

Charter Township of Orion

Ordinance No. 119

Retail Fraud

Adopted August 4, 1997

AMENDED

February 18, 2003

AN ORDINANCE TO PROHIBIT AND DEFINE RETAIL FRAUD; TO PROHIBIT THE DETRIMENT TO PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE OF PERSONS AND PROPERTY WITHIN THE CONFINES OF ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN; TO PRESERVE THE PEACE AND GOOD ORDER OF THE TOWNSHIP OF ORION, OAKLAND COUNTY, MICHIGAN; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

ARTICLE I - PURPOSE

Section 1 - Title

This Ordinance shall be known as the "Retail Fraud" Ordinance and it shall be deemed sufficient, and any actions for the enforcement of the provisions hereof, to define the same by such short title, and by reference to the number hereof.

Section 2 - Intent

Any person who shall commit the crime of retail fraud within the terms of this Ordinance shall be punished as hereinafter provided.

ARTICLE II - PROHIBITED ACT

Section 3 - (amended 02.18.03)

A. Larceny of goods valued less than Two Hundred Dollars (\$200)

It shall be unlawful for any person within the Township to do any of the following in a store or in its immediate vicinity:

1. While a store is open to the public: alter, transfer, remove and replace, conceal, or otherwise misrepresent the price at which property is offered for sale, of any property having a value of less than Two Hundred Dollars (\$200), with the intent not to pay for the property or to pay less than the price at which the property is offered for sale.
2. While a store is open to the public: steal property of the store, that is offered for sale, which has a value of less than Two Hundred Dollars (\$200).
3. With intent to defraud: obtain, or attempt to obtain, money or property having a value of less than Two Hundred Dollars (\$200), from the store, as a refund or exchange for property, having a value of less than Two Hundred Dollars (\$200), that was not paid for and belongs to the store.

Section 4 - Penalty (amended 02.18.03)

Any person committing any of the acts of larceny described within this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, before a court of competent jurisdiction, shall be punished by a fine not to exceed Five Hundred Dollars (\$500) and costs of prosecution, or by imprisonment in the Oakland County Jail, not to exceed ninety-three (93) days, or by both such fine and imprisonment, in the discretion of the court.

Section 5 - Severability

In the event any section, sentence, word, phrase or part of this Ordinance shall be held invalid, such holding shall not affect the balance of the provisions hereof.

Section 6 - Effective Date

This Ordinance shall be published in a newspaper of general circulation in the Township of Orion and shall become effective upon publication, as provided by law.

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