacement fee shall become effective immediately upon passage of this Ordinance.

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**SECTION 4:** That all existing ordinances or parts of ordinances in conflict with this Ordinance shall be waived for the purposes of this Ordinance only, and only to the extent of the conflict.

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk

ADOPTED by the Atlanta City Council  
APPROVED as per City Charter Section 2-403

MAY 18, 2015  
MAY 27, 2015

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