

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE BY PROHIBITING CERTAIN PRESCRIBED UNSANITARY CONDUCT IN PUBLIC PLACES WITHIN THE CITY OF DAHLONEGA; TO ESTABLISH FINES FOR VIOLATION OF THIS ORDINANCE AND FOR OTHER PURPOSES.

BE IT ORDAINED by the City Council of Dahlonega, and it is hereby ordained by the authority thereof;

WHEREAS, the City Council wishes to prescribe certain conduct to protect the public's health, safety and welfare; and

WHEREAS, the following prescribed conduct is deemed to be injurious to the public health, safety and welfare and presents serious risks of disease transmission as well as litter, trespassing and destruction of public and private property and should be sanctioned as a criminal misdemeanor;

THEREFORE, from and after the effective date of this ordinance, it shall be unlawful to urinate or defecate in an un-designated public place as prohibited by this Ordinance.

"Public Place" shall be defined as any street, alley, public highway or public building, public meeting hall, school, playground, park, restaurant, store, professional office (and waiting rooms used in conjunction therewith), filling station, and public conveyances of all kinds and any other place of like or similar nature which are open to and generally used by the public with the consent, expressed or implied, of the owner of the place or premises.

A person shall be guilty of urinating or defecating in a public place if he or she intentionally urinates or defecates in a public place, other than a washroom or toilet room, under circumstances where such act is or could be observed by any member of the public situated in or near a public place.

Urinating or defecating in public shall be a misdemeanor and may be enforced by civil citation or by criminal citation. Any person not in compliance with this Ordinance shall, upon conviction or admission of guilt be subject to a fine of \$500.00. Each violation shall be considered a separate offense which can be prosecuted separately.

IT IS SO ORDAINED THIS 5th DAY OF May, 2008



Mayor



Attest: City Clerk