


Atlanta Police Department Policy Manual		Standard Operating Procedure
Effective Date March 24, 2021		APD.SOP.7050 Code Enforcement
Applicable To: All Code Enforcement Section Employees		Review Due: 2025
Approval Authority: Chief Rodney Bryant		
Signature: Sign by RB		Date Signed: 03/24/2021

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1. PURPOSE

The purpose of this policy is to set forth procedures pertaining to Code Enforcement operations, the abatement of residential and commercial nuisances, code compliance, and the appointment of Code Enforcement Agents.

2. POLICY

It is the policy of the Code Enforcement to inspect and enforce violations of all City of Atlanta Code as it pertains to residential and commercial properties, graffiti, and/or Commercial Maintenance and Industrial Code.

3. RESPONSIBILITIES

3.1 Code Enforcement will operate within the Chief Administrative Office of the Atlanta Police Department. The functions and duties of the Code Enforcement shall include:

1. Administration and enforcement of The Atlanta Housing Code.
2. Administration and enforcement of The Atlanta Commercial, Institutional, and Industrial Building Maintenance Code.
3. Administration and enforcement of housing demolition and in rem activities.

(Atlanta Code of Ordinances: Article II Department of Police, Division 1, Section 98-53)

3.2 The “Office of Code Enforcement” as stated in Section 3.1 refers to the Code Enforcement Section (CES) of the Community Services Division (CSD) of Atlanta Police Department (APD).

3.3 The Chief Administrative Officer shall monitor the implementation of this directive.



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- 3.4 The Code Enforcement Director shall be responsible for the successful and consistent implementation of this directive to ensure effective operation. They shall monitor the deployment, training, and equipment needs of the section.
- 3.5 Code Enforcement supervisors shall enforce and ensure compliance with this directive as it pertains to their particular objective. They shall monitor the safe and efficient use of equipment used by their employees, including timely training. They shall also be responsible for the maintenance of documentation and records produced by the enforcement practices, including the documentation of training completed by unit members.
- 3.6 The personnel assigned to Code Enforcement shall adhere to the policy and procedures of the Atlanta Police Department and Section 114-528 of the City of Atlanta Code of Ordinances. Code Enforcement personnel shall be responsible for effectively administering pro-active code enforcement whereby, in coordination with other staff and agencies, deficiencies in compliance of properties with applicable building, zoning, fire, health, and safety codes are identified through investigations, field inspections, and analysis, in order to induce corrective actions by property owners, and to enforce code compliance in accordance with established laws, policies and procedures.
4. ACTION
- 4.1 Code Enforcement Agent (CEA) - Duties
- 4.1.1 CEA's will work towards clean, safe, blight-free structures and landscapes of both residential and commercial properties within the City of Atlanta.
- 4.1.2 The duties of a CEA's are, but not limited to:
1. Enforcement of the Atlanta Housing Code as it is written in the Atlanta Code of Ordinances;
  2. Conduct field inspections of commercial and residential properties;
  3. Investigate complaints/referrals from citizens;
  4. Conduct code enforcement programs/activities in accordance with established City of Atlanta procedures and guidelines.
  5. Issue notices of violations and, when appropriate, issue citations;
  6. Prepare clear, concise, and comprehensive reports.
  7. Coordinate investigations and inspections with other regulatory or law enforcement agencies;
  8. Establish and maintain effective working relationships with property owners, tenants, the general public, officials and personnel from City of Atlanta departments and other agencies;
  9. Advise property owners of proper compliance procedures;
  10. Provide public information relating to City of Atlanta Code Enforcement;



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11. Represent the City of Atlanta at various meetings with public and private organizations pertaining to Code Enforcement;

12. Consult with the City Attorney, as appropriate regarding Code Enforcement cases.

4.2 Junk Vehicle Impound Procedures

4.2.1 The City of Atlanta has authorized a procedure for the impound of vehicles that have been declared a "junked vehicle" as defined in the City Code of Ordinances and are on private property.

4.2.2 The City of Atlanta Code of Ordinances defines a Junked Vehicle as "any motor vehicle, mobile home, bus, travel trailer, utility trailer, boat, construction equipment including, trucks and tractor trailer, farm equipment, including mowers, motorcycles, self-propelled motorized device of any kind (or parts thereof) not within a completely enclosed structure which is inoperable, ruined, wrecked, dismantled, partially dismantled, discarded, abandoned, or which is otherwise rendered inoperable, unsafe, or which cannot be legally operated on as a means of transportation or which does not bear a current registration or a current license plate or a current state required inspection sticker."

4.2.3 The procedure for declaring a vehicle a "junked vehicle" and impounding it from private property will be under the supervision of the Code Enforcement Director alone.

4.2.4 If this process is undertaken by any sworn employee assigned to Code Enforcement, they will have to have the approval of the Code Enforcement Director to complete the process.

4.2.5 If this process is undertaken by any sworn employee assigned outside of Code Enforcement they will also have to have the approval of the Code Enforcement Director to complete the process.

4.2.6 The "junk vehicle" impound process is as follows:

1. A complaint is filed with Code Enforcement. If the complaint comes from any other assignment than Code Enforcement, the complaint is to be forwarded and filed with Code Enforcement.
2. The complaint is then assigned to a Code Enforcement Officer (CEO) and the complaint is thoroughly investigated.
3. If the investigation shows that the vehicle in question is deemed a "junk vehicle" as defined in City of Atlanta Code, a thirty day placard is placed on vehicle informing the owner that the vehicle has been declared a "junk vehicle" after a thorough investigation by a Code Enforcement Officer and will be impounded from its present location if not removed prior to the expiration date on the thirty day placard.
4. The Code Enforcement Officer will make every effort to speak with the owner of the "junk vehicle" up to the date that the vehicle is impounded.
5. The complaint, investigative and vehicle information is entered into Code Enforcement's reporting system by the reporting Code Enforcement Officer.



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6. Clerical employees within Code Enforcement will send certified correction notice to vehicle owner with a 30-day notice.
7. After the correction notice period has passed the vehicle will be impounded by a Police Officer assigned to Code Enforcement. Civilian Code Enforcement Officers are prohibited from impounding the vehicle.
8. The contract wrecker service will be notified of the impound date and time. The police officer will complete the APD Vehicle Impound Report (Form APD 005). The police officer performing the impound will inform ACIC-3 of the action.
9. A file will be created of the investigation and impound. An incident report will be completed on the APD approved RMS.
10. The Code Enforcement Director will approve all impounds. All impounds of this type are strictly prohibited without the approval of the Code Enforcement Director or their designee.

### 4.3 Code Enforcement Investigative Case Statuses

STATUS	DEFINITION
Close	Case is closed in Code Enforcement
Officer Error Return	Case reassigned to Officer for additional information
Refer to Compliance Resolution	Case referred to Compliance Resolution for City abatement (consideration)
Refer to Staff Research	Case referred to Research to identify ownership
Schedule Citation Stop	Staff attempt to personal issue citation
Schedule Re-Inspection	Re-inspection scheduled
Scheduled	Inspection scheduled
Void	Case closed due to error or duplication
Clerical-Notice	Notice Initiated (pending personal service or mailing)
Notice Mailed	Notice of Non-Compliance mailed – Re-inspection scheduled
Clerical- Citation	Citation Initiated ((pending personal service or mailing)
Complied	Closes closed due to voluntary compliance
Transfer to Another Agency	Closes closed (Transferred to agencies outside of the Code Enforcement Section)
Refer to DPW	Referred to Department of Public Works for abatement (clean and cut)
Citation Served	Citation Served – court date scheduled
No Violation Found	Violation Not Founded during initial inspection
Notice Hand Delivered	Notice of Non-Compliance hand delivered
Citation Letter Mailed	Citation pending service
Citation Payment Requested	Citation payment requested for outside service
Citation Served by Sheriff	Citation served by Sheriff – court date scheduled
Citation Un-served	Citation returned un-served - Return to Research
Return to Supervisor	Case reassigned to Supervisor for update and follow-up
Citation Payment Received	Payment received, and citation will be mailed out for service
Placard Letter Mailed	Notification to owner that property has a highly hazardous condition
Extension Approved	An extension requested and approved – Re-inspection scheduled
Extension Denied	An extension has been requested and denied – case proceeds
Pre-Court Inspection	Property is inspected before court date to report current conditions
In Compliance	Property in Compliance
Not In Compliance	Condition of the property prior to court date
Dismissed-Complied	Case dismissed complied through court action
Dismissed-Not Complied	Case dismissed not complied through court action
FTA Warrant-Complied	Property complied - FTA warrant may be issued 30 days after failing to appear in court
FTA Warrant-Not Complied	Property not-complied - FTA warrant may be issued 30 days after failing to appear in court
Reset	Court case reset in Court or In Rem hearing reset
Transfer to In-Rem	Case referred to Compliance Resolution for City abatement (consideration)
Transfer to Nuisance Abatement	Case referred to Compliance Resolution for City abatement (consideration)
Inspection-Assessment	Assessment completed to determine recommendation (demolition or cleaned and closed)
Complied by Owner - Rehab	Case complied by owner through rehabilitation
Complied by Owner-CC	Case complied by owner through clean and close
Complied by Owner-Demo	Case complied by owner through demolition
Title Search	Identify ownership
Property Posted	Notification posted on property of upcoming In-Rem Review Board Hearing date
Hearing Ad Posted	Advertisements for upcoming In-Rem Review Board Hearing date
Public Notice	Notices mailed to owners and listed parties to the deed
Lis Pendens Submitted	Lis Pendens filed
Boarding Hearing	In-Rem Review Board Hearing held
Clean-Close Order	Order issued by the In-Rem Review Board (authorizing city to demolish)
Demo Order	Order issued by the In-Rem Review Board (authorizing city to clean and close)

### 4.4 Application Process – Atlanta Police CEA



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- 4.4.1 Any person applying to be an Atlanta Police Code Enforcement Agent must go through the Department's hiring process in accordance with APD.SOP.2070 "Recruitment and Hiring Process."
- 4.4.2 The Code Enforcement Agent Application (Form APD 744) shall show a photo, name, address, social security number, date of birth, race, sex, height, weight, eye color, and natural hair color of the applicant. It shall also provide the applicant's employer information, residential history for the past five years, employment history for the past three years, marital status and any convictions for violation of the law. Code Enforcement's training coordinator shall issue an instruction sheet, Criminal History Consent Form (Form APD 928) and the application to guide the applicant through the process.
- 4.4.3 Applicants seeking appointment, as an Atlanta Police CEA, shall complete the Code Enforcement Agent Application (Form APD 744); submit it to their immediate supervisor within Code Enforcement for processing and forwarded to the Code Enforcement Commander. The application is available from the Code Enforcement training coordinator and on the City intranet.
- 4.4.4 The Code Enforcement Director shall sign the completed Code Enforcement Agent Application (Form APD 744), testifying to the applicant's moral, physical, and mental qualifications to be an Atlanta Police CEA. The applicant shall deliver the application to the APD Identification Unit, along with a signed and notarized consent form for a criminal history check and ID shall fingerprint the applicant.
- 4.5 Application Process – Other City of Atlanta Department's CEA
- 4.5.1 A Code Enforcement Agent must be a current City of Atlanta employee (not with APD) with duties that require a Code Enforcement Agent's authority. (See Section 5.1 for more information.)
- 4.5.2 The Code Enforcement Agent Application (Form APD 744) shall show a photo, name, address, social security number, date of birth, race, sex, height, weight, eye color, and natural hair color of the applicant. It shall also provide the applicant's employer information, residential history for the past five years, employment history for the past three years, marital status and any convictions for violation of the law. The Code Enforcement Section's training coordinator shall issue an instruction sheet, Criminal History Consent Form (Form APD 928) and the application to guide the applicant through the process.
- 4.5.3 Applicants seeking appointment, as a CEA, shall complete the Code Enforcement Agent Application (Form APD 744); submit it to their immediate supervisor for processing and forwarding to their department director. The application is available from the Code Enforcement training coordinator and on the City intranet.
- 4.5.4 The applicant's department director shall sign the completed Code Enforcement Agent Application (Form APD 744), testifying to the applicant's moral, physical, and mental qualifications to be a CEA. The applicant shall deliver the application to the APD Identification Unit, along with a signed and notarized consent form for a criminal history check and ID shall fingerprint the applicant.
- 4.6 New Applicants - Criminal History Check
- The Identification Unit shall conduct a GCIC criminal history check of all new applicants. The renewal applicants that are not presently on file shall receive a live scan fingerprint. If a renewal



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applicant has a live scan print on file, a print of the right index finger shall be affixed to the second page of the application (Form APD 744) for renewal and used to confirm the applicant's identity. The Identification Unit shall forward the application (Form APD 744) and the criminal history information to the CES commander for review and consideration.

#### 4.7 New Applicants – Approval or Denial

4.7.1 The Code Enforcement Director is specifically authorized to require additional information from the applicant and shall grant or deny the application.

4.7.2 A felony conviction, a pattern of misdemeanor convictions or other indications of criminal and abusive behavior, in the judgment of the Code Enforcement Director, shall be sufficient to deny appointment as a Code Enforcement Agent or Atlanta Police Code Enforcement Agent.

4.7.3 If the applicant is approved, the Code Enforcement Director shall return the application to the Code Enforcement section training coordinator who shall schedule the applicant with the APD Training Academy for those employed by the Department, or with the City Solicitor's Office for those employed by other City departments.

4.7.4 Applicants must complete all required training prior to the Code Enforcement Director approving the application. If the applicant is denied, the Code Enforcement Director shall return the application to the Code Enforcement Training Coordinator who shall notify the applicant and the Chief of Police (APD Employed) or director of the requesting department (All other city departments). The reason for the denial shall be noted in the applicant's file.

#### 4.8 Training

##### 4.8.1 Code Enforcement Agents Employed by APD

The Department Training Section shall train the approved applicants employed by the APD in City of Atlanta Ordinances related to code enforcement, and court procedures. The Training Section commander, or his or her designee, shall notify Code Enforcement's training coordinator in writing of the applicant's passing or failing the training. This training will be completed prior to the swearing-in of the prospective CEA.

##### 4.8.2 Code Enforcement Agents Not Employed by APD

The City of Atlanta Solicitor's Office shall train the approved applicants that are not employed by the Department in enforcement and court procedures. The City of Atlanta Solicitor General, or their designee, shall notify the Code Enforcement Training Coordinator in writing of the applicant's passing or failing the training. This training will be completed prior to the swearing-in of the prospective Code Enforcement Agent.

4.8.3 All employees within Code Enforcement will familiarize themselves with the Atlanta Housing Code, which can be obtained at:

[https://library.municode.com/ga/atlanta/codes/code\\_of\\_ordinances?nodeld=PTIICOORANDEC O APXEATHOCO1987](https://library.municode.com/ga/atlanta/codes/code_of_ordinances?nodeld=PTIICOORANDEC O APXEATHOCO1987)

#### 4.9 Training Coordinator



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The Code Enforcement Training Coordinator shall note the training results on the application. They shall send a copy of the completed application to the applicant's department head and shall keep a copy of the completed application (approved or denied) on file for ten years. They also shall schedule the successful applicants to take a photograph, take the Code Enforcement Agent Oath of Office (Form APD 382), be sworn in and sign for and receive a Code Enforcement Agent badge and identification card. The Code Enforcement Director or their designee shall conduct the swearing-in. The Code Enforcement Director shall forward copies of the signed Code Enforcement Agent Oath of Office (Form APD 382) to the Fulton County Probate Court.

#### 4.10 Code Enforcement Agent Identification Cards

Code Enforcement Agent identification (ID) cards shall be valid for no more than two years; the expiration date shall be clearly printed on the ID card. The expired identification card must be surrendered to the Code Enforcement Director at the time of identification card renewal.

#### 4.11 Renewal and Termination

4.11.1 Status as a Code Enforcement Agent must be renewed before the expiration date on the ID card. The ID Unit shall complete the criminal record check every two (2) years.

4.11.2 If a Code Enforcement Agent is no longer assigned to the duties of a CEA or is no longer employed by that department, the department head shall retrieve and forward the employee's badge and identification card to the Code Enforcement Director for reissuance or destruction.

4.11.3 The Code Enforcement Director shall notify the Chief Administrative Officer of any internal investigation relating to a Code Enforcement Agent's abuse of authority or violation of Oath of Office. If a CEA is arrested or convicted of a crime, they shall inform the Code Enforcement Director and the Chief Administrative Officer immediately.

4.11.4 The Code Enforcement Director shall notify the Chief Administrative Officer of any internal investigation relating to a CEA for abuse of authority or violation of Oath of Office. If a CEA is arrested or convicted of a crime, they shall inform Code Enforcement Director and the Chief Administrative Officer immediately.

4.11.5 Quarterly audits of the database shall be completed. On a quarterly basis, the Code Enforcement Director shall notify the Chief Administrative Officer and the Solicitor's Office of the immediate revocation of code enforcement status of persons whose credentials have expired or been revoked.

#### 4.12 Records

4.12.1 The Code Enforcement Director shall maintain a database or spreadsheet of all applicants applying for appointment. This database shall include at least the applicant's name, contact number, department, unit, department director, status of criminal background check (approved or denied), training date, training status (passed or failed), date application was suspended (if applicable), swearing-in date and ID card expiration date.

4.12.2 The Code Enforcement Director shall maintain a file on each applicant that begins with the application process, which shall include criminal history, training verification, approval or denial by the Code Enforcement Director, any correspondence on failure to meet program requirements, any allegations of abuse and subsequent investigation results; and any other documentation pertinent to the status of the Code Enforcement Agent while in the program.



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4.12.3 These personnel files shall adhere to the same record retention schedules as other departmental personnel files in accordance with APD.SOP.1050 "Records Management and Retention" and APD.SOP.6080 "Personnel Files and Orders."

4.13 Discipline

The Office of Professional Standards (OPS) shall investigate any complaints of abuse of authority or other misconduct related to a person's status as a Code Enforcement Agent (APD and other City departments) and may recommend any disciplinary action to the Chief Administrative Officer. The Code Enforcement Director shall cooperate in the investigation involving any Code Enforcement Agent under their supervision. OPS shall notify the Code Enforcement Director of the result of the investigation.

4.14 The Code Enforcement Director may revoke or suspend an individual's Code Enforcement Agent status at any time.

5. DEFINITIONS

5.1 Abandoned vehicle: shall mean any vehicle left unattended in the same location for 30 days or more.

5.2 Department director: the chief, commissioner, or chief executive of any City department or agency, or the designated official of any City department or agency not within the executive branch of City government.

5.3 Boarded Dwelling: a dwelling which has been made inaccessible by boarding as prescribed in Section 29 of the Atlanta Housing Code.

5.4 Brush: The uncultivated woody shrubs or woody grasses such as bamboo not part of a planned, maintained landscape.

5.5 Building: an edifice of any kind composed of parts joined together in some form, including, but not limited to garages, sheds, fences, accessory structures, and appurtenances.

5.6 Code Enforcement Agent: The following job classifications are eligible. The CSD commander may add or remove classifications from the list, in consultation with the concerned department head and the commissioner of Human Resources.

1. Police Department: Code Enforcement Agent, Vehicle for Hire Director, administrative assistant, enforcement officer supervisor, enforcement officer, license permit inspectors and traffic control inspectors.
2. Department of Corrections officers;
3. Fire Rescue Department: Fire inspectors;
4. Parks, Recreation, and Cultural Affairs: Arborists and senior arborists;
5. Planning and Community Development Department: Building inspectors, plumbing inspectors, zoning inspectors, housing code inspectors, and codes compliance officers;





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6. Public Works Department: Parking meter enforcement officers, sanitary code enforcement officers, sanitation route supervisors, inspectors for the site development coordinator; and
  7. Watershed Management Department: Environmental compliance manager, environmental compliance officer principal, environmental compliance officer senior, environmental compliance officer, pollution control monitor chief, pollution control monitor principal, pollution control monitor senior, watershed inspector senior, watershed inspector principal, watershed quality inspector senior, watershed quality inspector principal, watershed distribution inspectors, watershed distribution inspector supervisor and industrial waste inspectors.
- 5.7 Dwelling: Any building, along with its appurtenances, used or intended to be used, wholly or in part, for human habitation or for the inhabitants use.
- 5.8 Extermination: The control or eradication of infestation by removing or making inaccessible materials that may serve as food, breeding places or harboring places for pests, vermin or rodents and shall include pest control by poisoning, spraying, trapping, fumigating or any other recognized, legal, and effective pest eradication procedure.
- 5.9 Fire hazard: Vegetation which is dry and combustible, including but not limited to weeds, grass or clippings, dead shrubs, trees or their parts, and other combustible vegetative materials.
- 5.10 Habitable Room: An enclosed floor space arranged, used, or intended to be used for any combination of living, sleeping, or eating purposes. Space devoted exclusively for a bathroom, water closet compartment, kitchen, laundry, pantry, foyer, hallway, closet, or storage space shall not in and of itself be considered a habitable room.
- 5.11 Infestation: The presence within or around a dwelling of pests, vermin, or rodents in such numbers or with such frequency as may be substantially detrimental to the health, safety, or general welfare of the occupants and of the general public thereof.
- 5.12 Junked vehicle: Any automobile, truck, van, recreational vehicle, mobile home or trailer of any kind (or parts thereof) not within a completely enclosed structure which has been discarded, dismantled, junked, ruined, scrapped, wrecked in part or whole, abandoned, or which is inoperable or which cannot be legally operated on the public roads or which does not bear a current registration or a current license plate or a current state required inspection sticker.
- 5.13 Nuisance: Any condition, act or occurrence that results in annoyance, harm, inconvenience, or damage to another; and the fact that the act or occurrence may otherwise be lawful shall not keep it from being a nuisance. The inconvenience complained of shall not be fanciful, or such as would affect only one of fastidious taste, but it shall be such as would affect an ordinary reasonable person.
- 5.14 Occupant: Any person over one (1) year of age living in, using, or having possession of a dwelling, except that a temporary guest shall not be considered an occupant.
- 5.15 Operator: The person or persons, if any, with whom the owner has an agreement to manage, lease, rent, control, maintain or care for rental property, vacant property, or a building with special uses.



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- 5.16 Safety hazard: The presence of unrestricted growth of brush, vines or vegetation which creates a hazard on the premises or to adjacent property or overhangs the right of way in such a way as to impede the free and full use of the right of way.
- 5.17 Secured Dwelling: A vacant dwelling to which unforced entry by persons cannot be readily made through the said dwelling's doors, windows, or other openings of sufficient size to facilitate entry by persons.
- 5.18 Substandard Dwelling: A dwelling in which any condition exists that is set forth in Section 19 or that does not meet the applicable requirements set out in Article II herein.
- 5.19 Substantial Compliance: The existence in the subject building or dwelling unit of no more than three (3) violations of this Code, none of which constitutes a violation of Section 19.
- 5.20 Unfit for Human Habitation: The existence on property of any condition that is set forth in Section 19 of the Atlanta Housing Code.
- 5.21 Vegetative growth: Any and all uncultivated growth exceeding a height or length of 12 inches, as measured from the surface of the ground, of any lot, tract, or parcel of land.
- 5.22 Weed: all unrestricted vegetative growth, including nuisance plants.
1. Nuisance Plants Prohibited:
    - a. Kudzu; and
    - b. Chinese wisteria.
  2. Prohibited in naturescapes:
    - a. Thorny olive;
    - b. Autumn olive; and
    - c. Chinese privet.
6. CANCELLATIONS
- APD.SOP.7050 Code Enforcement Agent, December 30, 2020.
7. REFERENCES
- Atlanta Code of Ordinances  
Article II Department of Police, Division 1, Sections 98-1 and 98-53.  
Article V Nuisances, Section 74-172  
Section 114-528 - Cause for Action  
Appendix E - Atlanta Housing Code OF 1987
8. SIGNIFICANT CHANGES
- Addition of Section 4.2 Junk Car Impound Procedures.