

ORDINANCE NO. 152

DIORDERLY CONDUCT ORDINANCE

THE VILLAGE OF DECATUR ORDAINS:

SECTION 1 – PURPOSE.

The purpose of this ordinance is to define and prohibit disorderly conduct, and to provide penalties for violation thereof.

SECTION 2 – AUTHORITY.

The Constitution of the State of Michigan and Act 3 of the Public acts of 1895, as amended, (M.C.L. 67.1: M.S.A. 5.1285), give and grant unto the Village council of Decatur, Michigan the power and authority to provide for the public peace and the safety of persons and property; and

The Village Council of the Village of Decatur, Michigan hereby makes the legislative finding and determination that the right of the public to the free and unhindered use of streets, sidewalks and other public places, the right of residents to the preservation of the peace and tranquility of their neighborhoods, and the right of all citizens to be free from interference in their activities by public disturbances is of paramount concern to the Village of Decatur and must be insured to promote the public peace, safety and welfare; and

The Village Council of the Village of Decatur, Michigan does further hereby make a legislative finding and determination that the above stated conditions require that this ordinance be adopted.

SECTION 3 – DEFINITIONS

“Public place” means any street, sidewalk, alley, park, public building, and any place of business or assembly open to or frequented by the public, and any other place which is open to the public view, or to which the public has access.

SECTION 4 – DISORDERLY CONDUCT ENUMERATED.

No person shall:

- A. Be intoxicated in a public place and be either endangering directly the safety of another person or property or acting in a manner that causes a public disturbance;
- B. Consume or drink any beer, wine or other intoxicating liquor in a public place not duly licensed to permit consumption of said beverages on said premises;
- C. Knowingly engage in any indecent or obscene conduct in any public place; or knowingly make any immoral exhibition or indecent exposure of his or her person; or be a common prostitute.
- D.
- E. Discharge any firearms, rifle, pistol, revolver, shotgun, air rifle, pellet gun, or discharge or propel any arrow, metal ball, pellet or other projectile by use of any bow, crossbow, sling shot, or similar device within the village limits of Decatur, except in connection

with a regularly scheduled educational or training program under adequate supervision and approval of the chief of Police or his/her designee.

- F. Engage in peeping in the windows of any inhabited place;
- G. Beg in any public place;
- H. Swim or bathe in the nude in any public place;
- I. Accost, molest, or otherwise annoy, either by touching or by word of mouth, or by sign or motion, any person in any public place with intent to interfere with or abuse that person or culpably offend his dignity or sensibilities;
- J. Urinate, defecate, or spit on any street, sidewalk, alley, parking lot or upon any public building or in any public place; except where an approved sanitary facility is provided and in use;
- K. Disturb the public peace and quiet by loud or boisterous conduct or the use of any indecent, insulting or immoral language or be engages in any disturbance, fight, brawl or quarrel in any public place;
- L. Jostle or roughly crowd persons unnecessarily in a public place;
- M. Loiter by standing or idling on, in, or about any street, sidewalk or any other public place so as to hinder or impede or tend to hinder or impede the passage of pedestrians or vehicles or by obstructing the entrance to any business establishment, without so doing for some lawful purpose, or if contrary to the express wish of the owner, lessee, managing agent or person in control or in charge of such business, building or premises;
- N. Knowingly attend, frequent, operate or loiter in or about any place where prostitution, gambling, the illegal sale of intoxicating liquor, controlled substances, or any other illegal business or occupation is being conducted;
- O. Solicit or accost any person for the purpose of engaging in prostitution or any illegal or immoral act or knowingly transporting any person to a place where prostitution or gambling is practiced, encouraged, or allowed for the purpose of enabling such person engage in such acts;
- P. Keep or maintain a gaming room, gaming table, or any policy or pool tickets for gaming; on any premises occupied or controlled by him or her except as permitted by law; conduct or attend any cock fight or dog fight; or place, receive, or transmit any bet on the outcome of any race, contest, or game of any kind whatsoever;
- Q. Knowingly permit any place occupied or controlled by him or her to be used in a manner that disturbs the public peace;
- R. Assault, obstruct, resist, hinder or oppose any member of the police force, any peace officer, or fireman in the discharge of his or her duties as such;
- S. Prowl about or trespass the private premises of any other person, firm or corporation in the nighttime, without the authority or permission of the owner of such premises;
- T. Willfully destroy or damage or in any manner deface, destroy or injure any property not his own, or any publicly owned building, fire hydrant, alarm box, street light, street sign, shade tree or any other type of property, or mark or post handbills on or in any manner mar the walls of any public building, fence, tree or pole, within the Village of Decatur, or take or meddle with any property belonging to said Village from the building or place where it may be kept, placed, standing or stored, without authority from the Village Manager or his/her designee;
- U. Refuse or neglect to support his or her spouse or family, if he or she shall have sufficient ability to do so;

- V. Be a vagrant or engages in the act of going about from place-to-place without visible means of support and who, though able to work for his or her maintenance, refuses to do so but begs or asks for food and shelter without paying therefore;
- W. Summon, as a joke or prank or otherwise without any good reason, by telephone or otherwise, the police or fire department or any public or private ambulance to go to any address where the service called for is not needed;
- X. Make a false report, by telephone or otherwise, to any public official which may be reasonably expected to cause the evacuation or closing of a building or place open to the public;
- Y. Falsely impersonate a police officer, fireman, or housing, building or zoning administrator for the purpose of gaining entry to private property, or access to private records, or access to public records which would not otherwise be subject to public disclosure under the law.

SECTION 5 – PENALTY.

A Violation of this Ordinance is a Municipal Civil Infraction and any person, firm or corporation who shall violate this ordinance shall be responsible for a Civil Infraction subject to a Civil Fine not exceeding \$500.00, plus any costs, damages, expenses or other sanctions as authorized under Chapters 83 and 87 of Act 236 of the Michigan Public acts of 1961 as amended, being MCL 600.8701 et seq. Each day that a violation continues shall be deemed a separate violation of this ordinance. (see Ord 164)

SECTION 6 – REPEAL OF CONFLICTING ORDINANCES.

Ordinance No. 84 is hereby repealed and all other ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 7 – EFFECTIVE DATE

This Ordinance shall become effective the first day of October, 2002.

Adopted: September 9, 2002