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City of Atlanta
Georgia

Ordinance
17-O-1215

Returned as HELD
Oct 16, 2017 1:00 PM

AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE AMENDING THE CITY OF ATLANTA CODE OF ORDINANCES SECTION 2-1548 - RENTALS OF CITY-OWNED REAL PROPERTY BY ADDING AN ADDITIONAL SECTION (C) FOR THE PURPOSE OF ESTABLISHING FEES FOR THE RENTAL OF THE CITY-OWNED GALLERY LOCATED AT 72 MARIETTA STREET; AND FOR OTHER PURPOSES.

Information

Department:	Cultural Affairs	Sponsors:	
Category:	Finance	Functions:	None Required

Attachments

[Gallery 72 Transmittal](#)
[Ordinance Amending Section 2-1548 adding 72 Marietta Gallery mc](#)
 BLUE BACK - Ordinance Amending Section 2-1548 adding 72 Marietta Gallery mc (This file has not yet been converted to a viewable format)

Item Discussion

(Held on 5/10/17 for public hearing)

Body

WHEREAS, the City of Atlanta (“City”) owns the building located at 72 Marietta Street in Atlanta (“72 Marietta”); and

WHEREAS, the Mayor’s Office of Cultural Affairs (“Cultural Affairs”) promotes art and cultural experiences throughout the Atlanta; and

WHEREAS, Cultural Affairs manages an art gallery at 72 Marietta (the “72 Marietta Art Gallery”); and

WHEREAS, Cultural Affairs is often approached by organizations and individuals wanting to rent the 72 Marietta Art Gallery as an event space; and

WHEREAS, Section 2-1548 of the City of Atlanta Code of Ordinances establishes rental fees for city-owned property (“Section 2-1548”); and

WHEREAS, the City desires to amend Section 2-1548 by adding an additional section (c) establishing rental fees for the 72 Marietta Art Gallery.

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

SECTION 1: _____ That Section 2-1548 of the City of Atlanta Code of Ordinances titled Rentals of city-owned real property is hereby amended by adding a section (c) to be titled “72 Marietta Art Gallery fees” which shall read as follows (**bold indicates added language**):

Section 2-1548 Rentals of city-owned real property.

(c) 72 Marietta Art Gallery fees.

(1) Hourly rates.

1. Refundable security deposit **\$100.00**
2. Resident Individuals **\$30.00**
3. Non-resident Individuals **\$43.00**
4. Resident tax-exempt organizations **\$30.00**
5. Non-resident tax-exempt organizations **\$43.00**
6. All other Resident organizations **\$75.00**
7. All other Non-resident organizations **\$112.00**

(2) Event Packages.

Weddings and wedding receptions. Any individual or organization wishing to hold a wedding or wedding reception at the gallery, based on availability, shall be charged \$750.00 total for use. This rental shall entitle the renter to seven hours of use, including a maximum of four hours for the event itself, two hours for set up, and one hour for break down. Any additional hours of use will be billed at \$187.50 per hour.

(3) Salary surcharge and security requirements.

Salary surcharge. In addition to all of the rates set forth above in this subsection (c), the gallery renter shall be required to pay a salary surcharge for those times when the rental occurs outside of operating hours of the gallery. The salary surcharge shall be applied to any and all renters using the gallery. The salary surcharge shall be \$25.00 per hour for each staff person required. One staff person shall be provided for every 100 persons whom the Office of Cultural Affairs reasonably expects to attend, such that 1-100 anticipated attendees shall require one staff person; 101-200 anticipated attendees shall require two staff people, etc. The number of expected attendees shall be based upon the number provided on the rental agreement. The Office of Cultural Affairs may apply a different number where it has reasonably reliable information that more attendees will be present, where it provides that information and the decision to the applicant in writing, and where it gives the applicant an opportunity to refute the information.

(4) Security.

Security requirement. The renter of all or a portion of the gallery must provide off-duty POST-certified law enforcement officers during the rental, regardless of whether the rental occurs during regular or non-regular operating hours if the Office of Cultural Affairs reasonably expects that the number of attendees will be greater than 75, the event is a party or other gathering for social purposes (i.e. not a meeting), where the Office of Cultural Affairs reasonably expects that the event will be attended primarily by persons under the age of 21 years, the event involves the serving of alcohol, or the Office of Cultural Affairs and the Atlanta Police Department both reasonably determine that

security is required because of the nature of the event to protect the safety of persons and/or property. The number of security personnel required shall be one officer for every 75 anticipated attendees or less (1-75 anticipated attendees shall require one officer; 76-150 anticipated attendees shall require two officers, etc.), unless the Atlanta Police Department decides that a greater ratio of security personnel is required to protect the safety of persons and/or property. The Office of Cultural Affairs shall establish in writing the procedure for ascertaining that the renter has met the security requirements established by the Atlanta Police Department for the rental. To the extent that this subsection (4) requires that a discretionary decision be made by the Office of Cultural Affairs and/or the Atlanta Police Department, the decision must be based upon reasonably reliable information, that information and decision must be provided to the applicant in writing, and the applicant must be given an opportunity to refute the information. In no event shall the basis of the discretionary decision be the applicant or attendees' race, color, creed, religion, gender, domestic relationship status, parental status, familial status, sexual orientation, national origin, political affiliation, gender identity, or disability status.

SECTION 2: That all fees collected for rental of the 72 Marietta Art Gallery shall be shall be deposited into the following account:

CULTURAL AFFAIRS TRUST		
FUND	7701	TRUST
GL DEPT	040215	EXE CULTURAL AFFAIRS
REVENUE ACCT	3710001	PRIVATE CONTRIBUTIONS
FUNCTION/ACTIVITY	6110000	CULTURAL/RECREATION ADMIN
PROJECT	600349	CULTURAL AFFAIRS-GENERAL TRUST
GL FUNDING SOURCE	69999	NON CAPITAL TRUST

SECTION 3: All ordinances in conflict herewith are hereby waived for purposes of this ordinance only, and only to the extent of said conflict.

Meeting History

- Apr 26, 2017 1:00 PM Video** **Finance/Executive Committee** **Regular Committee Meeting**  **Draft**

TO BE REFERRED TO FINANCE/EXECUTIVE COMMITTEE

RESULT: ACCEPTED [UNANIMOUS]
AYES: Howard Shook, Yolanda Adrean, Alex Wan, Natalyn Mosby Archibong, Carla Smith, Clarence "C. T." Martin, Felicia A. Moore
- May 1, 2017 1:00 PM Video** **Atlanta City Council** **Regular Meeting**  **Draft**

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

RESULT: REFERRED TO COMMITTEE [13 TO 0]
AYES: Michael Julian Bond, Mary Norwood, Andre Dickens, Carla Smith, Clea Winslow, Natalyn Mosby Archibong, Alex Wan, Howard Shook, Yolanda Adrean, Felicia A. Moore, Clarence "C. T." Martin, Keisha Lance Bottoms, Joyce Sheperd
ABSENT: Ivory Lee Young Jr.
AWAY: Kwanza Hall
- May 10, 2017 1:00 PM Video** **Finance/Executive Committee** **Regular Committee Meeting**  **Draft**

RESULT: HELD IN COMMITTEE [UNANIMOUS]
MOVER: Alex Wan, Councilmember, District 6
SECONDER: Clarence "C. T." Martin, Councilmember, District 10

AYES: Howard Shook, Yolanda Adrean, Alex Wan, Clarence "C. T." Martin, Felicia A. Moore
ABSENT: Natalyn Mosby Archibong, Carla Smith

May 15, 2017 1:00 PM **Atlanta City Council** **Regular Meeting**  **Draft**

RETURNED AS HELD TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

RESULT: RETURNED AS HELD

May 24, 2017 1:00 PM Video **Finance/Executive Committee** **Regular Committee Meeting**  **Draft**

Katrina Taylor Parks

RESULT: HELD IN COMMITTEE [UNANIMOUS]
MOVER: Alex Wan, Councilmember, District 6
SECONDER: Yolanda Adrean, Vice Chair
AYES: Howard Shook, Yolanda Adrean, Alex Wan, Natalyn Mosby Archibong, Carla Smith, Clarence "C. T." Martin, Felicia A. Moore

Jul 17, 2017 1:00 PM Video **Atlanta City Council** **Regular Meeting**  **Draft**

RETURNED AS HELD TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

RESULT: RETURNED AS HELD

Jul 26, 2017 1:00 PM Video **Finance/Executive Committee** **Regular Committee Meeting**  **Draft**

RESULT: HELD IN COMMITTEE

Aug 21, 2017 1:00 PM Video **Atlanta City Council** **Regular Meeting**  **Draft**

RETURNED AS HELD TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

RESULT: RETURNED AS HELD

Aug 30, 2017 1:00 PM Video **Finance/Executive Committee** **Regular Committee Meeting**  **Draft**

RESULT: HELD IN COMMITTEE

Sep 5, 2017 1:00 PM Video **Atlanta City Council** **Regular Meeting**  **Draft**

RETURNED AS HELD TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

RESULT: RETURNED AS HELD


Sep 18, 2017 1:00 PM Video **Atlanta City Council** **Regular Meeting**  **Draft**

RETURNED AS HELD TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

RESULT: RETURNED AS HELD

Sep 27, 2017 1:00 PM Video **Finance/Executive Committee** **Regular Committee Meeting**  **Draft**

RESULT: HELD IN COMMITTEE

Oct 2, 2017 1:00 PM Video **Atlanta City Council** **Regular Meeting**  **Draft**

RETURNED AS HELD TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

RESULT: RETURNED AS HELD

Oct 16, 2017 1:00 PM Video **Atlanta City Council** **Regular Meeting**  **Draft**

RETURNED AS HELD TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

RESULT: RETURNED AS HELD

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