

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 license plate reader systems should occur only as authorized by the City Council, including delegation of authority as desired by the City Council.

2. The City Council finds that a City-controlled security camera system may support the safety and security of public facilities, public spaces, and other areas under the City's lawful control.

3. The purpose of this ordinance is to discontinue the City's operation of existing license plate reader systems operated by the City, provide for the orderly termination of any related agreement to the extent contractually permissible, require prior approval for any future installation of license plate reader systems operated by the City, provide for Council governance of policies governing use of license plate reader systems, authorize implementation of a City-controlled security camera system, and clarify that this ordinance does not regulate systems operated by Gwinnett County, Gwinnett County Public Schools or the State of Georgia.

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 and City-operated security camera system

(a) Definitions.

- (1) Automated license plate reader (ALPR) system or license plate reader (LRP) system means a system of one or more cameras and related software or services that captures, analyzes, stores, transmits, or compares images or data relating to vehicle license plates or other vehicle characteristics, including any system marketed or provided by Flock Safety or a substantially similar vendor.
- (2) City-controlled security camera system means a camera-management platform, data-storage environment, or related system that is owned, leased, licensed,

operated, maintained, or controlled by the City, whether provided through City-owned technology, a third-party vendor, or a combination thereof.

- (3) City-operated means owned, leased, installed, controlled, maintained, accessed, or operated by the City, or by a contractor, vendor, or agent acting for or on behalf of the City.

(b) *Existing LRP Systems.*

- (1) The City shall promptly discontinue use of and remove from service all LRP systems that it controls located within the corporate limits of the City. To the extent reasonably practicable and consistent with applicable law and contractual obligations, the City shall cause each LRP system to be physically removed after it is removed from service.
- (2) 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, all existing agreements for City-operated LRP systems. This directive includes any amendment, purchase order, renewal, extension, license, or other agreement related to all LRP systems.
- (3) 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 LRP systems and to avoid renewal, extension, replacement, or expansion thereof, except as authorized in this section.

(c) *Future LRP Systems and Policies Governing Use of LRP Systems.*

- (1) The City shall not purchase, lease, install, activate, operate, renew, extend, replace, or expand any LRP system, except as provided herein.
- (2) If the Chief Marshal shall desire to purchase, lease, install, activate, operate, renew, extend, replace, or expand any LRP system, the Chief Marshal file a written request, including the type and location of the LRP system, with the City Manager. The City Manager shall have the authority to approved or disapprove the request for the LRP system, device, and/or location. The City Manager shall inform the City Council of any such approval in writing within five (5) business days of approval.
- (3) No agency or entity other than the City shall be granted access to any LRP system or any data derived therefrom unless it submits a request to the Chief Marshal and the Chief Marshal approves the request. A requesting agency or entity shall identify the case or investigation to which the requested access relates and

describe the information sought to the extent reasonably necessary for the Chief Marshal to evaluate the request. Any access authorized under this subsection shall be limited to the information reasonably related to the identified case or investigation and shall be administered in accordance with adopted policies, procedures, and applicable law.

- (4) This section does not restrict disclosures required by applicable law, including lawful court process, nor does it limit the City's obligations under the Georgia Open Records Act.
- (5) The Marshal's Office shall administer, maintain, operate, and implement any LPR system approved by the City Manager subject to the policies adopted by the City Council and applicable law. The Marshal's Office shall propose a written policy governing LPR systems for City Council consideration. The policy shall address, at a minimum, authorized users, permitted uses, retention and deletion practices, access controls, data security, audit procedures, outside-agency access requests, and procedures for responding to open records requests and legal preservation obligations.
- (6) The City Council retains authority to adopt, amend, and repeal the LPR System Policy. The Marshal's Office shall promptly communicate any proposed policy change to the City Council. No material policy change shall take effect unless adopted by the City Council, except for a temporary operational measure necessary to address an immediate security, system-integrity, or legal-compliance need; any such temporary measure shall be promptly reported to the City Council and shall remain subject to Council action.

(d) Other Governmental Systems Not Regulated.

- (1) This section does not apply to, and shall not be construed to prohibit, regulate, require removal of, or otherwise affect any LPR system or other camera system that is owned, installed, operated, maintained, accessed, or controlled by Gwinnett County, Gwinnett County Public Schools, or the State of Georgia, including a LPR system located within the corporate limits of the City on a county road, a state road, or any property owned or controlled by Gwinnett County, Gwinnett County Public Schools, or the State of Georgia.
- (2) This section does not create any authority for the City to direct, restrict, or regulate Gwinnett County, Gwinnett County Public Schools, or the State of Georgia in their use of cameras or LPR systems.

(e) *City-controlled security camera system.*

- (1) Subject to applicable procurement requirements, available appropriations, technical feasibility, and existing contractual obligations, the City is authorized to establish, procure, maintain, and operate a City-controlled security camera system and to transition the City's existing cameras to that platform.
- (2) The Marshal's Office shall administer and operate the City-operated security camera system at City facilities, City-owned or City-controlled property, public rights-of-way, and other locations where the City has lawful authority to install and operate cameras. Camera coverage may include downtown areas and other public spaces and facilities as operationally appropriate and consistent with adopted policies and procedures.
- (3) No agency or entity other than the City shall be granted access to City-controlled security camera system and any data derived therefrom unless it submits a request to the Chief Marshal and the Chief Marshal approves the request. A requesting agency or entity shall identify the case or investigation to which the requested access relates and describe the information sought to the extent reasonably necessary for the Chief Marshal to evaluate the request. Any access authorized under this subsection shall be limited to the information reasonably related to the identified case or investigation and shall be administered in accordance with adopted policies, procedures, and applicable law.
- (4) This section does not restrict disclosures required by applicable law, including lawful court process, nor does it limit the City's obligations under the Georgia Open Records Act.
- (5) The Marshal's Office shall administer, maintain, operate, and implement the City-operated camera systems and the City-controlled security camera system, subject to the policy adopted by the City Council and applicable law. The Marshal's Office shall propose a written policy governing security camera systems for City Council consideration. The policy shall address, at a minimum, authorized users, permitted uses, retention and deletion practices, access controls, data security, audit procedures, outside-agency access requests, and procedures for responding to public-records requests and legal preservation obligations.
- (6) The City Council retains authority to adopt, amend, and repeal the Camera System Policy. The Marshal's Office shall promptly communicate any proposed policy change to the City Council. No material policy change shall take effect unless adopted by the City Council, except for a temporary operational measure necessary to address an immediate security, system-integrity, or legal-compliance

need; any such temporary measure shall be promptly reported to the City Council and shall remain subject to Council action.

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