

ORDINANCE

AN ORDINANCE ADOPTING AND ENACTING A PROVISION PROHIBITING VIOLENCE OR VIOLENT ACTS AT COUNTY RECREATIONAL FACILITIES; PROVIDING PENALTIES FOR VIOLATIONS AND EXCLUSION FROM COUNTY RECREATIONAL FACILITIES. PROVIDING FOR THE REPEAL OF ANY ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION I

Violence at County Recreation Facilities-Title

This Ordinance shall be entitled "Violence at County Recreation Facilities Ordinance of Newton County.

SECTION II

Violence at County Recreation Facilities - Definitions

The following definitions are used within this ordinance:

- A) County Recreation Facilities: Any property owned, operated, or leased by Newton County for the purposes of recreation. This includes Newton County Board of Education property pursuant to agreement with the Newton County Recreation Department.
- B) Board: The Newton County Board of Commissioners.

SECTION III

Violence at County Recreation Facilities - Prohibited Acts

The following acts are prohibited by any person at Newton County Recreation Facilities:

- A) Profanity or profane language that is sufficient to constitute a verbal attack on coaches, players, spectators, or sports officials.
- B) Physical threats to coaches, players, spectators or sports officials.

SECTION IV

Violence at County Recreation Facilities - Penalties

- A) Any person found guilty of committing a prohibited act enumerated in Section III by a court of competent jurisdiction may be punished by a fine not to exceed \$1000 or imprisonment for a period not exceeding 60 days or both.
- B) Mandatory exclusion from county recreational facilities for:

- 1) Any person who is convicted of a violent misdemeanor or felony at a recreation facility shall be excluded from participating in or attending any recreation event or activity at County Recreation Facilities for a minimum period of two (2) years or for the term of any sentence or probation service imposed by any court deciding a particular case, whichever is greater.
- 2) Any person who is convicted of violating Section III of this Ordinance shall be excluded from participating in or attending any recreation event or activity at County Recreation Facilities for a minimum period of 6 months.
- 3) The above mentioned exclusions apply to persons involved in independent leagues using County Recreation Facilities.
- 4) On recommendation of the Newton County Recreation Director, the Board may, in aggravated cases, exclude a person charged with a misdemeanor involving violence or any felony from participating in or attending any recreation event or activity at County Recreation Facilities pending the outcome of a Court's determination of those charges.
- 5) Any person excluded from participating or attending any recreation event or activity at County Recreation Facilities for any period of time and who is found to have violated this exclusion during that time shall be banned from participating in or attending any recreation event or meeting at County Recreation Facilities for life.

SECTION V

Violence at County Recreation Facilities - Reinstatement

The following applies to reinstatement of recreation facilities privilege:

- A) At the conclusion of the period of exclusion as set out above, an individual excluded from participating in or attending any recreation event or activity at County Recreation Facilities may petition the Board to have that individual's exclusionary status lifted. The Board when considering a petition for lifting the exclusionary status shall consider the nature and severity of the crime committed and shall not be obligated to lift the exclusionary status of any individual who, in the opinion of the Board, poses a threat to the safety and health of citizens using County Recreation Facilities.
- B) Any person who petitions and his or her exclusionary status is continued by the Board may petition again at the end of a one (1) year period for permission to attend and participate in events and activities at County Recreation Facilities.
- C) Nothing contained in this Ordinance shall imply that the Board is ever obligated to lift a person's exclusion from participating or attending recreation events and activities at County Recreation Facilities and, in appropriate cases, an individual may never be allowed to attend or participate at events and activities at County Recreation

Facilities.

SECTION VI
Violence at County Recreation Facilities - Independent Leagues

All independent leagues using County Recreation Facilities shall:

- A) Establish rules governing the conduct of players, coaches, and spectators while attending or participating in recreational activities at County Recreation Facilities in a form acceptable to the County and shall post or otherwise distribute those rules to all participants.
- B) Report any violations of County or league rules, policies, or regulations to the County Recreation Director or designate within 24 hours of occurrence with a written report by league officials within 72 hours of occurrence.

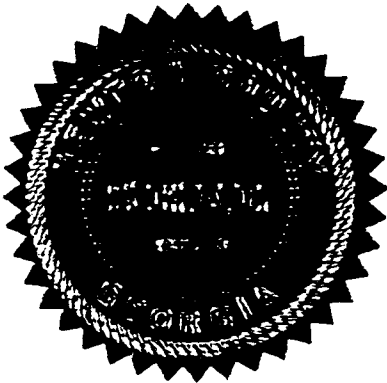
SECTION VII
Violence at County Recreation Facilities - Repeal


All Ordinances or parts of ordinances in conflict herewith are to the extent of any conflict, repealed.

SECTION VIII
Violence at County Recreation Facilities - Effective Date

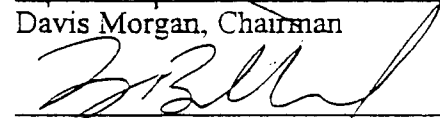
This Ordinance shall be in force and effect beginning the 21 day of MARCH, 2000.

SO ORDAINED this the 21 day of MARCH, 2000.





Davis Morgan, Chairman



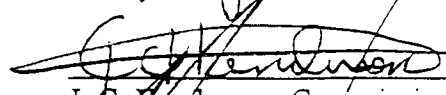
Tommy Ballard, Commissioner



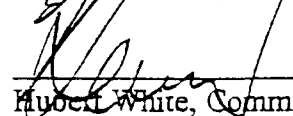
Ronnie Dimsdale, Commissioner



Danny Stone, Commissioner

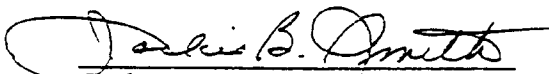


J. C. Henderson, Commissioner



Hubert White, Commissioner

ATTEST:



Jackie B. Smith, County Clerk

THE NEWTON COUNTY BOARD OF COMMISSIONERS
MINUTES

MARCH 21, 2000

ORDINANCE: O-03-21-00 - VIOLENCE AT COUNTY RECREATIONAL FACILITIES

Chairman stated this ordinance is a catalyst from other problems that have occurred in other counties. He introduced Director Tommy Hailey and who addressed the board. Mr. Hailey stated that with all the growth in the county the Recreation Commission would like to send a message that violence will not be tolerated in Newton County recreation. Commissioner White and Commissioner Henderson serve on the Recreation Commission and are in support of this ordinance. The county attorney's office reviewed Coweta County's ordinance and modified it to fit Newton County. Mr. Hailey said they would meet with the teams and parents and explain the ordinance to them as well as make copies of the ordinance available.

Motion: To approve Ordinance #O-03-21-00 Prohibiting Violence at County Recreation Facilities.
Proposed by: Commissioner J.C. Henderson, District Four
Second: Commissioner Danny Stone, District Three
Motion Carried

Note: The original ordinance is contained in file number O-03-21-00, incorporated herein by reference and expressly made a part of these minutes.