

CHAPTER 11

General Offenses

ARTICLE I

Offenses Enumerated

§11-101	Disorderly Conduct
§11-102	Disorderly House Prohibited
§11-103	Unlawful Assembly; Loitering
§11-104	Advertising Prohibited in Courthouse
§11-105	Soliciting Prohibited in Courthouse
§11-106	Trespassing in the County Garage Prohibited
§11-107	Library Regulations
§11-108	Unlawful Gambling Devices
§11-109	Reserved
§11-110	Obscene Material
§11-111	Inhaling Model Glue
§11-112	Same; Illegal Possession
§11-113	Same; Inducement of Others
§11-114	Same; Retail Sale Restricted
§11-115	Definitions of "Model Glue"
§11-116	Possession of Drug Apparatus
§11-117	Needles and Syringes to be Destroyed
§11-118	When Possession of Drug Apparatus Lawful
§11-119	Prohibited Drugs
§11-120	Definitions
§11-121	Penalty
§11-122	Enactment - Curfew Ordinance
§11-123	Effective Date
§11-124	Enactment - Parental Responsibility Ordinance
§11-125	Definitions
§11-126	Parental Duties
§11-127	Notification of Parents and Record Notification
§11-128	Parental Violation and Penalty
§11-129	Repealer
§11-130	Purpose
§11-131	Effective Date
§11-132	False Alarm Service - Fee Established
§11-133	Definitions
§11-134	Exceptions
§11-135	Appeal
§11-136	Shut Off Requirement
§11-137	Maintenance and Operation
§11-138	Effective Date
§11-139	Prohibition on Lodging in Vehicles in Public Areas
§11-140	Severability

ARTICLE II

Cannabis or Drug Paraphernalia

§11-201 License Required
§11-202 Application
§11-203 Minors
§11-204 Records
§11-205 Regulations
§11-206 Fees
§11-207 Penalty
§11-208 Area of Application
§11-209 Repealer

ARTICLE III

Alcoholism and Intoxication

§11-301 Public Drunkenness Prohibited
§11-302 Treatment for Alcoholism
§11-303 Definitions
§11-304 Intoxicated Individuals
§11-305 Protective Custody
§11-306 Protective Custody Not an Arrest
§11-307 Notice of Family
§11-308 Liability of Officers
§11-309 Intoxication Not a Defense
§11-310 Repealer
§11-311 Effective Date

ARTICLE I

Offenses Enumerated

§11-101 Disorderly Conduct.

1. No person shall engage in continuing loud and unseemly noise which shall disturb or violate the peace, good order or quiet of any building or facility or on the property where said buildings or facilities are located, and within fifty (50) feet of said building or facility, and in which any business of the public is being conducted. Buildings and facilities and the property on which they are located as defined herein shall specifically include, but are not limited to, the Chatham County Courthouse at 133 Montgomery Street, The Old Courthouse Building at 124 Bull Street, any Public Library facility, the Chatham Area Transit Authority, Juvenile Court, any Health Department Facility, any Jail or Detention Facility, any County Police Department Office, and County Tag Office. Said disturbance and violation of the peace, good order or quiet may be done by making or continuing loud and unseemly noises, or by profanely cursing and swearing, or using obscene language, or by the use of horns, radios, phonographs, loud speakers, amplifiers, whistles, exhausts or other devices not enumerated herein, but which cause loud or irritating noise. Such disturbance shall be considered boisterous, noisy or disorderly conduct and is deemed to be detrimental and offensive to the peace, good order and dignity of said County property and to the welfare and morals of the citizens of Chatham County.
2. Whenever any such boisterous, noisy or disorderly conduct shall occur in or within fifty (50) feet of any building or facility, disrupts any portion of the members of the public, or when such conduct impairs the ability of elected or appointed officials or employees of Chatham County to deliver services to any sector of the public, it shall be the duty of any police officer of Chatham County or any Sheriff/Deputy Sheriff who has witnessed such conduct, to arrest and remove the offender or offenders upon their being requested to leave and their refusal to leave said premises. Said request to leave and refusal to do so, may be made by any police officer of Chatham County or Sheriff/Deputy Sheriff or the request of any elected or appointed official or County employee of such conduct having occurred to the point of normal business to the public being disturbed and disrupted.
3. No person shall disturb or violate the peace, good order or quiet of Chatham County or any part thereof, without the limits of any municipal corporation and the police jurisdiction given by law to any municipality beyond its

limits, or by any riotous, boisterous, noisy or disorderly conduct.

Whenever any such riotous, boisterous, noisy or disorderly conduct shall occur in any house or enclosure in said County to the annoyance of the people of said County, or any portion of them, it shall be the duty of any police officer who may know thereof, or whose attention may be called to such conduct, to request admission into the premises for the arrest and removal of the offender or offenders; and if such request, when made, be not complied with by the person or persons who have the management, control or government of such premises, then said person or persons having such management, control, or government, shall be deemed to be the offender or offenders.

4. Any person violating this ordinance, shall upon conviction before the Recorder's Court of Chatham County or any other Court having competent jurisdiction be fined in an amount not to exceed \$500 or to be imprisoned for not more than sixty (60) days, either or both at the discretion of the Judge hearing said case. (Amended March 14, 1997)

§11-102 Disorderly House Prohibited. No person shall, in the night or day, keep a disorderly house within the limits of the County of Chatham outside the police jurisdiction given by law to any municipality. (#8, 6/25/26)

§11-103 Unlawful Assembly; Loitering.

1. It shall be unlawful for any person or persons to stand around or assemble on any of the public roads or bridges, or in and around any railroad yard or refreshment place in the County of Chatham and loaf, loiter or idle, or engage in any boisterous conduct or noise to the disturbance of others.
2. It shall be unlawful for any unemployed person (or person not engaged in a lawful business or profession) to be found idling, loitering, or loading upon any of the roads or bridges of this county, regardless of his income, property or means of support. (#6, 6/11/26)

§11-104 Advertising Prohibited in Courthouse. It shall be unlawful to distribute in the Chatham County Courthouse any advertising material, folders, bills, cards or similar advertising materials. (#167, 3/19/65)

§11-105 Soliciting Prohibited in Courthouse. No person, firm, or corporation shall be permitted to solicit for any purpose in the corridor or confines of the Courthouse without permission of the Chatham County Commissioners. (#137, 12/2/60)

§11-106 Trespassing in the County Garage Prohibited.

1. It shall be unlawful for any person to loiter in, walk through, or trespass upon the Chatham County Vehicle Parking Facility at 415 West Broughton Street, Savannah, Georgia, unless said person has a vehicle or is the guest of a person who has a vehicle in said parking garage, or is an employee of Chatham County engaged in duties associated with his employment.
2. This Ordinance shall not apply to first-floor public offices on the Broughton Street side of the facility.
3. Any person violating this Ordinance shall upon conviction before the Recorder's Court of Chatham County or any other court having competent jurisdiction, be fined an amount not less than one dollars (\$1.00) nor exceeding one hundred dollars (\$100.00) or imprisoned in the County Jail for thirty (30) days, either or both at the discretion of the trial court judge.
4. This Ordinance shall become effective on February 2, 1979.
5. All ordinances or parts of ordinances in conflict herewith are hereby repealed (2/2/79).

§11-107 Library Regulations.

1. No person shall willfully write upon, injure, deface, tear or otherwise destroy any book, plate, picture, engraving, map, newspaper, magazine, pamphlet, manuscript or statute belonging to, housed, stored or maintained in any public library.
2. No person shall willfully detain any book, plate, picture, engraving, map, newspaper, magazine, pamphlet, manuscript or statute or other property of any public library for more than 30 days after receipt of written notice demanding the return of such article or property to any public library.
3. No person shall willfully disturb persons assembled in any public library, or reading room connected therewith, during the time when such library or reading room is open to the public.
4. Any individual less than eighteen (18) years of age found violating this Ordinance shall be warned and the Director or his duly designated representative shall notify the parents or legal guardians of such violation.
5. Any person violating any of the provisions of this Ordinance or any individual less than eighteen (18) years of age who has

received warning shall upon conviction before the Recorder's Court of Chatham County or any other court having competent jurisdiction, be fined an amount not less than one dollars (\$1.00) nor exceeding one hundred dollars (\$100.00) or imprisoned in the County Jail for thirty (30) days, either or both at the discretion of the trial court judge. (No. 574, 1/23/76, Sec. 1-4, as amended by No. 576, 4/2/76, Sec. 4-5)

Editorial Note: The above section replaces former section 11-107 on fortune telling, repealed on July 3, 1975.

Amendment Note: The ordinance of April 2, 1976, repealed former subsection (4) and added new subsections (4) and (5).

§11-108 Unlawful Gambling Devices.

1. It shall be unlawful for any person, firm or corporation within the confines of said County without the corporate limits of any municipality to own, maintain, operate, possess or distribute any pin ball machine or any other machine which has been classified as or taxed by either the State of Georgia or the United States of America as a lottery, gaming or gambling device or machine or any other device or machine for the playing of a game of chance whether activated by the deposit of a coin therein or otherwise.
2. The provisions of this section shall not apply to machines owned and operated for the sole purpose of vending merchandise where such vending does not carry with it the element of chance in the identity of the merchandise, food, or beverage purchased.
3. The provisions of this section shall not apply to the operation of other machines for the playing of a game or engaging in a contest of skill whether said machines are activated by the deposit of a coin therein or otherwise.
4. The proprietor or owner of every such machine or device shall before locating or operating such machine, pay the license fee as prescribed; provided that before such licenses are issued, they shall be passed upon and approved by the Chatham County Commissioners. (#150, 7/20/62)

§11-109 Reserved.

Amendment Note: Ordinance No. 385, enacted on June 6, 1971, appeared as former section 11-109; this Ordinance which prohibited self service dispensing of motor fuels was repealed on February 20, 1975, by Ordinance No. 575-0.

§11-110 Obscene Material.

1. It is declared to be the contemporary community standard of Chatham County, Georgia that any printed, written, or engraved publications containing words, photographs, negatives, drawings, paintings, etchings or other descriptive devices that:
 - a. Depict or describe in a patently offensive way sexual conduct of human beings or animals; or,
 - b. Depict or describe patently offensive representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated, of human beings or animals; or,
 - c. Depict or describe patently offensive representations or descriptions of masturbation, excretory functions, or lewd exhibition of the genitals of human beings, which when taken as a whole lack serious literary, artistic, political or scientific value and which appeal to the prurient interest of people is declared to be obscene.
2. It is declared to be the contemporary community standard of Chatham County, Georgia that any audio or visual publications, phonograph records, tape recordings, wire recordings, motion picture films or any combination thereof that:
 - a. Depicts or describes in a patently offensive way sexual conduct of human beings or animals; or,
 - b. Depicts or describes patently offensive representation or descriptions of ultimate sexual acts, normal or perverted, actual or simulated, of human beings or animals; or,
 - c. Depicts or describes patently offensive representation or descriptions of masturbation, excretory functions, or lewd exhibition of the genitals of human beings, which when taken as a whole lack serious, literary, artistic, political or scientific value and which appeals to the prurient interest of people is declared to be obscene.
3. It shall be illegal to show, to demonstrate, to sell, to advertise for sale, to transport into or within the unincorporated areas of Chatham County, Georgia any material declared to be obscene by this section.
4. It shall be illegal in the unincorporated areas of Chatham County, Georgia to possess outside the private home of a person any material declared to be obscene by this section.

5. It shall be illegal to publicly display in any form or to publish, circulate, broadcast, televise, or show motion pictures of any material declared to be obscene by this section.
6. Any person, persons, firm, corporation, co-partnership or association violating any of the provisions of this section shall be punished by a fine not exceeding one hundred dollars (\$100.00) or imprisonment not exceeding thirty days, either or both, within the discretion of the Recorder of the Police Court of Chatham County. (#476, 10/19/73)

§11-111 Inhaling Model Glue. It shall be unlawful for any person to intentionally smell or inhale the fumes of any type of "model glue," or to induce any other person to do so, for the purpose of causing a condition of, or inducing symptoms of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction or dulling of the senses of the nervous system, or for the purpose of, in any manner, changing, distorting or disturbing the audio, visual or mental processes; provided, however, that this section shall not apply to the inhalation of any anesthesia for medical or dental purposes. (#242, 11/3/67, Sec. 1)

§11-112 Same; Illegal Possession. It shall be unlawful for any person to intentionally possess any type of "model glue" for the purpose of using the same in the manner prohibited by Section 11-111 of this Ordinance. (#242, 11/3/67, Sec. 2)

§11-113 Same; Inducement of Others. It shall be unlawful for any person to intentionally possess, buy or sell or otherwise transfer any type of "model glue" for the purpose of inducing or aiding any other person to violate the provisions of Sections 11-111 and 11-112 of this Ordinance. (#242, 11/3/76, Sec 3)

§11-114 Same; Retail Sale Restricted. It shall be unlawful for any person, firm or corporation to engage in the retail sale of "model glue" unless such person, firm or corporation is a recognized, bona fide retail dealer (at a fixed location) in merchandise, customarily handling such product in the ordinary course of his business. (#242, 11/3/67, Sec. 4)

§11-115 Definition of "Model Glue." As used in this Ordinance, the term "model glue" shall mean any glue or cement of the type commonly used in the building of model airplanes, boats, and automobiles and which contain one or more of the following volatile solvents:

1. Acetone

2. Amylacetone
3. Benzol or Benzene
4. Butyl Acetate
5. Butyl Alcohol
6. Carbon tetrachloride
7. Chloroform
8. Cyclohexanone
9. Ethanol or Ethyl Alcohol
10. Ethyl Acetate
11. Hexane
12. Isopropanol or Isopropyl Alcohol
13. Isopropyl Acetate
14. Methyl "Gellosolve" Acetate
15. Methyl Ethyl Ketone
16. Methyl Isobutyl Ketone
17. Toluol or Toluene
18. Trichloroethylene
19. Tricersyl Phosphate
20. Xylol or Xylene

or any other solvent, material, substance, chemical or combination thereof, having the property of releasing toxic vapors. (#242, 11/3/67, Sec. 5)

§11-116 Possession of Drug Apparatus Limited. It shall be unlawful for any person to possess any apparatus, device or instrument for the unauthorized use of drugs. Use shall not be unauthorized if authorized by a physician, dentist, veterinarian, or hospital. (#335, 12/19/69, Sec. 1)

§11-117 Needles and Syringes to be Destroyed. All hypodermic syringes and hypodermic needles must be destroyed when no longer in use for medical purposes, and it shall be unlawful not to destroy. Hypodermic needles shall be broken off from the hub, glass hypodermic syringes shall be broken, and disposable hypodermic syringes shall be incinerated. (#335, 12/19/69, Sec. 2)

§11-118 When Possession of Drug Apparatus Lawful. It shall be unlawful for any person, except a dealer in surgical instruments, physician, apothecary, dentist, veterinarian or nurse, attendant or intern of a hospital, sanatorium or institution in which persons are treated for disability or disease, at any time to have, possess, or buy a hypodermic needle or hypodermic syringe unless said possession, or purchase be authorized by the prescription or the certificate of a physician, dentist or veterinarian. It shall be unlawful to sell a hypodermic needle or hypodermic syringe unless such sale is authorized by prescription or certificate of a physician, dentist or veterinarian, and the prescription or certificate is not to be refilled or renewed unless authorized

by the prescriber, provided, that this section shall not apply if possession, sale or purchase was for a harmless purpose. (#335, 12/19/69, Sec. 3)

§11-119 Prohibited Drugs.

1. It shall be unlawful for any person other than a person described in O.C.G.A. Section 16-13-20.1 (Ga. Laws 1967, pp. 296, 349) under the caption Manufacture, Sale, Possession and obtaining by fraud of certain drugs prohibited; records - to possess drugs known as:
 - a. Methylphenidate HCl (Ritalin)
 - b. Phencyclidine HCl (PCP)
 - c. Methylbenzilate
 - d. Diethyltryptamine (DET)
 - e. N-Methyl-3-piperdyl Benzilate HCl (LBJ, JB-336)
 - f. N-Ethyl-3-piperdyl Benzilate HCl (JB-318)
 - g. Benactylzine HCl (DMZ)
 - h. 3,4-Methylenedioxy Amphetamine HCl (MDA)
 - i. 4-Methyl-2, 5-Dimethoxyamphetamine HCl (STP, DOM)
 - j. Dipropyltryptamine (DPT)
 - k. Chlordiazepoxide (Librium)
 - l. Asmadore
2. Any drug, which under the "Federal Food, Drug and Cosmetic Act" (52 Stat. 1040 [1938]), Title 21. United States Code, section 301, or under any law of this State, may be dispensed only upon prescription;
3. Any drug which the State Board of Pharmacy shall determine to be dangerous or detrimental to the public health when taken in accordance to directions; unless (1) such drug was obtained upon a valid prescription and is held in the original container in which such drug was delivered; or (2) such drug was delivered by a practitioner in the course of his professional practice and the drug is held in the immediate container in which said drug was delivered. (#335, 12/19/69, Sec. 4)

§11-120 Definitions. The following words and phrases used in this Ordinance shall have the following meanings unless the context otherwise requires:

1. Person includes any corporation, association, co-partnership, or one or more individuals.
2. Physician means a person authorized to practice medicine in this State and any other person authorized by law to treat sick and injured human beings in this State and to use narcotic drugs in connection with such treatment. Osteopaths

authorized to secure a Federal narcotic permit as allowed physicians and other persons. Provided however, osteopaths shall be allowed to purchase, prescribe, dispense and administer for the alleviation of pain only, certain narcotic drugs, to-wit: those narcotic drugs or their derivative, the sale of dispensing of which is regulated by the Federal Act known as "The Harrison Narcotic Act," as amended, said Act being set out in 26 U.S.C.A., Int. Rev. Code, section 3220 et seq.

3. Dentist means a person authorized by law to practice dentistry in this State.
4. Veterinarian means a person authorized by law to practice veterinary medicine in this State.
5. Apothecary means a licensed pharmacist as defined by the laws of this State and, where the context so requires, the owner of a store or other place of business where narcotic drugs are compounded or dispensed by a licensed pharmacist; but nothing in this Ordinance shall be construed as conferring on a person who is not registered nor licensed as a pharmacist any authority, right or privilege that is not granted to him by the pharmacy laws of this State.
6. Hospital means an institution for the care and treatment of the sick and injured approved by the State Board of Pharmacy as proper to be entrusted with the custody of narcotic drugs and the professional use of narcotic drugs under the direction of a physician, dentist, or veterinarian.
7. Drugs means coca leaves, opium, isonipecaine, marijuana, and every other substance neither chemically nor physically distinguishable from them and any other drugs to which the Federal laws relating to narcotic drugs may now apply; and any drug found by the Georgia State Board of Pharmacy to have an addiction-forming or addiction-sustaining liability similar to morphine or cocaine; Methylphenidate HCl (Ritalin); Phencyclidine HCl (PCP); Methylbenzilate; Diethyltryptamine (DET); N-Methyl-3-piperdyl Benzilate HCl (LBJ, JB-336); N-Ethy 1-3-piperdyl Benzilate HCl (JB-318); Benactylzine HCl (DMZ); 3, 4-Methylendedioxy Amphetamine HCl (STP, DOM); Dipropyltryptamine (DPT); Chlordiazepoxide (Librium); Asmadore; any drug, which under the "Federal Food, Drug and Cosmetic Act" (52 Stat, 1040 (1938), Title 21, United States Code, Section 301; or under any law of this State, may be dispensed only upon prescription; and any drug which the State Board of Pharmacy shall determine to be dangerous or detrimental to the public health when taken in accordance to directions.

8. Coca Leaves includes cocaine, and any compound, manufacture, salt derivative, mixture, or preparation of coca leaves, except derivatives of coca leaves which do not contain cocaine, ecgonine, or substances from which cocaine or ecgonine may be synthesized or made.
9. Opium includes morphine, codeine, and heroin, and any compound, manufacture, salt, derivative, mixture or preparation of opium, but does not include apomorphine or any of its salts.
10. Marijuana means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds, or resin; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plants, any other compound, manufacture, salt, derivative, mixture or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, cake, or the sterilized seed of such plant which is incapable of germination.

§11-121 Penalty. Failure to comply with any of the requirements and provisions of these regulations, including violation of conditions and safe-guards established in connection with grants of variance or special exception, shall constitute a violation of this Code of Ordinances. Any person who violates this Code or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500, or imprisoned in the County jail for not more than 30 days, or labor on the work gang for not more than 60 days for any single offense, or any combination thereof, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Chatham County from taking such other lawful action as is necessary to prevent or remedy any violation of this Code of Ordinances.

§11-122 Enactment- Curfew Ordinance.

1. It shall be unlawful for any minor 16 years of age or younger to loiter, wander, stroll or play in or upon the public streets, highways, roads, lanes, parks, playgrounds or other public grounds, public places, public buildings, places of amusement, eating places, vacant lots or any place in the unincorporated area of the County unsupervised by an adult having the lawful authority to be at such places, between the hours of 11:00 p.m. on any day and 6:00 a.m. of the following day; provided, however, that on Fridays and Saturdays the effective hours are between 12 midnight and 6:00 a.m. of the

following day; and provided, that the provisions of this section shall not apply in the following instances:

- a. When a minor is accompanied by his or her parent, guardian, or other adult person having lawful care and custody of the minor;
 - b. When the minor is upon an emergency errand by his or her parent or guardian or other adult person having the lawful care and custody of them minor;
 - c. When the minor is returning directly home from a school or church activity;
 - d. When the minor is returning directly home from lawful employment that makes it necessary to be in the above referenced places during the proscribed period of time;
 - e. When the minor is attending or traveling directly to or from activity involving the exercise of first amendment right of speech, freedom of assembly, or free exercise of religion;
 - f. When the minor is in a motor vehicle with parental consent for normal travel, with interstate travel through the County expected in all cases from the curfew; and
 - g. When the minor is on the property of or the sidewalk directly adjacent to the building in which he or she resides.
2. It shall be unlawful for any parent or guardian to permit or by inefficient control allow a violation of this ordinance by a minor in his or her custody.
 3. Failure to comply with any of the requirements and provisions of this Ordinance shall constitute a violation and any violator upon conviction thereof, shall be fined not more than \$500.00 or imprisoned in the County jail for not more than thirty days or both in the discretion of the Judge of the Recorder's Court of this County.
 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

§11-123 Effective Date. This Ordinance shall be become effective on March 10, 1995.

§11-124 Enactment - Parental Responsibility Ordinance. It shall be unlawful for a parent as defined herein to violate or fail to perform the parental duties set forth herein which results

in the commission of a delinquent act as defined herein by a minor as defined herein.

§11-125 Definitions. For the purpose of this Ordinance, the following words and phrases shall have the following meanings:

1. Delinquent acts means those acts which violate the laws of the United States, the statutes of the State of Georgia, or any ordinance of Chatham County or any acts which cause or tend to cause a minor to come under the jurisdiction of the Juvenile Court of Chatham County, but does not include traffic violations.
2. Minor means any person under the age of seventeen (17) years residing with a parent.
3. Parent means mother, father, legal guardian and any other person having the care or custody of a minor or any person acting in the parent's stead who has custody or control of the child.
4. Illegal drugs means controlled substances obtained without a legal prescription.
5. Juvenile delinquent means those minors whose behavior interferes with the rights of others or menaces the welfare of the community.

§11-126 Parental Duties

1. It is the continuous duty of the parent of any minor to exercise reasonable control to prevent the minor from committing any delinquent act.
2. Included, without limitation, in this continuous duty of reasonable parental control are the following parental duties:
 - (a) To keep illegal drugs or illegal firearms out of the home and legal firearms locked in places that are inaccessible to the minor;
 - (b) To know the County's Curfew Ordinance and to require the minor to observe any curfew;
 - (c) To require the minor to attend regular school sessions through age 15 and to forbid the minor to be absent from class without parental or school permission;

- (d) To arrange proper supervision for a minor's absence from school;
- (e) To forbid the minor from keeping stolen property, illegally possessing firearms or illegal drugs, or associating with known juvenile delinquents, and to seek help from appropriate governmental authorities or private agencies in handling or controlling the minor, when necessary; if it becomes known to the parent that the minor possesses stolen property, legal or illegal firearms, illegal drugs, or is associating with known juvenile delinquents.

§11-127 Notification of Parents and Record of Notification

1. Whenever a minor is arrested or detained for the commission of any delinquent act within the unincorporated area of Chatham County, the parent of the minor shall be immediately notified by the Chatham County Police Department advising the parent of such arrest or detention, the reason therefor and the parent's responsibility under this Ordinance.
2. A record of such notifications shall be kept on file by the Chatham County Police Department.

§11-128 Parental Violation and Penalty

1. If a minor commits a delinquent act, the parent shall be guilty of a violation of this Ordinance if it is proven that any act, word, or non-performance or parental duty by the parent encouraged, contributed toward, caused, or tended to cause the commission of the delinquent act by the minor.
2. Upon the first conviction of a violation of this Ordinance, the parent shall be subject to a fine or not less than seventy-five (\$75.00) dollars nor more than two hundred fifty (\$250.00) dollars in the discretion of the Judge of the Recorder's Court of Chatham County.
3. Upon the second conviction of a violation of this Ordinance, the parent shall be subject to a fine of not less than two hundred fifty (\$250.00) dollars nor more than five hundred (\$500.00) dollars and be subject to a sentence of probation upon condition that the parent participate in, through completion, a course in parenting skills or in the sole discretion of the Judge of the Recorder's Court of Chatham County be confined to the County Detention Center for a period of not less than 15 days nor more than 30 days.

4. Upon the third or subsequent violations, the parent shall be subject to a fine of not less than seven hundred fifty (\$750.00) nor more than one thousand (\$1,000.00) dollars, and in the discretion of the Judge of the Recorder's Court of Chatham County confinement in the County Detention Center for a term of not less than 15 nor more than 90 days or sentenced to probation upon conditions to be set by the Judge.

§11-129 Repealer. All Ordinances or part of Ordinances in conflict herewith shall be and the same are hereby repealed.

§11-130 Purpose. This Ordinance is declared necessary for the preservation of the public peace, health, safety, and welfare of the persons in the unincorporated area of Chatham County.

§11-131 Effective Date. The effective date of this Ordinance shall be 30 days from and after the date of the second reading before the Board of Commissioners of Chatham County at which the Ordinance is adopted (June 28, 1996). This Ordinance shall be effective for a period of 24 months or 2 years from its effective date.

§11-132 through §11-138, the County's False Alarm Ordinance that became effective May 24, 1996, was deleted/repealed on February 26, 2010. New false alarm ordinance to mirror that of the City of Savannah was adopted on same date and is in Chapter 10.

§11-139 Prohibition on Lodging in Vehicles in Public Areas. It shall be unlawful for any person or persons to lodge in, on or about any automobile, truck, trailer, camper, or similar vehicle in any County street, right-of-way, any County owned or operated parks, grounds or recreational facilities, any parking lot of property owned or operated by the County, or other public property of Chatham County. (Amended March 12, 2004)

§11-140 Severability. Should any section, provision, or clause of any part of this ordinance be declared invalid or unconstitutional, or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances be declared invalid or unconstitutional, such invalidity shall not be construed to affect portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the County that this ordinance would have been adopted had any such invalid portion not been included herein. (Amended March 12, 2004)

ARTICLE II

Cannabis or Drug Paraphernalia

§11-201 License Required. It shall be unlawful for any person or persons as principal, clerk, agent or servant to sell any items, effect, paraphernalia, accessory or thing which is designed or marketed for use with illegal cannabis or drugs, as defined by the Georgia Code, without obtaining a license therefor. Such licenses shall be in addition to any or all other licenses held by applicant.

§11-202 Application. Application to sell any item, effect, paraphernalia, accessory or thing which is designed or marketed for use with illegal cannabis or drugs shall, in addition to already existing requirements, be accompanied by affidavits by applicant and each and every employee authorized to sell such items that such person has never been convicted of a drug-related offense.

§11-203 Minors. It shall be unlawful to sell or give items as described above in any form to any person under eighteen years of age.

§11-204 Records. Every licensee must keep a record of every item, effect, paraphernalia, accessory or thing which is designed or marketed for use with illegal cannabis or drugs which is sold, and this record shall be open to the inspection of any police officer at any time during the hours of business. Such record shall contain the name and address of the purchaser, the name and quantity of the produce, the date and time of the sale, and the licensee or agent of the licensee's signature; such records shall be retained for not less than two (2) years.

§11-205 Regulations. The applicant shall comply with all applicable local and state laws.

§11-206 Fees. The license fee required herein shall be \$150.00.

§11-207 Penalty. Failure to comply with any of the requirements and provisions of these regulations, including violation of conditions and safe-guards established in connection with grants of variance or special exception, shall constitute a violation of this Code of Ordinances. Any person who violates this Code or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500, or imprisoned in the County jail for not more than 30 days, or labor on the work gang for not more than 60 days for any single offense, or any combination thereof, and in addition,

shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Chatham County from taking such other lawful action as is necessary to prevent or remedy any violation of this Code of Ordinances.

§11-208 Area of Application. This Ordinance shall be effective in the unincorporated area of Chatham County and outside the limits of any municipality therein.

§11-209 Repealer. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed. (3/12/82).

ARTICLE III

Alcoholism and Intoxication

§11-301 Public Drunkenness Prohibited.

1. No person shall be and appear in an intoxicated condition on any public road or highway or at or on any fair grounds, ball grounds, show grounds, park, or at any other place of public gathering or assembly, which said drunkenness or intoxication may be caused by the excessive use of intoxicating wines, beers, liquors or opiates, and must be made manifest by boisterous or by indecent condition or acting, or by vulgar, profane or unbecoming language, or loud or violent discourse of the person so intoxicated or drunken.
2. The words "public road" or "highway" in this section are intended to include and shall be construed to mean and include any public or private highway, road or private way generally used and traveled by the public or by the community where said highway, road or private way is located. (#9, 6/25/26)

§11-302 Treatment for Alcoholism. The Chatham County Commissioners hereby establish and declare the policy that alcoholism may not be subjected to criminal prosecution because of consumption of alcoholic beverages, but rather should be afforded the opportunity for treatment in order that they may lead normal lives as productive members of society.

§11-303 Definitions. The terms used herein shall have the meanings defined in the Uniform Alcoholism and Intoxication Treatment Act of 1974 (Ga. Laws 1974, p. 200)

§11-304 Intoxicated Individuals. A person appearing to be incapacitated by alcohol shall be taken into protective custody by the police or other law enforcement officer and forthwith brought to an approved treatment facility when funded by the General Assembly of Georgia for emergency treatment. If no approved treatment facility is available, such person shall be taken to an emergency medical facility customarily used for incapacitated persons. A person incapacitated by alcohol who does not require emergency treatment may be taken home, or if the person will not go home, may be taken into protective custody until such person is no longer incapacitated by alcohol, but not to exceed twelve (12) hours.

§11-305 Protective Custody. The policeman or other law enforcement officer in taking such person into protective custody shall make every reasonable effort to protect such

person's health and safety. The detaining officer may take reasonable steps to protect himself.

§11-306 Protective Custody Not an Arrest. The taking into protective custody of a person incapacitated by alcohol under Section 11-304, shall not constitute an arrest nor shall any record be made to indicate that the person has been arrested or charged with a crime.

§11-307 Notice of Family. The family or next of kin of any person taken to an approved treatment facility or to an emergency medical facility or who is taken into protective custody under this Ordinance shall be notified by telephone as soon as practicable if such family or next of kin resides within the State of Georgia and shall be notified by mail if they reside outside the State of Georgia.

§11-308 Liability of Officers. Any policeman or law enforcement officer who acts in compliance with this Ordinance, is hereby declared to be acting in the course of official duty and is not criminally or civilly liable to any person therefor.

§11-309 Intoxication Not a Defense. Nothing herein shall be deemed to excuse or justify any other crime simply because the perpetrator is intoxicated.

§11-310 Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

§11-311 Effective Date. This Ordinance shall be effective January 1, 1981. (11/7/80, superceded #9, 6/25/26)