

**CITY OF RINGOLD  
STATE OF GEORGIA**

**ORDINANCE NO. 2018 – 1210-01**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF RINGGOLD, GEORGIA BY AMENDING CHAPTER 46 CAPTIONED “OFFENSES AND MISCELLANEOUS PROVISIONS” BY THE ADDITION OF A NEW ARTICLE III CAPTIONED “URBAN CAMPING AND IMPROPER USE OF PROPERTY”; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.**

**WHEREAS**, the duly elected governing authority of the City of Ringgold, Georgia is authorized under Article IX, Section II, Paragraph III of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, welfare, and aesthetics of the citizens of the City of Ringgold, Georgia; and

**WHEREAS**, the duly elected governing authority of the City of Ringgold, Georgia is the Mayor and Council thereof;

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF RINGGOLD, GEORGIA AS FOLLOWS:**

**Section 1.**

The Code of Ordinances of the City of Ringgold, Georgia is hereby amended by amending Chapter 46 captioned “Offenses and Miscellaneous Provisions” by the addition of a new Article III captioned “Urban Camping and Improper Use of Property” which shall read as follows:

**ARTICLE III. - URBAN CAMPING AND IMPROPER USE OF PROPERTY.**

**Sec. 46-41. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Camp* or *camping* shall mean residing in or using a public street, public sidewalk, public park or other public property within the city for private living accommodations, such as erecting tents or other temporary structures or objects providing shelter; regularly cooking or preparing meals; or other similar activities. These activities constitute camping if, in light of all the circumstances, it reasonably appears that in conducting one or more of these activities, the participant is in fact using the area as a living accommodation, regardless of the intent of the participant or the nature of any other activities in which s/he may also be engaging.

*Public park* includes all municipal parks, public play grounds, public plazas, attractions, and monuments within the City.

*Public street* includes all public streets and highways, public sidewalks, public benches, public parking lots, and medians within the City.

*Storing personal property* shall mean leaving one's personal effects, such as, but not limited to, clothing, bedrolls, cookware, sleeping bags, luggage, knapsacks, or backpacks, unattended in a public park, on a public street or other public property where such activity reasonably appears, in light of all of the circumstances, to have the purpose of blocking ingress and egress. This term shall not include parking a bicycle or other mode of transportation.

**Sec. 46-42. Prohibitions.**

- (a) It shall be unlawful to camp or to store personal property in any public park.
- (b) It shall be unlawful to camp, to sleep, to store personal property, to sit or to lie down on any public property so as to interfere with ingress or egress from buildings or other structures.
- (c) It shall be unlawful for anyone other than the owner, a lessor, or other rightful occupant to camp, sleep, reside, store personal property, or lie down on private property without the permission of the owner or lessor of such property.

**Sec. 46-43. Warning.**

No person may be arrested for violating this article until he or she has received a written warning to cease the unlawful conduct and fails to comply with the warning with 24 hours of its issuance. A person in violation of this article after being issued a warning shall be subject to arrest without regard to the time interval between the warning and the subsequent violation.

**Sec. 46-44. Abandoned property.**

Any property left on public property by a person receiving a warning may be collected by the city and disposed of unless less the owner claims the property at the office of the city manager within 30 days after the issuance of the warning.

**Sec. 46-45. Exceptions.** This article shall not be construed to prohibit the following behavior:

- (a) Persons sitting or lying down as a result of a medical emergency;
- (b) Persons in wheelchairs sitting on sidewalks;
- (c) Persons sitting down while attending parades;
- (d) Persons sitting down while patronizing sidewalk cafes;
- (e) Persons lying down or napping while attending performances, festivals, concerts, fireworks, or other special events;
- (f) Persons sitting on chairs or benches supplied by a public agency or abutting private property owner;
- (g) Persons sitting on seats in bus zones occupied by people waiting for the bus;
- (h) Persons sitting or lying down while waiting in an orderly line outside a box office to purchase tickets to any sporting event, concert, performance, or other special event;
- (i) Persons sitting or lying down while waiting in an orderly line awaiting entry to any building, including shelters, or awaiting social services, such as provision of meals; or

- (j) Children sleeping while being carried in a stroller or baby carriage.
- (k) Organized camping events that have obtained written permission for a special event from the city manager.

**Sec. 46-46. Penalty for violation of article.**

Anyone found to be in violation of this article, shall be subject to punishment as provided in section 1-11 of the Code.

**Section 2.**

All ordinances and parts of ordinances in conflict with this ordinance are repealed.

**Section 3.**

It is hereby declared to be the intention of the Mayor and Council of the City of Ringgold that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

**Section 4.**

The adoption date of this Ordinance shall be December 10, 2018. The effective date of this Ordinance shall be its adoption date.

**SO ORDAINED**, this 10<sup>th</sup> day of December, 2018.

**CITY OF RINGGOLD, GEORGIA**

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**NICK MILLWOOD, MAYOR**

**ATTEST:**

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**CITY CLERK**