

ORDINANCE _____

AN ORDINANCE REGARDING STATIONARY AUTOMATED LICENSE PLATE READER SYSTEMS OPERATED BY THE CITY OF SUGAR HILL, GEORGIA

The City Council of the City of Sugar Hill, Georgia, hereby ordains as follows:

Section 1. Findings and Purpose.

1. The City Council finds that the City's deployment and operation of stationary automated license plate reader systems, including systems marketed or provided by Flock Safety or a similar vendor, should occur only as expressly authorized by the City Council.

2. The purpose of this ordinance is to discontinue the City's operation of such stationary systems within the corporate limits of the City, provide for the orderly termination of any related agreement to the extent contractually permissible, require prior Council approval for any future City installation, and clarify that this ordinance does not regulate systems operated by Gwinnett County or Gwinnett County Public Schools.

Section 2. Codification of ordinance.

The Code of the City of Sugar Hill, Georgia is hereby amended to add a new section to be numbered Section 42-2 and to be titled Automated license plate reader systems, which section shall read as follows:

Sec. 42-2. Automated license plate reader systems

(a) Definitions.

- (1) Automated license plate reader (ALPR) system means a camera system that captures, analyzes, stores, transmits, or compares images or data relating to vehicle license plates or vehicles, including any system marketed or provided by Flock Safety or a substantially similar vendor.
- (2) Stationary ALPR system means an ALPR system installed, affixed, or operated from a fixed location. This shall not include an ALPR system installed, affixed to, or operated from a vehicle.
- (3) City-operated means owned, leased, installed, controlled, maintained, accessed, or operated by the City of Sugar Hill, or by a contractor, vendor, or agent acting for or on behalf of the City of Sugar Hill.

(b) *Removal and Discontinuance of City-Operated Cameras.*

- (1) The City shall promptly remove from service and discontinue operation of every City-operated stationary ALPR system located within the corporate limits of the City.
- (2) To the extent reasonably practicable and consistent with applicable law and contractual obligations, the City shall cause each such stationary ALPR system to be physically removed after it is removed from service.

(c) *Existing Agreements.*

- (1) The City Manager, in consultation with the City Attorney, is authorized and directed to take all actions necessary to terminate, at the earliest date and in the earliest manner permitted by the applicable agreement and law, any existing agreement for City-operated stationary ALPR systems. This directive includes any amendment, purchase order, renewal, extension, license, or other agreement related to any stationary ALPR systems.
- (2) Nothing in this ordinance authorizes the City to breach an existing agreement. Until termination is effective, the City shall take all actions permitted by the agreement and applicable law to discontinue use of the affected stationary ALPR systems and to avoid renewal, extension, replacement, or expansion thereof.

(d) *Future City-Operated Cameras.*

- (1) The City shall not purchase, lease, install, activate, operate, renew, extend, replace, or materially expand any City-operated stationary ALPR system unless the city council first grants specific approval by ordinance or resolution adopted at a duly called meeting. This section does not prohibit a vehicle-mounted ALPR system unless otherwise expressly provided by ordinance or resolution of the city council.
- (2) General approval of a budget, procurement authorization, or contract authority shall not constitute the specific city council approval required by this section unless the ordinance or resolution expressly identifies the automated license plate reader system and states that it is intended to satisfy this section.

(e) *Gwinnett County and Gwinnett County Public Schools Systems Not Regulated.*

- (1) This ordinance does not apply to, and shall not be construed to prohibit, regulate, require removal of, or otherwise affect any ALPR system that is owned, installed, operated, maintained, accessed, or controlled by Gwinnett County or Gwinnett County Public Schools, including an ALPR system located within the corporate limits of the City on a county road or on a state road maintained by Gwinnett County or any property owned by Gwinnett County Public Schools.

- (2) This ordinance does not create any authority for the City to direct, restrict, or regulate Gwinnett County's or Gwinnett County Public School's use of cameras or ALPR systems.

Section 3. No Waiver; Consistency with Law.

1. This ordinance shall be implemented in a manner consistent with the City's contractual obligations and applicable federal and state law.

2. Nothing in this ordinance waives any contractual right or legal remedy available to the City.

Section 4. Conflicting Ordinances.

All ordinances, resolutions, regulations, or parts thereof in conflict with this ordinance are hereby repealed only to the extent of such conflict.

Section 5. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance, or its application to any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, that holding shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances. The city council declares that it would have adopted this ordinance and each remaining portion of it irrespective of the invalidity of any portion.

Section 6. Effective Date.

This ordinance shall become effective immediately upon its adoption.

IT IS SO ORDAINED this ____ day of _____, 2026.

Those voting in favor:

Those voting in opposition:

Joshua Page, Council Member Post 1

Joshua Page, Council Member Post 1

Gary Pirkle, Council Member Post 2

Gary Pirkle, Council Member Post 2

Meg Avery, Council Member Post 3

Meg Avery, Council Member Post 3

Alvin Hicks, Council Member Post 4

Alvin Hicks, Council Member Post 4

Samantha Piovesan, Council Member Post 5

Samantha Piovesan, Council Member Post 5

ATTEST:

Jane Whittington, City Clerk

Submitted to Mayor: ____/____/____

Approved by Mayor, this ____ day of _____ 2026.

Brandon Hembree, Mayor