

ORDINANCE NO. DC-02

DISORDERLY CONDUCT ORDINANCE

AN ORDINANCE TO establish rules and regulations concerning conduct within Park Township, Ottawa County, Michigan, to provide penalties for violation of the provisions of this Ordinance, and to set forth the effective date of this Ordinance.

THE TOWNSHIP OF PARK, COUNTY OF OTTAWA, AND STATE OF MICHIGAN ORDAINS:

Section 1. DISORDERLY CONDUCT: IN GENERAL.

A. Illegal Occupation

No person shall engage in an illegal occupation or business.

B. Use of False Identification

No person shall give false identification to any person lawfully requesting identification.

C. Giving or Lending False Identification

No person shall give or lend their identification to another for an illegal purpose.

D. Owners and Occupants of Premises Responsible for Violations on Premises.

No person owning, renting, or occupying any premises in the township and no proprietor or keeper of the premises shall knowingly or intentionally permit on such premises:

1. An act which constitutes a violation of this Ordinance;
2. An act which constitutes indecent or obscene conduct;
3. The operation of a house of prostitution or place of assignation; or
4. The illegal sale, use, or possession of a controlled substance by any person. (For purposes of this Subsection, the term "controlled substance" shall mean any substance defined as a controlled substance under MCL 333.7101 et. seq. (MSA 14.15(7101))).

Section 2. DISORDERLY CONDUCT: OFFENSES
AFFECTING GOVERNMENTAL FUNCTIONS

A. Resisting Officer.

It shall be unlawful for any person to resist, obstruct, hinder, or oppose any police officer or other law enforcement agent while in the discharge or apparent discharge of the officer or agent's duty, or in any way interfere with or hinder the officer or agent in the discharge of their duty.

B. Obeying Officer.

It shall be unlawful for any person to refuse to obey the lawful command of any police officer, or fail to disperse when directed to do so by a police officer or other law enforcement agent.

C. Impeding Police Investigation.

It shall be unlawful for any person to partake in, give countenance to or aid in willfully acting in a belligerent or boisterous manner so as to disrupt a police investigation.

D. Hindering Police Investigation.

It shall be unlawful for any person to make, aid, give countenance to or assist in the making of any statement or report that individual knows to be false, to a police officer or other law enforcement agent in the course of a lawful investigation.

Section 3. DISORDERLY CONDUCT: OFFENSES AGAINST PUBLIC PEACE.

A. Noise Control.

It shall be unlawful for any person to permit persons on their property or on property under their control to make, continue, or cause to make any loud, raucous, or jarring noise, congregation, disturbance, or party, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort, repose, or peace of persons in any office or in any dwelling or other type of residence, or of any persons in the vicinity; any noise which is clearly audible more than 50 feet from a person's property, or property under their control, shall be deemed a disturbance under the provision of this section.

B. Breach of Peace.

No person shall make, aid, participate in, give countenance to or assist in making any noise, disturbance, fight, quarrel, trouble or improper diversion, or any rout, riot, or other unlawful congregation or melee, by which the peace and good order of the township are disturbed.

C. Permitting Gathering of Disorderly Persons.

No person shall permit or suffer any place occupied or controlled by that individual to be a resort of noisy, boisterous, or disorderly persons, to the annoyance or disturbance of the neighborhood and the public peace.

D. Public Intoxication.

No person shall be intoxicated in a public place and act so as to directly endanger the safety of another person or of property, or in any manner that causes a disturbance; nor shall any person be under the influence of a controlled substance. For purposes of this section, the term "controlled substance" shall mean any substance defined as a controlled substance under MCL 333.7101 (MSA 14.15(7101) et. seq.)

E. Disturbing Religious Worship.

No person shall disrupt or disquiet any congregation or assembly met for religious worship by making any noise or profane discord or engaging in any behavior at or near the place of worship so as to disturb the solemnity of the meeting.

F. Jostling.

No person shall jostle or roughly crowd any person or persons unnecessarily in a public place.

G. Fighting.

No person shall assault another or engage in or abet in any disturbance, fight, quarrel, or act of physical violence in a public place.

H. Indecent or Obscene Conduct.

No person shall engage in any indecent or obscene conduct in a public place, or solicit, assault, or accost any person in a public place for the purpose of committing an unlawful, indecent, or obscene act.

I. Urinating or Defecating in Public Places.

No person shall urinate or defecate in any public street, park, public beach, or any other area open to the public.

J. Mufflers.

No person shall gun or race the engine of any motor vehicle, including every motorcycle and motor-driven cycle, or run or operate a motor vehicle, motorcycle or motor-driven cycle without a muffler in good working order and in constant operation to prevent excessive or unusual noise or annoying smoke. A person shall not remove, destroy, or damage any of the baffles contained in the muffler, nor shall a person use a muffler cut-out, bypass, or similar device upon the motorcycle or motor-driven cycle.

K. Loud Barking.

No person shall permit any dog, when under that individual's control or when on that individual's premises or on premises under their control, to become a nuisance to others by loud barking, howling, or yelping, provided that any complaint on this fact shall be made by not less than two persons from two separate households.

Section 4. DISORDERLY CONDUCT: OFFENSES AGAINST A PERSON.

A. Assault and Battery.

It shall be unlawful for any person to attempt or offer, with force or violence, to do a corporal hurt to another or assault and/or batter the person of another.

Section 5. PENALTIES AND ENFORCEMENT.

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor of disorderly conduct and upon conviction thereof, shall be punished by a fine not exceeding \$500.00 and costs of prosecution or by imprisonment in the Ottawa County Jail for a period not exceeding 90 days, or both such fine and imprisonment in the sole discretion of the Court.

Section 6. REPEAL.


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

Section 7. SEVERABILITY.

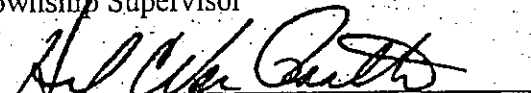
This Ordinance and the various sections, subsections, sentences, phrases, and clauses are declared to be severable. If any section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be effected.

Section 8. EFFECTIVE DATE.

This Ordinance was approved and adopted by the Township Board of Park Township, Ottawa County, Michigan on May 9, 2002, and is ordered to take effect on June 17, 2002, said date being thirty (30) days or more after publication in the Holland Sentinel, a newspaper having general circulation in the Township, pursuant to the provisions of Act 246 of the Public Acts of 1945, as amended.



Township Supervisor



Township Clerk