

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2019-97

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, PART II, CHAPTER 10 "AMUSEMENTS AND ENTERTAINMENTS", ARTICLE III "TEEN CLUBS" AND SUBSTITUTE IN LIEU THEREOF A NEW ARTICLE III ENTITLED "TEEN LOUNGES"; TO SET FORTH THE REGULATION OF TEEN LOUNGES; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the intent of this ordinance is to establish regulations to encourage businesses which market exclusively to teens between the ages of 13 to 17. The ordinance is designed to provide safe environments for programs designed for teen-aged patrons to promote positive social and learning environments, through private business investment, for the youth of Clayton County in an effort to deter illegal behaviors.

NOW THEREFORE, BE IT ORDAINED BY THE CLAYTON COUNTY

BOARD OF COMMISSIONERS AND IT IS HEREBY ORDAINED

Section 1. The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Part II, Chapter 10 "Amusements and Entertainments," Article III "Teen Clubs", to rename said Article III as "Teen Lounges."

Section 2. The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Part II, Chapter 10 "Amusements and Entertainments," Article III, Section 10.56 to remove the definition of "teen club" and replace said definition with "teen lounge" as follows:

Teen lounge means any business establishment, either for-profit or non-profit, catering exclusively to individuals between the ages of 13 to 17 years and which is operated primarily as a place for such individuals to congregate for social or educational activities for an admission fee. Patrons must present a picture identification for admission into the establishment. A teen lounge shall not include any business establishment which is operated as a place for the exchange of merchandise for consideration.

Section 3. The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Part II, Chapter 10 "Amusements and Entertainments," Article III, Section 10-57 "License Required" subsection (a) to read as follows:

10.57. - License Required.

(a) Every person keeping, operating or maintaining a teen lounge within the unincorporated area of the county for use by the public shall be required to obtain a license from the department of community development on a form to be provided by the county in the manner specified in this article and upon approval, based upon adequate assurance that the operating provision contained in this article can be met.

...

Section 4. The Code of Clayton County, Georgia, as amended, is hereby further amended by deleting Part II, Chapter 10 "Amusements and Entertainments," Article III, Section 10-58 "Operating hours" in its entirety and substituting a new Section 10-58 "Operating hours" to read as follows:

10.58. – Operating hours.

No teen lounge shall allow customers to remain upon their premises after 10:30 p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday or later than 11:30 p.m. on any Friday or Saturday.

Section 5. The Code of Clayton County, Georgia, as amended, is hereby further amended by deleting Part II, Chapter 10 "Amusements and Entertainments," Article III, Section 10-59 "Alcoholic beverages" in its entirety and substituting a new Section 10-59 "Alcoholic beverages" to read as follows:

10.59. – Alcoholic beverages.

(a) It shall be unlawful for any licensee of a teen lounge to knowingly or recklessly allow any patron to have or bring onto its premises alcoholic beverages of any kind.

(b) It shall be unlawful for any patron of a teen lounge to have or bring onto premises of a teen lounge any alcoholic beverages of any kind.

Section 6. The Code of Clayton County, Georgia, as amended, is hereby further amended by deleting Part II, Chapter 10 "Amusements and Entertainments," Article III, Section 10-60 "Controlled substances" in its entirety and substituting a new Section 10-60 "Controlled substances" to read as follows:

10.60. – Controlled substances.

It shall be unlawful for any licensee of a teen lounge to knowingly or recklessly allow any patron thereof to have or bring onto its premises any substance controlled by the criminal provisions of state law.

Section 7. The Code of Clayton County, Georgia, as amended, is hereby further amended by deleting Part II, Chapter 10 "Amusements and Entertainments," Article III, Section 10-61 "Operating regulations" in its entirety and substituting a new Section 10-61 "Operating regulations" to read as follows:

10.61. – Operating regulations.

(a) Once a patron of a teen lounge has paid his admission and entered the building, no such patron shall be readmitted after leaving the building.

(b) It shall be unlawful for a licensee under this article to knowingly or recklessly allow, after a warning from any county official, any individuals to congregate for no apparent legitimate purpose upon its premises outside its building.

(c) All areas of the licensees' premises outside its building shall have sufficient lighting thereof so as to allow observers from the nearest public right-of-way to observe activities taking place upon the premises outside its building.

(d) All licensees shall maintain a current and accurate count of the number of individuals in its building at all times.

(e) All licensees shall maintain at least one security officer for each 150-patron capacity or part thereof.

(f) There must be in attendance a minimum of three chaperones for the first 100 patrons in attendance, and one chaperone for each additional 30 patrons, one of whom shall be female.

Chaperones shall be over 25 years of age and first approved by the department of community development.

(g) Functions shall at all times be open to the public authorities of the county for entrance and inspection.

(h) The licensee shall see that all the provisions of this subsection are carried out, and if he or his agent fails to do so, either intentionally or by inadvertence, the permit and license may be suspended or revoked.

(i) No licensee may deny admission to or charge an admission fee or other charge, any individual entering its premises for the purpose of retrieving their child or children.

(j) The licensee shall promulgate rules and regulations governing the operation of the business establishment and the conduct of its patrons, which shall be posted in a conspicuous place within the premises.

(k) Require teen-aged patrons to show a picture ID in order to attend teen lounges.

(l) Require businesses to: maintain adequate landscaping, maintain proper building codes, and have quarterly regulatory checks.

(m) Require business to maintain adequate levels of security on the inside and perimeter of the property.

(n) Violations of this Article shall be a misdemeanor punished as provided by Section 1-12 of this Code.

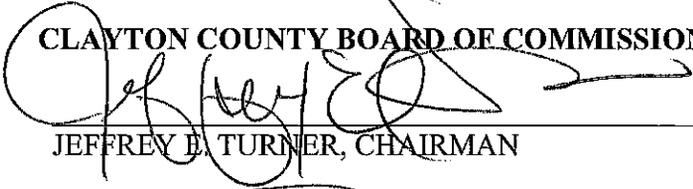
Section 8. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

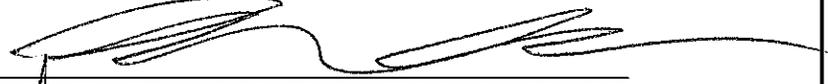
Section 9. If this Ordinance in whole or in part is determined to be unconstitutional by any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and effect.

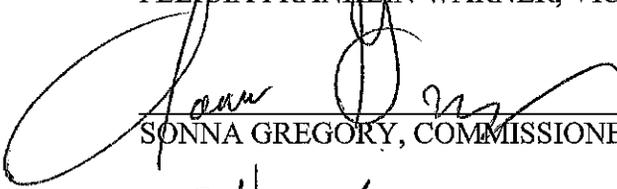
Section 10. This Ordinance shall become effective immediately upon its approval by the Board of Commissioners.

SO ORDAINED, this the 20 day of August, 2019.

CLAYTON COUNTY BOARD OF COMMISSIONERS


JEFFREY E. TURNER, CHAIRMAN

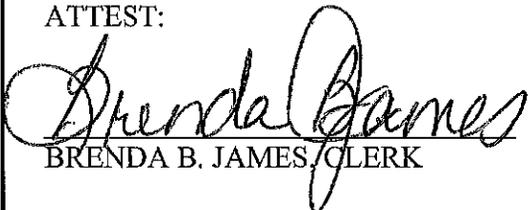

FELICIA FRANKLIN WARNER, VICE CHAIRMAN


SONNA GREGORY, COMMISSIONER


GAIL HAMBRICK, COMMISSIONER


DEMONT DAVIS, COMMISSIONER

ATTEST:


BRENDA B. JAMES, CLERK