

Charter Township of Orion

Ordinance No. 58

Disorderly Persons

Adopted June 16, 1980

AMENDED

September 3, 1985

November 16, 1998

June 21, 2004

December 15, 2014

AN ORDINANCE TO PROHIBIT AND DEFINE DISORDERLY CONDUCT; 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.

Section I

This Ordinance shall be known as the "Disorderly Persons" Ordinance and it shall be deemed sufficient, in 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 II

Any person who shall be a disorderly person within the terms of this Ordinance, or who shall engage in any acts of disorderly conduct, shall be punished as hereinafter provided.

Section III *(amended 06.21.04, 12.15.14)*

The following persons shall be deemed Disorderly Persons:

- A. Any prostitute, or any person employed in, or found in any house of prostitution or ill fame, or place where prostitution or lewdness is practiced, encouraged or allowed, or in any house of assignation, or the keeper, operator, proprietor of such a place, or the owner of property who shall knowingly permit such property to be used for such a place, or any person who shall solicit for any such place, or who shall solicit, accost, call or invite another person for any prostitute, or for any act of prostitution or lewdness or who shall attempt to procure the commission by another or by others of any act of illicit intercourse or lewdness. *(amended 12.15.14)*
- B. Any person who shall intentionally exhibit himself or herself in any place of entertainment, or in any public place, or to the public view, indecently clad or in the nude, or who shall engage in any indecent, immoral, or obscene conduct in such places, or shall make any indecent or open exposure of his or her person or of the person of another.
- C. Any window peeper, or any person who shall designedly molest, assault, or interfere with persons, or the safety, comfort, and repose of any person in any public place.
- D. Any person who shall use indecent, obscene, immoral, vile, vulgar, or profane language in any public place, or who shall use such language in the presence or hearing of any woman or child, or who shall communicate such language to any woman or child via telephone.
- E. Any person who shall be drunk or intoxicated in any public place, or any person who shall imbibe any intoxicating liquor including beer and wine, in any public place not licensed to sell such liquor for consumption on the premises. *(amended 12.15.14)*
- F. All persons who are found lounging in, or prowling in or about, or loitering around any bus depot, designated bus stop, banking institution, place of public amusement, motel, hotel, store, shop, public way, public convenience, public gathering, public assembly, public building, private dwelling house, or any public place, and with no valid reason for being there, shall be deemed guilty of disorderly conduct.
- G. Any person found unnecessarily shoving or jostling people in any public place, and or any person who shall create any disturbance in any public place, or who shall create a disturbance in any private place which shall result in any annoyance to the occupants and invitees of the immediate vicinity, or who shall in any way cause a breach of the peace.
- H. Any person who shall knowingly loiter in and about any place where an illegal occupation or business prohibited by State Law or Local Ordinance is being conducted, practiced, encouraged or allowed.
- I. Any person who shall illegally sell, keep for sale, offer for sale or otherwise dispense alcoholic beverages, or spirituous liquor either by the bottle or glass; any person who shall aid and abet in the illegal sale of liquor beverage or spirituous liquor; any person who shall have in his possession illegally an alcoholic beverage or spirituous liquor, any person found loitering in or about a place where alcoholic beverages or spirituous liquor, either by bottle or glass, is illegally sold,

offered for sale, or otherwise dispensed; any person who shall represent his or her age to be twenty-one (21) years or over, when such person shall be under the age of twenty-one (21) years, for the purpose of illegally obtaining any alcoholic beverage, or spirituous liquor.

- J. Any person who stands, loiters, or strolls in any public place awaiting or seeking an opportunity to obtain money or valuable things from others by trick or fraud, or to aid or assist therein.
- K. All persons who engage in or aid and abet in any fight, quarrel, riot or other disturbance in Orion Township.
- L. Any person who willfully enters the lands or premises of another without lawful authority after having been forbidden to do so by the owner or occupant, agent or servant of the owner or occupant, and a person who willfully enters the lands or premises of another and who neglects or refuses to depart from the land or premises of another after being notified by the owner, agent or occupant to depart there from. *(added 12.15.14)*
- M. Any person who summons, as a joke or prank or otherwise, without any good reason therefore, 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; and a person who makes a false report, by telephone or otherwise, to any public official which may reasonably be expected or closing of a building or place open to the public, or who knowingly makes a false statement or report to a peace officer. *(added 12.15.14)*
- N. Any person who acts in a violent or tumultuous manner toward another whereby any person is placed in fear of safety of his or her life, limb or health. *(added 12.15.14)*
- O. Any person who acts in a violent or tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged. *(added 12.15.14)*
- P. Any person who endangers the lawful pursuits of another by acts of violence, angry threats or abusive conduct. *(added 12.15.14)*
- Q. Any person who causes or makes any unnecessary loud noise or shouts or yells, or engages in any conduct which creates any disturbance, tends to disturb or aids in disturbing of the peace of others in a public place of a place open to the public. *(added 12.15.14)*
- R. It shall be unlawful for any person under eighteen (18) years of age to use or possess any firearm or to use and possess any handgun designed and manufactured exclusively for propelling BB's, not exceeding .177 caliber by means of spring, gas, or air, outside the curtilage of his domicile unless he is accompanied by a person over eighteen (18) years of age.
- S. Any person who shall harbor or keep any dog which, by loud, frequent or habitual barking, yelping or howling, shall cause a serious annoyance to the neighborhood, or to people passing to and from upon the street. *(amended 09.03.85)*
- T. Any person who *(added 12.15.14)*:
 - a. Owns any animal and who permits the animal to run at large off their property, except, however, that a dog engaged in hunting need not be leashed when under the reasonable control of his owner;
 - b. Owns any dog or animal at any time, licensed or unlicensed, which destroys property, real or personnel, or trespasses in a damaging way on property or persons other than owner;
 - c. Owns any dog, cat, livestock, poultry, or other animal at any time, licensed or unlicensed, which attacks or bites a person;
 - d. Owns, keeps, houses, tethers, or otherwise possesses or maintains any animal in such a way or manner or in such location whereby noises emanating from said animal, including but not limited to loud and frequent barking, howling, or yelping, shall cause a disturbance or otherwise disrupt the peace, quiet and tranquility of persons within the limits of the Township, is a nuisance in the neighborhood in which the animal is kept, possessed or harbored. This section shall not apply to kennels lawfully operating within the Township, except upon evidence of mistreatment of animals situated therein;

U. Any person who (*added 12.15.14*):

- a. Disturbs or interferes in any manner with the orderly conduct of classes or other school sanctioned activity conducted in or on any school premises, including, but not limited to, interference through the operation of a motor vehicle;
- b. Willfully enters upon school premises at any time without lawful authority after having been forbidden to do so by an authorized agent of the school; or remains upon the school premises after being notified to depart by an authorized agent of the school;
- c. Damages, destroys or defaces any school building, equipment, teaching supplies or equipment or other school property located in or on any school premises, including, but not limited to, any trees, shrubbery, lawn, flowers or fences.

Section IV

The term "public place" as used herein shall mean any structure, building, alley, street, house, hall, room or other place to which the public has access. The term "school premises" shall mean any building used primarily for the public or private education of any assembly of students in the pursuit of their education and shall include all auxiliary buildings, and their greenbelts, yards athletic fields and facilities, driveways and parking areas designated for student, visitor and faculty use and or parking. (*amended 12.15.14*)

Section V

No person or persons shall collect, stand in crowds, or remain loitering in, on or about any streets or other public places so as to hinder the free and uninterrupted passage of other persons, nor hinder or impede the free access to and departure from or inside of any public hall, courtroom, or place of entertainment or worship, nor shall any person commit any act or acts constituting a disturbance, public quarrel or riot, nor aid and abet in the commission of such act or acts, nor shall any persons riotously congregate or assemble in the Township of Orion.

Section VI

Actual commission of any of the acts aforementioned shall be deemed acts of disorderly conduct within the provisions of this Ordinance.

Section VII

Any person committing any of the acts of disorderly conduct hereinbefore mentioned or who shall be a disorderly person within the meaning hereof 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 (90) days or by both such fine and imprisonment in the discretion of the Court.

Section VIII

In the event of 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 IX

This Ordinance shall become effective upon publication, as provided by law.

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