

Charter Township of Orion

Ordinance No. 141

**CAUSING A POLICE
RESPONSE ORDINANCE**

Adopted January 3, 2012

AN ORDINANCE PROHIBITING CRIMINAL CONDUCT REQUIRING A POLICE RESPONSE; PROVIDING FOR THE ENFORCEMENT OF THE PROVISIONS OF THE ORDINANCE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PORTIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

Section 1 – Short Title

This Ordinance shall be known and may be cited as the “Criminal Conduct Causing a Police Response Ordinance.”

Section 2 – Purpose and Intent

An ordinance to regulate conduct to limit the use of law enforcement and recoup costs of the Township when criminal conduct requires a police response.

Section 3 – Definitions

“Police” and “Police Officer” means any federal, state, county or local law enforcement officer.

“Crime” means any federal or state felony or misdemeanor; and any county or local misdemeanor.

“Person” means a natural person and any corporation, partnership, or other business entity.

Section 4 – Offense

- A. A person who engages in conduct for which a police response was solicited by another or initiated by a police officer, and for which the court determines as part of a plea of responsible to the secondary offense that there was probable cause a crime had been committed to justify a police response, is responsible for a municipal civil infraction of causing a police response punishable as provided below.
- B. A violation of subsection (A) is a “secondary offense.” A person may only plead responsible to a violation of subsection (A) upon the concurrence or recommendation of the township’s prosecuting attorney.

Section 5 – Violations and Penalties

- A. Municipal Civil Infraction / Payment of Fine.

Any person violating a provision of this Ordinance, upon an admission or a finding of responsibility for such violation, shall be deemed responsible for a municipal civil infraction, as that term is defined and used in MCL 600.101, *et seq.*; MSA 27A.101, *et seq.*, as amended, and shall pay a civil fine not to exceed \$250.

- B. Costs.

Upon application by the township’s prosecuting attorney, any person ordered to pay a fine under Subsection A shall be ordered by the district court judge or magistrate judge to pay costs of not less than Nine Dollars (\$9) or more than Five Hundred Dollars (\$500), for reimbursement of all expenses which the Township of Orion has been put arising out of and in the course of the police response.

Section 6 – Repeal

All other ordinances or parts of ordinances which are inconsistent or in conflict herewith are hereby repealed to the extent of such inconsistency or conflict.

Section 7 – Severability

Should any section, clause or paragraph of this ordinance be declared by a court of competent jurisdiction to be invalid, the same will not affect the validity of the ordinance as a whole or part thereof other than the part declared to be invalid, the same will not affect the validity of the ordinance as a whole or part thereof other than the part declared to be invalid.

Section 8 – Effective Date

This Ordinance shall be published in full in a newspaper of general circulation in the Charter Township of Orion qualified under State law to publish legal notices and shall become effective upon publication, as provided by law.

Section 9 – Adoption

This Ordinance is hereby declared to have been adopted by the Board of Trustees of the Charter Township of Orion at a meeting thereof duly called and held on the 3rd day of January, 2012, and ordered to be given publication in the manner prescribed by the Charter of the Township of Orion.

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