

**CITY COUNCIL  
ATLANTA, GEORGIA**

**12-O-0360**

**AN ORDINANCE BY COUNCILMEMBERS H. LAMAR WILLIS AND  
C. T. MARTIN AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE**

**AN ORDINANCE TO AMEND ATLANTA CODE OF  
ORDINANCES CHAPTER 106, ARTICLE I, SECTION 106-  
12, ENTITLED URBAN CAMPING AND IMPROPER USE  
OF PUBLIC PLACES; AND FOR OTHER PURPOSES.**

**WHEREAS**, Atlanta Code of Ordinances ("Code") section 106-12 ("Urban Camping Law") prohibits camping and storing personal property on City-owned property; and

**WHEREAS**, the Urban Camping Law was passed in 1996; and

**WHEREAS**, it is in the best interest of the City to refine the definitions established in the Urban Camping Law and clarify the Law's applicability.

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

Chapter 106, Article I, Section 106-12 of the Atlanta Code of Ordinances, entitled "Urban camping and improper use of public places," a copy of which is attached hereto as Exhibit A, is hereby deleted in its entirety and replaced with the following:

"Sec. 106-12. - Urban camping and improper use of public places.

- (a) Definitions. The following words, terms and phrases, when used in this Section 106-12, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- (1) "Camp" or "Camping" means the use of a City-owned or controlled street, sidewalk and/or other right-of-way for living accommodation purposes such as sleeping activities, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings, or making a fire, or carrying on cooking activities, or using a tent or other structure for habitation. These activities constitute camping if, in light of all the circumstances, it reasonably appears that in conducting one or more of these activities, the participant is in fact using the area as a living accommodation, regardless of the intent of the participant or the nature of any other activities in which s/he may also be engaging. For purposes of this Section 106-12 (a), the terms "Camp" and "Camping" do not include activity that occurs solely within City-owned parks.
- (2) "City" means the City of Atlanta.
- (3) "City Property" means any City-owned or controlled street, sidewalk and/or other right-of-way. For purposes of this Section 106-12, "Personal Property" does not include Parks.
- (4) "Interference (or "Interfere") with Ingress and Egress" means standing, sitting, lying down, using personal property, or performing any other activity on Public Property and/or in a Park, where such activity: a) materially interferes with the ingress into and egress from buildings, driveways, streets, alleys, or any other real property that has a limited number of entrances/exits, regardless of whether the property is owned by the City, a private owner or another public entity; b) reasonably appears, in light of all of the circumstances, to have the purpose of blocking ingress and egress; and c) occurs without the express written permission of the owner of the property at issue. Where written permission has been granted, the individuals interfering with ingress and egress must have possession of the permission at the time of the activity in question.
- (5) "Park" or "Parks" means any City-owned park.

- (6) "Storing (or "Store") Personal Property" means leaving one's personal effects unattended on City Property and/or in a Park, such as but not limited to clothing, bedrolls, cookware, sleeping bags, luggage, knapsacks, or backpacks. This term does not include parking a bicycle or other mode of transportation.
- (b) It shall be unlawful for any person to Camp.
- (c) It shall be unlawful for any person to Store Personal Property.
- (d) It shall be unlawful for any person to Interfere with Ingress and Egress.
- (e) No person may be arrested for violating this code section until s/he has received an oral or written warning from the Atlanta Police Department to cease the prohibited conduct. If the violator fails to comply with the warning issued, s/he may be arrested for violation of this section.
- (f) Where personal property is stored in violation of Subsection (c) above, the Atlanta Police Department may deem the property to be abandoned and may confiscate it. No warning is required prior to the confiscation. The Department shall retain the property in a manner consistent with the handling of other confiscated property.
- (g) The prohibitions set forth in subsections (b) and (c) above shall not apply during a permitted Outdoor Event (as defined in City Code of Ordinances Chapter 142) on property where the Outdoor Event is located, as set forth in a City-issued Outdoor Event Permit, unless the Permit explicitly prohibits the activity.
- (h) The prohibitions set forth in subsections (c) and (d) above shall not apply to activity permitted pursuant to Article III of City Code of Ordinances Chapter 138.
- (i) The prohibitions set forth in this Section 106-12 shall not apply to City officials or employees acting in their official capacity, performing the activities as part of their official City duties.
- (j) The prohibitions set forth in this Section 106-12 shall not apply to City contractors or subcontractors where said activities are associated and performed in conjunction with the scope of work set forth in the City contract."

A true copy,

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

**MAR. 19, 2012**  
**MAR. 28, 2012**

Deputy Municipal Clerk