



**CITY COUNCIL  
ATLANTA, GEORGIA**

**22-O-1076**

**AN ORDINANCE BY COUNCILMEMBERS BYRON AMOS AND MICHAEL JULIAN BOND AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES, PART II (ORDINANCES), CHAPTER 106 (OFFENSES AND MISCELLANEOUS PROVISIONS), ARTICLE V (OFFENSES BY AND AGAINST MINORS), SECTION 106-227 (CURFEW - AUTHORIZED), TO ADD ADDITIONAL EXEMPTIONS FOR HOMELESS YOUTH AND TEENAGERS; AND FOR OTHER PURPOSES.**

WHEREAS, there are hundreds if not thousands of homeless youth and teenagers existing attempting to survive in the City of Atlanta, Georgia each year; and

WHEREAS, on a day-to-day basis in the City of Atlanta, the availability of shelters and long-term placements appropriate to the unique needs of each homeless youth and teenager within City boundaries is often if not continuously inadequate; and

WHEREAS, currently, Atlanta's curfew laws create special barriers for homeless youth by threatening to put them into the criminal justice system simply existing in Atlanta at night while for not having a home; and

WHEREAS, placing homeless youth into the criminal justice system merely for existing in Atlanta at night is cruel, unusual, unconscionable, harmful, and counterproductive; and

WHEREAS, during the COVID-19 / SARS-CoV-2 pandemic, when a Shelter-in-Place Order was in place in the Spring of 2020, homeless people in Atlanta were exempted from shelter-in-place requirements for similar reasons,

WHEREAS, City of Atlanta Code of Ordinances, Part II, Chapter 106, Section 106-227 ("Curfew - authorized") makes it illegal for a minor ages sixteen or younger to be in public streets or places during the hours of 11 p.m. and 6 a.m. on weekdays; or between midnight and 6 a.m. on weekends; and

WHEREAS, the section provides several exceptions to the curfew, including, for example, youth with permission from their parents, youth attending school or work events, and youth participating in a First Amendment activity; and

WHEREAS, it is necessary to enact additional exemptions to prevent the continued criminalization of homeless youth as a status in the City of Atlanta;



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

SECTION 1: That Part II (Ordinances), Chapter 106 (Offenses and Miscellaneous Provisions), Article V (Offenses by and against Minors), Section 106-227 (Curfew - Authorized), which currently reads as follows:

“It is unlawful for any minor 16 years of age or younger to loiter, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places, public buildings, places of amusement, eating places, vacant lots or any place unsupervised by an adult having the lawful authority to be at such places between the hours of 11:00 p.m. on any day and 6:00 a.m. of the following day; however, on Fridays and Saturdays, the effective hours are between 12:00 midnight and 6:00 a.m. of the following day; and provided, that the provisions of this section shall not apply in the following instances:

(1) When a minor is accompanied by such minor's parent, guardian or other adult person having the lawful care and custody of the minor.

(2) When the minor is upon an emergency errand directed by such minor's parent or guardian or other adult person having the lawful care and custody of such minor.

(3) When the minor is returning directly home from a school activity, entertainment, recreational activity or dance.

(4) When the minor is returning directly home from lawful employment that makes it necessary to be in the places referenced in this section during the proscribed period of time.

(5) When the minor is attending or traveling directly to or from an activity involving the exercise of first amendment rights of free speech, freedom of assembly or free exercise of religion.

(6) When the minor is in a motor vehicle with parental consent for normal travel, with interstate travel through the city, excepted in all cases from the curfew.”

is hereby amended by adding three new subsections, (7), (8), and (9), as follows:

(7) When the minor is a homeless child or youth.

(a) For the purposes of this subsection, the term “homeless children and youth”

(i) means individuals who lack a fixed, regular, and adequate nighttime residence...; and

(ii) includes

(A) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;

(B) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

(C) and children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

(b) This exemption shall not exempt the parents or guardians of homeless children and youth from their responsibilities under Sec. 106-228.

(8) When the individual is legally emancipated pursuant to a court order.

(9) When the individual is married.

SECTION 2: That all conflicting ordinances are hereby waived to the extent of the conflict.

SECTION 3: This ordinance shall take effect immediately upon becoming law.

A true copy,

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

**APR 18, 2022  
APR 27, 2022**



**A. Vanessa Waldon  
Deputy Municipal Clerk**



**CITY COUNCIL  
ATLANTA, GEORGIA**

22-O-1076

**SPONSOR SIGNATURES**

  
Byron D. Amos, Councilmember, District 3



CITY COUNCIL  
ATLANTA, GEORGIA

22-O-1076

**AN ORDINANCE BY COUNCILMEMBERS BYRON AMOS AND MICHAEL JULIAN BOND AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES, PART II (ORDINANCES), CHAPTER 106 (OFFENSES AND MISCELLANEOUS PROVISIONS), ARTICLE V (OFFENSES BY AND AGAINST MINORS), SECTION 106-227 (CURFEW - AUTHORIZED), TO ADD ADDITIONAL EXEMPTIONS FOR HOMELESS YOUTH AND TEENAGERS; AND FOR OTHER PURPOSES.**

**Workflow List:**

Atlanta City Council	Completed	01/18/2022 1:00 PM
Public Safety & Legal Administration Committee	Completed	01/24/2022 2:00 PM
Atlanta City Council	Completed	02/07/2022 1:00 PM
Public Safety & Legal Administration Committee	Completed	02/14/2022 2:00 PM
Atlanta City Council	Completed	02/21/2022 1:00 PM
Public Safety & Legal Administration Committee	Completed	02/28/2022 2:00 PM
Atlanta City Council	Completed	03/07/2022 1:00 PM
Public Safety & Legal Administration Committee	Completed	03/14/2022 2:00 PM
Atlanta City Council	Completed	03/21/2022 1:00 PM
Public Safety & Legal Administration Committee	Completed	03/28/2022 2:00 PM
Atlanta City Council	Completed	04/18/2022 1:00 PM

**HISTORY:**

01/18/22 Atlanta City Council REFERRED WITHOUT OBJECTION

**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 1/24/2022 2:00 PM</b>
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01/24/22 Public Safety & Legal Administration CommitteeHELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE [UNANIMOUS]</b>	<b>Next: 2/7/2022 1:00 PM</b>
<b>MOVER:</b>	Andrea L. Boone, District 10	
<b>SECONDER:</b>	Marci Collier Overstreet, District 11	
<b>AYES:</b>	Hillis, Amos, Bond, Boone, Norwood, Overstreet, Waites	

02/07/22 Atlanta City Council RETURNED AS HELD

**RETURNED AS HELD TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**

**MEMBERS PRESENT: HILLIS, AMOS, BOND, BOONE, NORWOOD, OVERSTREET & WAITES**

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/14/2022 2:00 PM</b>
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02/14/22 Public Safety & Legal Administration CommitteeHELD IN COMMITTEE

LEGISLATION HISTORY – BLUE BACK

**RESULT:** HELD IN COMMITTEE **Next: 2/21/2022 1:00 PM**

02/21/22 Atlanta City Council RETURNED AS HELD

**RETURNED AS HELD TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**

**RESULT:** RETURNED AS HELD **Next: 2/28/2022 2:00 PM**

02/28/22 Public Safety & Legal Administration Committee HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE **Next: 3/7/2022 1:00 PM**

03/07/22 Atlanta City Council RETURNED AS HELD

**RETURNED AS HELD TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**

**RESULT:** RETURNED AS HELD **Next: 3/14/2022 2:00 PM**

03/14/22 Public Safety & Legal Administration Committee HELD IN COMMITTEE

**RESULT:** HELD IN COMMITTEE **Next: 3/21/2022 1:00 PM**

03/21/22 Atlanta City Council RETURNED AS HELD

**RETURNED AS HELD TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**

**RESULT:** RETURNED AS HELD **Next: 3/28/2022 2:00 PM**

03/28/22 Public Safety & Legal Administration Committee FAVORABLE ON  
SUBSTITUTE

**RESULT:** FAVORABLE ON SUBSTITUTE [6 TO 0] **Next: 4/18/2022 1:00 PM**  
**MOVER:** Dustin Hillis, Chair, District 9  
**SECONDER:** Byron D Amos, District 3  
**AYES:** Hillis, Amos, Bond, Boone, Norwood, Overstreet  
**ABSTAIN:** Keisha Sean Waites

**RESULT:** ADOPTED ON SUBSTITUTE [UNANIMOUS]  
**MOVER:** Dustin Hillis, Councilmember, District 9  
**SECONDER:** Michael Julian Bond, Councilmember, Post 1 At Large  
**AYES:** Bond, Westmoreland, Waites, Winston, Farokhi, Amos, Dozier, Bakhtiari, Wan, Shook, Norwood, Hillis, Boone, Overstreet, Lewis

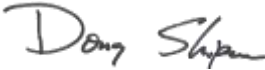

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VOTE RECORD - ORDINANCE 22-O-1076						
<input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> FIRST READING <input type="checkbox"/> SECOND READING <input type="checkbox"/> THIRD READING <input type="checkbox"/> FOURTH READING <input type="checkbox"/> FIFTH READING <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> AMENDED <input type="checkbox"/> ACCEPTED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED SUBSTITUTE <input type="checkbox"/> FILED BY COMMITTEE <input type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input checked="" type="checkbox"/> ADOPTED ON SUBSTITUTE <input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED WITH NO RECOMMENDATI <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> FORWARDED TO FC/NQ <input type="checkbox"/> FAVORABLE ON SUBSTITUTE <input type="checkbox"/> FAVORABLE/SUB/AMENDED <input type="checkbox"/> FAVORABLE/SUB/AMND/COND						
			YES/AYE	NO/NAY	ABSTAIN	ABSENT
	MICHAEL JULIAN BOND	SECONDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MATT WESTMORELAND	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	KEISHA SEAN WAITES	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JASON H WINSTON	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	AMIR R FAROKHI	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	BYRON D AMOS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JASON DOZIER	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	LILIANA BAKHTIARI	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ALEX WAN	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	HOWARD SHOOK	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARY NORWOOD	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	DUSTIN HILLIS	MOVER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDREA L. BOONE	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARCI COLLIER OVERSTREET	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANTONIO LEWIS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> FAVORABLE/AMND/COND <input type="checkbox"/> FAVORABLE AS AMENDED <input type="checkbox"/> RETURNED AS HELD <input type="checkbox"/> FAVORABLE ON CONDITION <input type="checkbox"/> FAVORABLE/SUB/CONDITION <input type="checkbox"/> QUADRENNIALY TERMINATED <input type="checkbox"/> QUESTION CALLED <input type="checkbox"/> ROUTED TO COW <input type="checkbox"/> SUSTAINED <input type="checkbox"/> OVERRIDDEN <input type="checkbox"/> NOT ACCEPTED BY COMMITTEE <input type="checkbox"/> SUSTAINED W/O OBJECTION <input type="checkbox"/> TABLED W/O OBJECTION <input type="checkbox"/> HELD IN COW <input type="checkbox"/> POSTPONED <input type="checkbox"/> RETAINED AS HELD <input type="checkbox"/> REFER TO ZRB AND ZC W/O OBJECTION <input type="checkbox"/> AUTOMATICALLY TERMINATED (FILED)	
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[Unanimous]



Certified by Presiding Officer	Certified by Clerk
<p style="text-align: center;"><b>CERTIFIED</b></p> <p style="text-align: center;">4/18/2022</p> <p style="text-align: center;">ATLANTA CITY COUNCIL PRESIDENT</p> <p style="text-align: center;"></p>	<p style="text-align: center;"><b>CERTIFIED</b></p> <p style="text-align: center;">4/18/2022</p> <p style="text-align: center;">MUNICIPAL CLERK</p> <p style="text-align: center;"></p>
<p style="text-align: center;">Mayor's Action</p> <p style="text-align: center;"><i>See Authentication Page Attachment</i></p>	

**ADOPTED BY COUNCIL**

**04/18/2022**