

ORDINANCE NO. 14-2019

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF TYBEE ISLAND, GEORGIA, SO AS TO SPECIFICALLY PROVIDE THAT IT IS PROHIBITED AND UNLAWFUL TO RELEASE BALLOONS SUCH AS HELIUM BALLOONS OR FLOATING LANTERN TYPE DEVICES INTO THE ATMOSPHERE AND TO CLARIFY THAT BALLOONS AND FLOATING OR SKY LANTERNS ARE DEEMED TO BE "LITTER", TO PROVIDE AN EFFECTIVE DATE AND FOR OTHER PURPOSES

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, and welfare of the citizens of Tybee Island, Georgia, and

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is the Mayor and Council thereof, and

WHEREAS, the governing authority desires to adopt and/or amend ordinances under its police and home rule powers, and

WHEREAS, the governing authority desires to amend the Code of Ordinances for the City of Tybee Island to prohibit the release of harmful balloons and "floating lanterns", and

WHEREAS, it is found the use of balloons and similar items, including "floating lanterns" are a hazard to the environment, as well as to wildlife, and therefore, it is resolved as follows:

NOW, THEREFORE, be it resolved and it is hereby ordained by the governing authority of the City of Tybee Island that Section 12-1 (a) 2 shall be amended so that hereafter it shall read as follows:

SECTION 1

(2) Placement of litter. It shall be unlawful to throw, place, deposit, sweep or scatter, or cause to be thrown, placed, deposited, swept, or scattered, any paper, food, cigarette butts, bottles, cans, trash, fruit peelings or other refuse upon the beaches or structures erected hereon. Beach goers must have their trash in a container at all times. Littering shall also include the release into the air or surface of balloons, helium or otherwise, and/or heat or flame operated devices sometimes referred to as "sky lanterns", "Chinese lanterns" or "floating lanterns", to include, with regard to balloons or lanterns, helium, foil, mylar or "bio-degradable" devices or items from any location in the City, including the beach, structures on the beach and waters adjacent thereto, and such activity shall be classified as "littering" and subject to the prohibition herein.

SECTION 2

It is further hereby ordained by the governing authority of the City of Tybee Island that Section 42-60 (5) is hereby amended so as to add the following thereto:

The release into air or surface of balloons, floating lanterns, sky lanterns or similar devices sometimes referred to as "Chinese lanterns", including helium, foil, mylar or "bio-degradable" devices or items from any location in the City, including the beach, structures thereon and waters adjacent thereto, shall be deemed to be "littering" and included as an activity prohibited in this subsection.

SECTION 3

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

SECTION 4

It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become effective and be made a part of the Code of Ordinances, City of Tybee Island, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

SECTION 5

This ordinance shall be effective upon its adoption by the Mayor and Council pursuant to The Code of the City of Tybee Island, Georgia.

This Ordinance shall become effective on 24 day of September, 2019.

ADOPTED THIS 24 DAY OF September, 2019.

ATTEST:

Janet L. Allen
CLERK OF COUNCIL

Jason Puckerman
MAYOR



FIRST READING: 9/10/19
SECOND READING: 9/24/19
ENACTED: 9/24/19