

**COUNTY OF DADE  
STATE OF GEORGIA**

**ORDINANCE NO. 06 – 21 – 18**

**AN ORDINANCE PROHIBITING DISORDERLY CONDUCT; TO ESTABLISH  
PENALTIES FOR VIOLATIONS OF THE SAME; TO PROVIDE FOR AN EFFECTIVE  
DATE; AND FOR OTHER PURPOSES**

**WHEREAS**, the Board of Commissioners of Dade County, Georgia, is the local governing authority for Dade County, Georgia;

**WHEREAS**, O.C.G.A. § 36-1-20 authorizes county governing authorities to adopt such ordinances as may be necessary for the purposes of protecting and preserving the public health, safety, and welfare of its citizens; and

**WHEREAS**, the Board of Commissioners of Dade County, Georgia, is authorized to adopt ordinances and regulations for the prevention of public drunkenness within the unincorporated limits of the county (Section 1.09, Dade County Code of Ordinances);

**WHEREAS**, the Magistrate Court of Dade County has jurisdiction for the adjudication of charges of violations of county ordinances (O.C.G.A. § 15-10-2); and

**WHEREAS**, the Board of Commissioners of Dade County, Georgia, deems the regulation and prohibition of public drunkenness to be in the interests of the public health, safety, and welfare of its citizens:

**NOW, THEREFORE, BE IT ENACTED** by Board of Commissioners of Dade County, Georgia, as follows:

**SECTION 1**  
**PROHIBITED ACTS**

A person commits the offense of disorderly conduct with such person commits any of the following:

- (a) 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;
- (b) 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;
- (c) 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";
- (d) Without provocation, uses obscene and vulgar or profane language in the presence of or by telephone to a person under the age of 14 years which threatens an immediate breach of the peace.
- (e) Recklessly or knowingly commits any act which may reasonably be expected to prevent or disrupt a lawful meeting, gathering, or procession;
- (f) Commits any act with the intent to impede, disrupt, disturb, or interfere with the orderly conduct of any funeral or memorial service or with the normal activities and functions carried on in the facilities or building where such funeral or memorial service is taking place. Any or all of the following shall constitute such disorderly or disruptive conduct under this paragraph:
  - 1. Displaying any visual images that convey fighting words or actual or imminent threats of harm directed to any person or property associated with said funeral or memorial service within 500 feet of the ceremonial site or location being used for the funeral or memorial service at any time one hour prior to, during, or one hour after the posted time for said funeral or memorial service;
  - 2. Uttering loud, threatening, or abusive language or singing, chanting, whistling, or yelling with or without noise amplification including, but not limited to, bullhorns, automobile horns, and microphones, such as would tend to impede, disrupt, disturb, or interfere with a funeral or memorial service within 500 feet of the ceremonial site or location being used for the funeral or memorial service;

3. Attempting to block or blocking pedestrian or vehicular access to the ceremonial site or location being used for a funeral or memorial service at any time one hour prior to, during, or one hour after the posted time for said funeral or memorial service; or
4. Conducting a public assembly, parade, demonstration, or other like event, either fixed or processional, within 500 feet of the ceremonial site or location being used for a funeral or memorial service at any time one hour prior to, during, or one hour after the posed time for said funeral or memorial service.

## **SECTION 2**

### **VIOLATION; PENALTIES**

In addition to penalties which may be imposed under state law for violations of O.C.G.A. §§ 16-11-39, 16-11-34, and 16-11-34.2, any violation of the provisions of this article shall constitute a misdemeanor and shall be punishable by penalties and costs as set forth in section 1-19 of the Code of Ordinances of Dade County, Georgia.

## **SECTION 3**

### **ENFORCEMENT OF OTHER LAWS; SEVERABILITY; EFFECTIVE DATE**

- (a) This ordinance shall not limit the authority of any State, County, or other governmental agency to enforce any other applicable laws, rules, regulations, or ordinances.
- (b) In the event any section, subsection, sentence, clause, or phrase of this ordinance is declared or adjudged to be unconstitutional, or otherwise contrary to law, such adjudication shall in no manner affect any other section, subsection, sentence, clause or phrase, and shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional was not originally a part hereof.
- (c) This ordinance shall become effective immediately upon its final passage, and all ordinances in conflict with this ordinance are repealed to the extent of the conflict.

**PROPOSED AND FIRST READING** took place on the 7<sup>th</sup> day of June 2018.

**SECOND READING AND ADOPTION** took place on the 14<sup>th</sup> day of June 2018.

**BOARD OF COMMISSIONERS  
DADE COUNTY, GEORGIA**



**BY:** \_\_\_\_\_  
TED RUMLEY  
Chairperson/County Executive

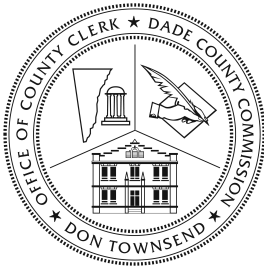
**ATTEST:**

**BY:** \_\_\_\_\_  
DON TOWNSEND  
County Clerk  
Dade County, Georgia

## CLERK'S CERTIFICATE

I, Don Townsend, County Clerk of Dade County Board of Commissioners, do hereby certify that the foregoing Ordinance constitutes a true and correct copy of the Ordinance, adopted on June 7, 2018 and June 14, 2018, by the Dade County Board of Commissioners. After due notice was given in accordance with law; and the Commission being duly called and assembled, at which a quorum was present, the Dade County Board of Commissioners did adopt the attached Ordinance, the original appearing as a public record in the Minute Book of said Commission which is in my custody and control.

Given under my hand and the Seal of Dade County this 14<sup>th</sup> day of June 2018.



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Patrick D. Townsend, Jr.  
County Clerk  
Dade County, Georgia