

17-O-1307

(Do Not Write Above This Line) #12298

AN ORDINANCE BY:
 COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE
 AN ORDINANCE TO AMEND SECTIONS 103 AND 104 OF THE ATLANTA BUILDING CODE SO AS TO INCREASE THE DOLLAR THRESHOLD FROM \$2,500 TO \$10,000 BELOW WHICH REPAIR WORK DOES NOT REQUIRE A BUILDING PERMIT; TO SET FORTH THE CLASS AND TYPE OF BUILDING ACTIVITIES EXEMPT FROM OBTAINING A BUILDING PERMIT AS WELL AS MECHANICAL, ELECTRICAL AND PLUMBING (MEP) PERMITS REGARDLESS OF COST; TO AUTHORIZED THE DIRECTOR OF THE OFFICE OF BUILDINGS TO ADOPT POLICIES AND PROCEDURES TO EXEMPT ADDITIONAL CLASSES FOUND NOT DETRIMENTAL TO OCCUPANTS AND THE PUBLIC; TO EXCLUDE FROM ANY PERMIT EXEMPTION PROPERTIES LOCATED IN A HISTORIC OR LANDMARK DISTRICT OR HISTORIC OR LANDMARK BUILDING OR SITE; TO ALIGN FEES FOR COLLOCATION OR MODIFICATION OF EXISTING TELECOMMUNICATION STRUCTURES OR FACILITIES WITH STATE LAW; AND FOR OTHER PURPOSES.

ADOPTED BY
 JUN 19 2017
 COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: 6/15/17
 Referred To: CD/H/S
 Date Referred:
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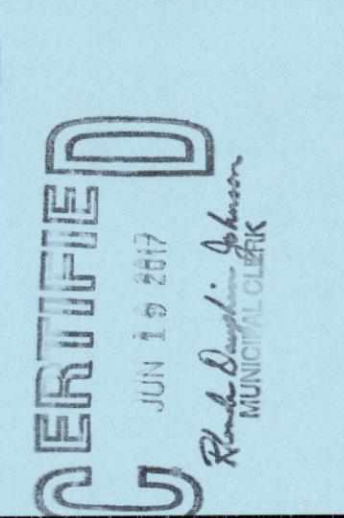
Committee: _____
 Date: 6/15/17
 Chair: Mayor's Council
 Referred To: CD/H/S

Committee: _____
 Date: 6/15/17
 Chair: Mayor's Council
 Action: Amend
 Fav, Adv, Hold (See rev.side):
 Other:
 Members: [Signature]

Refer To: _____
 Committee: _____
 Date: _____
 Chair: _____
 Action: _____
 Fav, Adv, Hold (See rev.side): _____
 Other: _____
 Members: _____

Refer To: _____
 Committee: _____
 Date: _____
 Chair: _____
 Action: _____
 Fav, Adv, Hold (See rev.side): _____
 Other: _____
 Members: _____

FINAL COUNCIL ACTION
 2ND 1ST & 2ND 3RD
 Readings
 Consent V Vote RC Vote



MAYOR'S ACTION
APPROVED
 JUN 28 2017
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



AN AMENDED ORDINANCE BY COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE TO AMEND SECTIONS 103 AND 104 OF THE ATLANTA BUILDING CODE SO AS TO INCREASE THE DOLLAR THRESHOLD FROM \$2,500 TO \$10,000 BELOW WHICH REPAIR WORK DOES NOT REQUIRE A BUILDING PERMIT; TO SET FORTH THE CLASS AND TYPE OF BUILDING ACTIVITIES EXEMPT FROM OBTAINING A BUILDING PERMITS AS WELL AS MECHANICAL, ELECTRICAL AND PLUMBING (MEP) PERMITS REGARDLESS OF COST; TO AUTHORIZE THE DIRECTOR OF THE OFFICE OF BUILDINGS TO ADOPT POLICIES AND PROCEDURES TO EXEMPT ADDITIONAL CLASSES FOUND NOT DETRIMENTAL TO OCCUPANTS AND THE PUBLIC; TO EXCLUDE FROM ANY PERMIT EXEMPTION PROPERTIES LOCATED IN A HISTORIC OR LANDMARK DISTRICT OR HISTORIC OR LANDMARK BUILDING OR SITE; TO ALIGN FEES FOR COLLOCATION OR MODIFICATION OF EXISTING TELECOMMUNICATION STRUCTURES OR FACILITIES WITH STATE LAW; AND FOR OTHER PURPOSES.

WHEREAS, the Atlanta Building Code, also known as the Building Code Amendments, is codified as Appendix A of the Land Development Code (Part III of the Code of Ordinances) and, in addition to statewide applicable state minimum standard codes, applies to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenance connected or attached to such buildings or structures, unless otherwise exempted from its provisions; and

WHEREAS, the Section 104 of the Atlanta Building Code, entitled “Permits”, sets forth provisions regulating permit application, permit fees, and permit issuance, among other things; and

WHEREAS, the Department of City Planning (“Department”), in consultation with its consultant BKD, has identified opportunities to reduce the regulatory burden on residents seeking building and other trade permits without increasing the risk to the public; and

WHEREAS, these opportunities include raising the cost threshold below which a general repair permit is not required from \$2,500 to \$10,000 which will result in modest reduction in permit fees while reducing the number of annual permits by approximately 1,000, thereby allowing deployment of Department resources on new construction and other significant projects; and

WHEREAS, these opportunities also include eliminating the requirement to obtain mechanical, electrical and plumbing permits (MEP’s) for utility re-connection as well as minor repair and replacement work within these trades; and

WHEREAS, it is necessary to update Section 104.2(m) which sets for the building permit fee for collocation and modification to previously approved and constructed telecommunication antenna and equipment so as to align with recent amendments to state law (O.C.G.A. § 36-66B-7(2)) governing such wireless support structures and facilities; and

WHEREAS, it is in the public health, safety and welfare to implement these regulatory permitting reforms



NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORIGIA, HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Section 104.2(a) of the Atlanta Building Code, codified as Appendix A of Part III (Land Development Code) of the City of Atlanta Code of Ordinances, and which reads:

- (a) No permit or permit fee is required for any repair work with a total valuation of less than \$2,500.00 provided that such work is otherwise lawful.

Is hereby amended to read:

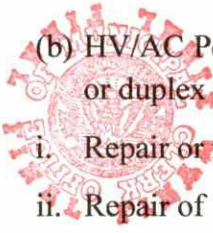
- (a) Reserved.

SECTION 2: Section 103 of the Atlanta Building Code, codified as Appendix A of Part III (Land Development Code) of the City of Atlanta Code of Ordinances is amended to add a new provision enumerated 103.4 and which shall read:

103.4. - WORK EXEMPT FROM PERMIT.

Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provision of this code or any other laws and ordinances of the City of Atlanta. Permits shall not be required for the following:

- (a) Building Permit: No permit or permit fee is required for any repair work to a single-family, duplex, multi-family or non-residential structure with a total valuation of less than \$10,000.00 provided that such work is otherwise lawful. As used herein, repair work shall mean the reconstruction or renewal of any part of an existing structure for the purpose of its maintenance. The following permit exemptions shall only apply to existing single family, two family or duplex residential structures or for existing accessory structures for such properties and without regard to cost:
 - i. Non-structural re-roofing repairs excluding truss repairs or shingle replacement provided that upon replacement no more than three layers of shingles remain;
 - ii. Repair or replacement of kitchen cabinets;
 - iii. Repair or replacement of bath cabinets or countertops not involving relocation of electric outlets or appliances or plumbing fixtures;
 - iv. Repair or replacement of interior doors;
 - v. Repair or replacement of drywall on ceilings or walls not to exceed three sheets;
 - vi. Repair or replacement of floor or wall coverings such as carpet, tile, hardwood, paneling, wallpaper, etc.;
 - vii. Interior or exterior painting;
 - viii. Repair or replacement of gutters;
 - ix. Non-structural porch or deck repairs; and
 - x. Repair or replacement of siding



- (b) HV/AC Permit: The following permit exemptions shall only apply to existing single family, two family or duplex residential structures or for existing accessory structures for such properties:
 - i. Repair or replacement of existing air conditioner condensers;
 - ii. Repair of existing furnaces and equipment; and
 - iii. Replacement of grills and diffusers on existing duct work.

- (c) Plumbing Permit: The following permit exemptions shall only apply to existing single family, two family or duplex residential structures or for existing accessory structures for such properties:
 - i. Repair or replacement of existing kitchen fixtures (sinks); and
 - ii. Repair or replacement of existing bathroom fixtures (sinks, lavatories, bathtubs, showers).

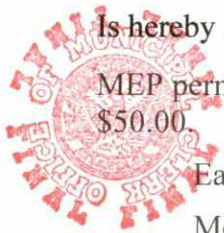
- (d) Electrical Permit: The following permit exemptions shall only apply to existing single family, two family or duplex residential structures or for existing accessory structures for such properties:
 - i. Repair or replacement of existing electrical outlets;
 - ii. Repair or replacement of existing electrical fixtures; and
 - iii. Installation, repair or replacement of low voltage systems such as security alarms, garage door openers, phone and cable lines, etc.

- (e) Policies and Procedures: The director may adopt written policies and procedures to exempt additional classes of work exempt from permitting upon a finding that such additional class or classes is warranted and will not endanger the health or safety of building occupants or the public.

- (f) No exemption for properties designated under Chapter 20 of the zoning ordinance: The foregoing permit valuation threshold and permit scope exemptions shall not apply to any work to be conducted in a landmark, or historic district, or landmark or historic building or site governed by Chapter 20 of the zoning ordinance when such work affects exterior of the structure or site. Notwithstanding the foregoing, for property governed by said Chapter 20, no certificate of appropriateness or building permit or permit fee is required for any repair work with a total valuation of less than \$2,500.00 provided that such work is otherwise lawful.

SECTION 3: Sub-paragraph “r” of section 104.2(m) of the Atlanta Building Code, codified as Appendix A of Part III (Land Development Code) of the City of Atlanta Code of Ordinance, entitled “miscellaneous permits”, and which reads:

MEP permits-Minimum fee \$150.00
Each additional trade \$150.00
More than two plan reviews-Per review \$150.00



Is hereby amended to read:

MEP permits-Minimum fee \$150.00 except public utility re-connection fee which shall be \$50.00.

Each additional trade \$150.00

More than two plan reviews-Per review \$150.00

SECTION 4: Sub-paragraph “b” of Section 104.2(m) of the Atlanta Building Code, codified as Appendix A of Part III (Land Development Code) of the City of Atlanta Code of Ordinance, entitled “miscellaneous permits”, and which reads:

Co-location on existing towers

(For each new antenna/dish/radio head):\$100.00

(For each new equipment box/cabinet/ice bridge)\$100.00

Is hereby amended to read:

For each new collocated antenna or other wireless facility on an existing wireless support structure or new equipment box within an existing ground compound:.....\$100 provided that all zoning, permitting, or other fee for review or inspection in the aggregate shall not exceed \$500.

For each modification, meaning improvement, upgrade, expansion, or replacement of an existing antenna or other wireless facility on an existing wireless support structure or within an existing equipment:.....\$100 provided that all zoning, permitting, or other fee for review or inspection in the aggregate shall not exceed \$500.

SECTION 5: All ordinances and parts of ordinances in conflict herewith are hereby waived to the degree of conflict.

A true copy,
Rhonda Dauphin Johnson
Municipal Clerk

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

JUN 19, 2017
JUN 28, 2017



Affordable Housing Impact Statement

17-O-1307

Requirements

Per the requirements of Ordinance 14-O-1614, Affordable Housing Impact Statements shall include a quantitative or numeric section that shall provide numeric estimates of impacts, quantifying numbers of units impacted at certain levels of affordability over the thirty year period following the enactment of the legislation; and a narrative section to provide an explanation of the analyses that led to the estimates.

Where the estimates are derived from existing grant applications or the basis of those estimates are otherwise straightforward, the narrative section shall state as such. Where the proposals being considered require the Office of Housing to draw upon their experience and expertise to come up with a projected impact, the narrative section shall specify what assumptions were used in creating the estimates.

Quantitative/Numeric Section

This legislation, if enacted, is estimated to have a projected impact upon the affordable housing stock of the City of Atlanta over the thirty year period following the enactment of the legislation by:

Adding 0 or decreasing 0 units affordable at 30 or below percent of the City of Atlanta Area Median Income (AMI); and

Adding 0 or decreasing 0 units affordable between 30.01 and 50 percent of AMI; and

Adding 0 or decreasing 0 units affordable at between 50.01 and 80 percent of AMI; and

Adding 0 or decreasing 0 units affordable at over 80 percent of AMI.

Narrative Section

The proposed ordinance seeks to amend the Atlanta building code to increase the dollar threshold for repair work that requires a building permit. Whereas repair work under \$2,500 currently does not require a permit, the ordinance would exempt any repair work under \$10,000 from the need for a building permit. This is estimated to reduce the number of annual permits by approximately 1,000. This legislation is estimated to have a positive impact on the affordability of housing in the City, as it will make renovations of existing housing stock less expensive. This is particularly important because older housing stock tends to be more affordable. However, it is not expected to actually increase the number of affordable housing units, but rather to preserve the affordability of existing units.

RCS# 2956
6/19/17
5:51 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I: ADOPT ALL ITEMS
EXCEPT 16-O-1608 AND 17-R-3001
ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Norwood
Y Young	Y Shook	Y Bottoms	Y Dickens
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

+

		06-19-17
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 17-O-1212	43. 17-R-3844	84. 17-R-3830
2. 17-O-1256	44. 17-R-3845	85. 17-R-3831
3. 17-O-1257	45. 17-R-3792	86. 17-R-3832
4. 17-O-1213	46. 17-R-3795	87. 17-R-3833
5. 17-O-1210	47. 17-R-3780	88. 17-R-3834
6. 17-O-1243	48. 17-R-3781	89. 17-R-3835
7. 17-O-1300	49. 17-R-3786	90. 17-R-3836
8. 17-O-1301	50. 17-R-3793	91. 17-R-3837
9. 17-O-1303	51. 17-R-3796	92. 17-R-3838
10. 17-O-1304	52. 17-R-3797	93. 17-R-3839
11. 17-O-1306	53. 17-R-3798	94. 17-R-3840
12. 17-O-1307	54. 17-R-3799	95. 17-R-3841
13. 17-O-1332	55. 17-R-3800	96. 17-R-3842
14. 17-O-1349	56. 17-R-3801	
15. 17-O-1314	57. 17-R-3848	
16. 17-O-1315	58. 17-R-3849	
17. 17-O-1318	59. 17-R-3851	
18. 17-O-1326	60. 17-R-3846	
19. 17-O-1346	61. 17-R-3847	
20. 17-O-1232	62. 17-R-3808	
21. 17-O-1311	63. 17-R-3809	
22. 17-O-1312	64. 17-R-3810	
23. 17-O-1348	65. 17-R-3811	
24. 17-O-1197	66. 17-R-3812	
25. 17-O-1316	67. 17-R-3813	
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27. 17-O-1350	69. 17-R-3815	
28. 17-R-3763	70. 17-R-3816	
29. 17-R-3775	ITEMS ADVERSED ON CONSENT	
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31. 17-R-3783	72. 17-R-3818	
32. 17-R-3787	73. 17-R-3819	
33. 17-R-3789	74. 17-R-3820	
34. 17-R-3802	75. 17-R-3821	
35. 17-R-3803	76. 17-R-3822	
36. 17-R-3804	77. 17-R-3823	
37. 17-R-3805	78. 17-R-3824	
38. 17-R-3326	79. 17-R-3825	
39. 17-R-3776	80. 17-R-3826	
40. 17-R-3779	81. 17-R-3827	
41. 17-R-3794	82. 17-R-3828	
42. 17-R-3843	83. 17-R-3829	

MAYOR'S ACTION AUTHENTICATION PAGE



17-O-1307

**Adopted by the Atlanta City Council
June 19, 2017**

APPROVED

JUN 28 2017

**WITHOUT SIGNATURE
BY OPERATION OF LAW**

MAYOR'S ACTION