

2026 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 86

Package I

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Board of Commissioners Public Hearing Dates

October 13, 2026 – 9:00 a.m.

October 27, 2026 – 7:00 p.m.

Cobb County Community Development

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Chapter 86 – OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE I. – IN GENERAL

Section 86-2. of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Section 86-2. – Disorderly conduct.

- (a) No person shall remain, loiter or prowl in a place, at a time, or in a manner not 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, after having been ordered to clear such place by the county police.
- (b) No person shall act in a violent or tumultuous manner toward another whereby any other person is placed in fear of safety of his life, limb or health, or whereby the property of another is placed in danger of being destroyed or damaged.
- (c) No person shall endanger the lawful pursuits of another by acts of violence, angry threats or abusive conduct.
- (d) No person shall cause, provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another.
- (e) No person shall assemble or congregate with another or others for the purpose if causing, provoking or engaging in any fight or brawl.
- (f) No person shall jostle, roughly crowd or push any person in any public place.
- (g) No person shall use “fighting words,” or loud and boisterous language, directed towards another so as to create a breach of the peace potentially dangerous to the safety of persons or property.
- (h) No person shall congregate with another or others, or cause others to congregate, in or on any public way or place so as to halt to impede the flow of vehicular or pedestrian traffic after having been directed to clear such public way or place when ordered by the county police or where signs are place that prohibit such activity.
- (i) No person shall enter upon the land or premises of another, or in or upon any vehicle, boat or aircraft owned by another, after having received notice from the owner, lawful occupier, lessee, tenant or any agent thereof, that entry is forbidden. If requested by the owner, lawful occupier, lessee, tenant or any agent thereof, of the land, premises, vehicle, boat or aircraft, a police officer may give such notice. Upon request, any occupier camping on private property must produce written approval of the owner, lawful occupier, lessee or tenant pursuant to Section 86-12.
- (j) No person shall throw bottles, paper, cans, glass, sticks stones, missiles or any other debris on public or private property.

The Official Code of Cobb County, Georgia, is amended by adding a section numbered 86-12, to read as follows:

Sec. 86-12. - Prohibited use of private property by unauthorized persons.

It shall be unlawful for anyone other than the owner of private property, a leaseholder of such private property, or other rightful occupant of such private property to camp, sleep, reside, store personal property, or lie upon any private property without the owner's or leaseholder's written permission which must be maintained by the requestor for display to law enforcement upon request. Any such use of private property authorized by and consented to by the owner, leaseholder, or other rightful occupant of such private property shall be in conformity with the provision of the Official Code of Cobb County, Georgia.

The Official Code of Cobb County, Georgia, is amended by adding a section numbered 86-13, to read as follows:

Sec. 86-13. - Building fires and camping in public places prohibited.

No person shall camp, sleep, reside, store personal property, or build, maintain, or use a fire other than in areas and in a manner specifically designed and designated for fire for camping or cooking purposes, in any county owned streets, public squares, public parks, or upon any other public property without written permission issued by the county which must be maintained by the requestor for display to law enforcement upon request. A person seeking such permission shall file an application with a public safety official designated by the county manager on forms provided by such officer. Any such use of public property authorized by and consented to by the county shall be in conformity with the provisions of the Code of Ordinances of Cobb County, Georgia.

Secs. 86-124 – 86-25. – Reserved.

The Official Code of Cobb County, Georgia, is amended by adding a new article, Unlawful Discrimination, to Chapter 86, Offenses and Miscellaneous Provisions, numbered Article V., Sec. 86-66 – 86-78, to read as follows:

ARTICLE V. - UNLAWFUL DISCRIMINATION

Sec. 86-66. - Purpose and intent.

It is the purpose and intent of the Cobb County to protect and safeguard the right and opportunity of all persons to be free from all forms of discrimination, including discrimination based on race, color, religion, national origin, sex, sexual orientation, gender, gender identity, homeless status, disability, marital status, familial status, veteran/military status or as a result of the person being 40 years of age or older. The board of commission's purpose in enacting this article is to promote the public health and welfare of all persons who live and work in Cobb County. It is important for the county to ensure that all persons within the county have equal access to employment, housing, and public accommodations.

Sec. 86-67. - Civil rights declared.

The right of an otherwise qualified person to be free from discrimination because of that person's actual or perceived race, color, religion, national origin, sex, sexual orientation, gender, gender identity, homeless status, disability, marital status, familial status, veteran/military status, or as a result of the person being 40 years of age or older is recognized as and declared to be a civil right. This right shall include, but not be limited to, all of the following:

(1) The right to obtain and hold employment and the benefits associated therewith without discrimination.

(2) The right to the full enjoyment of any of the accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement without discrimination.

(3) The right to be served or receive service at retail establishments without discrimination.

(4) The right to engage in property transactions, including obtaining housing for rental or sale and credit therefor, without discrimination.

(5) The right to exercise any right granted under this article without suffering coercion or retaliation.

Sec. 86-68. - Definitions.

For the purposes of this article, the following terms shall have the following meanings:

Business means any person or entity conducting business within the county, which is required to obtain a license or permit.

Discriminate, discrimination or discriminatory means any act, policy or practice that, intentionally subjects any person to differential negative treatment as a result of that person's actual or perceived race, color, religion, national origin, sex, sexual orientation, gender, gender identity, homeless status, disability, marital status, familial status, veteran/military status or as a result of the person being 40 years of age or older.

Employee means any individual employed by or seeking employment from an employer, excluding any individual employed by his or her parents, spouse, or child.

Employer means a person who employs one or more employees in the county, or any agent of such person.

Gender identity means the actual or perceived gender-related identity, expression, appearance, or mannerisms, or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth.

Initial conciliator means an individual appointed by the board of commissioners who is a competent attorney at law in good standing with the state bar association with training and experience in the area of constitutional law and employment discrimination. This person shall serve at the pleasure of the board of commissioners.

Marital status means an individual's past, current, or prospective status as single, married, domestically partnered, in a civil union, divorced, or widowed.

National origin means an individual's, or an individual's ancestor's, place of origin.

Place of public resort, accommodation, assemblage, or amusement means any place, store, or other establishment, either licensed or unlicensed, that supplies accommodations, goods, or services to the general public, or that solicits or accepts the patronage or trade of the general public, or that is supported directly or indirectly by government funds.

Religion means all aspects of religious belief, observance, and practice.

Religious organization means an entity which conducts regular worship services or is qualified as a religious organization under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, that is not required to file IRS Form 990, return of Organization Exempt from Income Tax, under any circumstances.

Respondent means the person or business alleged to have violated this article.

Sexual orientation means homosexuality, heterosexuality, or bisexuality.

Veteran/military status means an individual's status as one who serves or served in the uniformed services, military, naval or air service, and who was discharged or released under conditions other than dishonorable.

Sec. 86-69. - Discrimination prohibited.

No person, business or entity shall, within a place of public resort, accommodation, assemblage or amusement, discriminate or engage in discrimination or discriminatory activities.

Sec. 86-70. - Interference with declared civil rights prohibited.

No person, business or entity shall intentionally engage in any act, policy or practice that negatively interferes with any of the civil rights declared in section 86-67 of this article.

Sec. 86-71. - Penalty.

Upon conviction, violators of this article shall be subject to a maximum fine of \$1,000.00.

Sec. 86-72. - Exceptions.

Notwithstanding the foregoing, the following are not discriminatory practices prohibited by this article:

- (1) A religious organization that engages an individual to perform work connected with the performance of religious activities.
- (2) Public or private schools operating within all applicable provisions of the Federal Civil Rights Act and the Americans with Disabilities Act, and acting pursuant to their established charters, rules, policies, guidelines or religious tenets, to the extent such acts are protected by the United States Constitution or any other federal law.
- (3) An employer or business that observes the conditions of a bona fide affirmative action plan or a bona fide seniority system which is not a pretext to evade the purposes of this article.
- (4) An employer or business that refuses to hire personnel that in its sole but reasonable discretion it deems to be unqualified for the position.
- (5) An employer or business requiring an employee, during the employee's hours at work, to adhere to dress or grooming standards, deemed appropriate by the employer in its sole but reasonable discretion.
- (6) A private club or other enterprise not open to the public, limiting the services or amenities that it provides to its members or from giving preference to its members.

Sec. 86-73. - Exemptions.

Nothing in this article shall:

- (1) Require any individual, business, club, institution, or membership organization to take action in violation of the associational rights granted by the Constitutions of the United States and the State of Georgia.
- (2) Be construed to prevent children's clubs, institutions or membership organizations from restricting non-commercial accommodations, advantages, facilities, membership, and privileges to persons of the same sex, if such sex restriction is fundamental to the nature or purpose of the club, institution, or membership organization.
- (3) Be construed to prohibit treating disabled persons more favorably than non-disabled persons or to prohibit treating senior citizens more favorably than non-senior citizens.
- (4) Be construed to prohibit offering discounts, special prices, or other special arrangements to children or families.
- (5) Be construed to prohibit imposing age limits up to 21.
- (6) Prohibit a religious organization from limiting its non-commercial accommodations, advantages, facilities, membership, and privileges to persons of the same religion.

Sec. 86-74. - Physical changes to property.

This article shall not require anyone to make physical changes to any property that would not otherwise be legally required to be made.

Sec. 86-75. - Enforcement.

Prior to formal prosecution and subject to procedures developed by Cobb County and initial conciliator, the county shall receive and review, and seek to conciliate, if necessary, complaints alleging violations of this article.

(1) Any person aggrieved by a potential violation of this article may file a complaint with the county clerk on a form to be provided by the county. Any such complaint must be filed within 90 calendar days after the alleged act of discrimination. A filing fee of \$50.00 shall be paid by the complainant at the time of filing. This fee may be waived by a showing of indigency according to the guidelines for indigency established by the initial conciliator.

(2) The county clerk shall cause a copy of the complaint to be forwarded to the initial conciliator and the respondent within three business days of receipt of properly filed complaint, via hand delivery or electronic mail. The respondent shall have ten business days to file an answer with the county clerk, if desired. The initial conciliator shall be a competent attorney at law of good standing in his/her profession and have experience in the area of constitutional law and employment discrimination.

(3) The initial conciliator shall review the complaint and answer, if any, to determine if the complaint is in conformity with the requirements of this article or demonstrates facts sufficient to invoke jurisdiction as set forth in this article. Should the initial conciliator determine that the complaint does not meet the requirements of this article, or is facially frivolous, or is based upon facts insufficient to invoke the jurisdiction as set forth in this article, he/she may dismiss the complaint, however the reasons for dismissal must be specified in a written report from the initial conciliator.

(4) Upon determination that the complaint should not be dismissed, the initial conciliator shall promptly attempt to negotiate a conciliatory resolution of the complaint and shall schedule a conference attempting to reconcile the dispute. The complaining party and respondent shall be given written notice of the location, time and date of the conference at least 15 days in advance of the scheduled time. The initial conciliator shall have the discretion to reschedule the conference once upon the request of either party. Any conference hereunder shall be conducted in accordance with the procedures to be established by Cobb County and the initial conciliator.

(5) The case shall be dismissed should the complainant not attend or refuse to participate in the conference.

(6) If the matter is settled during the conference, within three business days of the date of the conference, the initial conciliator shall draft and send to the complainant and the respondent via email, a written settlement agreement setting forth all agreed upon terms.

(6) If, within ten business days of the conclusion of conference, the complaining party notifies the initial conciliator in writing that he or she is dissatisfied with the results, or if the respondent does not participate in the conference, the initial conciliator shall refer the matter to the magistrate court to go through the standard process for prosecuting alleged ordinance violations.

Sec. 86-76. - Other remedies.

This article may not be construed to limit any other remedies available under local, state, or federal law.

Sec. 86-77. - No private claim created.

This article does not create a private right of action.

Sec. 86-78. - Severability.

If any portion of this article is held to be invalid by a court, it is the intention of the board of commissioners that the remainder of this article shall remain in full force and effect.