

**CITY COUNCIL  
ATLANTA, GEORGIA**

**20-O-1459**

**AN ORDINANCE**

**BY COUNCILMEMBER MICHAEL JULIAN BOND**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA CHAPTER 106 OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE 1.- IN GENERAL AND ARTICLE III.- OFFENSES AGAINST PUBLIC ORDER, TO DECRIMINALIZE VICTIM LESS MINOR OFFENSES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the term “broken window” is a policing practice which argues that policing low-level offenses can prevent more serious crimes; and

**WHEREAS**, there is little evidence that this form of policing has worked as intended, and instead, there has been growing concern this practice has led to the criminalization and over-policing of communities of color and excessive force in otherwise harmless situations; and

**WHEREAS**, the Atlanta Code of Ordinances allows for jail time for minor offenses and harmless activities, such as smoking in a public facility, monetary solicitation, loitering and even spitting; and

**WHEREAS**, many of these offenses can be addressed with a desk appearance ticket or referral to a community service program; and

**WHEREAS**, many of the low level offenses cited in the Code is punishable by a fine of up to \$1,000.00 or imprisonment for a term of up to six months; and

**WHEREAS**, these penalties serve little to help our community and can often create additional hardships for our citizens most in need.

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

**SECTION 1:** That the following offenses in the Atlanta Code of Ordinances Chapter 106-Offenses and Miscellaneous Provisions shall be punishable only by a fine of not less than \$20.00 nor more than \$50.00 for each violation, and only after a desk appearance ticket is issued.

- Sec. 106-1. - Swinging into trains.
- Sec. 106-8. - Smoking and drinking prohibited on MARTA buses, trains, rail cars.
- Sec. 106-9. - Smoking in certain areas within city buildings and facilities.
- Sec. 106-10. - Distribution of free tobacco products in public places prohibited.
- Sec. 106-11. - Use of drinking water reservoir prohibited.
- Sec. 106-12. - Urban camping and improper use of public places.
- Sec. 106-85. - Monetary solicitation, (a) and (b)
- Sec. 106-131. - Spitting.

**SECTION 2:** That the Atlanta Police Department shall receive additional training on how to respond to these and other low-level victim less offenses.

**SECTION 3:** That the Atlanta Police Department shall create a log of incidents involving the above offenses.

**SECTION 4:** That these penalty changes shall be effective within 30-days from adoption of this Ordinance.

**SECTION 5:** That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.