

Ordinance No. 08-02

**AN ORDINANCE TO ESTABLISH MISCELLANEOUS OFFENSES WHICH ARE
DETRIMENTAL TO THE SAFETY AND WELFARE OF THE CITIZENS OF THE
CITY OF SKY VALLEY**

Whereas, the City of Sky Valley has determined that there are a number of offenses which are detrimental to the health and welfare of the citizens of Sky Valley; and,

Whereas, the City of Sky Valley wishes to prohibit offensive conduct.

Therefore, the Council of the City of Sky Valley hereby ordains:

- I. The following offenses are prohibited and violation of an enumerated offense shall be punished in the Municipal Court as provided by the Charter of the City of Sky Valley, the Code of Ordinances of Sky Valley, and the laws of the State of Georgia.

Sec. 1. Disorderly conduct generally.

- (a) It shall be unlawful for any person to commit an act of disorderly conduct in the city.
- (b) A person commits disorderly conduct when he knowingly:
- (1) Acts in a violent or tumultuous manner toward another whereby any person is placed in fear of safety of his life, limb or health; or
 - (2) Acts in a violent or tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged; or
 - (3) Without provocation, uses to or of another, in his 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 his presence, naturally tend to provoke violent resentment, that is, words commonly called "fighting words"; or
 - (4) Without provocation, uses obscene and vulgar or profane language in the presence of any person, or by telephone to any person; or
 - (5) Communicates to any person by writing or printing any obscene or vulgar language or improper proposals; or
 - (6) Engages in indecent or disorderly conduct in the presence of any person in any public place; or

- (7) Telephones another repeatedly, whether or not conversation ensues, for the purpose of annoying, harassing or molesting another or his family, or uses over the telephone language threatening bodily harm, or telephones and intentionally fails to hang up or disengage the connection, or knowingly permits any telephone under his control to be used for any purpose prohibited by this subsection; or
- (8) Uses violent and forceful behavior at any time in or near a public place, such that there is a clear and present danger that free movement of other persons will be arrested or restrained, or other persons will be incapacitated in the lawful exercise of business or amusement; or
- (9) Causes, provokes or engages in any light, brawl or riotous conduct so as to endanger the life, limb, health or property of another; or
- (10) Assembles or congregates with another or others for the purpose of causing, provoking or engaging in any light or brawl; or
- (11) Disturbs the peace of others by violent, indecent, offensive or boisterous conduct or language which conduct or language was calculated to cause anguish or injury to another; or
- (12) Crowds or pushes any person in any public place; or
- (13) Throws any stone or other missile upon or at any person, vehicle, building, tree, sign or other public or private property; or
- (14) Throws any stone or missile from any vehicle, either moving, stopped, or parked, upon or at any person, building, vehicle, tree, sign, or other public or private property; or
- (15) By acts of violence, interferes with another's pursuit of a lawful occupation; or
- (16) Expectorates, urinates, or defecates on any public street, alley, sidewalk or floor of any public building or a building where the public gathers or has access; or
- (17) Prowls or wanders upon the private property of another, peeks in the door or window of any inhabited building or structure located thereon without visible or lawful business with the owner or occupant thereof; or
- (18) Interrupts the speaker of any lawful assembly or impairs the lawful rights of others to participate effectively in such assembly or meeting when such conduct is calculated to provoke or tend to cause turmoil or disturbance; or
- (19) Frequents any public place with intent to obtain money from other persons by illegal and fraudulent schemes, tricks, artifices or devices; or
- (20) Assembles for the purpose of engaging in any fraudulent scheme, devise or trick to obtain any valuable thing in any place or from any person in the city, or who shall aid and abet therein; or

- (21) Displays any deadly weapon in a public place in a manner which is calculated to alarm or frighten other persons present; or
- (22) Collects in bodies or in crowds for unlawful purposes as defined by the current ordinances of the city.

Sec. 2. Drunkenness on streets.

It shall be unlawful for a person to be found drunk on the streets, or who while in a state of intoxication, to behave in a disorderly manner on the streets of the City of Sky Valley.

Sec. 3. Consumption of alcoholic beverages upon public property.

- (a) Except as provided in chapter 6-4 of this Code, no malt beverages, wines, or other alcoholic beverages shall be consumed upon the premises where sold or upon the public streets, road, alleys, or parks of the city, or other public parking areas.

Sec. 4. Loitering and idling.

It shall be unlawful for any person to be found idling, loitering or loafing upon the streets of the city.

Sec. 5. Obstructing officers.

No person shall in any manner oppose or obstruct by acts or menaces the city marshal, deputy marshal or any police officer in the discharge of his official duties, or strike or assault, molest or abuse such officer.


II. Any person violating any of the above ordinance sections shall be punished as ordered by the Municipal Court of the City of Sky Valley.


III. SHOULD ANY SECTION OR PROVISION OF THIS ORDINANCE BE DECLARED BY A COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL OR INVALID SUCH DECLARATION SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE UNCONSTITUTIONAL OR INVALID. ALL RESOLUTIONS AND ORDINANCES AND PARTS OF RESOLUTIONS AND ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

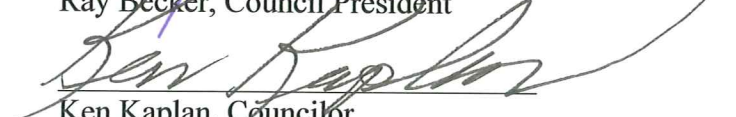
IV. This ordinance will become effective February 8, 2008

8th It is so ordained and approved by vote of the City Council of the City of Sky Valley this day of February, 2008.

Approved:


Jim Martindale, Mayor


Ray Becker, Council President


Ken Kaplan, Councilor

Carolyn Burgess, Councilor


Tom Ewing, Councilor


Helen Kleiber, Councilor

Attest:


Mandi Cantrell, City Clerk

Read and adopted on the 8th day of February, 2008.