



The Office of The Chief of Police

CITY OF STONE MOUNTAIN
POLICE DEPARTMENT
875 Main Street
Stone Mountain, GA 30083
(770) 879-4980

Ordinance Amendment / Public Safety

CITY OF STONE MOUNTAIN

Mayor and City Council Agenda Item

Agenda Date: April 21, 2026

Department: Police Department

Presenter: Chief James Westerfield

Agenda Item Type: Ordinance Amendment / Public Safety

Consideration of an amendment to Chapter 17, Article 1, Sec. 17-38 (Juvenile Curfew Ordinance) to establish curfew hours beginning one (1) hour earlier.

BACKGROUND / ISSUE

The City of Stone Mountain currently enforces a juvenile curfew for individuals sixteen (16) years of age or younger beginning at 10:00 p.m. Sunday through Thursday and 11:00 p.m. on Fridays and Saturdays.

Recent analysis of calls for service, incident reports, and arrest data indicates that a disproportionate number of juvenile-related offenses and victimization incidents occur during late evening hours, specifically between 9:00 p.m. and midnight. These incidents include, but are not limited to:

- Entering Auto / Theft from Vehicles
- Criminal Trespass and Property Damage
- Disorderly Conduct and Group-Related Disturbances
- Juvenile victimization and risk exposure

The current curfew threshold allows for a gap period during which unsupervised juveniles are more likely to engage in or be exposed to criminal activity.

PROPOSED ORDINANCE AMENDMENT

The proposed amendment revises curfew hours as follows:

- **Sunday–Thursday:** from 10:00 p.m. to **9:00 p.m.**
- **Friday–Saturday:** from 11:00 p.m. to **10:00 p.m.**

All existing exemptions remain unchanged, including parental supervision, employment, school/church activities, emergencies, and First Amendment-protected activities.

PUBLIC SAFETY RATIONALE

This amendment is grounded in evidence-based policing strategies and crime prevention principles:

1. **Early Intervention Window:**
Advancing the curfew by one hour targets a critical timeframe where juvenile-related offenses begin to increase, allowing officers to intervene proactively rather than reactively.
 2. **Reduction in Juvenile Recidivism:**
Limiting unsupervised late-night activity reduces opportunities for repeat offending behavior. Structured supervision and earlier curfew compliance are correlated with decreased reoffending rates among juveniles.
 3. **Victimization Prevention:**
Juveniles are not only offenders but also victims. Earlier curfew enforcement reduces exposure to high-risk environments and potential violent encounters.
 4. **Support of “Broken Windows” Strategy:**
Addressing low-level violations such as curfew infractions contributes to broader crime reduction by reinforcing order and community standards.
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ENFORCEMENT CONSIDERATIONS

The Police Department will implement the amended ordinance with a balanced, community-oriented enforcement approach:

1. **Education-First Model:**
 - Initial emphasis on warnings and parental notification
 - Community outreach through schools, social media, and city communication channels
2. **Progressive Enforcement:**
 - Repeat violations may result in citations or referrals to municipal court
 - Documentation of repeat contacts to identify patterns of behavior
3. **Parental Accountability:**
 - Reinforces responsibility of guardians in supervising minors
 - Encourages family-level intervention to prevent escalation
4. **Operational Impact:**
 - Minimal fiscal impact; enforcement integrated into existing patrol operations
 - Supports proactive policing during peak evening hours
5. **Data Tracking:**
 - Continued monitoring of juvenile-related incidents and curfew contacts
 - Evaluation of ordinance effectiveness in reducing crime and recidivism

RECOMMENDATION

Staff recommend approval of the ordinance amendment to advance curfew hours by one (1) hour as a proactive measure to reduce juvenile crime, decrease recidivism, and enhance overall community safety.



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Redlined Ordinance Amendment (Chapter 17, Article 1, Sec. 17-38)

3. Chapter 17, Article 1, Sec. 17-38. - Curfew; persons age 16 years of age or younger.

- (a) It shall be unlawful for any **minor** sixteen (16) years of age or younger to loiter, wander, stroll or play in or upon the public streets, highways, roads, lanes, parks, playgrounds or other public grounds, public places, public buildings, places of amusement, eating places, vacant lots or any place in the city unsupervised by an **adult** having the lawful authority to be at such places, between the hours of ~~10:00 p.m.~~ 09:00 pm on any day and 6:00 a.m. of the following day; provided, however, that on Fridays and Saturdays the effective hours are between ~~11:00 p.m.~~ 10:00 pm and 6:00 a.m. of the following day; and provided, that the provisions of this section shall not apply in the following instances:
- (1) When a minor is accompanied by his or her **parent, guardian, or other adult person having lawful care and custody of the minor**;
 - (2) When the minor is upon an **emergency** errand by his or her parent or guardian or other adult person having the lawful care and custody of the minor;
 - (3) When the minor is departing or returning home from a school or church activity;
 - (4) When the minor is departing to or returning from lawful employment that makes it necessary to be in the above referenced places during the proscribed period;
 - (5) When the minor is attending or traveling directly to or from activity involving the exercise of first amendment rights of speech, freedom of assembly, or free exercise of religion;
- (b) Failure to comply with any of the requirements and provisions of this article shall constitute a violation and any parent or guardian, upon conviction thereof, shall be fined not more than five hundred dollars (\$500.00) or be imprisoned in the county jail for not more than thirty (30) days or any or all of these penalties, in the discretion of the municipal court judge. A fine and imprisonment not to exceed five hundred dollars (\$500.00) and thirty (30) days may be ordered for violators at the discretion of the court.

(Ord. No. 06-13, pt. I, 9-5-06)

The terms highlighted in the current ordinance require defining for clarity. Additionally, the term "emancipated minor" should be included as an exception to the guidelines in the ordinance. See below for definitions obtained from other jurisdictions for reference.

Definitions. Words or terms not defined in this section but defined in applicable state law or this Code shall be given that meaning. All other words or phrases shall be given their common, ordinary meaning unless the context requires otherwise. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them below except where the text clearly indicates a different meaning:

Adult means a person who is at least 18 years of age and authorized by a parent or guardian to have the lawful care and custody of a minor, or an emancipated minor.

Emancipated minor means any person under the age of 18 who has had the disabilities of minority removed and been declared an emancipated minor by a court of competent jurisdiction.

Emergency means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term "emergency" includes, but is not limited to, a serious or life threatening medical problem/condition, a fire, natural disaster, automobile accident or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Guardian means a person who, under court order, is the guardian of the person of a minor or a public or private agency with whom a minor has been placed by the court or other adult.

Minor means any person under the age of 17 years.

Parent means a person who is a natural parent, an adopted parent or step-parent of a minor.