

TOWNSHIP OF ARMADA, COUNTY OF MACOMB

ORDINANCE NO. R2013-16

DISORDERLY CONDUCT ORDINANCE

Title

An Ordinance securing the public health, safety and general welfare of the residents and property owners of Armada Township by prohibiting disorderly conduct in the Township, prescribing a penalty for the violation thereof, and repealing all Ordinances and/or Resolutions in conflict therewith.

THE TOWNSHIP BOARD OF ARMADA, COUNTY OF MACOMB, MICHIGAN, ORDAINS:

SECTION 1. SHORT TITLE.

This Ordinance shall be known and cited as the Armada Township Disorderly Person Ordinance.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to protect the public health, peace, safety and welfare of property and persons in the Township from disorderly persons.

SECTION 3. ENABLING AUTHORITY.

This Ordinance is adopted pursuant to, and in accordance with Act 246, Public Acts of 1945 as amended, MCL 750.167 and MCL 750.170.

SECTION 4. DEFINITIONS AND PROHIBITION.

A. No persons shall conduct himself or herself in a disorderly manner in the Township of Armada, Macomb County, Michigan. For purposes of this Ordinance, a person conducts himself or herself in a disorderly manner when he or she does any act or engages in any practice hereinafter listed, or aids or abets any person who does any such act or engages in any such practice hereinafter listed:

(1) Engages in behavior which disturbs the comfort and quiet repose of the

residents or the neighborhood;

- (2) Engages in any indecent or obscene conduct in any public place.
 - (3) Permits any place occupied or controlled by him or her to be unreasonably disruptive or boisterous, or to be occupied by persons acting in a disorderly manner as herein defined;
 - (4) Disturbs the public peace by boisterous, disruptive or vulgar conduct; or makes, aids, gives countenance to, or assists in making any improper disturbance, breach of the peace or diversion tending to a breach of the peace, in any place within the Township;
 - (5) Permits any boisterous or disruptive congregation, disturbance, or party, by which the peace and good order of the Township are disturbed, in or about his or her premises, or premises controlled by such person.
 - (6) Engages in fighting or jostling in a public place;
 - (7) Engages in public intoxication or drunkenness;
 - (8) Engages in public urination or defecation;
 - (9) Trespasses or unlawfully enters or remains on the premises of another to the annoyance or disturbance of the lawful owner or occupant thereof.
 - (10) Loiters by obstructing any public street, public highway, public sidewalk, or any other public place or building by hindering or impeding the free and uninterrupted passage of vehicles, traffic or pedestrians; or by obstructing the entrance to any business establishment without doing so for some lawful purpose and contrary to the expressed wish of the owner, lessee, managing agent or person in control of the building or premises.
- B. "Public Place" means any place to which the general public has access and a right of resort for business, entertainment or for lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall also include the front or immediate area of any store, restaurant, tavern or other place of business and also public grounds, areas or parks.
- C. Disorderly conduct does not include the conduct of or participation in duly approved activities such as picnics, concerts, bazaars, parades, festivals, and

other similar activities so long as such activities are conducted in a reasonable manner at a reasonable time and in a reasonable place.

SECTION 5. VIOLATIONS AND PENALTY.

Any person who violates the provisions of this Ordinance shall upon conviction thereof be guilty of a misdemeanor and subject to a penalty not to exceed five hundred dollars (\$500) or imprisonment in the county jail for a period not to exceed ninety (90) days, or both such fines and imprisonment.

SECTION 6. REPEALING OF CONFLICTING PROVISIONS.

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

SECTION 7. SEVERABILITY.

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 8. PUBLICATION.

A true copy of this Ordinance or a summary thereof shall be published in the Armada Times, a newspaper of general circulation in the Township of Armada.

SECTION 9. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days after the publication of a true copy or summary thereof as provided in Section 8.

CERTIFICATE OF TOWNSHIP CLERK

I certify that the foregoing constitutes a true and complete copy of the Ordinance duly adopted by the Township Board of the Township of Armada, Macomb County, Michigan, at a meeting held on the **10th** day of April A.D., 2013

I further certify that the following Township Board Members were present at the meeting: **Paterek, Smith, Goetzinger, Smith and Swiacki**

and the following Township Board members were absent: **None**


I further certify that **Member LeMieux** moved for the adoption of the Ordinance, and that motion was **supported by Member Swiacki**. I further certify that the following Township Board Members voted for the adoption of the Ordinance: **Paterek, Smith, Goetzinger, Smith and Swiacki**

and that the following Township Board Members voted against adoption of the Ordinance: **None**

MARY K. SWIACKI, Clerk
Armada Township

CERTIFICATE OF PUBLICATION

I, the undersigned Township Clerk of the Township of Armada, do hereby certify that on April 17, 2013, the foregoing Ordinance, or Summary thereof, was duly published in the Armada Times, a newspaper having general circulation within the Township of Armada.



MARY K. SWIACKI, Clerk

NOTICE OF ADOPTION
TOWNSHIP OF ARMADA

Notice is hereby given that at its regular meeting of April 10, 2013, the Armada Township Board of Trustees adopted Ordinance No. R2013-16 commonly referred to as the Armada Township Disorderly Person Ordinance. The Ordinance has been published within 7 days of the Board's adoption and becomes effective 30 days after the publication of this notice. Copies of the text of the Ordinance are available at the Township Offices during regular business hours. A summation of the Ordinance is as follows:

The purpose of this Ordinance is to protect the public health, peace, safety and welfare of the property and persons in the Township from disorderly persons. The Ordinance contains the following sections:

Section 1. Short Title, **Section 2.** Purpose, **Section 3.** Enabling Authority, **Section 4.** Definitions and Prohibition, **Section 5.** Violations and Penalty, **Section 6.** Repealing of Conflicting Provisions, **Section 7.** Severability, **Section 8.** Publication, **Section 9.** Effective Date.

Mary K. Swiacki
Armada Township Clerk

Published: 4/17/2013

