

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2014-120

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, CODE OF CLAYTON COUNTY, GEORGIA, PART II, CHAPTER 62 “OFFENSES AND MISCELLANEOUS PROVISIONS”, ARTICLE I “GENERAL” BY ADDING A NEW SECTION 62-47 “KEEPING A DISORDERLY PLACE”; TO REPEAL CONFLICTING LAWS, ORDINANCES AND RESOLUTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

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 62 “Offenses and Miscellaneous Provisions”, Article I “General”, by adding a new Section 62-47 “Keeping a disorderly place” to read as follows:

“Sec. 62-47 Keeping a disorderly place

- (a) It shall be unlawful for a person or persons in control of real property in the County by commission or omission to keep or maintain a common ill-governed and disorderly place, to the common disturbance of the neighborhood.
- (b) “A common ill-governed and disorderly place” is defined as a place where gaming, drug use, drug sales, prostitution, disorderly conduct, loud parties, gun fire, assaults, robberies, or any combination of these occur with a frequency of more than four times in a twelve month period.
- (c) Among the circumstances which may be considered in determining a violation of this subsection are: the frequency of citizen complaints, prior warnings to the person or persons in control of the premises to curtail illegal activities on the premises, frequency of arrests or investigations or repeated calls for police services at the location. A “common disturbance of the neighborhood” will require

complaints by no less than two different citizens not living at the same address within a twelve month time period.

- (d) For the purpose of this section, the meaning of “place” shall mean any real property within Clayton County regardless of the zoning classification of the property.
- (e) The person or persons in control of real property shall be the individual or individuals who own said real property or if said person or persons is (are) renting the premises shall be the person or persons who has a lease agreement for said premises or the manager, other legal representative of the owner, renter or lessee.
- (f) A violation of this section shall be a misdemeanor punishable as provided in section 1-12 of the Code of Clayton County.”

Section 2. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

Section 3. If any part of this Ordinance shall be declared unconstitutional by the valid judgment or decree of 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 4. This Ordinance shall become effective upon its approval by the Board of Commissioners.

[Signature page follows]

SO ORDAINED, this the 20th day of May, 2014.

CLAYTON COUNTY BOARD OF COMMISSIONERS



JEFFREY E. TURNER, CHAIRMAN



SHANA M. ROOKS, VICE CHAIRMAN



MICHAEL EDMONDSON, COMMISSIONER

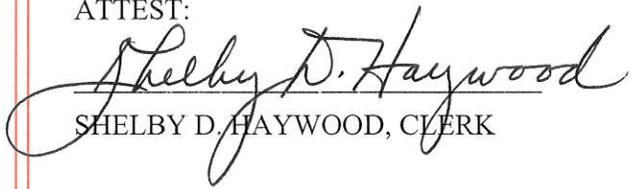


SONNA SINGLETON, COMMISSIONER



GAIL B. HAMBRICK, COMMISSIONER

ATTEST:



SHELBY D. HAYWOOD, CLERK