

**City of Wrens**  
**Sagging Pants Ordinance**  
**Ordinance Number 04-012-2008**

AN ORDINANCE TO AMEND TITLE 9, CHAPTER 1 OF THE CODE OF ORDINANCES OF THE CITY OF WRENS, GEORGIA ADDING THERETO A NEW SECTION NUMBERED 9-1-9 ENTITLED "WEARING OF PANTS BELOW THE WAIST IN PUBLIC"; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR PENALTIES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

**WHEREAS**, the duly elected governing authority of the City of Wrens, Georgia is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, morals, safety and general welfare of the citizens of the City of Wrens, Georgia;

**WHEREAS**, Official Code of Georgia Annotated (O.C.G.A.) Section 36-35-3 provides cities the power to adopt clearly reasonable ordinances, resolutions or regulations relating to the cities' property and affairs;

**WHEREAS**, the duly elected governing authority of the City of Wrens, Georgia is the Mayor and City Council thereof;

**WHEREAS**, the governing authority desires to adopt regulations under their police and other powers to regulate the wearing of sagging pants in the city limits and to prevent the indecent and unsightly condition which is the result of this activity;

**WHEREAS**, this Ordinance is adopted not for the purpose of interfering with an individual's freedom of expression but for the purpose of maintaining the history, tradition, identity and quality of life in the City;

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WRENS, GEORGIA, AND IT IS HEREBY ORDAINED BY AUTHORITY OF THE SAME, AS FOLLOWS:**

**Section 1. Amendment of City Code; Section 9-1-9.**

The Code of Ordinances of the City of Wrens, Georgia is hereby amended by adding the following Section 9-1-9 to Title 9, Chapter 1:

**"Sec. 9-1-9 Wearing of pants below the waist in public.**

- a. It shall be unlawful for any person, regardless of age, to appear in any public place or in view of the public wearing pants or shorts more than three (3) inches below the waist (crest of the ilium) causing exposure of the person's skin or the person's undergarments.
- b. Any violation of subsection (a) hereof shall be cited by the law enforcement officer by the issuance of a citation and summons to appear before a court of proper jurisdiction, and shall not, in and of itself, be grounds for an arrest or for a search of the person cited.
- c. Any person convicted of violating the provisions of this section shall be punished by a fine not to exceed \$50.00 and up to one four-hour period picking up trash or refuse, or performing other court approved community service activities.
- d. Any person convicted of a second offense of violating the provisions of this section shall be punished by a fine not to exceed \$150.00 and up to one eight-hour day picking up trash or refuse, or performing other court-approved community service activities.
- e. Any person convicted of a third offense of violating the provisions of this section shall be punished by a fine not to exceed \$250.00 and up to two eight-hour days picking up trash or refuse, or performing other court-approved community service activities.
- f. Any minor under the age of seventeen (17) who violates the provisions of this Ordinance shall be subject to the jurisdiction of the Juvenile Court of Jefferson County."

**Section 2. Preamble.**

The preamble and recitals to this Ordinance are hereby incorporated into this Ordinance as if set out fully herein.

**Section 3. Codification.**

This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Wrens.

**Section 4. Repealer.**

All City Code provisions, ordinances, parts of ordinances, or resolutions in conflict with the provisions of this Ordinance are hereby repealed.

**Section 5. Severability.**

In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionally, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional, or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 6. Effective Date.**

This Ordinance shall become effective on the 10th day of December, 2008.

Read, passed and adopted this 9th day of December, 2008.

*(Signatures on following page)*

Mayor and City Council of Wrens, Jefferson County, Georgia.

  
WILLIAM L. HADDEN, Mayor

  
WAYNE FAVORS, Council Member

  
CEOLA B. HANNAH, Council Member

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WILLIE HUNTLEY, Council Member

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TOMASENIA JACKSON, Council Member

  
ERSKINE LANE, Council Member

Attest:   
JANEE HODGE, City Clerk

First Reading: 14 October 2008  
Second Reading: \_9 December 29008