

## **PROPOSED AMENDMENT TO SECTION 34.59 Disorderly Conduct**

### **Sec. 34-59. - Disorderly conduct.**

(a)

It shall be unlawful for any person to disturb or endanger the public peace or decency by any disorderly conduct.

(b)

The following acts, among others, are declared to be disorderly conduct:

(1)

Act in a violent or tumultuous manner toward another whereby any person is placed in fear of the safety of such person's life, limb or health;

(2)

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

(3)

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

(4)

Assemble or congregate with another or others for the purpose of gaming;

(5)

Be in or about any place, alone or with others, with the purpose of or intent to engage in any fraudulent scheme, trick or device to obtain any money or valuable thing or to aid or abet any person doing so;

(6)

Be in or about any place where gaming or illegal sale or possession of alcoholic beverages, narcotics or dangerous drugs are practiced, allowed or tolerated, for the purpose of or intent to engage in gaming or the purchase, use, possession or consumption of such illegal drugs, narcotics or alcohol;

(7)

Direct fighting words toward another, that is, words which by their very nature tend to incite an immediate breach of the peace;

(8)

Interfere, by acts of physical obstruction, with another's pursuit of a lawful occupation;

(9)

Congregate with another or others in or on any public way so as to halt the flow of vehicular or pedestrian traffic, and to fail to clear that public way after being ordered to do so by a city police officer or other lawful authority;

(10)

Stand or remain in or about any street, sidewalk, overpass or public way so as to impede the flow of vehicular or pedestrian traffic, and to fail to clear such street, sidewalk, overpass or public way after being ordered to do so by a police officer or other lawful authority;

(11)

Disrupt by actions which tend to cause an immediate breach of the peace the undisturbed activities of any house of worship, hospital or home for the elderly; or

(12)

Throw bottles, paper, cans, glass, sticks, stones, missiles or any other debris on public property.

(13)

A property owner, tenant, or an agent or employee of either a property owner or tenant that fails to obey an otherwise lawful order by an on-duty, certified law enforcement officer to reduce noise or vibration coming from the property occupied by such property owner, tenant, agent or employee so that said noise is no longer plainly audible or sensed at a residential property.

(Ord. No. O2006-12-25, Ch. 12, Art. 1, § 1, 12-19-2006)

**State Law reference—** Disorderly conduct, O.C.G.A. § 16-11-39.