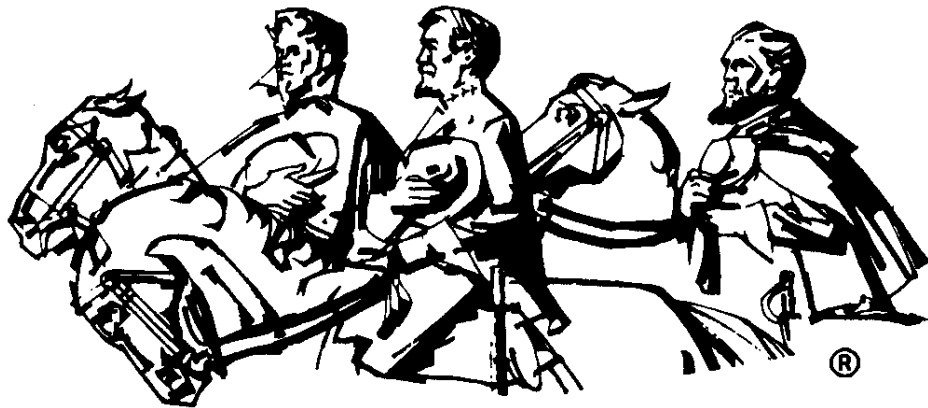


# Selected Ordinances of the



## Stone Mountain Memorial Association

Related to Public Safety, Public Health, and  
Behavior

Enacted November 13, 2006  
Amended September 2009

[A full version is available for viewing at the Stone Mountain Memorial Association  
Administrative Offices or the Stone Mountain Park Department of Public Safety](#)



STONE MOUNTAIN MEMORIAL ASSOCIATION  
P.O. Box 689, Stone Mountain, Georgia 30086

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 13<sup>th</sup> day of November, 2006.

STONE MOUNTAIN MEMORIAL ASSOCIATION

A handwritten signature in cursive script, reading "Gail Durham". The signature is written in black ink and is positioned above a horizontal line.

Gail Durham, Secretary

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

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."

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

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.

## 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
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2-105	Trees, Shrubbery, Lawns, Etc.
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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, Shrubbery, 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, barbeque

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)

2-109 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
3-108	Overnight Parking
3-109	Parking for Certain Other Purposes Prohibited
3-113	Bicycles
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 thirty (30) miles per hour; PROVIDED THAT, at the more congested centers, parking lots, and near Park buildings, beaches, 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.

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 the approaches thereto.
- 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.
- 3-113 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.

3-115 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.

## 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.
4-111	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, or any person comprising part of a rescue squad assisting or carrying out rescue work.

- 4-103 Fishing. No person shall fish in any waters of the Park except at such times and at such places as may be designated. All Park fishing laws, boat laws and regulations must be obeyed. Commercial fishing or the buying or selling of fish caught in any Park waters is strictly forbidden. No device other than hook-and-line extended from a single pole shall be used to capture fish.
- 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. No person except a member of the Park Police or other peace officer shall possess a firearm, explosive compound, or knife designed for the purpose of offense or defense, except in the case of a firearm, a person may carry the same so long as he or she is properly licensed. This ordinance shall not be construed to restrict the ability of persons to maintain firearms within his or her vehicle as provided under Georgia law. No person shall consume alcoholic beverages or drugs other than as prescribed by his or her physician while carrying a firearm in the Park. Pursuant to O.C.G.A. § 16-11-127, it is unlawful to carry a firearm to a public gathering, as defined in O.C.G.A. § 16-11-127, within the Park. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed. (Amended 2009).

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 insure cleanliness and good appearance.

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.

4-111 Skateboards. No person upon skateboards or riding in toy vehicles or similar vehicles shall be permitted on any street, parking lot, sidewalk or similar area within the Park.

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 and helicopters, in any area of the Park.

## 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. 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.
- 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.
6-103	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.

6-103 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.

- 1. 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.

2. Distribution shall be conducted only within the following designated distribution areas:
  - a. 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.
  - b. The plaza and sidewalk areas between Confederate Hall and the walk-up trail.
  - c. The paved sidewalk areas within twenty-five (25) feet of the intersection of Old Hugh Howell Road and Robert E. Lee Boulevard.
  - d. The sidewalk area between the parking lot of the Riverboat Complex and the Riverboat Marina Building.
  - e. 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.
3. 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.
4. The maximum total number of persons allowed to distribute within any one of the foregoing areas at any given time will be fifteen (15).
5. No distribution shall take place within the streets or parking areas of the Park.
6. No literature or matter shall be placed on or affixed to parked cars.

7. Distribution shall be allowed only during the regular hours of operation of Stone Mountain Park.
8. 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.
9. No participant engaging in the activity under this Ordinance shall use any noise making devices or sound or voice amplifying apparatus.
10. No alteration shall be made to any part of the distribution areas.
11. 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.
12. 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.
13. 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.

14. 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

8-102	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
8-111	Rules and Regulations; Punishment

8-102 Airplanes, Etc. No person shall bring, land or cause to descend or alight upon or within the Park any airplane, helicopter, glider, balloon, parachute or other aerial apparatus either motorized or non-motorized except under permit from the Chief Executive Officer or except in an emergency when human life is endangered.

No person shall do any "stunt" flying or fly closer than 1500 feet over the Park.

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 6:00 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 6:00 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.

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 handicapped (e.g., guide dog) or to an animal when in police or rescue activities. Park Police 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) beach and bathing areas, (2) lake, (3) golf course, (4) all buildings, (5) anywhere on the surface of the mountain within the perimeter of the railroad track surrounding the mountain, including the walk-up trail to the top of the mountain, and (6) 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 and disposed of as provided by the law or ordinance covering disposal of stray animals on highways or public property then in effect at the place where such stray animals may be 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.

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.

8-111 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.