

**ORDINANCE TO ELIMINATE DE FACTO POLL TAX IN THE CITIZEN INITIATIVE PETITION PROCESS.**

**AN ORDINANCE BY MATTHEW CHARLES CARDINALE**

**AN ORDINANCE TO AMEND CITY OF ATLANTA CODE OF ORDINANCES, PART II (ORDINANCES), CHAPTER 2 (ADMINISTRATION), ARTICLE II (COUNCIL), DIVISION 1 (GENERALLY), SECTION 2-40 (PETITIONS TO INITIATE LEGISLATION); TO REMOVE THE REQUIREMENT THAT SIGNERS OF PETITIONS SHOW ANY TAX PAYMENT RECEIPTS BECAUSE SUCH A REQUIREMENT IS AKIN TO A POLL TAX; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Charter of the City of Atlanta, Sec. 2-501, Initiative and Referendum, provides that the City Council “shall by ordinance prescribe procedures to govern the initiation, adoption, and repeal of ordinance by the electorate”; and

**WHEREAS**, whereas, by ordinance, the City adopted an initiative process in Sec. 2-40 of the Code of Ordinances, which provides that a citizen may submit an initiative petition, but that a citizen must present tax receipts to the office of the municipal clerk in order to sign the petition; and

**WHEREAS**, requiring someone to show a tax certificate in order to participate in democracy is akin to a poll tax from Georgia's Jim Crow past; and

**WHEREAS**, the City of Atlanta does not believe in poll taxes; and

**WHEREAS**, the current ordinance is inconsistent with our cherished values;

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

**SECTION 1:** That the Code of Ordinances, Part II (Ordinances), Chapter 2 (Administration), Article II (Council), Division 1 (Generally), Sec. 2-40 (Petitions to Initiate Legislation), which reads as follows:

“When petitions for initiating legislation are prepared, they shall be filed in the office of the municipal clerk. Any person desiring to sign this petition shall sign it in that office, in the presence of the clerk or the clerk's deputy, and shall take the oath of a voter, in the form prescribed by law, and shall present a tax receipt showing such person's taxes to be paid

for the previous year or make a showing that such person is not subject to taxation. Petitions otherwise prepared shall not be considered as complying with this section or with the Charter and related state laws.”

is hereby amended to read as follows:

“When petitions for initiating legislation are prepared, they shall be filed in the office of the municipal clerk. Any person desiring to sign this petition shall sign it in that office, in the presence of the clerk or the clerk’s deputy, and shall take the oath of a voter, in the form prescribed by law. Petitions otherwise prepared shall not be considered as complying with this section or with the Charter and related state laws.”

**SECTION 2:** Except as otherwise provided, the provisions of Section 1 are effective as of the date of passage.

**SECTION 3:** That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.