

**CITY OF WRENS
CODE OF ORDINANCES
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TITLE 9

Offenses

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CHAPTER 1

General Offenses

Editorial Note: Municipalities are prohibited by law from enacting ordinances covering matters which have been preempted by general law and are prevented from regulating conduct which has been made a violation of any criminal law of the state. See O.C.G.A., Sec. 36-35-6 (a)(2); Ga. Const. of 1983, Art. III, Sec. VI, Para. IV.

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Sec. 9-1-1 Disorderly conduct.

It shall be unlawful and disorderly conduct for any person to:

- a. act in a violent or tumultuous manner toward another, whereby a reasonable person would be placed in fear of safety for life or limb;
- b. place the property of another in serious danger of being destroyed or damaged;
- c. use fighting words directed toward another, who becomes outraged and thus creates a turmoil;
- d. violently interfere with another's pursuit of a lawful occupation; or
- e. congregate with others to halt the flow of vehicular or pedestrian traffic and refuse to clear the way when ordered by lawful authority to do so.

Sec. 9-1-2 Public drunkenness.

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It shall be unlawful for any person to be on the streets of the City or in any public place in an intoxicated condition.

Sec. 9-1-3 Noise; creating unnecessary noise.

- a. It is found and declared that:
 1. the making and creation of excessive, unnecessary or unusually loud noises within the limits of the City is a condition which has existed for some time;
 2. the making, creation or maintenance of such excessive, unnecessary or unusually loud noises which are prolonged, unusual and unnatural in their time, place and use affect and are a detriment to the public health, comfort, convenience, safety and general welfare of the residents of the City;
 3. the necessity in the public interest for the provisions and prohibitions hereinafter contained is declared as a matter of legislative determination and public policy, and it is further declared that the provisions and prohibitions hereinafter contained are in pursuance of and for the purposes of securing and promoting the public health, comfort, convenience, safety, general welfare and the peace and quiet of the City and its residents.
- b. It shall be unlawful for any person to make, continue, or cause to be made or continued any excessive, unnecessary or unusually loud noise or any noises which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the limits of the City.
- c. The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this section; however, these acts shall not be limited to the following:
 1. Horns. The sounding of any horn or signaling device of any automobile, motorcycle, or other vehicle on any street or public place of the City, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time.
 2. Radios; stereos, etc. The use of, operation of or permitting to be used or operated any radio, television set, musical instrument, stereo, compact disc player or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, at any time with louder volume than is necessary for the convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such radio, musical instrument, stereo, compact disc player, tape player machine or other device in such manner as to be plainly audible at a distance of fifty (50) feet from the building structure or

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vehicle in which it is located shall be prima facie evidence of a violation of this section.

3. Loudspeakers. The use of, operation of or permitting to be used or operated any loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound for the purpose of commercial advertising or other broadcast; provided however, that upon application to the mayor and council, a temporary permit for such loudspeaker, sound amplifier or other machine or device may be granted.
4. Animals. The keeping of any animal which by causing frequent or long continued noise shall disturb the comfort or repose of any persons in the vicinity.
5. Yelling. Yelling, shouting or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in the vicinity.
6. Exhausts. The discharge into the open air of the exhaust of any automobile, motorcycle or other motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

Sec. 9-1-4 Penalties for violation.

- a. Violation of any of the provisions of this section shall be punished as provided in Section 1-1-5 of this code.
- b. As an additional remedy, the operation or maintenance of any device, vehicle or machinery in violation of any provision of Section 9-1-3 and which causes discomfort or annoyance to reasonable persons of normal sensitiveness or which endangers the comfort, repose, health or peace of residents in the area shall be deemed and is declared to be a public nuisance and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

Sec. 9-1-5 Posting signs on poles without consent.

It shall be unlawful for any person to post or display in or upon any bridge any sign or advertisement, or to post or display upon any telephone or electric company's pole, or upon any public property or the private property of any person any bills, signs or advertisements without the consent in writing of the owner thereof.

Sec. 9-1-6 Weapons; discharge in City.

It shall be unlawful for any person to discharge a firearm, including a pistol, rifle and/or shotgun, or to shoot an air gun, including a BB gun and/or pellet gun, within the City, except by law enforcement officers in the line of duty, and the military when on drill or parade, or at a funeral in honor of the dead; provided, however, it shall not be unlawful for any person to shoot a BB gun

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upon private property if that person shall have first obtained the express permission of the owner of that property to do so.

Sec. 9-1-7 Waste from industrial operations.

It shall be unlawful for any person, firm, partnership or corporation to allow any accumulation of any waste material or waste products within the City limits in the operation or maintenance of any saw mill, planer mill, feed and seed grinding and cleaning mill or plant, pecan shelling plant, iron and steel work, earth processing plant, cotton gin, flour mill, grist and corn mill, and cleaner, dryer and laundry, wherein such accumulation of any waste products or waste materials shall become a detriment to the well being, safety, health, happiness and enjoyment of private property of the citizens of the City. Upon violation of any part of this section the offender shall be charged pursuant to Section 1-1-5 of this code, and each day that this section is so violated shall constitute a separate offense punishable as aforesaid.

Sec. 9-1-8 Shoplifting.

The provisions of O.C.G.A. § 16-8-14 are hereby adopted by reference and are made a part of this code as fully as if set out at length herein.