Chapter 35

OFFENSES AND MISCELLANEOUS PROVISIONS*

Sec. 35-1. Disorderly conduct.

*Cross reference—Law enforcement, ch. 32.

Sec. 35-1. Disorderly conduct.

(a) *Generally.* A person commits the crime of disorderly conduct, if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, such person shall:

(1) Act in a violent or tumultuous manner toward another whereby any person is placed in fear of safety of his life, limb or health; or

(2) Act in a violent or tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged; or

(3) Cause, provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another; or

(4) Without provocation directs to 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 i.e. words which as a matter of common knowledge and under ordinary circumstances will, when directed to or spoken to another person in such other person's presence naturally tend to result in violate resentment, that is words commonly called "fighting words"; or

(5) Congregate with another or others on any public way so as to halt the flow of vehicular or pedestrian traffic and/or refuses to clear the public way when ordered by the city police or other lawful authority [or] a law enforcement officer; or

(6) Operate a motor vehicle upon any parking area, public or private, vehicle access or pedestrian walkway of any parking facility at a speed great enough to endanger the person or property of another; or

(7) Consume alcoholic beverages or possess or have under his control an open container of any alcoholic beverage in any public area including property of the county; or

(8) 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 or within a place of business patronized by the public, such condition made manifest by boisterousness, indecent condition or act or by vulgar, profane, loud or unbecoming language; or

(9) Be and appear in a place at a time or 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; or

(10) Perform an act of sexual intercourse, lewd exposure of the sexual organs, a lewd appearance in a state of partial or complete nudity, or the lewd caress or fondling of the body of another person in a public place.

(b) *Prosecutions.* Prosecutions for violations of this section shall be upon citation that shall show the accused is to appear at trial. The officer enforcing this section shall have the right to arrest and detain the accused as provided by O.C.G.A. §§ 15-10-62 and 15-10-63.

(c) *Citation.* The citation shall comply with all requirements of state law in a form that shall be established by the chief magistrate court of the county.

(d) *Bonds.* The chief magistrate of the county shall establish a schedule of cash bonds for the personal appearance in court of the accused. Procedures regarding acceptance of bonds, forfeiture of bonds, and acceptance of funds shall be established by the chief magistrate of the county.

(e) *Penalty.* Violation of this section shall be punished as provided in section 1-12 of this Code.
(Ord. of 10-6-98, §§ 1—6)

ORDINANCE

AN ORDINANCE TO AMEND SECTION 35-1 ENTITLED "DISORDERLY CONDUCT" OF CHAPTER 35 ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS" OF THE CODE OF ORDINANCES OF GRADY COUNTY, GEORGIA, TO DEFINE CERTAIN CONDUCT AS DISORDERLY, TO ESTABLISH AN EFFECTIVE DATE, TO ELIMINATE CONFLICTS WITH PRIOR ORDINANCES.

BE IT ORDAINED by the authority of the Grady County Board of Commissioners that Section 35-1 entitled "Disorderly Conduct" of Chapter 35 entitled "Offenses and Miscellaneous Provisions" of The Grady County Code of Ordinances be amended as follows:

Section 1.

By adding to the existing definitions of disorderly conduct three sub-sections so that the amended sections read as follows:

Sec. 35-1. **Disorderly Conduct**

(a) Generally a person commits the crime of disorderly conduct if with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof if such person shall:

(1) .....

(2) .....

.....

.....

(11) intentionally make contact of an insulting and provoking nature with the person of another; or intentionally causes physical harm to another; or

(12) telephone another person repeatedly, whether or not conversation ensues, for the purpose of annoying, harassing, or molesting another person or the family of such other person; uses over the telephone language threatening bodily harm; or knowingly permits any telephone under such person's control to be used for any purpose prohibited by this subsection; or

(13) intentionally damage any property of another without consent of that other person and the damage thereto is less than $500.00; knowingly and maliciously interferes with the possession or use of the property of another person without the consent of that person; knowingly and without authority enter upon the land or premises of another person after receiving, prior to such entry, notice from the owner that such entry was forbidden; remains upon

the land or premises of another person after receiving notice from the owner to depart.

Section 2.

BE IT FURTHER ORDAINED that this ordinance shall take effect upon passage by the Grady County Board of Commissioners.

Section 3.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted this 3rd day of July, 2000.

GRADY COUNTY BOARD OF COMMISSIONERS

By: Charles Parker

Chairman

Attest: Ann W Mobley

Clerk

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ORDINANCE

AN ORDINANCE TO ESTABLISH PROCEDURES REGARDING SERVICES PROVIDED BY THE GRADY COUNTY BOARD OF COMMISSIONERS TO CITIZENS, TO ESTABLISH POLICIES REGARDING REIMBURSEMENT OF ACTION BY COUNTY EMPLOYEES, TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE, TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Grady County Board of Commissioners, and it is hereby ordained by the authority of same as follows:

Section One:

Work performed on Private Property/for Citizens

(1) All work performed by Grady County employees on private property that is not directly related to the maintenance and service of public roadways shall be permitted only upon the majority vote of the Grady County Board of Commissioners.

(2) All work performed by Grady County employees that is done principally for the benefit of citizens, whether required by law or upon authorization of the Grady County Board of Commissioners shall be reimbursed by the citizen. The amount paid by the citizen for the service shall be established by the Grady County Board of Commissioners and shall be consistent with costs incurred in providing the service required.

(3) All situations in which Grady County employees are required to enter upon private lands excluding emergency medical services that relate to potential health hazards or emergencies shall be certified as necessary by the Grady County Health Department or a designee of the Health Department.

Section Two: Be if further ordained that all ordinances and parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

Section Three: Be it further ordained that this ordinance shall take effect upon final passage.

Offered, read, adopted and approved by the Grady County Board of Commissioners this 2nd day of March, 1999, Three members of the Grady County Board of Commissioners voting for its passage.

GRADY COUNTY BOARD OF COMMISSIONERS

By: Charles Pate
Chairman

Attest: Ann W Moseley
Clerk

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ORDINANCE

AN ORDINANCE TO ESTABLISH CERTAIN GRADY COUNTY PROPERTIES AS A "TOBACCO FREE AREA", TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE, AND TO ELIMINATE CONFLICTS WITH PRIOR ORDINANCES.

Section 1. Be It Ordained by the authority of the Grady County Board of Commissioners that all real property owned by Grady County, with the exception of road right of ways, is hereby established as a "Tobacco Free Area" and that the use of tobacco in any form is prohibited upon any of this real property except in such areas and during such times as are designated by the Grady County Administrator.

Section 2. Be It Further Ordained that all Ordinances or parts of Ordinances in conflict with the same are hereby repealed.

Section 3. Be It Further Ordained that this Ordinance will take effect upon its passage by the Grady County Board of Commissioners.

Offer read and adopted and approved in open council meeting this 6th day of November, 2007.

GRADY COUNTY BOARD OF COMMISSIONERS

By: _____

Attest: _____

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