



Code of the
Stone Mountain
Memorial Association
2006



STONE MOUNTAIN MEMORIAL ASSOCIATION
2027 Old Hugh Howell Road, Stone Mountain, Georgia 30083

This is a certified copy of the Code of the Stone Mountain Memorial Association, 2006, which was proposed at the Association's meeting on September 25, 2006, and adopted on the 13th day of November, 2006.

STONE MOUNTAIN MEMORIAL ASSOCIATION

A handwritten signature in blue ink, reading "Gail Durham", is written over a horizontal line.

Gail Durham, Secretary

"THE CODE OF THE STONE MOUNTAIN MEMORIAL ASSOCIATION, 2006"

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PREAMBLE

AN ORDINANCE OF THE STONE MOUNTAIN MEMORIAL ASSOCIATION, ADOPTING A REVISION AND CODIFICATION OF THE ORDINANCES, RESOLUTIONS AND POLICY STATEMENTS OF THE STONE MOUNTAIN MEMORIAL ASSOCIATION, ENTITLED "THE CODE OF THE STONE MOUNTAIN MEMORIAL ASSOCIATION, 2006"

BE IT ORDAINED by the STONE MOUNTAIN MEMORIAL ASSOCIATION and it is hereby ordained by the Association as follows:

Section 1. There is hereby adopted by the Association that certain Code entitled, "The Code of the STONE MOUNTAIN MEMORIAL ASSOCIATION, 2006" containing certain ordinances and policy statements of a general and permanent nature as compiled, consolidated, codified and indexed, of which Code not less than three (3) copies have been and are now filed in the principal office of the Association, authenticated by the signature of the Secretary of the Association, said Code being hereto attached and made a part hereof.

Section 2. The provisions of said Code shall be in force and effect on and after November 13, 2006, and all ordinances of a general and permanent nature in force on such date and not contained in said Code are hereby repealed from and after such date, as hereinafter provided.

Section 3. The repeal provided for in the preceding section shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or occurring before November 13, 2006; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money for the Association or authorizing the issue of any bonds, including revenue certificates, of the Association or any evidence of the Association's indebtedness or any contract or obligation assumed by the Association; nor shall such repeal affect the administrative ordinances or resolutions of the Association not in conflict or inconsistent with the provisions of said Code; nor shall it affect any right or franchise conferred by any ordinance or resolution of the Association on any person or

corporation; nor shall it affect any prosecution, suit or other proceeding pending or any judgment rendered on or prior to November 13, 2006.

Notwithstanding the adoption of said Code, and to the extent not expressly re-delegated or revoked by said Code, delegations of its powers heretofore made by the Association to its several members, committees, officers, agents and employees by resolution of the Association, but not by previous ordinances of the Association, shall be deemed to remain valid and in full force and effect until such time as the same shall be either specifically re-delegated or revoked by action of the Association.

Section 4. It is hereby declared to be the intention of the Association that the sections, paragraphs, sentences, clauses, and phrases of these ordinances and said Code hereby adopted are severable, and if any phrase, clause, sentence, paragraph, or section of these ordinances or of said Code hereby adopted shall be declared unconstitutional or otherwise, invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of these ordinances or of said Code hereby adopted.

ADOPTED this 13th day of November 2006.

CHAPTER I: GENERAL PROVISIONS

1-101	How Code Designated and Cited
1-102	Rules of Construction
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1-105	Effect of Repeal or Expiration of Code Section
1-106	Amending Code
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1-108	Prosecution of Ordinances
1-109	Penalty Where No Penalty Provided
1-110	Violation of Ordinances; Denial of Entry

1-101 How Code Designated and Cited. The provisions embraced in the following chapters and sections shall constitute and be designated "The Code of the Stone Mountain Memorial Association, 2006," and may be so cited.

1-102 Rules of Construction. In the construction of this Code and of all ordinances, the following rules shall be observed unless such construction would be inconsistent with the manifest intent of the Association:

A. General Rule. All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

B. Gender - Singular and Plural. Every word in any Code provision or ordinance importing the masculine gender shall extend to and be applied to females as well as males; and every word importing the singular number only shall extend and be applied to several persons or things as well as to one person or thing; and every word importing the plural number only shall extend and be applied to one person or thing as well as to several persons or things.

- C. Tenses. The use of any verb in the present tense shall include the future when applicable.
- D. Delegation of Authority. Whenever a provision requires the Chief Executive Officer or an Association member to do some act or perform some duty, it shall be construed to authorize subordinates to do the required act or perform the required duty unless the terms of the provision designate otherwise.
- E. Computation of Time. The time within which an act is to be done as provided in any Code provision or ordinance or in any order issued pursuant to any ordinance, when expressed in days, shall be computed by excluding the first day and including the last, except that if the last day shall be a Sunday or a legal holiday it shall be excluded; and when any such time is expressed in hours the whole of Sunday, from midnight to midnight, shall be excluded.
- F. Overlapping Provisions. Where any provision of this Code imposes greater restrictions upon the subject matter than any general provisions imposed by this Code, the provision imposing the greater restriction shall be applicable.

1-103 Definitions. Words and phrases used in this Code shall have the following meanings, unless otherwise specified.

Act. The word "Act" shall mean the Stone Mountain Memorial Association Act, Ga. Laws 1958, p. 61, 1, as amended. (Official Code of Georgia Annotated Sections 12-3-190 to 12-3-220).

Adult. The word "adult" shall mean any individual who is 18 years of age or older.

Association. The words "the Association" or "this Association" shall mean the Stone Mountain Memorial Association and/or a duly appointed Association representative.

Association Members. The words "Association members" shall mean the members of the Stone Mountain Memorial Association as designated by law.

Bathing Beach or Bathing Area. The words "bathing beach or bathing area" shall mean any beach or bathing area designated by the Association as such, including the actual sand beach, if any, and the adjoining land area as well as the adjacent waters used for bathing and swimming.

Boat. The word "boat" means every description of watercraft used or capable of being used as a means of transportation on water.

Bus. The word "bus" shall mean every motor vehicle designed for carrying more than eleven passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

Chairperson. The word "Chairperson" shall mean the Chairperson of the Stone Mountain Memorial Association.

Chairperson and Association Members. The words "Chairperson and Association Members" shall mean the Chairperson and members of the Stone Mountain Memorial Association as provided in the Act.

Chief Executive Officer. The words "Chief Executive Officer" shall mean a full-time manager of Stone Mountain Memorial Association, charged with the responsibility for the day-to-day operations of the Association and to whom all Association employees are responsible. He is under the direction of the Stone Mountain Memorial Association.

Chief of Police. The words "Chief of Police" shall mean that person who has the authority to enforce existing laws and the provisions of this Code. The Official Code of Georgia Annotated Section 12-3-194.1 provides as follows: "The association is authorized to appoint peace officers, who are authorized and empowered to serve and execute warrants and to make arrests for violation of ordinances adopted by the Association. Within the limits of Stone Mountain Park, such peace officers shall have the same authority, powers

and privileges regarding enforcement of laws as peace officers employed by county and municipal police departments of this state."

County. The words "the county" or "this county" shall mean either the County of DeKalb, Georgia or the County of Gwinnett, Georgia.

Court. The word "court" shall mean the applicable court as stipulated by law.

Emergency. A sudden or urgent need for police, fire, or emergency medical assistance.

(Amended 2012)

Governing Authority, Governing Body. The words "governing association" or "governing body" shall mean the Chairperson and members of the Stone Mountain Memorial Association.

Judge or Recorder. The words "judge" or "recorder" shall mean the judge of the applicable courts as stipulated by law.

Misdemeanor. The word "misdemeanor" shall mean a violation of the state criminal law punishable by a fine not in excess of \$1,000 or confinement in a county or other jail for a term not exceeding twelve months, or by both such fine and imprisonment.

Multipurpose Off-Highway Vehicle. The term "Multipurpose Off-Highway Vehicle" shall mean any motor vehicle:

- (A) Has the capability to transport persons or cargo or both;
- (B) Capable of a maximum level ground speed of not more than 50 miles per hour;
- (C) Has an overall width of 80 inches or less, exclusive of accessories or attachments;
- (D) Is designed to travel on four or more wheels;
- (E) Uses a steering wheel for steering control;
- (F) Contains a non-straddle seat;
- (G) Has a gross vehicle weight rating of less than 4,000 pounds;
- (H) Has a minimum cargo capacity of 250 pounds; and

- (I) Used by the Association for public safety, maintenance, and other service functions or by private companies or corporations operating Park attractions, hotels, campgrounds, and golf courses for maintenance and other service functions.

(Amended 2014)

Natural District. The "Natural District" is that area of Stone Mountain Park so designated by the Association at its regular meeting on February 19, 1996, as subsequently amended pursuant to statute.

Oath. The word "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "affirm" and "affirmed" shall be equivalent to the words "swear" or "sworn."

Ordinance. The word "ordinance" shall mean a legislative act of the Association of a general and permanent nature.

Parking Area. The words "parking area" shall refer to any designated part of any Park road, drive or special area contiguous thereto, that is set apart for the standing or stationing of any vehicles.

Park Roads. The words "park roads" shall mean all surfaced areas, either paved or unpaved, designated for vehicular traffic. All other traffic ways not designated for vehicular traffic are classified as work-trails, bridle-trails, nature trails or simply trails or paths.

Person. The word "person" shall include a corporation, firm, partnership, association, organization, and any other group acting as a unit, or any agent or employee thereof, as well as an individual, regardless of age or sex.

Personal Property. The words "personal property" shall include every specie of property except real property, as hereinafter defined.

Preceding, Following. The words "preceding" and "following" shall mean immediately before and next after, respectively.

Property. The word "property" shall include real, personal, and mixed estates and interests.

Public Areas. The words "public areas" shall include all real property under the custody of the Stone Mountain Memorial Association.

Personal Transportation Vehicle. The term "personal transportation vehicle" shall mean any motor vehicle:

- (A) With no fewer than three wheels;
- (B) Capable of a maximum level ground speed of not more than 20 miles per hour;
- (C) With a maximum gross vehicle unladen or empty weight of 1,300 pounds or less; and
- (D) Capable of transporting not more than 8 persons.

The term does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs and scooters, that can be used indoors or outdoors for the express purpose of enabling mobility for a person with a disability. The term does not include any all-terrain vehicle or multipurpose off-highway vehicle.

(Amended 2014)

Real Property. The words "real property" shall include lands, tenements, and hereditaments.

Reasonable Time or Notice. The words "reasonable time" or "notice" shall be deemed to mean only such time as may be necessary for the prompt performance of the act required.

Resolution. The word "resolution" shall mean a legislative act of the Association of a special or temporary character.

Sidewalk. The word "sidewalk" shall mean any improved area intended for the use of pedestrians adjacent to the curb line of a street.

Signature, Subscription. The words "signature" or "subscription" shall include a mark intended as such when the individual cannot write.

State. The words "state" or "this state" shall mean the State of Georgia.

Stone Mountain Park, Park. The words "Stone Mountain Park" or "Park" shall mean all the property acquired by the Association and all accommodations, utilities, facilities, services and equipment necessary or convenient and all property, real, personal or mixed, used or useful, including franchises and easements, in constructing, erecting, improving, remodeling, developing, equipping, adding to, extending, maintaining, managing and operating Stone Mountain, located in DeKalb County and Gwinnett County, Georgia, and property adjacent thereto as a confederate memorial and public recreational area.

Stone Mountain Memorial Association. The words "Stone Mountain Memorial Association" shall mean that certain body corporate and politic and instrumentality and public corporation of the State of Georgia created and established by the Act. The Members shall be as provided in the Act.

Street. The word "street" shall mean and include any paved road, highway, street, avenue, boulevard, parkway, alley, viaduct or bridge, and the approaches thereto, within the public areas.

Unmanned Aircraft (Drone). The term "unmanned aircraft or drone" shall mean a device that is used or intended to be used for flight in the air without the possibility of direct human intervention or control from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, or communication links). This term shall also include all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones, and model helicopters, that used for any purpose, including recreation or commerce). (Amended 2014)

Vehicle. The word "vehicle" shall mean any wheeled conveyance (except a baby carriage or wheelchair) for the transportation of persons or materials whether (a) powered or drawn by motor as an automobile, truck, motorcycle or scooter; (b) or animal-drawn as a wagon, carriage or cart; (c) or any self-propelled bicycle or tricycle; (d) or any trailer in tow of any

size, kind or description. Exception is made as to any Association vehicle, Association or Lessee railroad, Association or Lessee recreational or transportation service, or where especially authorized by the Chief Executive Officer.

Week. The word "week" shall mean seven consecutive calendar days.

Writing or Written. The words "writing" and "written" shall include printing and any other mode representing words and letters.

Year. The word "year" shall mean a calendar year.

1-104 Section Headings. The underlined headings of the several sections and subsections of this Code are intended as mere captions to indicate the contents of the section or subsection and shall not be deemed or taken to be titles of such sections, nor as any part of the section or subsection, nor, unless expressly so provided, shall they be so deemed when any of such sections or subsections, including the headings, is amended or re-enacted.

1-105 Effect of Repeal or Expiration of Code Section.

A. The repeal of a Code section or ordinance, or its expiration by virtue of any provision contained therein, shall not affect any right accrued or any offense committed, any penalty or punishment incurred, or any proceeding commenced before the repeal took effect or the ordinance expired.

B. When any ordinance repealing a former Code section, ordinance clause, or provision, shall be itself repealed, such repeal shall not be construed to revive such former Code section, ordinance, clause, or provision, unless it shall be expressly so provided.

1-106 Amending Code.

A. These ordinances may be amended or repealed and a new ordinance or ordinances may be adopted by the affirmative vote of five (5) members of the Association present and voting at a regular or annual meeting or at any special meeting pursuant

to notice, provided that such amendment, repeal or adoption is proposed at any prior meeting and provided further that notice of the regular or annual meeting or the special meeting at which the same is proposed to be acted upon shall include as part thereof the proposed amendment or new ordinance or ordinances.

- B. All ordinances passed subsequent to this Code which amend, repeal, or in any way affect this Code shall be numbered in accordance with the numbering system of this Code and printed for inclusion herein. In the case of repealed chapters, sections, and subsections or any part thereof, by subsequent ordinance, such repealed portions may be excluded from this Code by omission from reprinted pages affected thereby. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time as the Code and subsequent ordinances omitted are readopted as a new Code by the Association.
- C. Amendments to any of the provisions of the Code may be made by specific reference to the section number of this Code in the following language: "That section of the Code of Stone Mountain Memorial Association, 2006, is hereby amended to read as follows..." The new provision may then be set out in full as desired.
- D. In the event a new section not heretofore existing in this Code is to be added, the following language may be used: "The Code of the Stone Mountain Memorial Association, 2006, is hereby amended by adding a section (or subsection or chapter) to be numbered _____, which section reads as follows..." The new provision shall then be set out in full as desired.
- E. All sections, chapters, or provisions sought to be repealed must be repealed specifically by section, chapter, or provision number, as the case may be.

1-107 Altering Code. It shall be unlawful for any person to change or amend by additions or deletions any part or portion of this Code, or to insert or delete pages or portions thereof, or to alter or tamper with this Code in any manner whatsoever, except by ordinance or resolution or other official act of the Association.

1-108 Prosecution of Ordinances. Violations of Association ordinances may be tried upon citations without a prosecuting attorney. The Association shall request the Attorney General to designate and furnish a prosecuting attorney for any trial upon a citation of a violation of an Association ordinance when either so requested by the Judge of the Magistrate Court of DeKalb County, the Judge of the Magistrate Court of Gwinnett County, or so determined appropriate by the Attorney General. Park Police officers are authorized to issue citations for violations of Association ordinances. Each citation shall state the time and place at which the accused is to appear for trial, shall identify the offense with which the accused is charged, shall have an identifying number by which it shall be filed with the Magistrate Court, shall indicate the identity of the accused and the date of service, and shall be signed by the Park Police officer who completes and serves the citation. Prosecutions for violations of ordinances set forth in this Code upon citations shall be commenced by the completion, signing, and service of a citation by a Park Police officer. A copy of the citation shall be personally served upon the accused; and the original shall promptly be filed with the Magistrate Court of DeKalb County or the Magistrate Court of Gwinnett County, dependent upon which court has jurisdiction over the offense.

No person shall be arrested prior to the time of trial, except for the offenses of public drunkenness or disorderly conduct and except as otherwise provided by law; but any defendant who fails to appear for trial shall be arrested thereafter on the warrant of the Magistrate and required to post a bond for his future appearance.

1-109 Penalty Where No Penalty Provided.

- A. Whenever in this Code or in any ordinance of the Association any act is prohibited or is declared to be unlawful, or whenever in such Code or ordinance the doing of any act is declared to be unlawful, and no specific penalty is provided therefore, the violation of such provision of this Code or any ordinance shall subject the person committing the violation to such fine or imprisonment or both as may be provided and stipulated by law.
- B. The infliction of a penalty under the provisions of this Code shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of this Code or applicable law.

1-110 Violation of Ordinances; Denial of Entry. In addition to any other enforcement measures provided by the Code of Ordinances, any person who violates Association ordinances may be requested to leave the Park or be denied entry into the Park or any property or building of the Association by the Chief Executive Officer, the Chief of Police or any Park Police officer, or any person vested by the Chief Executive Officer with such authority. The Chief Executive Officer, the Chief of Police, any Park Police officer, or any person vested by the Chief Executive Officer with such authority, are also authorized and empowered to request that any person leave the Park or property or building of the Association, or to deny the entrance of any person into the Park or property or building of the Association when, by the exercise of subjective evaluation, it is determined that there is actual or imminent threat of harm from the person's activities; that the activities are intended to disrupt or interfere with the normal activities and functions carried on in property or buildings of the Association or that the activities have the potential of violating the security of the occupants thereof, or constitute a safety hazard to the property or buildings of the Association or to the occupants thereof. The denial of entry may continue so long as it is determined that actual or imminent threat of harm persists. A person

denied entrance under this section may request conditional entry for a stated purpose, which request shall be directed to the Chief of Police and authorized under such conditions as the Chief Executive Officer and the Chief of Police determine are reasonably necessary to safeguard life and property from actual or imminent threat of harm.

CHAPTER II: PARK PROPERTY

2-101	Use of Grounds and Facilities in General
2-102	Buildings, Signs and Other Property
2-103	Park Vehicles and Equipment
2-104	Unauthorized Use or Removal of Park Property
2-105	Trees, Shrubbery, Lawns, Etc.
2-106	Wild Animals, Birds, Etc.
2-107	Fires
2-108	(Reserved)
2-109	Improper Boarding, Riding, etc. of Train
2-110	Mountain Climbers, Rappelling and Visitors in Restricted Areas
2-111	Water
2-112	Group Activity

- 2-101 Use of Grounds and Facilities in General. Each person using the Park and grounds shall clean up all debris, extinguish all fires when such fires are permitted, and leave the grounds in good order and the facilities in a neat and sanitary condition. No person shall prevent any other person from using the Park or any of its facilities, or interfere with such use in compliance with this chapter and with the rules applicable to such use.
- 2-102 Buildings, Signs, and Other Property. No person in any manner shall willfully mark, deface or injure in any way, displace, remove or tamper with any Park buildings, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines, other public utilities or parts or appurtenances thereof, park signs, notices or placards whether temporary or permanent, monuments, stakes, posts, other boundary markers, fire protection equipment or alarms, other structures or equipment, facilities, or Park property or appurtenances whatsoever, either real or personal.
- 2-103 Park Vehicles and Equipment. No person shall place, attach, paint or inscribe any initial, sign, insignia or advertisement of any kind or character upon any vehicle, machinery or equipment of any kind or character owned by the Association.
- 2-104 Unauthorized Use or Removal of Park Property. No person shall dig, move, mar, deface, or remove from the Park any beach sand, gravel or minerals, whether submerged or not, or

any soil, rock, artifacts, relics, stones, trees, shrubs, plants, down-timber, or other wood materials, or make excavation by tool, equipment, blasting or other means or agency, or construct or erect any building or structure of whatever kind whether permanent or temporary in character, or run on string any public utility into, upon, or across such lands except on the special written permission and by the authority of the Chief Executive Officer.

2-105 Trees, Shrubberty, Lawns, Etc. No person shall damage, cut, carve, or injure the bark, or break off or mutilate in any way limbs or branches, or pick the flowers or seeds of any tree or plant. Nor shall any person dig in or otherwise disturb grass areas, pile debris or material of any kind on Park grounds, or attach any rope, wire, or other contrivance thereto. No person shall transplant or remove any tree, plant, vine or fern, or collect or remove any tree, plant, vine or fern, or collect or remove flowers, except that scientists or students of botany may procure from the Chief Executive Officer or his designate special permission to collect plant specimens. No person shall tie or hitch a horse or other animal to any tree or plant.

2-106 Wild Animals, Birds, Etc. No person shall molest, harm, frighten, kill, trap, hunt, chase, capture, shoot or throw missiles at any mammal, bird, reptile, or amphibian; nor shall he remove or have in his possession the young of any wild animal, or the eggs, nest, or young of any reptile or bird; nor shall he collect, remove, have in his possession, give away, sell or offer to sell, buy or offer to buy, or accept as a gift any specimen, alive or dead, of any mammal, bird, reptile or amphibian.

2-107 Fires. No person shall build or attempt to build any fire or fires against or adjacent to any Park building or other structure, tree, or any Park property whatever, or against or near the property of others, or on any other Park property except in such areas as are designated. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper, or other flammable material within any Park area or on any highway, road, or street abutting or contiguous thereto. There shall be no open fires or burning without permission from the Stone Mountain Park Department of Public Safety except in

barbecue grills. The Stone Mountain Park Department of Public Safety may ban all open burning, campfires, barbecue grills and any other outside burning if the weather and ground moisture conditions are such that these fires could create a danger to person, property, or forests. (Amended 2009)

2-108 (Reserved)

2-109 Improper Boarding, Riding, Etc. of Train. It shall be unlawful for any person to get on or off the train or to ride upon the same in any other manner than at the place and in the manner provided for the reception of passengers; and it shall be unlawful to get on or off the train while it is in motion. This section does not apply to persons boarding the train while in the discharge of their duties.

2-110 Mountain Climbers, Rappelling and Visitors in Restricted Areas.

- A. No person or persons (other than those noted in paragraph C below) will be permitted in restricted areas within the Park.
- B. Mountain climbing, rappelling, long-distance rope climbing, photography from restricted areas, etc. are especially precluded.
- C. Special permission for climbing or rappelling in restricted areas, upon presentation of bona fide documents certifying necessity, may be granted by the Chief Executive Officer or his designate, but only to those persons whose main occupation or profession requires training and experience in climbing and rappelling techniques. Such professions include the U.S. Military (Rangers, Airborne) and County Fire Departments or similar type organizations. This exception does not include private clubs or physical education school training programs or similar type sporting activities. Department of Public Safety personnel of the Park are permitted in restricted areas when their duties so dictate.

2-111 Water. No person shall:

- A. Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay, or other body of water in or adjacent to the Park or any tributary, stream, storm sewer, or drain flowing into such waters any substance, matter, or thing--liquid or solid--which will or may result in the pollution of said waters.
- B. Swim, bathe, or wade in any waters or waterways in or adjacent to the Park except where provided therefore and in compliance with such regulations as are herein set forth or may be hereafter adopted.

2-112 Group Activity. Whenever more than 10 members of any group, association, or organization desire to use any Park facilities under the control of the Association for a particular purpose not otherwise prohibited by this Code -- such as picnics, parties, or theatrical or other entertainment performances -- a representative of such group, association, or organization shall first obtain a permit from the Chief Executive Officer for such purpose. The Chief Executive Officer shall grant the application for a permit if it appears that the group, association, or organization will not interfere with the general use of the Park by individual members of the public, and if the said group, association, or organization meets all other reasonable conditions which may be imposed by the Chief Executive Officer. Such application may contain a requirement for an indemnity bond to protect the Association from any liability of any kind or character and to protect Park property from damage.

CHAPTER III: TRAFFIC

3-101	Adoption of Uniform Rules of the Road
3-102	Directions of Traffic
3-103	Interfering with Police Officers in Discharge of Duties
3-104	Speed
3-105	Obstructing Traffic
3-106	Authorized Areas for Motor Vehicles
3-107	Parking
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3-109	Parking for Certain Other Purposes Prohibited
3-110	Impounding of Vehicles
3-111	(Reserved)
3-112	Trucks
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3-115	Prohibited Riding
3-116	Impairment of Driver's Hearing

3-101 Adoption of Uniform Rules of the Road.

- A. Adoption by Reference. Pursuant to Chapter 6 of Title 40 of the Official Code of Georgia Annotated, Code Sections 40-6-372 through 40-6-376, Code Sections 40-6-1 to 40-6-397 of that chapter known as the Uniform Rules of the Road and the definitions contained in Code Section 40-1-1 are hereby adopted as and for the traffic regulations of the Stone Mountain Memorial Association with like effect as if recited herein. (Amended 2008).
- B. Penalties. Unless another penalty is expressly provided by law, every person convicted of a violation of this ordinance shall be punished by a fine of not more than ONE THOUSAND DOLLARS (\$1,000.00) or by imprisonment for not more than thirty (30) days or by both such fine and imprisonment. (Amended 2008)
- C. Repeal. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed. (Amended 2008).

3-102 Directions of Traffic. All traffic officers are authorized and instructed to direct traffic whenever or wherever needed in the Park and on the highways, streets, or roads immediately adjacent thereto in accordance with the provisions of this chapter and such

supplementary rules as may be issued by the Association or other State Agency. No person shall fail to comply with any lawful order, signal or direction of such officer. All persons shall observe carefully all traffic signs indicating speed, direction, caution, stopping, parking, and all others posted for proper control and to safeguard life and property.

3-103 Interfering with Police Officers in Discharge of Duties. It shall be unlawful for any person to hinder, obstruct, or impede any police officer in the discharge of his duty or to menace or threaten such officers while in the discharge of any duty. No person shall disobey the lawful order of a police officer. No person shall follow any police officer while in charge of prisoners after he has been commanded to desist or after any crowd has been commanded to disperse.

3-104 Speed.

A. No person shall drive or operate a vehicle in any area of the Park in excess of the posted speed limit, which at no time shall not exceed twenty five (25) miles per hour, PROVIDED THAT, at the more congested centers, parking lots, and near Park buildings, picnic areas, camping areas and play areas the maximum speed shall not exceed fifteen (15) miles per hour where so posted.

B. No person shall drive or operate a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard for the actual and potential hazards then existing. Consistently with the foregoing, every person shall drive or operate a vehicle at a reasonable and prudent speed when approaching and crossing an intersection or crosswalk and when special hazards exist with respect to pedestrians or other traffic by reason of weather or road conditions. (Amended 2014)

3-105 Obstructing Traffic. No person shall cause or permit a vehicle to obstruct traffic by unnecessary stopping. In event of blowout, puncture, or motor trouble, automobiles may be parked on the shoulder of the street or, if no shoulder is available, as near to the right edge of the street pavement as practicable for not more than fifteen (15) minutes, and driver shall

report the occurrence at once to the Stone Mountain Park Department of Public Safety. No vehicle shall be left standing or parked at night without lights clearly visible for at least 200 feet from both front and rear on any street area except in legally established parking areas.

3-106 Authorized Areas for Motor Vehicles. All motor vehicles shall be restricted to streets and parking areas only and shall be prohibited from all other areas including, but not limited to, the beaches and approaches thereto. This ordinance shall not apply to law enforcement vehicles, emergency vehicles, maintenance vehicles, and other vehicles authorized by the Association. (Amended 2012)

3-107 Parking. All motor vehicles shall be parked only in the established and indicated parking areas or in such other areas and at such times as the Park may designate, except as hereinafter specified otherwise. No person shall park or station any vehicle in any zone designated and marked "NO PARKING" or otherwise marked for restricted use except briefly for the expeditious loading and unloading of passengers or freight, and in no case in excess of five (5) minutes for passengers and ten (10) minutes for freight. Parking at any established parking concourse shall be done in accordance with the markings thereon and the instructions of any Officer of the Stone Mountain Park Department of Public Safety who may be present. No person shall double-park any vehicle at any time or on any street unless so directed by a police officer.

3-108 Overnight Parking. There shall be no overnight parking of motorized vehicles and/or trailers/campers in the public areas of the Park unless notification is made to the Department of Public Safety, with the reason for the vehicle being left overnight and the anticipated time for the removal of the vehicle.

3-109 Parking for Certain Other Purposes Prohibited. No person shall park a vehicle upon any street for washing, waxing, polishing, greasing or repairing the vehicle, unless repairs are necessitated by a sudden emergency; in such emergency the vehicle shall be moved or towed away with all due haste.

3-110 Impounding of Vehicles.

- A. The Chief Executive Officer is hereby authorized to create a vehicle pound to which automobiles and other vehicles may be removed by Officers of the Stone Mountain Park Department of Public Safety in the manner hereinafter provided. The pound or pounds may be located at such places as may be designated by the Chief Executive Officer.
- B. Whenever any vehicle shall be found parked in any place within the Park where parking is not permitted at such time, or whenever any vehicle shall be found parked in violation of the terms of this part or any other ordinance relating to traffic, such vehicle may be removed and conveyed by any Park Police officer by means of towing or otherwise to the vehicle pound.
- C. It shall be the duty of the officer so impounding a vehicle immediately to report the impounding, together with any other information which will definitely identify the vehicle, to the Chief of Police, who shall cause a permanent record to be made thereof.
- D. It shall be the duty of the Chief of Police to keep a permanent record of all vehicles committed to the pound, the names and addresses of the owners of such vehicles, the numbers of the state license tags of such vehicles and the nature and circumstances of each violation, as well as the disposition of each case, and to account for all fees collected.
- E. A fee to cover the cost of removal, plus a storage fee for each day or fraction of a day the impounded vehicle is stored in excess of the first twenty-four (24) hours the vehicle is impounded, shall be assessed against the owner or other person having the right to the possession of the impounded vehicle. The specific amounts of such fees shall be established by the Chief Executive Officer.
- F. Any person claiming an impounded vehicle shall produce evidence of his identity and ownership or right of possession to the Chief of Police, who shall issue an order to the

person in charge of the pound to discharge the vehicle and to deliver it to such person upon payment of the established fee. Thereupon, the impounded vehicle shall be surrendered by the person in charge thereof, who shall take a receipt for the impounded vehicle. The receipt shall identify the vehicle and shall become a permanent record of the Stone Mountain Park Department of Public Safety. Fees shall be paid to the person in charge of the pound and a receipt shall be given.

- G. In case protest is made against the payment of any impounding or storage fees, the Chief of Police may authorize the person in charge of the impounded vehicle to discharge it upon the following terms and conditions:

The person so protesting shall be charged with violation of this part or other traffic ordinance and required to make bond for his appearance and trial before the applicable court. Thereupon, the Chief of Police shall authorize the person in charge of the impounded vehicle to deliver it to such person. Upon conviction of a violation of this part or other traffic ordinance by the applicable court, in addition to other costs, the applicable court shall assess as cost the fees for removal and storage which have accumulated in connection with the impounding of the vehicle.

3-111 (Reserved)

3-112 Trucks. No private or public trucks, cars, or other vehicles commonly used for carrying freight or merchandise for sale shall enter the Park area or make use of Park streets except on special authorization of the Chief Executive Officer or his designate or in connection with Park work and activities. Exception is made for empty trucks not for hire and used solely at the time for transporting persons to the Park for recreational purposes.

3-113 Bicycles.

- A. No person shall ride or operate a bicycle except on paved vehicular streets and in parking lots or areas of the Park expressly designated for bicycle riding by posted signs. Persons riding bicycles on paved vehicular streets shall keep as near to the right-hand

side of the street paving as practicable. Pursuant to O.C.G.A. §40-6-371(a)(13), the Association finds that the riding of bicycles on paved vehicular streets other than in single file on Saturdays and Sundays and between sunset and sunrise every day is incompatible with the normal and safe movement of traffic as well as rider safety. Therefore, on Saturdays and Sundays, and between sunset and sunrise every day, persons riding bicycles on paved vehicular streets shall ride in single file, except when passing another rider on a bicycle. At all other times persons riding bicycles on paved vehicular streets shall not ride more than two abreast. Bicyclists shall signal all turns and shall pass to the left of any vehicle being overtaken.

- B. Every bicycle, when in use between sunset and sunrise, shall be equipped with a light on the front which shall emit a white light visible from a distance of 300 feet to the front and with a red reflector or clearly visible red light, of a type approved by the Georgia Department of Public Safety, on the rear which shall be visible from a distance of 300 feet to the rear when directly in front of lawful upper beams of headlights on a motor vehicle. A light emitting a red light visible from a distance of 300 feet to the rear may be used in addition to the red reflector. The rider must have reflective tape on the back of the helmet or must wear either a Department of Transportation-style reflective vest or clothing with reflective tape attached to the back area of the garment.
- C. Every bicycle, when in use between sunset and sunrise, shall be equipped with reflectors of a type approved by the Georgia Department of Public Safety. The reflector on each pedal shall be so designed and situated as to be visible from the front and rear of the bicycle from a distance of 200 feet during darkness.
- D. Nothing contained in this Section 3-113 shall relieve any operator or rider of a bicycle within the boundaries of the Park from complying with all State laws governing the riding and operating of bicycles.

- 3-114 Owners or Persons in Control of Vehicles. It is unlawful for the owner, or any other person employing or otherwise directing the driver, of any vehicle to require or knowingly permit the operation of that vehicle upon a street in any manner contrary to this part.
- 3-115 Prohibited Riding. No person shall ride on any vehicle or upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty or to persons riding within truck space intended for merchandise.
- 3-116 Impairment of Driver's Hearing. It shall be unlawful for any person to use, operate or permit to be played, used or operated any radio receiving set, musical instrument, phonograph, television, or other machine or device for the producing or reproducing of sound within a motor vehicle operator's ability to hear emergency vehicle sirens or motor vehicle horns or the whistle or verbal command of a law enforcement officer directing traffic or in such a manner as to cause distractions to other persons or impairment of other person's ability to hear such that would create a hazard to third persons.
- 3-117 Personal Transportation Vehicles. Personal Transportation Vehicles may be operated upon Park roadways and parking lots under the following rules and limitations:
- A. Personal Transportation Vehicles shall be equipped with:
- (1) A braking system sufficient for the weight and passenger capacity of the vehicle, including a parking brake;
 - (2) A reverse warning device functional at all times when the directional control is in the reverse position;
 - (3) A main power switch. When the switch is in the "off" position, or the key or other device that activates the switch is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the "off" position.
 - (4) Headlamps;

- (5) Reflex reflectors;
- (6) Tail lamps;
- (7) A horn;
- (8) A rearview mirror;
- (9) Safety warning labels; and
- (10) Hip restraints and hand holds or a combination of thereof.

- B. The operator of the Personal Transportation Vehicle must be 16 years of age or older and have a valid motor vehicle drivers' license in their possession.
- C. All operators of Personal Transportation Vehicles shall abide by all traffic laws and ordinances applicable to vehicular traffic.
- D. Personal Transportation Vehicles shall not be operate on Park roadways and parking lots between the hours of 12:00 a.m. and 5:00 a.m.
- E. Personal Transportation Vehicles shall remain in the curb lane on 4 lane roadways within the Park, except to make a left turn.
- F. The number of occupants in a Personal Transportation Vehicle shall not exceed eight (8) persons or the number of seats installed in the vehicle. All occupants of the vehicle must remain seated and inside the vehicle while the vehicle is in motion.
- G. Personal Transportation Vehicles shall only be operated on paved roadways and parking lots. Operating on sidewalks, trails, off-road and on the mountain is prohibited.
- H. The operator of a Personal Transportation Vehicle is liable for his or her actions while operating the vehicle. Liability insurance varies, and each person operating a Personal Transportation Vehicle on the streets or parking lots should verify coverage.
- I. The number of occupants in a Multipurpose off-highway vehicle shall not exceed eight (8) persons or the number of seats installed in the vehicle, except when

performing an official function by members of a public safety agency. (Amended 2014)

3-118 Multipurpose Off-Highway Vehicle.

- A. Multipurpose off-highway vehicles shall have the following equipment:
 - (1) A braking system sufficient for the weight and passenger capacity of the vehicle, including a parking brake;
 - (2) A reverse warning device functional at all times when the directional control is in the reverse position;
 - (3) A main power switch. When the switch is in the "off" position, or the key or other device that activates the switch is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the "off" position.
 - (4) Headlamps;
 - (5) Reflex reflectors, reflective triangles, or reflective material on the rear;
 - (6) Tail lamps;
 - (7) A horn;
 - (8) A rearview mirror;
 - (9) Safety warning labels; and
 - (10) Hip restraints and hand holds or seatbelts or a combination thereof.
- B. The operator of the Multipurpose off-highway vehicle must be 16 years of age or older and have a valid motor vehicle drivers' license in their possession.
- C. All operators of Multipurpose off-highway vehicle shall abide by all traffic laws and ordinances applicable to vehicular traffic.
- D. The number of occupants in a Multipurpose off-highway vehicle shall not exceed eight (8) persons or the number of seats installed in the vehicle, except when performing an official function by members of a public safety agency. (Amended 2014)

D. CHAPTER IV: RECREATIONAL ACTIVITIES

4-101	Bathing and Swimming
4-102	Boating
4-103	Fishing
4-104	Hunting and Firearms
4-105	Knives - Public Possession
4-106	Weapons
4-107	Public Picnic Areas and Use
4-108	Camping
4-109	Games, etc.
4-110	(Reserved)
4-111	Skateboards
4-112	Walking, Running, Jogging and Organized Foot Races
4-113	Restrictions on Model Airplane Flying

4-101 Bathing and Swimming.

- A. No person regardless of age or manner of dress shall swim, bathe or wade in any waters or waterways in the Park except at the beach or in other such places as are provided therefore and in compliance with this Code. No person shall swim, bathe or wade except between such hours of the day as designated for each individual area.
- B. No person shall dress or undress on any beach, or in any vehicle, toilet or other place in any Park area, except in such bathing houses or structures as may be provided and maintained by the Park for that purpose. Dressing and undressing is permitted in tents and trailers in camping areas. All bathing costumes shall conform to commonly accepted standards at all times.
- C. No person shall throw, cast, lay or deposit any glass, crockery, or any part thereof, or any metallic substance, in any bathing area in the Park.
- D. No person, dog, or pet shall wash or be washed with or without soap or other cleansers in bathing areas.
- E. There will be no alcoholic beverages allowed on beach areas.

4-102 Boating.

- A. Boating of any kind in a bathing area is prohibited except such boating as is necessary to keep such areas properly protected and policed by proper authorities.
- B. No person shall use privately-owned boats on any Park waters without proper state registration and a sufficient number of life preservers. No boat shall be launched into, used in, or removed from any Park waters except at such places as are designated for such use or purpose by the Park. No privately-owned boat of any kind may be left by owner in Park waters during his absence without written permission of the Chief Executive Officer or his designate. All boats must be operated in accordance with Park boating regulations.
- C. No motor boat shall be operated on Park waters unless it is equipped to divert its exhaust under water or otherwise completely to muffle the sounds thereof.
- D. Private boats will be allowed to use the lake each day of the week during daylight hours. (Amended 2009)

The following specific rules and regulations apply year around:

1. Boats.

a. General Provisions.

- (1) Persons using private boats on the Park lakes will do so at their own risk.
- (2) Outboard motors in excess of 10 hp are not allowed on lakes.
- (3) Every boat having a length of less than 16 feet shall carry aboard, at all times, at least one Type I, II, III, or IV personal flotation device for each person on board.
- (4) Every boat having a length of 16 feet or more shall carry aboard, at all times, at least one Type I, II, or III personal flotation device and at least one Type IV.

- (5) No person may use a boat upon Park lakes unless the required personal flotation devices are readily accessible to the occupants of the boat, are in good and serviceable condition, are legibly marked with the United States Coast Guard approved number, and are of an appropriate size for the occupants of the boat for whom they are intended.
- (6) No boat shall be loaded with passengers beyond the recommended capacity.
- (7) Inflatable watercraft including, but not limited to, any raft or any inflatable boat, even when registered within the State of Georgia or any other state, are not allowed on lakes unless the watercraft has attached to it a label showing that it is in compliance with International Standard – ISO 6185. The following information must be shown on one or two manufacturers operating plates: “International Standard – ISO 6185.” Any exceptions to this can only be approved by the Chief Executive Officer.
- (8) Park-operated Riverboats have right-of-way over all other boats.
- (9) Alcoholic beverages are not allowed on any privately-owned boat.

b. Canoes, Kayaks, and Sculls.

- (1) All persons in canoes, kayaks, and sculls must be able to swim.
- (2) Children in canoes, kayaks, and sculls under twelve (12) years of age must be accompanied by persons sixteen (16) years of age or older.
- (3) Children under six (6) years of age are prohibited in canoes, kayaks, and sculls.

c. Sailboats.

Children under twelve (12) are prohibited in sailboats.

d. Miniature Model and Toy Boats.

No person shall engage in the operation of motorized or non-motorized model or toy boats upon any lake within Stone Mountain Park.

Exceptions to this prohibition may be granted in writing by the Chief Executive Officer or his designate for special events.

2. Windsurfing. Windsurfing by which a sail or other device for wind propulsion is fixed to a floating object and maneuvered by hand is prohibited except as a part of a scheduled event and with the approval of the Chief Executive Officer. Windsurfing shall not include the operation of a sailboat.

3. Water Skiing. No person shall engage in water skiing, aquaplaning, surfboarding, or similar methods of towing a person or persons except as a part of a scheduled event and with the approval of the Chief Executive Officer.

4. Personal Water Craft. No person shall engage in the operation of a "personal watercraft" as defined in Section 52-7-8.2 O.C.G.A. upon any lake within Stone Mountain Park. Exception may be granted in writing by the Chief Executive Officer or his designate.

- E. The provisions of this section shall not apply to any Association employee while in the performance of assigned duties, any authorized law enforcement officer, or any person comprising part of a rescue squad assisting or carrying out rescue work.

(Amended 2014)

- 4-103 Fishing. No person shall fish in any waters of the Park except at such times as may be designated. All State and Park fishing and boating laws, ordinances, and regulations

must be obeyed. Commercial fishing or the buying or selling of fish caught in any Park waters is prohibited. No device other than a hook-and-line extended from a single pole shall be used to capture fish. (Amended 2012)

4-104 Hunting and Firearms. Hunting, trapping, or the pursuit of wildlife is forbidden at all times, everywhere in the Park. No person shall use, carry or possess in the Park hunting tools including slings and bows and arrows nor any kind of trapping device. Shooting into Park areas from beyond Park boundaries is forbidden. This section shall not apply to any law enforcement officer while in the discharge of his or her official duties. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed. (Amended 2008).

4-105 Knives - Public Possession. It shall be unlawful for any person, for the purpose of offense or defense, to possess on his person or have at his immediate disposal on the streets and roads of the Park or in any public place or place of business patronized by the public any of the following instruments:

- A. Any knife which has a spring loaded blade that opens automatically by pressure applied to a button, spring or other device in the handle, commonly called a "switch blade," "swish blade" or "Swiss blade" for blades that open on the side and "stiletto" for blades extending from an end.
- B. Any knife which has any obstruction or other device of any kind which holds the blade partly open, the blade of which, when open, projects from the handle more than two inches.
- C. Any knife of any kind, the blade of which when open, projects from the handle more than three inches. This is intended to include all knives such as butcher knives or other knives which do not close.
- D. Any razor blade alone or inserted in a handle in such a manner as to expose either a sharp corner or a sharp edge.

4-106 Weapons. Refer to O.C.G.A. § 16-11-120 "Georgia Firearms and Weapons Act"
(Amended 2014)

4-107 Public Picnic Areas and Use.

- A. No picnicking shall be allowed in any Park areas except those set apart and designated for that purpose; nor shall the public picnic areas be used for any other purpose than picnicking without written permission from the Chief Executive Officer or his designate.
- B. Use of grills, tables and benches follows generally the rule of "first come, first served," but no person or group shall use no more than six (6) picnic tables and the immediate area, any public picnic area, shelter or facility to the exclusion of other persons for an unreasonable time if facilities are crowded. Determination of what is "unreasonable" will be at the discretion of the Chief Executive Officer who will regulate activities in such areas when so required to prevent congestion and to secure maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end. The provisions of this section do not apply to rented facilities.
- C. In order to maintain cleanliness and reduce fire hazard, each picnic party shall see that its fire is completely extinguished before leaving and that all trash such as boxes, cans, papers, bottles, garbage and other refuse is placed in receptacles provided for that purpose.

4-108 Camping. It shall be unlawful for any person to set up tents, shacks, or any other temporary shelter for the purpose of overnight camping in the Park's Natural District, nor shall any person leave in the Park after closing hours any movable structure or special vehicle to be used, or that could be used, for such purpose, such as a house-trailer, camp-trailer, camp-wagon or the like, except under special permit of the Chief Executive Officer or his designate and at such places and such periods as may be designated. Camping must be confined to Park-approved camp areas which are provided to ensure cleanliness and good appearance. Long-term camping, for a period greater than twenty-nine (29) days, is generally prohibited. However, to the extent the Stone Mountain Memorial Association

has, by contract, engaged a private entity to oversee the operations of the Park, including but not limited to overseeing the operations of the Park campground, said private operator may, at its discretion, issue no more than forty-five (45) long-term camping permits for the sole and exclusive use of its employees, with each such permit allowing the use of an overnight camping spot by said employee for a term of thirty (30) days or greater, provided that each such permit is evidenced by a written long-term camping agreement between the private operator and the employee, with the terms of which to be approved by the Stone Mountain Memorial Association.

(Amended 2026)

- 4-109 Games, Etc. No athletic contests or games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, or model airplanes shall be allowed except in such areas as are specifically designated for such forms of recreation. The throwing of Frisbees on or onto public thoroughfares is forbidden. The playing of rough or dangerous games such as football, baseball or quoits is prohibited except on fields, courts or other areas provided, therefore.
- 4-110 (Reserved)
- 4-111 Toy Vehicles and Skates. No person riding in toy vehicles or similar vehicles shall be permitted on any street, parking lot, sidewalk or similar area within the Park. Persons on skates, skateboards or in-line skates are prohibited from the Memorial Plaza sidewalks, the Crossroads Village, the Crossroads Village Parking Lot, the Skylift Plaza, and the Plantation area. (Amended 2012)
- 4-112 Walking, Running, Jogging, and Organized Foot Races.
- A. Where a sidewalk is provided, it shall be unlawful for any pedestrian to walk, run, or jog along and upon an adjacent street.
 - B. Where a sidewalk is not provided but a shoulder is available, any pedestrian walking, running, or jogging along and upon a street shall walk, run, or jog only on the shoulder as far as practicable from the edge of the street.
 - C. Where neither a sidewalk nor a shoulder is available, any pedestrian walking, running, or jogging along and upon a street shall walk, run, or jog as near as practicable to an outside edge of the street, and, if on a two-lane street, shall walk, run, or jog only on the left side of the street.
 - D. Except as otherwise provided in this chapter, any pedestrian upon a street shall yield the right-of-way to all vehicles upon the street.

- E. Jogging and running in the Park after darkness is prohibited except on four-lane streets and on the sidewalks; the four-lane streets extend from the East Gate to the Main Parking Lot and from the West Gate to the Riverboat.
- F. Jogging or running in the Park anytime the visibility is less than one-quarter of a mile is prohibited.
- G. For individuals not participating in organized events, running, jogging, or walking on a street other than in single file is prohibited. All such individuals will use the extreme left side of all roadways and will otherwise comply with Official Code of Georgia Annotated Section 40-6-97.
- H. Organized Foot Races:
 - 1. All organized foot races must be approved by the Park's Lessee in accordance with the Special Events Guidelines for Events/Walks/Runs.
 - 2. All organized foot races scheduled for Saturdays, Sundays, and national holidays must be scheduled so as to terminate not later than 11:00 a.m.; with breakdown completed by 12:00 p.m.
 - 3. All participants in organized foot races shall use the left side of two-lane streets and the extreme left lane of four-lane streets and shall in no case cross lane dividers or center lines, and shall otherwise comply with Official Code of Georgia Annotated Section 40-6-97.
 - 4. Foot race organizers must provide Lessee's Special Events Department with a written "hold harmless" agreement in accordance with Lessee's Rules and Regulations for Events / Walks / Runs.
 - 5. The organizers of all foot races shall reimburse the Association for the Association's expenses incurred in supporting such events. No fee shall be charged to individual participants by the Association.

6. The violation of any of the above procedures relating to organized foot races shall result in immediate termination of the foot race.
7. Any exception to this ordinance shall require the approval of the Chief Executive Officer or his designate.

4-113 Restrictions on Model Airplane Flying. No Person shall engage in flying model aircraft, including but not limited to airplanes, helicopters, or drones, in any area of Stone Mountain Park, without the permission of the Chief Executive Officer or when used by a law enforcement agency. (Amended 2014).

CHAPTER V: BEHAVIOR

5-101	Prohibited Entry
5-102	Public Speeches, Gatherings, Performances, Etc.
5-103	Alcoholic Beverages; Possession of Intoxicants by Minors
5-104	Drunkenness
5-105	Reservation of Facilities
5-106	Solicitation of Funds
5-107	Disorderly Conduct
5-108	Indecent or Immoral Shows
5-109	Noises and Sounds Prohibited
5-110	Gambling
5-111	Throwing Stones, Etc. Prohibited
5-112	Begging
5-113	Loitering

5-101 Prohibited Entry.

- A. Any person entering upon any areas of Stone Mountain Park, where or at such times such entry is prohibited by notice, signs or otherwise, or any person who remains upon any area of Stone Mountain Park after notice to depart by the Association Chief Executive Officer, any Park Police officer, or any other person or persons vested by the Chief Executive Officer with such authority shall be considered to be upon such area without permission or authorization of the Association.
- B. Every motor vehicle entering Stone Mountain Park must enter through the East (Main) Gate or the West Gate entrances, except for emergency vehicles, SMMA owned vehicles, approved governmental vehicles, lessee owned vehicles, approved service or delivery vehicles, or those authorized by the SMMA CEO.
- C. Every vehicle entering Stone Mountain Park must have a valid annual parking permit, one-time parking permit, campground issued permit, hotel issued permit, pre-paid permit, exhibitor permit, vendor permit, or employee permit. The following are exempt from this requirement: authorized law enforcement vehicles, fire vehicles, emergency medical vehicles, SMMA owned vehicles, approved personal vehicles on official business, approved government vehicles, US Mail vehicles, government

owned school buses, approved delivery or service vehicles, or those authorized by the SMMA CEO or lessee. (Amended 2014)

- 5-102 Public Speeches, Gatherings, Performances, Etc. No person or persons or representatives of any political party, social club or society, office aspirant, religious sect, circus or theatrical group, or other public exhibition shall hold or attempt to hold any meeting, take part in any public debate, make any speeches, perform any act or ceremony, or hold any drill or parade in the Park's Natural District without permission from the Chief Executive Officer.
- 5-103 Alcoholic Beverages; Possession of Intoxicants by Minors.
- A. Neither consumption of alcoholic beverages or open containers of alcoholic beverages shall be allowed on streets, shoulders of roads, beach areas, or in parking lot areas or any areas so posted.
 - B. It shall be unlawful for any minor to possess any alcoholic beverage in any area of the Park.
- 5-104 Drunkenness.
- A. No person shall be and appear in an intoxicated condition, and any such person so found in the Park in an intoxicated condition or under the influence of intoxicating liquor or drugs may be arrested or ejected therefrom.
 - B. Any officer of Stone Mountain Park Department of Public Safety who takes into custody an intoxicated person for violation of this section may, in lieu of placing criminal charges against such person, take or send such person to his or her home. Any officer so acting shall be deemed to have performed his or her official duty.
- 5-105 Reservation of Facilities. No person shall occupy any seat or bench or enter into or loiter or remain in any pavilion or other Park structure or section thereof which may be reserved or rented by others.
- 5-106 Solicitation of Funds. No person shall solicit or request or attempt to obtain donations for any purpose without the approval of the Chief Executive Officer or his designee.

5-107 Disorderly Conduct. No person or persons shall:

- A. Act in a violent or tumultuous manner toward another whereby any person is placed in fear of safety of his life, limb or health.
- B. Act in a violent or tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged.
- C. Cause, provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another.
- D. Assemble or congregate with another or others for the purpose of causing, provoking or engaging in any fight or brawl.
- E. Jostle or roughly crowd or push any person in any public place.
- F. Collect in bodies or in crowds for unlawful purposes as defined by current ordinances.
- G. Assemble or congregate with another or others for the purpose or with the intent to engage in gaming.
- H. Frequent the Park with intent to obtain money from other persons by illegal and fraudulent schemes, tricks, artifices or devices.
- I. Cause bodily harm or endanger the bodily safety of another person by consciously disregarding a substantial and unjustifiable risk that his act or omission will cause harm or endanger the safety of the other person and the disregard constitutes a gross deviation from the standard of care which a reasonable person would exercise.
- J. Accost or attempt to force his company upon any other person.
- K. Act in a dangerous manner toward others.
- L. Without provocation, use to or of another, in his presence, opprobrious or abusive words which by their very utterance tend to incite to an immediate breach of the peace, that is to say, words which as a matter of common knowledge and under ordinary circumstances will, when used to or of another person in his presence, naturally tend to provoke violent resentment, that is, words commonly called "fighting words."

- M. Assemble or congregate for the purpose of trouncing upon another.
- N. By acts of violence, angry threats or abusive conduct interfere with the lawful pursuits of another.
- O. Congregate with another or others in or on any public way so as to halt the flow of vehicular or pedestrian traffic and refuse to clear such public way when ordered by the Park Police or other lawful authority.
- P. Operate a motor vehicle upon any parking facility, vehicle access or pedestrian walkway of any parking facility by sudden starting, stopping or turning so as to endanger the person or property of another.
- Q. Operate a motor vehicle upon any parking facility, vehicle access or pedestrian walkway of any parking facility at a speed great enough to endanger the person or property of another.
- R. Operate a motor vehicle upon any pedestrian walkway or sidewalk in any manner.
- S. Violate any rule or regulation for the use of the Park, made or approved by the Association.
- T. Without provocation, use obscene and vulgar or profane language in the presence of a person under the age of fourteen (14) years which threatens an immediate breach of the peace.
- U. Aid, abet or encourage a minor to do any act which constitutes disorderly conduct or a breach of the peace.
- V. Possess one (1) ounce or less of marijuana, a controlled substance, within Stone Mountain Park.
- W. Perform any of the following acts in a public place:
 - (1) An act of sexual intercourse;
 - (2) A lewd exposure of the sexual organs;
 - (3) A lewd appearance in a state of partial or complete nudity.

- X. Solicit another to perform or submit to an act of sodomy.
- Y. Perform, or offer or consent to perform, an act of sexual intercourse for money
- Z. Transmit in any manner to the Stone Mountain Park Department of Public Safety a false report of a fire, crime or other emergency.
- AA. Damage, deface, destroy or tamper with any public safety call boxes or telephones provided for public use.

5-108 Indecent or Immoral Shows. It shall be unlawful for any person to exhibit or perform in any hall, house or public place in the Park any indecent, immoral or lewd play or dance, or to sing to a public audience any sacrilegious, indecent, vulgar or lewd song.

5-109 Noises and Sounds Prohibited. It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual sound or noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others in the Park, and which is audible to a person of normal hearing ability more than fifty (50) feet from the point of origin of such sound or noise. The following acts among others are declared to be loud, disturbing and unnecessary sounds or noises in violation of this Code, but such enumeration shall not be deemed to be exclusive, namely:

- A. Horns, signaling devices. The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place in the Park, except as a danger warning; the creation of any unreasonably loud or harsh sound by means of any such signaling device and the sounding of any such device for an unnecessary and unreasonable period of time; the use of signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust; and the use of any such signaling device when traffic is for any reason delayed.
- B. Radios, phonographs, similar devices. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph,

television 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 Park or at any time with louder volume than is necessary for convenient hearing for the person who is in the room, vehicle or chamber in which such machine or device is operated and who is a voluntary listener thereto. The operation of any such set, instrument, phonograph, television, or other machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such manner as plainly to be audible at a distance of fifty (50) feet from the room, building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

- C. Loudspeakers, amplifiers for advertising. The using, operating or permitting to be played, used or operated of any radio receiving musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure. Announcements over loudspeakers can only be made by the announcer in person and without the aid of any mechanical device.
- D. Yelling, shouting, etc. Yelling, shouting, hooting, whistling 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 in any office, hotel or other type of building or of any person in the vicinity.
- E. Exceptions. The following uses and activities shall be exempt from the noise regulations set forth in this ordinance:
 - 1. Noises of safety signals and warning devices.
 - 2. Noises resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency.
 - 3. Noises resulting from emergency work, to be construed as work made

necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from an imminent exposure to danger.

4. Authorized concerts and other activities with permission of the Chief Executive Officer.

5-110 Gambling. No person shall engage in any form of gambling.

5-111 Throwing Stones, Etc. Prohibited. It shall be unlawful for any person to cast, throw or fling any stones, brickbats or any other things in the streets, lanes or alleys, or in any other public place in the Park, or in, at or against any of the trees in the Park.

5-112 Begging. It shall be unlawful for any person to beg or solicit money or aid in his own behalf in the Park.

5-113 Loitering. It shall be unlawful for any person, after having been directed by any officer or member of the Stone Mountain Park Department of Public Safety to move away there from, to remain or loiter around a lodging facility or on the sidewalks, public streets, or roads, or on or in any other public areas of the Park.

5-114 Fireworks Prohibited. It shall be unlawful for any person, firm, corporation, association, or partnership to use or cause to be exploded, any fireworks within, on or above Stone Mountain Park, except as otherwise provided in this Chapter. For purposes of this Chapter, "fireworks" is defined as any combustible or explosive composition or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation. The provisions of this Chapter shall not apply to the activities of the Stone Mountain Memorial Association or any person, firm, corporation, association or partnership who has obtained a valid fireworks display permit from the Probate Court of DeKalb County, Georgia.

CHAPTER VI: MERCHANDISING, ADVERTISING, SIGNS

6-101	Vending, Peddling, Etc.
6-102	Fortune-telling Prohibited
6-103	Signs
6-104	Distribution of Literature
6-105	Broadcasts

- 6-101 Vending, Peddling, Etc. No person shall sell, offer for sale, give, hire, lease or let out any object, article, merchandise, property, privilege, service or any other thing, or engage in any business, or erect any building, booth, tent, stall, or any other structure whatsoever whether temporary or permanent in nature. Exception is here made as to the Association and its members, officers, agents, lessees or employees in conducting the business of the Association and any licensed concessionaire acting by and with the permission or authority of the Association through the Chief Executive Officer and providing food, goods or services for the benefit of the public.
- 6-102 Fortune-telling Prohibited. It shall be unlawful for any person to engage or participate in the practice of fortune-telling, phrenology, astrology, clairvoyance, palmistry or other kindred practices, businesses or professions where a charge is made or a donation accepted for such services.
- 6-103 Signs.
- A. No sign, notice or advertisement of any nature shall be erected or posted at any public place within the Park without the permission in writing from the Chief Executive Officer.
 - B. No person shall drive, park, or station on any Park street, parkway or parking lot any vehicle displaying a sign or notice that it is for sale or exchange, or otherwise display advertising.
 - C. No person or his agent or representative shall carve, paint, mark, or in any way deface any tree, fence, wall, buildings, or other structures in the Park, or paste, glue, tack, or otherwise post any sign, placard, advertisement, or inscription thereon; nor

shall any person or agent erect or cause to be erected any sign on any Park area without permission in writing from the Chief Executive Officer.

6-104 Distribution of Literature.

- A. The distribution of literature and other matter, other than by Park personnel relating to Park business or in connection with activities sponsored or licensed by the Association, shall be permitted in designated areas of Stone Mountain Park, subject to the regulations hereinafter provided. "Distribution" shall include the distribution, passing out, handing out or depositing of any matter, object or literature. "Literature" shall include flyers, brochures, pamphlets, books or any other printed or written material.
- B. Distribution shall be conducted only within the following designated distribution areas:
 - 1. The laser viewing lawn and surrounding sidewalk and plaza areas (Memorial Railroad Depot Plaza at the East end of the Building, the Skylift Plaza); provided, however, that no distribution will take place on the lawn during the laser show, concert or stage event.
 - 2. The plaza and sidewalk areas between Confederate Hall and the walk-up trail.
 - 3. The paved sidewalk areas within twenty-five (25) feet of the intersection of Old Hugh Howell Road and Robert E. Lee Boulevard.
 - 4. The sidewalk area between the parking lot of the Riverboat Complex and the Riverboat Marina Building.
 - 5. The area outside the main entrance gates of the Meadows Coliseum, located at 2026 Old Hugh Howell Road, during any festivals or special events which are opened to the general public.
- C. No distribution shall be conducted inside any buildings housing Park business operations, including any restaurants, offices, lodging facilities, conference centers or museums; or inside any enclosed areas requiring payment in cash or tickets to enter; or within any areas otherwise rented to private groups by the Park.

- D. The maximum total number of persons allowed to distribute within any one of the foregoing areas at any given time will be fifteen (15).
- E. No distribution shall take place within the streets or parking areas of the Park.
- F. No literature or matter shall be placed on or affixed to parked cars.
- G. Distribution shall be allowed only during the regular hours of operation of Stone Mountain Park.
- H. No participant engaging in the activity under this Ordinance shall engage in disorderly conduct as defined in this Code, or otherwise obstruct or impede pedestrians or vehicles, harass Stone Mountain Park visitors with physical contact or persistent demands, or misrepresent the purposes or affiliations of those engaged in the activity.
- I. No participant engaging in the activity under this Ordinance shall use any noise making devices or sound or voice amplifying apparatus.
- J. No alteration shall be made to any part of the distribution areas.
- K. Persons desiring to distribute literature or matter containing commercial advertising for goods or services shall be offered reasonable opportunities for distribution and advertising, as other commercial entities and sponsors associated with the Park, but shall not be allowed to engage in distribution under this Ordinance, unless such activity is carried out under agreement or license through the entity having control of the area in which such activity is sought to be carried out.
- L. Posting or tacking of any literature or matter within Stone Mountain Park other than by Park personnel relating to Park business or in connection with activities sponsored or licensed by the Association is prohibited.
- M. Areas for distribution shall be available on a first-come, first-served basis. Persons may reserve a distribution area for a particular date and time by contacting the Chief Executive Officer. Reservations are encouraged but not required. No area may be reserved by one individual or organization for more than seven (7) consecutive days, or

for more than fourteen (14) days in any one calendar month. The Chief Executive Officer or his designee shall have the authority to designate alternate distribution areas among those designated under this Ordinance, in the event that any given area is unavailable. No participant in distribution shall interfere with the conduct of any other participant.

- N. Nothing contained herein shall be deemed to limit the enforcement powers contained in O.C.G.A. ' 50-16-14 to deny entrance to and to remove persons whose activities pose an actual and imminent threat of harm or of disruption of ongoing operations on state property or buildings housing state agencies, or any provision of Title 16 of the Official Code of Georgia Annotated, including crimes for damage to and intrusion upon property and crimes against public order and safety.

6-105 Broadcasts. No musical instrument, radio, tape recording, television, or sound track shall be operated or any noise made for the purpose of attracting attention to any person, political party, or religious institution, or meetings or assemblies thereof, or for the purpose of demonstrating, advertising, or calling attention to any article or service for sale or hire.

CHAPTER VII: SANITATION

7-101	Refuse and Trash
7-102	Littering

7-101 Refuse and Trash.

- A. No person shall deposit in any part of the Park any garbage, sewage, refuse, waste, fruit, vegetables, foodstuffs, boxes, tin cans, bottles, jars, paper or other litter or waste materials, except in containers or places designated for such purposes. Where receptacles are not provided, all such rubbish or waste shall be carried away from the Park by the person responsible for the presence of same and shall be properly disposed of elsewhere.
- B. No person shall throw, discharge, or otherwise place or cause to be placed in the waters of any pool, fountain, pond, lake, stream, or other body of water in or adjacent to the Park, or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters. No person shall dump or deposit any bottles, broken glass, ashes, paper, boxes, cans, waste, garbage, or other trash in any waters in or contiguous to the Park.

7-102 Littering.

- A. It shall be unlawful for any person to throw, spill, dump or place upon the paved streets of the Park any rock, gravel, lumber or debris in any manner so as to create a traffic hazard or damage to the street or to endanger the life, limb, or safety of pedestrians and vehicular traffic.
- B. It shall be unlawful for any person to dump, toss, throw, strew, or place upon the right-of-way of the Park any trash, garbage, refuse, bottles, cans or debris, except in the manner and as provided under existing or subsequent regulations governing collection of garbage and refuse.

- C. It shall be unlawful for any person to place or throw in any part of the Park any dead cat, chicken, rat, or other animal, tainted meat, decayed fruits or vegetables, filthy water, human excrement, or anything of like nature.
- D. It shall be unlawful for any person to vacate any premises and leave thereon an accumulation of trash, garbage, refuse, bottles, or cans not in receptacles that may become a breeding place or habitat for fleas, mosquitoes, other insects, rats, mice, or other vermin.

CHAPTER VIII: MISCELLANEOUS

8-101	Construction Standards
8-102	Airplanes, Etc.
8-103	Metal Detectors
8-104	Hours of Operation
8-105	Lost and Found Articles
8-106	Pets and Other Animals
8-107	Photography
8-108	Use of Facilities
8-109	Emergencies
8-110	(Reserved)
8-111	Rules and Regulations; Punishment

8-101 Construction Standards. All construction of buildings and other structures shall conform to all codes as adopted and amended by 1) the State of Georgia and pursuant to the “state minimum standard codes” identified in the Uniform Codes Act as codified in Chapter 2 of Title 8 of The Official Code of Georgia Section 8-2-20 (9)(B); and by 2) the Safety Fire Commissioner of Georgia pursuant to “The Rules and Regulations of the Safety Fire Commissioner” as codified in Chapter 120-3-3. All code editions and amendments shall apply as adopted by the State at the time of construction.

All plumbing shall be done by or under the direction of trained plumbers licensed to operate in either DeKalb County or Gwinnett County or other equally qualified plumbers coming from other parts of the State of Georgia. All electrical work shall be done by licensed electricians.

These standards are the minimums which shall apply to construction within Stone Mountain Park; however, adherence to these standards does not relieve owners, contractors, architects or engineers from using higher standards where such higher standards are reasonably required because of the nature of particular designs Compliance with these minimum standards shall not be taken as a representation or

assurance on the part of the Stone Mountain Memorial Association that a particular structure is either safe or adequately designed for the intended purpose.

- 8-102 Airplanes, Etc. No person shall bring, land or cause to descend or alight upon or within Stone Mountain Park any airplane, helicopter, glider, balloon, parachute, or other aerial apparatus either motorized or non-motorized except under permission of the Chief Executive Officer, in an emergency when human life is in danger, when operated by a law enforcement agency, or for an emergency medical evacuation. (Amended 2014)
- 8-103 Metal Detectors. Metal detectors shall not be permitted at the Park except as used for security purposes.
- 8-104 Hours of Operation. The Park shall be open daily to the public during the hours of 5:00 a.m. to 12:00 midnight. No person, except employees or officers of the Park, shall be allowed within the Park properties between the hours of 12:00 midnight and 5:00 a.m. unless registered for overnight camping or at a lodging facility, or unless a permit has been obtained from the Chief of Police. No vehicle shall enter the Park without a properly attached annual or one-time parking permit. Except for unusual and unforeseen emergencies during which Park closure shall be deemed advisable, the Park shall be open to the public every day of the year during designated hours. Any section or part of the Park, or the entire Park, may be declared closed to the public by the Chief Executive Officer at any time and for any interval of time, either temporarily or at regular or stated intervals. (Amended 2014)
- 8-105 Lost and Found Articles. The finding of lost articles shall be reported to the Park Police. The Association shall have no responsibility to search for lost articles; however, every reasonable effort to find valuable lost property, or to locate owners of found items, shall be made.

8-106 Pets and Other Animals.

- A. Dogs and cats. Such animals are permitted in the Park under the custody and control of the owner or other responsible person, but must be kept at all times on a leash not exceeding six feet in length. The person having custody or control of such animal shall immediately remove excrement deposited by the animal while in the Park. Removal of animal excrement from the Park in a sanitary manner and disposal thereof shall be the responsibility of the person having custody or control of the animal, and such person is responsible for having a device or equipment for the picking up and removal of animal excrement. The provisions of this subsection and subsection (E) shall not apply to an animal aiding the disabled (e.g., service animals) or performing police or rescue activities. Law enforcement officers of the Department of Public Safety may require that such animals be removed from Park grounds by the owner or other responsible person if the menacing attitude of the animal incites fear in other persons or if the animal disturbs the peace by incessant barking or other means. No animals shall be permitted in the following areas of the Park: (1) lake, (2) golf course, (3) all Park buildings, and (4) anywhere on the surface of the mountain within perimeter of the railroad track surrounding the mountain, including the Walk-up Trail to the top of the mountain, excluding dogs. (5) any other area with signs posted prohibiting pets. Exceptions to the above may be requested in writing and granted by the Chief Executive Officer or his designate for special events, such as pet shows.
- B. Horse rentals, sales, exhibitions, etc. are forbidden in the Park except those approved for a licensed concessionaire or exhibitor acting by and under the authority and regulation of the Association. No person shall use, ride, or drive a horse except to, from, or along a bridle path or in other designated areas. This section, however, shall not apply to law enforcement officers when engaged in their official duties.

- C. Other animals or pets shall not be brought or permitted to enter the Park. Each such animal or pet found within Park boundaries in custody of owner shall be cause for refusal of Park services and facilities to the owner until such animal or pet is removed from Park premises. Any animal or pet found at large may be seized by peace officers of the Department of Public Safety and disposed of as provided by state law covering disposal of stray animals on highways or public property with the Animal Control Unit of the county in which the animal was seized.
- D. It shall be unlawful to bring any dangerous animal into the Park except as authorized by State law.
- E. Pets shall not be allowed in any area posted "No Pets."
- F. Neither the operator of a motor vehicle nor any person having custody or control of an animal within the Park shall leave unattended and lock any such animal in a closed vehicle between the dates of May 1 and September 30. Park Police may use any reasonable means or force necessary to cause the removal of any such animal left unattended and locked in a closed vehicle between the dates of May 1 and September 30. Persons violating this Code Section may also be subject to prosecution for cruelty to animals, as defined and provided for in O.C.G.A. ' 16-12-4. As a condition of entering the Park, all Park visitors shall be deemed to have consented to such reasonable means or force necessary to cause the removal of such animals left unattended and locked in a closed vehicle between the dates of May 1 and September 30, and no action at law or equity or claim for damages shall lie against the Park or its officers in connection with lawful enforcement of this subsection. (Amended 2024)

8-107 Photography. No person shall take still or motion pictures, either commercial or private, involving the use of special settings or structures or the performance of a cast of persons, either amateur or professional, in the Park's Natural District, without first obtaining

permission from the Chief Executive Officer or his designate. Otherwise, there shall be no restriction on photographic activities.

8-108 Use of Facilities. No person shall use, gain admittance to or attempt to use facilities operated by the Lessee in the Park for use of which a charge is made unless he pays in advance the charge or price fixed by the Lessee for such use.

8-109 Emergencies. Reporting of emergencies should be made directly to the Stone Mountain Park Department of Public Safety.

8-110 (Reserved)

8-111 Rules and Regulations; Punishment. The violation of any rule or regulation governing the use of the Park or any Park facility shall be punished as the violation of an ordinance.

CHAPTER IX: SALE OF DISTILLED SPIRITS, MALT BEVERAGES AND WINES

9-101	Definitions
9-102	Licensing Requirement
9-103	Procedure for Obtaining Licensing
9-104	Qualifications for Licensing
9-105	Fees
9-106	Fee Returned Upon Denial of Application
9-107	Association Determination Exclusive and Final
9-108	Conditions Necessary to Obtain and Maintain License
9-109	Term of and Revocation of License
9-110	License Limitations
9-111	Compliance with Applicable Laws Necessary
9-112	Standards for Issuance
9-113	Days and Hours of Sale Regulated
9-114	Employees Mingling with Customers
9-115	Sale to Minors or Incapacitated Persons Prohibited
9-116	Employment of Minors Restricted
9-117	Revocation, Hearing
9-118	Same, Revocation, Causes, Hearing
9-119	Hearing
9-120	Time Limit to Open for Business After Licensing
9-121	Forfeiture of License for Nonuse

9-101 Definitions.

As used in this Chapter, the following terms shall have the following meanings or definitions:

Alcoholic Beverages. The term “alcoholic beverages” shall mean and include all alcohol, distilled spirits, beer, malt beverage, wine and fortified wine, as such terms are defined in the Georgia Alcoholic Beverage Code.

Charter Boat. The term “charter boat” shall mean a boat, vessel, or other watercraft, while operating within and upon waters under the jurisdiction and control of the Association, (A) not less than 25 feet in length, (B) used, maintained and held out by the operator to visitors to Stone Mountain Park and to the Association to be used in transportation under the owner’s charge for the user’s account, including but not limited to sight-seeing, fishing, or recreation, for a period of time certain, (c) with dockage space provided on Stone Mountain Lake.

Clubhouse Restaurant. The term “clubhouse restaurant” shall mean a building or other structure kept, used and maintained and held out to the public as a place where food is prepared, served and consumed, having an area designated for the seating of customers, with a seating capacity for at least 25 people, and where food is made available for sale to the public for at least 2 meals a day at least 6 days a week for at least 11 months a calendar year and is located adjacent to or within a building or other structure separately kept, used and maintained and held out to the public as a place for golf, sport and athletic activities and containing an area for the storage of golf and sport and athletic equipment and locker rooms.

Convention Center. The term “convention center” shall mean each building or other structure kept, used, maintained, advertised and held out to the public to be used for meetings, conferences, forums and seminars and related activities, with a seating capacity in one room of at least 200 persons, which structure contains no sleeping accommodations and where no food is regularly served.

Distilled Spirits. The term “distilled spirits” shall have the meaning given the term by O.C.G.A. § 3-1-2(8).

Events District. The term “events district” shall mean that area of Stone Mountain Park as designated as the “Events District” in the Stone Mountain Park Master Plan as adopted in 1992 and as subsequently amended. (Amended 2010)

Golf Course. The term “golf course” shall mean either or both of the two eighteen-hole golf courses located within the boundaries of Stone Mountain Park. (Amended 2010)

In-Room Service. The term “in-room service” shall have the meaning given the term in O.C.G.A. § 3-9-10(2), as that section is written at the time of the adoption of this Ordinance and as that section may from time to time be amended by the General Assembly of Georgia.

License Year. The term “license year” shall mean that period of time for which licenses under this resolution shall be issued. Each “license year” shall begin on January 1st of each year and end on the 31st day of December of each year.

Lounge. The word “lounge” shall mean a separate room within, connected, or adjacent to a motel or its public dining room with all booths, stools, and tables being unobstructed and open to view.

Malt Beverage. The term “malt beverage” shall have the meaning given the term by O.C.G.A. § 3-1-2(13).

Marina. The word “marina” shall mean a permanent dock or basin located within the boundaries of Stone Mountain Park, providing secure moorings for boats, motorboats, and yachts and offering or supplying repairs, fuel, refreshments and other facilities.

Motel. The word “motel” shall mean every building or other structure kept, used, maintained, advertised and held out to the public as a place having fifty (50) or more rooms with sleeping accommodations for lease, rent or hire to travelers and guests, whether transient, permanent or residential, and having a public dining room with sanitary kitchen and a seating capacity of at least fifty (50) people with at least two (2) meals per day being served for not less than six (6) days a week, at least eleven (11) months each calendar year. Sleeping accommodations and dining rooms may be either in the same building or in separate buildings or structures provided that such separate buildings or structures are a part of the motel operation. Hotels meeting the qualifications set out herein for motels shall be classified in the same category as motels.

Off Premise Catered Functions. The term “off premise catered functions” shall mean a function at which alcoholic beverages may be served by a licensed alcoholic beverage caterer, as that term is defined by O.C.G.A. § 3-11-1(2), which caterer also holds an off-premise license from the Association pursuant to O.C.G.A. § 3-11-2.

Premises. The word “premises” shall mean the definite closed or partitioned-in locality, whether room, shop, building or outdoor location, wherein alcoholic beverages are sold.

Restaurant. The word “restaurant” shall mean every building, boat or other structure kept, used, maintained, advertised and held out to the public to be a place where food is actually prepared, served and consumed, and having one or more public dining rooms, with sanitary kitchen and a seating capacity of at least sixty (60) people, where meals are served to such guests at least two (2) meals per day at least six (6) days a week and at least eleven (11) months each calendar year, such dining rooms being in a separate building or structure and not used in connection with any other business.

Retail Liquor Dealer. The term “Retail Liquor Dealer” shall mean any individual, partnership or corporation engaged in the sale of distilled spirits at retail within the boundaries of Stone Mountain Park.

Retail Malt Beverage Dealer. The term “Retail Malt Beverage Dealer” shall mean any individual, partnership or corporation engaged in the sale of malt beverages at retail within the boundaries of Stone Mountain Park.

Retail Wine Dealer. The term “Retail Wine Dealer” shall mean any individual, partnership or corporation engaged in the sale of wines at retail within the boundaries of Stone Mountain Park.

Riverboat Restaurant. The term “riverboat restaurant” shall mean a boat operating on Stone Mountain Lake kept, used, maintained, advertised and held out to the public to be a place where food is actually served and consumed, and having one or more public dining rooms and a seating capacity of at least sixty (60) people, where meals are served to such guests at least one (1) meal per day at least six (6) days a week and at least eleven (11) months each calendar year.

Tennis Stadium. The term “tennis stadium” shall mean the stadium court complex within the International Tennis Center at Stone Mountain Park.

Wine. The word “wine” shall have the meaning given the term by O.C.G.A. § 3-1-2(25).

9-102 Licensing Requirement.

The privilege of engaging in the business of a retail alcoholic beverage dealer shall not be granted other than by the issuance of a license as provided herein, and the privilege provided for herein shall be held and enjoyed by the licensee only so long as he shall fully comply with all requirements of this Chapter, including the prompt payment of all fees or taxes required herein, and all applicable provisions of the Georgia Alcoholic Beverage Code and the regulations promulgated thereunder.

9-103 Procedure for Obtaining License.

A. Before a retail alcoholic beverage license shall be issued the applicant shall file a written application therefore with the Chief Executive Officer of the Association. The form of the application shall be as specified by the Association. Each application shall be filed together with a certified check in payment of the initial license fee required by Section 9-105 and which application shall contain the following information:

1. Full name and address of the applicant and whether the applicant is an individual, partnership or corporation. If the applicant is a partnership, the name and address of each partner must be shown. If the applicant is a corporation, the name and address of each officer and of the agent for service of process must be shown.
2. Identify and describe in detail the location or address of the place of business at which applicant will engage in the retail alcoholic beverage business if and when permission to do so is granted by the Association and license is issued;
3. Whether the applicant has had (1) an alcoholic beverage license suspended or revoked; (2) an application for such license denied, or (3) a renewal of such license denied;

4. Whether the applicant has been found guilty of a violation of a felony, misdemeanor, or municipal ordinance, or forfeited bond as to such charges in any state or federal court of the United States within the last five (5) years, not including traffic violations other than driving under the influence of intoxicants or drugs;
 5. Such other information as the Chief Executive Officer of the Association under the direction of the Association may from time to time require.
- B. All applications filed with the Chief Executive Officer of the Association, after investigation of the fitness of the applicant and the fitness of the location of the particular business, shall be approved or disapproved. In the cases where applications are disapproved, the Chief Executive Officer of the Association shall return the check submitted with the application to the applicant. In cases where such applications are approved by the Association the Chief Executive Officer of the Association shall issue a proper license to the applicant authorizing the applicant to engage in the particular business and at the particular location applied for.
- C. A licensee desiring to continue in business during a subsequent calendar year shall make a new application for such year on or before November 1 of the preceding year.
- D. Any untrue, misleading or omitted statement or information contained in such application shall be cause for the denial thereof, and if the license has been granted, shall be cause for revocation of the same.

9-104 Qualifications for Licensing.

- A. Any individual, partnership or corporation may apply to the Association for a license to sell distilled spirits, malt beverages and wines at retail within the boundaries of Stone Mountain Park. Each application shall be accompanied by the fee set out below, shall be made upon a form to be furnished by the Chief Executive Officer of the Association and shall set forth in detail, under oath, all required information.

- B. Licenses for retail sale of distilled spirits, for consumption on the premises only, shall be issued only to those applicants whose places of business qualify under the definitions of a motel, lounge, convention center, restaurant, clubhouse restaurant, riverboat restaurant, tennis stadium, golf course, events district, or charter boat. (Amended 2010)
- C. Licenses for retail sale of malt beverages and wine, for consumption on the premises only, shall be issued only to those applicants whose places of business qualify under the definitions of a motel, lounge, convention center, restaurant, clubhouse restaurant, riverboat restaurant, tennis stadium, golf course, events district, or charter boat. (Amended 2010)
- D. Licenses for retail sale of malt beverages only, for consumption on the premises only, shall be issued only to those applicants whose places of business qualify under the definitions of motel, lounge, convention center, restaurant, clubhouse restaurant, riverboat restaurant, tennis stadium, golf course, events district, or charter boat. (Amended 2010)
- E. Licenses for retail sale of malt beverages and wine by the drink off premises and in connection with an authorized catered function shall be issued only to an applicant who is a licensed alcoholic beverage caterer.
- F. Licenses for retail sale of distilled spirits by the drink off premises and in connection with an authorized catered function shall be issued only to an applicant who is a licensed alcoholic beverage caterer.
- G. Licenses for retail sale of malt beverages only by the drink off premises and in connection with an authorized catered function shall be issued only to an applicant who is a licensed alcoholic beverage caterer.
- H. Licenses for in-room service shall be issued only to the holder of a license to sell alcoholic beverages by the drink within a motel.

- I. In the event more than one (1) license shall be issued for retail sale of alcoholic beverages for consumption on the premises of a convention center only, the Chief Executive Officer of the Association shall designate the time, and the licensee who shall be entitled to use a convention center, as defined herein, and his decision shall be final and conclusive.

- 9-105 Fees. No person, firm, partnership or corporation shall engage in the sale of alcoholic beverages within the boundaries of Stone Mountain Park without a license. Each duly licensed person, firm, or corporation who shall engage in the business of selling alcoholic beverages at either wholesale or retail within the boundaries of Stone Mountain Park shall be subject to the rules and regulations hereinafter set forth, and all licensees shall for each calendar year or any fraction thereof pay the following license fees;
- A. License for retail sale of distilled spirits for consumption on the premises only -- As may from time to time be established by the Stone Mountain Memorial Association.
 - B. License for retail sale of distilled spirits for consumption on the premises of a convention center only -- As may from time to time be established by the Stone Mountain Memorial Association.
 - C. License for retail sale of malt beverages and wines for consumption on the premises only -- As may from time to time be established by the Stone Mountain Memorial Association.
 - D. License for retail sale of malt beverages and wine for consumption on the premises of a convention center only -- As may from time to time be established by the Stone Mountain Memorial Association.
 - E. Licenses for retail sale of malt beverages and wine by the drink off premises and in connection with an authorized catered function -- As may from time to time be established by the Stone Mountain Memorial Association.

- F. Licenses for retail sale of distilled spirits by the drink off premises and in connection with an authorized catered function -- As may from time to time be established by the Stone Mountain Memorial Association.
- G. Licenses for retail sale of malt beverages only by the drink off premises and in connection with an authorized catered function -- As may from time to time be established by the Stone Mountain Memorial Association.
- H. Licenses for in-room service -- As may from time to time be established by the Stone Mountain Memorial Association.

9-106 Fee Returned Upon Denial of Application. If the Association shall deny the application for license, the fee for license shall be returned to the applicant.

9-107 Association Determination Exclusive and Final. The Association shall have full power to determine whether the applicant for a license under the provisions of this ordinance is a fit and proper person to operate the type of business involved, and whether the location of such business is proper and in the best interest of Stone Mountain Park, and the Association's determination of these requirements shall be final.

9-108 Conditions Necessary to Obtain and Maintain License.

- A. No one other than the holder of the license for consumption on the premises only, his manager or agent in charge of the licensed premises, shall carry into or have in his possession on any licensed premises any distilled spirits in the original package, the seal of which has been broken or the original package opened.
- B. The sale of distilled spirits by the drink for consumption by persons in any room or place which is not open to general public use is prohibited, except that private parties or conventions, scheduled in advance may be served in private dining rooms or meeting rooms and, except further, when such distilled spirits are sold by the holder of a license to provide in-room service.

- C. The holders of licenses for consumption on the premises only shall not permit the sale of distilled spirits by the bottle or package, but the licensee shall have the right to sell wines, champagnes or malt beverages to the public by the bottle or package for consumption on the premises.
- D. It shall be a violation of this ordinance to add to the contents of a bottle or container or refill empty bottles or containers, or to in any other manner misrepresent the quantity, quality or brand name of any alcoholic beverages.

9-109 Term of and Revocation of License. All licenses shall issue for not more than and not less than the license year and in case of revocation or surrender of such license before the expiration of the licensed year, the holder thereof shall not be entitled to receive any refund whatsoever, provided, however that in the event of the death of the licensee, or if the licensee ceases to exercise the business privilege conferred by his license, he may at the sole discretion of the Association have his license fee refunded on a pro rate basis.

9-110 License Limitations. Operations pursuant to any license shall be confined to the location designated on the same and shall not be transferable to any other person, partnership or other entity.

9-111 Compliance with Applicable Laws Necessary.

Each licensee shall comply with all applicable rules, regulations, laws and statutes of the State of Georgia, and shall in addition thereto or in furtherance thereof:

- A. Prohibit the sale or serving of alcoholic beverages in automobiles or other vehicles, or anywhere outside the main building or accessory thereto which the business of such licensee is operated.
- B. Strictly adhere to the laws of the State of Georgia respecting the sale of alcoholic beverages to minors, intoxicated persons, habitual drunkards or other prohibited persons, including but not limited to persons prohibited by Ga. Laws 1980, p. 1206.

- C. Shall keep the premises, surrounding grounds, and beach areas, free and clear of cans, bottles, paper and other debris.

9-112 Standards for Issuance.

A. Prohibited Locations.

[Reserved]

B. Persons Prohibited.

Qualifications: If the applicant is an individual or partnership, licenses shall not be issued to:

1. A person who has not been a resident of the State of Georgia for a period of twelve (12) months immediately prior to making his application.
2. A person who is not a resident of either DeKalb or Gwinnett County, Georgia.
3. A person who is not a full-time employee of the establishment for the benefit of which application is made, except with respect to a retail license for consumption on the premises only, (i) where the applicant is a corporation, the license shall be issued jointly to the corporation and an officer or agent of the corporation who meets the requirements of this section and other applicable provisions of this Chapter, and who shall hold such license for the benefit of the corporation and (ii) where the applicant is a partnership, the license shall be issued jointly to the partnership and one of the partners who meets the requirements of this section and other applicable provisions of this Article II, and who shall hold such license for the benefit of the partnership.
4. A person who is not a citizen of the United States, or is not an alien lawfully admitted to the United States for permanent residence.
5. A person who has in a Georgia or any other jurisdiction been convicted of a misdemeanor or a violation of a municipal ordinance, not including traffic offenses other than driving under the influence of intoxicants or drugs, or who

has pled Nolo Contendere or forfeited bond in connection with any charge of the same within two (2) years.

6. A person who has in Georgia or any other jurisdiction been convicted of a felony, or who has pled Nolo Contendere or forfeited bond in connection with any charge of the same within five (5) years.
7. A person who has been convicted of any violation of a law or ordinance pertaining to the sale of alcoholic beverages within ten (10) years.
8. A person whose place of business is managed or operated by a person who could not acquire a license hereunder, except as to the residence requirements hereinabove provided.
9. Any person whose license to sell alcoholic beverages has been revoked by any licensing authority, in Georgia or elsewhere, within the last ten (10) years.
10. Any official or employee of the State of Georgia or its authorities.

If the applicant is a corporation, licenses shall not be issued if the corporation is not properly registered to do business in the State of Georgia, or does not have a registered agent in Georgia, or is not properly registered to do business in the State of Georgia and does not have a registered agent in Georgia.

9-113 Days and Hours of Sale Regulated. The days and hours of sale of alcoholic beverages shall be the same as allowed by the county within which the licensed site is located. If the county within which the licensed site is located does not allow for the sale of distilled spirits, malt beverages or wines, or any combination thereof, then the days and hours of sale of such beverage, the sale of which is not allowed by the county, shall be governed by the applicable laws of the State of Georgia.

9-114 Employees Mingling with Customers. Employees of motels or lounges shall not dance or sit with customers on the premises, and shall not be permitted to accept food or drink from customers while on the premises.

- 9-115 Sale to Minors or Incapacitated Persons Prohibited. Licensees shall not sell to, give away, or permit the consumption of alcoholic beverages by any minor as defined by State Law, by any person who is mentally incompetent, or by any person who is physically or mentally incapacitated due to the consumption of such beverages.
- 9-116 Employment of Minors Restricted. No licensee hereunder shall employ any minor in his establishment; provided, however, that persons eighteen (18) years of age or below may be employed where their duties are not in any way involved with the preparation of or the sale or service of any alcoholic beverages; provided that musicians and other entertainers eighteen (18) years of age or below may provide professional entertainment in the premises with permission of the Chief Executive Officer.
- 9-117 Revocation, Hearing. Each license issued pursuant to this resolution is granted as a mere privilege and not a right. Upon violation of any provision of this ordinance or of any law or regulation of the State relating to alcoholic beverages the Association at a regular or specially called meeting, after notice to the licensee and an opportunity to be heard, may revoke or suspend the license. When a license is revoked or suspended no portion of the license tax or fee shall be refundable.
- 9-118 Same, Revocation, Causes, Hearing. Upon proof of disorderly conduct at any place holding a license under the provisions of this Article, or upon any such place becoming in the opinion of the Association, a nuisance, the Association may revoke such license after notice to licensee and opportunity to be heard.
- 9-119 Hearing. Before the Association shall deny any application for a license or for the transfer of any license, or shall revoke any license then in existence, the applicant or licensee, as the case may be, shall be given notice in writing from the Chief Executive Officer to show cause before the Association at a time and place specified therein, not less than three (3) days nor

more than ten (10) days from the date of service of the notice, why such application for license should not be denied, or why such license should not be revoked, as the case may be. Such notice shall state the grounds for the denial or revocation. The hearing herein provided for need not be at a regular meeting but may be at a specially called meeting. At such hearing the applicant or licensee shall have an opportunity to show cause, if any exist, why such application should be denied or such license revoked. At such hearing both the Association and the party afforded the hearing shall have the opportunity to present evidence and to examine the opposing witnesses. All decisions approving, denying, suspending or revoking any license or application shall be in writing with the reasons for the determination stated. Such writing shall be mailed or delivered to the licensee or applicant within three business days after the hearing.

9-120 Time Limit to Open for Business After Licensing.

All holders of licenses hereunder must within six (6) weeks after the issuance of said license open the establishment referred to in the license for business and exercise the privilege granted by the license. Failure to exercise the privilege provided for by the license within this period shall work an automatic forfeiture and cancellation of the unused license without the necessity of any further action of the Association and no refund of license fees or taxes shall be made.

9-121 Forfeiture of License for Nonuse. Any licensee who shall, for a period of two (2) consecutive months, fail to exercise the business privilege conferred by his license may have his license canceled by the Association.