

AN ORDINANCE AMENDING CHAPTER 38, OFFENSES AND MISCELLANEOUS PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF SANDY SPRINGS

WHEREAS, the Mayor and City Council of the City of Sandy Springs are charged with the protection of the public health, safety, and welfare of the citizens of the Sandy Spring; and

WHEREAS, the State of Georgia authorizes the City of Sandy Springs to exercise regulations where it sees fit to maintain the safety and welfare of the citizens; and

WHEREAS, property and theft crimes have been and continue to be a recurring problem within the city limits; and

WHEREAS, the City finds it necessary to adopt Ordinances and prohibitions in order to deter such property crimes.

NOW, THEREFORE, to accomplish the foregoing, the Mayor and City Council of the City of Sandy Springs, Georgia, while in regular session on April 1, 2008 at 6:00 p.m., pursuant to their authority, do hereby ordain the Code of Ordinances of the City of Sandy Springs is hereby amended by adding a new section to be numbered Sec. 38-26, titled "Entering automobile" to read as follows:

1.

Article II, Section 38-26 Entering automobile

It shall be unlawful to enter any automobile or other motor vehicle with the intent to commit a theft or a felony therein.

2.

BE IT FURTHER ORDAINED, that while in regular session on April 1, 2008 at 6:00 p.m., pursuant to their authority, that the Code of Ordinances of the City of Sandy Springs is hereby amended by adding a new section to be numbered Sec. 38-63, titled "Loitering and Prowling" to read as follows:

Article III, Section 38-63 Loitering and Prowling

(a) It shall be unlawful for a person to be in a place at a time or in a manner no usual for law-abiding individuals under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity.

(b) Among the circumstances which may be considered in determining whether alarm is warranted is the fact that the person takes flight upon the appearance of a law enforcement officer, refuses to identify himself, or manifestly endeavors to conceal himself or any object. Unless flight by the person or other circumstances make it impracticable, a law enforcement officer shall, prior to any arrest for an offense under this section, afford the persona an opportunity to dispel any alarm or immediate concern which would other wise be warranted by requesting the person to identify himself and explain his presence and conduct. Not person shall be convicted of an offense under this section if the law enforcement officer failed to comply with the foregoing procedure or if it appears at trial that the explanation given by the person was true and would have dispelled the alarm or immediate concern.

3.

Repeal of Conflicting Provisions. It is the intention of the Mayor and Council, and it is hereby

ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Sandy Springs, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention. All ordinances or parts of ordinances in conflict herewith are repealed.

4.

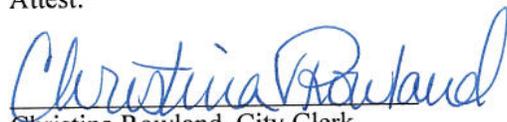
This Ordinance is effective April 1, 2008; and

ORDAINED this the 1st day of April 2008.

Approved:


Eva Galambos, Mayor

Attest:


Christina Rowland, City Clerk
(Seal)

