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City of Atlanta v. Querisma

Court of Appeals of Georgia - September 1, 2026 - S.E.2d - 2026 WL 2580576

Guest who was shot while attending baby shower held at recreation center in city park brought premises liability and nuisance action against city, alleging that city knew of other violent crimes at park and negligently failed to remedy known dangerous condition.

The State Court, Fulton County denied city's motion for summary judgment, which asserted immunity under Recreational Property Act (RPA).

City filed application for interlocutory appeal, which was granted.

The Court of Appeals held that exception to immunity under RPA applied to permit action.

Exception to immunity under Recreational Property Act (RPA) for situations where owner of land charged any individual who lawfully entered such land for recreational use and any individual was injured in connection with recreational use for which charge was made applied to permit premises liability and nuisance action brought against city by guest who was shot while attending baby shower held at recreation center in city park, although city did not charge guest anything, where city charged host of baby shower $330 to rent space.

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