

ORDINANCE NO. 58

AN ORDINANCE TO REGULATE THE CONDUCT OF PERSONS IN THE TOWNSHIP OF CHIKAMING; TO PRESERVE THE PEACE AND GOOD ORDER THEREOF; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

Section 1. Definitions.

A. Public Place: As used in this ordinance, "public place" shall mean any street, alley, sidewalk, park, parking lot or place in Chikaming Township to which the public, or any number of persons of the public has access to, or to which the public is customarily invited or admitted.

B. Loitering: As used in this ordinance, "loitering" shall mean remaining idle in essentially one location and shall include the concepts of spending time idly, loafing, or walking about aimlessly, and shall also include the colloquial expressions "hanging around" or "hanging out".

Section 2. Certain Types of Loitering Prohibited.

A. No person shall loiter in a public place in such manner as to:

- (1) create or cause to be created a danger of a breach of the peace;
- (2) create or cause to be created any disturbance or annoyance to the comfort and repose of any person;
- (3) obstruct the free passage of pedestrians or vehicles;
- (4) obstruct, molest, or interfere with any person lawfully in any public place.

This paragraph shall include the making of unsolicited remarks of an offensive, disgusting, or insulting nature or which are calculated to annoy or disturb the person to, or in whose hearing, they are made.

B. Whenever the presence of any person in any public place is causing any of the conditions enumerated in Section 2, A., any police officer may order that person to leave that place. Any person who shall refuse to leave after being ordered to do so by a police officer shall be guilty of a violation of this ordinance.

Section 3. Noise Producing Devices.

The operating or maintaining of noise making, noise amplifying or noise producing instruments or devices by which the peace or good order of a neighborhood or area is unreasonably disturbed is hereby declared a public nuisance. No person, firm, association or corporation by himself or another shall operate or maintain any radio, phonograph, cassette player, or other noise making, noise amplifying, noise producing instrument or device in any public or private place in any manner by which the peace and good order of a neighborhood or area is disturbed or persons

occupying property in the neighborhood or area are unreasonably disturbed or annoyed.

Section 4. Violations.

Any person violating any provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding Five Hundred (\$500.00) Dollars or by imprisonment in the county jail not to exceed ninety (90) days, or by both such fine and imprisonment in the discretion of the Court having jurisdiction, together with cost of prosecution.

Section 5. Enactment.

This ordinance was enacted on the 14th day of May 1987, by the Chikaming Township Board and ordered to be published in the Galien River Gazette on the 21st day of May 1987, being within ten (10) days of its enactment and ordered to be made effective on the 21st day of June, 1987, being more than thirty (30) days after publication thereof.

Jeanne Dudeck  
Jeanne Dudeck, Clerk  
Chikaming Township

Attest:

Dennis E. Scheer  
Dennis E. Scheer, Supervisor  
Chikaming Township

CERTIFICATION

I do hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 58, duly adopted by the Township Board of the Township of Chikaming, Berrien County, Michigan, at a regular meeting held on the 14th day of May 1987. I further certify that Jeanne Dudeck moved the adoption of said ordinance and Arthur Sandtveit supported said motion. The names and the members of the Township Board and their vote on the foregoing ordinance were as follows:

MEMBERS		AYES	NAYS	ABSTAIN
Gibson	Absent	_____	_____	_____
Sandtveit		X	_____	_____
Cluster		X	_____	_____
Dudeck		X	_____	_____
Scheer		X	_____	_____

I further certify that the aforesaid ordinance was recorded in the Ordinance Book for the Township of Chikaming on the 14th day of

May 1987, and such recording has been authenticated by the signatures of the Supervisor and Township Clerk. I further certify that the foregoing ordinance was published in full in the Galien River Gazette, a newspaper circulated in the Township of Chikaming, Berrien County, Michigan, on the 21st day of May 1987.

Date: May 15, 1987

Jeanne Dudeck  
Jeanne Dudeck, Clerk  
Township of Chikaming