

**CHAPTER 11**

**General Offenses**

**ARTICLE I**

**Offenses Enumerated**

- §11-101 Disorderly Conduct Prohibited
- §11-102 Disorderly House Prohibited
- §11-103 Loitering Prohibited
- §11-104 Unlawful Assembly Prohibited
- §11-105 Begging Prohibited
- §11-106 Trespassing in the County Garage Prohibited
- §11-107 Library Regulations
- §11-108 Shoplifting Prohibited
- §11-109 Noise above Certain Levels Prohibited by Vehicle Traffic
- §11-110 Curfew for Minors
- §11-111 Parental Responsibility Ordinance
- §11-112 Prohibition on Lodging in Vehicles in Public Areas

**ARTICLE II**

**Intoxicant and Intoxication**

- §11-201 Public Drunkenness Prohibited.
- §11-202 Possession of Less than an Ounce of Marijuana
- §11-203 Possession of a Drug Related Object
- §11-204 Repealer and Effective Date

## ARTICLE I

### Offenses Enumerated

#### §11-101 Disorderly Conduct Prohibited.

1. It shall be unlawful for any person within the unincorporated area of the County to:
  - a. Act in a violent or tumultuous manner toward another whereby any person is placed in fear of safety of his life, limb or health;
  - b. Act in a violent or tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged;
  - c. Frequent any public place with the intent to obtain money from other persons by illegal and fraudulent schemes, tricks, artifices or devices;
  - d. Assemble for the purpose of engaging in any fraudulent scheme, device or trick to obtain any valuable thing any place or from any persons or to aid or abet them;
  - e. Accost or force his or her company upon any another person in an offensive manner;
  - f. Frequent any place where illegal sale or possession of alcoholic beverages or narcotics or dangerous drugs is practiced, allowed or tolerated;
  - g. Defecate or urinate on streets, lanes or sidewalks or in the halls or elevators of public or commercial buildings or in any park or playground or on any property open to public view;
  - h. Except where a sound equipment permit has been issued, operate or play a radio, amplifier, record player, tape player, musical instrument where the sound can be heard beyond the confines of the building, premises or vehicle where such instrument is operated or played or beyond the immediate vicinity of a person playing such instrument or equipment on the streets, lanes, sidewalks, parks, playgrounds or other open spaces;
  - i. Perform any of the following acts in a public place:
    - i. An act of sexual intercourse;
    - ii. A lewd exposure of the sexual organs;

- iii. A lewd appearance in a state of partial or complete nudity; or
- iv. A lewd caress or indecent fondling of the body of another person

**§11-102** Disorderly House Prohibited. A person who keeps and maintains, either by himself or others, a common, ill-governed, and disorderly house, to the encouragement of gaming, drinking, or other misbehavior, or to the common disturbance of the neighborhood or orderly citizens, is guilty of a misdemeanor.

**§11-103** Loitering Prohibited.

A person commits the offense of loitering or prowling when he is 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.

Among the circumstances which may be considered in determining whether alarm is warranted is the fact that the person takes flight upon the appearance of a law enforcement officer, refuses to identify himself, or manifestly endeavors to conceal himself or any object. Unless flight by the person or other circumstances make it impracticable, a law enforcement officer shall, prior to any arrest for an offense under this Code section, afford the person an opportunity to dispel any alarm or immediate concern which would otherwise be warranted by requesting the person to identify himself and explain his presence and conduct. No person shall be convicted of an offense under this Code section if the law enforcement officer failed to comply with the foregoing procedure or if it appears at trial that the explanation given by the person was true and would have dispelled the alarm or immediate concern.

**§11-104** Unlawful Assembly Prohibited.

1. The assembly of two or more persons for the purpose of committing an unlawful act and the failure to withdraw from the assembly on being lawfully commanded to do so by a peace officer and before any member of the assembly has inflicted injury to the person or property of another; or
2. The assembly of two or more persons, without authority of law, for the purpose of doing violence to the person or property of one supposed by the accused to have been guilty of a violation of the law, or for the purpose of exercising correctional or regulative powers over any person by violence; provided, however, that it shall be an affirmative defense to a prosecution under this paragraph that the

accused withdrew from the assembly on being lawfully commanded to do so by a peace officer or before any member of the assembly had inflicted injury to the person or property of another.

**§11-105** Begging Prohibited. It shall be unlawful for any person to beg or solicit money or aid in his own behalf at any place of business, house or worship or upon any of the street, sidewalk or right of way of the County.

**§11-106** Trespassing in the County Garage Prohibited.

1. It shall be unlawful for any person without reason to be in the garage to loiter in, walk through, or trespass upon the Chatham County Vehicle Parking Facility at 415 West Broughton Street, Savannah, Georgia.
2. This Ordinance shall not apply to first-floor public offices on the Broughton Street side of the facility.

**§11-107** Library Regulations.

1. No person shall willfully write upon, injure, deface, tear or otherwise destroy any book, plate, picture, engraving, map, newspaper, magazine, pamphlet, manuscript or statute belonging to, housed, stored or maintained in any public library.
2. No person shall willfully detain any book, plate, picture, engraving, map, newspaper, magazine, pamphlet, manuscript or statute or other property of any public library for more than 30 days after receipt of written notice demanding the return of such article or property to any public library.
3. No person shall willfully disturb persons assembled in any public library, or reading room connected therewith, during the time when such library or reading room is open to the public.
4. Any individual less than eighteen (18) years of age found violating this Ordinance shall be warned and the Director or his or her duly designated representative shall notify the parents or legal guardians of such violation.
5. Any person violating any of the provisions of this Ordinance.

**§11-108** Shoplifting Prohibited.

1. A person commits the offense of theft by shoplifting when such person alone or in concert with another person, with the intent of appropriating merchandise totaling less than \$30 or food to his or her own use without paying for the same or to deprive the owner of possession thereof or of the value thereof, in whole or in part, does any of the following:
  - a. Conceals or takes possession of the goods or merchandise of any store or retail establishment;
  - b. Alters the price tag or other price marking on goods or merchandise of any store or retail establishment;
  - c. Transfers the goods or merchandise of any store or retail establishment from one container to another;
  - d. Interchanges the label or price tag from one item of merchandise with a label or price tag for another item of merchandise; or
  - e. Wrongfully causes the amount paid to be less than the merchant's stated price for the merchandise.

**§11-109** Noise above Certain Levels Prohibited by Vehicle

Traffic. No person shall make, continue or cause to be made or continued, except as permitted, any noise disturbance, or any noise from a vehicle on any public roadway in excess of the limits for such noise maximum permissible sound levels of 55 dBs. Any activity or use that produces a sound in excess of such noise levels for a receiving land use shall be deemed a "noise disturbance" and is in violation of this article. Measurement of sound shall be made with a sound level meter meeting the standards prescribed by the American National Standards Institute or its successor body.

**§11-110** Curfew for Minors.

1. It shall be unlawful for any minor 16 years of age or younger to loiter, wander, stroll or play in or upon the public streets, highways, roads, lanes, parks, playgrounds or other public grounds, public places, public buildings, places of amusement, eating places, vacant lots or any place in the unincorporated area of the County 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; provided, however, that on Fridays and Saturdays the effective hours are between 12:00 midnight until 6:00 a.m. of the following day. This section shall not apply in the following instances:

- a. When a minor is accompanied by his or her parent, guardian, or other adult person having lawful care and custody of the minor;
  - b. When the minor is upon an emergency errand by his or her parent or guardian or other adult person having the lawful care and custody of the minor;
  - c. When the minor is returning directly home from an organized event with an educational, athletic, religious or civic purpose;
  - d. When the minor is returning directly home from lawful employment during the proscribed hours;
  - e. When the minor is attending or traveling directly to or from activity involving the exercise of any first amendment right to speech or religion;
  - f. When the minor is in a motor vehicle with parental consent for normal travel, with interstate travel through the County expected in all cases from the curfew; and
  - g. When the minor is on the property of or the sidewalk directly adjacent to the building in which he or she resides.
2. It shall be unlawful for any parent or guardian to permit or allow by inefficient control a violation of this ordinance by a minor in his or her custody.

**§11-111** Parental Responsibility Ordinance. It shall be unlawful for a parent or legal guardian as defined by Georgia law to violate or fail to perform the parental duties set forth herein which result in a minor becoming delinquent as defined in Georgia law.

1. Parental Duties

- a. It is the continuous duty of the parent of any minor to exercise reasonable control to prevent the minor from committing any delinquent act.
- b. Included, without limitation, in this continuous duty of reasonable parental control are the following parental duties:
  - i. To keep illegal drugs or illegal firearms out of the home;
  - ii. To keep legal all firearms locked in places that are inaccessible to the minor;

- iii. To know the County's Curfew Ordinance and to require the minor to observe any curfew;
- iv. To require the minor to attend regular school sessions through age 15 and to forbid the minor to be absent from class without parental or school permission;
- v. To arrange proper supervision for a minor's absence from school;
- vi. To forbid the minor from keeping stolen property, illegally possessing firearms or illegal drugs, illegally using electronic devices to commit acts against state or federal law, to not associate with known juvenile delinquents, and to seek help from appropriate governmental authorities or private agencies in handling or controlling the minor, when necessary; if it becomes known to the parent that the minor possesses stolen property, legal or illegal firearms, illegal drugs, or is associating with known juvenile delinquents.

2. Notification of Parents and Record of Notification

- a. Whenever a minor is arrested or detained for the commission of any delinquent act within the unincorporated area of Chatham County, the parent of the minor shall be promptly notified by the Chatham County Police Department of the reason for detention and the parent's responsibility under this Ordinance.
- b. A record of such notifications shall be kept by the Chatham County Police Department in the record management system to the extent practical.

3. Parental Violation and Penalty

- a. If a minor commits a delinquent act, the parent shall be guilty of a violation of this Ordinance if any act, word, or action encouraged, contributed to, caused, or participated in any portion of the delinquent act or that the parent failed to do any act, word, or action that was required under the totality of the circumstances to prevent or otherwise deter the commission of the delinquent act by the minor.
- b. Upon the first conviction of a violation of this Ordinance, the parent shall be subject to a fine not less than One Hundred (\$100.00) dollars nor more than two hundred fifty (\$250.00) dollars in the discretion of any court of competent jurisdiction.

- c. Upon the second conviction of a violation of this Ordinance, the parent shall be subject to a fine of not less than two hundred fifty (\$250.00) dollars nor more than five hundred (\$500.00) dollars and any other condition deemed by a court of competent jurisdiction to be appropriate for the purposes of achieving compliance with this ordinance.

**§11-112** Prohibition on Lodging in Vehicles in Public Areas. It shall be unlawful for any person or persons to lodge in, on or about any automobile, truck, trailer, RV, camper, or similar vehicle in any County street, right-of-way, at any County owned or operated parks, boat ramps, grounds, recreational facilities, county owned parking lot, or other public property of Chatham County.



## ARTICLE II

### Intoxicant and Intoxication

**§11-201** Public Drunkenness Prohibited. A person who 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, is guilty of a misdemeanor.

**§11-202** Possession of Less than an Ounce of Marijuana. It shall be unlawful for any person to possess one ounce or less of marijuana within the county. Any person found guilty of violating this section shall be punished by a fine not to exceed \$150.00. Upon conviction, should the Court find that a defendant is without the financial means to pay a fine, the Court may direct the defendant to perform community service commensurate with the fine that would otherwise be imposed. In no event shall any person convicted of marijuana possession pursuant to this section be punished by Imprisonment for any term.

**§11-203** Possession of a Drug Related Object.

1. It shall be illegal to possess a drug related object which is defined as means any machine, instrument, tool, equipment, contrivance, or device which an average person would reasonably conclude is intended to be used for one or more of the following purposes:
  - a. To introduce into the human body any dangerous drug or controlled substance under circumstances in violation of the laws of this state;
  - b. To enhance the effect on the human body of any dangerous drug or controlled substance under circumstances in violation of the laws of this state;
  - c. To conceal any quantity of any dangerous drug or controlled substance under circumstances in violation of the laws of this state; or
  - d. To test the strength, effectiveness, or purity of any dangerous drug or controlled substance under circumstances in violation of the laws of this state.

**§11-204** Repealer and Effective Date. Adopted August 7, 2020.