

AN ORDINANCE TO AMEND CHAPTER 66 - OFFENSES AND MISCELLANEOUS PROVISIONS, OF THE ROCKDALE COUNTY CODE OF ORDINANCES, AS AMENDED, TO ENACT AN ORDINANCE CREATING A JUVENILE CURFEW; TO REPEAL CONFLICTING LAWS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 66 of the Code of Rockdale County, Georgia provides for offenses and penalties associated thereto; and

WHEREAS, following a review of the existing county regulations, the Board of Commissioners of Rockdale County, upon advice of the Rockdale County Sheriff's Office, finds that the creation and implementation of a juvenile curfew is appropriate to protect and advance the public health, safety and welfare.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of Rockdale County, Georgia follows:

Section 1

That Chapter 66 is hereby amended by the addition of a new Section 66-7 of the Rockdale County Code of Ordinance, as amended, by inserting the following language so that said section, as amended, shall read in full as follows:

Sec. 66-7. - Juvenile Curfew.

- (a) 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 unsupervised by an adult having the lawful authority to be at such places, between the hours of 9:30 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 11:00 p.m. and 6:00 a.m. of the following day; and provided, that the provisions of this section shall not apply in the following instances:
- (1) When a minor is supervised and accompanied (i.e. in the physical presence of) by his or her parent, guardian, or an adult authorized and approved by a parent of such minor to take said parent's place in accompanying said minor for a designated period of time and purpose within a specified area.
 - (2) When a minor is upon an emergency errand by his or her parent or guardian or other adult person having the lawful care and custody of the minor.
 - (3) When a minor is returning home by a direct route (without any unnecessary detours or stops) from and within 30 minutes of the termination of a school activity or an activity of a religious or other voluntary association, or a place of public entertainment, such as a movie, play or sporting event.
 - (4) When a minor is returning home by a direct route (without any unnecessary detours or stops) from and within 30 minutes of leaving lawful employment that makes it necessary to be in the above-referenced places during the proscribed period of time.
 - (5) When a minor is exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech and the right of

assembly, provided that the exercise of such right is clearly evidenced by the minor's conduct.

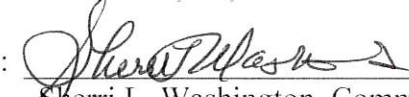
- (6) When a minor is in a motor vehicle with parental consent and engaged in bona fide interstate movement through the county. This also exempts interstate travel beginning or ending in the county.
 - (7) When a minor is on the sidewalk of the place where such minor resides, or on the sidewalk of either next-door neighbor who has not communicated an objection to the police.
- (b) It shall be unlawful for a parent, a guardian having legal custody of a minor or any other adult person having the care and custody of a minor to knowingly permit or by inefficient control to allow a violation of this section by a minor in his or her custody. The term "knowingly" includes knowledge which a parent or other responsible person should reasonably be expected to have concerning the whereabouts of a minor in that person's legal custody. It is intended to keep neglectful or careless persons up to a reasonable community standard of responsibility through an objective test. It shall be no defense that a person was completely indifferent to the activities or conduct or whereabouts of such minor.
- (c) Penalty for violation. The penalty for a violation of this section shall be as provided in section 1-11.


(Code 1978, § 10-1008)

Adopted this 13 day of August, 2024.

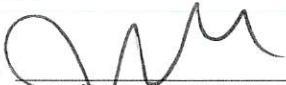
Rockdale County, Georgia
Board of Commissioners

By: 
Oz Nesbitt, Sr., Chairman

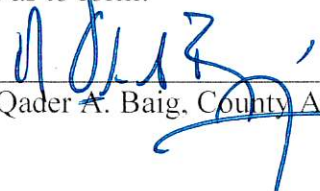
By: 
Sherri L. Washington, Commissioner Post I

By: 
Dr. Doreen L. Williams, Commissioner Post II

Attest:

By: 
Jennifer Rutledge, County Clerk

Approved as to form:

By: 
M. Qader A. Baig, County Attorney

First Reading: 8/13/2024
Second Reading: waived