

ORDINANCE

WHEREAS, the Douglas County Board of Commissioners is authorized to adopt ordinances and regulations for the governing and policing of the unincorporated area of the County for the purpose of protecting and preserving the health, safety, and welfare of the citizens of the County; and

WHEREAS, the Douglas County Board of Commissioners has determined that Chapter 16 of Douglas County Code regarding disorderly conduct be added;

NOW THEREFORE, be it ordained by the Douglas County Board of Commissioners that a new Chapter 16 and Section 16-1 be added to the Douglas County Code of Ordinances as follows:

Section 1.

Douglas County Code Chapter 16 (Offenses and Miscellaneous Provisions), Section 16-1 (Disorderly Conduct) is added as follows:

CHAPTER 16-OFFENSES AND MISCELLANEOUS PROVISIONS

16.1 Disorderly Conduct.

A). It shall be unlawful for any person within the limits of the county to engage in any act of disorderly conduct as defined and declared in subsection (B) of this section.

B).The following acts shall be declared disorderly conduct:

1. No person shall be and appear in an intoxicated condition in any public place or within the curtilage of any private residence not his own other than by invitation of the owner or lawful occupant, which condition is made manifest by boisterousness, by indecent condition or act, or by vulgar, profane, loud, or unbecoming language;
2. Any person who, in any manner, is in possession of less than 1 ounce of marijuana;*
3. No person shall remain, loiter or prowl in a place, at a time, or in a manner not usual for law abiding individuals under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity;
4. Any person, who by and in any manner, creates loud noises which disrupt, disturb or otherwise interfere with the peace and tranquility of the public;
5. No person shall disrupt by actions which tend to cause an immediate breach of the peace the undisturbed activities of any house of worship, hospital, or home for the elderly;
6. Acts in a violent or tumultuous manner toward another person whereby such person is placed in reasonable fear of the safety of such person's life, limb, or health;
7. Acts in a violent or tumultuous manner toward another person whereby the property of such person is placed in danger of being damaged or destroyed;
8. Without provocation, uses to or of another person in such other person's presence, opprobrious or abusive words which by their very utterance tend to

incite to an immediate breach of the peace, that is to say, words which as a matter of common knowledge and under ordinary circumstances will, when used to or of another person in such other person's presence, naturally tend to provoke violent resentment, that is, words commonly called "fighting words".

C). Any person who violates section (B), after trial and conviction upon citation and/or accusation, shall be guilty of a misdemeanor with a penalty not to exceed a fine of \$1,000.00 or six (6) months imprisonment or both, except as provided by general law.

D). Concurrent jurisdiction shall lie in the State Court of Douglas County Georgia or the Magistrate Court of Douglas County Georgia.

*This ordinance is not intended to in any manner decriminalize the possession of marijuana.

Section 2.

BE IT FURTHER RESOLVED, that all ordinances or resolutions, or parts thereof, in conflict with this Ordinance are repealed.

Section 4.

This ordinance shall become effective on this 17th day of December, 2019.

DOUGLAS COUNTY BOARD OF COMMISSIONERS

Dr. Romona Jackson Jones, Chairman

Henry Mitchell III, Member

Kelly Robinson, Vice Chairman

Tarenia Carthan, Member

Ann Jones Guider, Member

Attest:

Lisa Watson, County Clerk