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Williams v. City of Tybee Island

Court of Appeals of Georgia - February 24, 2022 - S.E.2d - 2022 WL 555653

Parents of beach patron filed suit against city for wrongful death after patron drowned while attempting to rescue swimmers who were in distress, after they were caught in ocean current. The trial court granted city's motion for summary judgment, and parents appealed.

The Court of Appeals held that:

- Patron voluntarily exposed himself to risk of drowning while attempting to assist other swimmer struggling against ocean current as tide was rising in sandbar, as required for city to establish assumption of risk as affirmative defense to claims for wrongful death;
- City was not liable for patron's death under rescuer doctrine;
- Under "public duty" doctrine, city was not subject to liability for patron's drowning death.

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