

ORDINANCE NO. 7

(Enacted June 17, 1981)

AN ORDINANCE TO PROHIBIT DISORDERLY CONDUCT,
AS HEREIN DEFINED, IN THE VILLAGE LIMITS, TO PROVIDE
EXEMPTIONS THEREFROM AND TO PROVIDE
PENALTIES FOR THE VIOLATION THEREOF

The Village of Dansville ordains:

SECTION 1. The following words or terms when used herein shall be deemed to have the meanings set forth below:

(a) "Public Place" shall mean any place to which the general public has access and a right or privilege to resort to or frequent for business, entertainment, or other lawful purpose, not limited however to a place devoted solely to the uses of the public, including all of the access area abutting any store, shop, restaurant, tavern or other place of business, together with all public grounds, areas, streets, sidewalks and parks and any other place open to the public or to which the public has access.

(b) "Riot" shall mean a public disturbance involving: (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual, or (2) a threat of threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.

(c) "Incite a Riot" shall mean, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written advocacy of idea, or expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit, any such act or acts.

(d) "Refuse" means putrescible and non-putrescible solid waste, including body wastes, including garbage, rubbish and ashes.

(e) "Garbage" means rejected food wastes, including waste accumulation of animal, fruit or vegetable matter used or intended for food, or that attend the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetables.

(f) "Rubbish" means non-putrescible solid waste, excluding ashes, consisting of both combustible or non-combustible waste, such as paper, cardboard, tin cans, yard clippings, wood, grass, bedding, crockery or litter of any kind, that is detrimental to the public health and safety.

SECTION 2. A person is a disorderly person if the person is any of the following:

- (a) A person of sufficient ability who refuses or neglects to support his or her family.
- (b) A common prostitute.
- (c) A window peeper.
- (d) A person who engages in an illegal occupation or business.
- (e) A person who is intoxicated in a public place and who is either endangering directly the safety of another person or of property or is acting in a manner that causes a public disturbance.
- (f) A person who is engaged in indecent or obscene conduct in a public place.
- (g) A vagrant.
- (h) A person found begging in a public place.
- (i) A person found loitering in a house of ill fame or prostitution or place where prostitution or lewdness is practiced, encouraged, or allowed.
- (j) A person who is found jostling or roughly crowding people unnecessarily in a public place.
- (k) A person who knowingly loiters in or about a place where an illegal occupation or business is being conducted.
- (l) A person who engages in any indecent, insulting, immoral, abusive or obscene language, or makes any obscene gestures.
- (m) A person who causes, provokes or engages in any fight, brawl or riotous conduct which endangers the life, limb, health or property of another.
- (n) A person who interferes with another's pursuit of a lawful occupation without authority to do so.

- (o) A person who obstructs, either singly or together with other persons, the flow of vehicular or pedestrian traffic and refuses to clear such public way when ordered to do so by a police officer or other lawful authority known to be such.
- (p) [A person who resists, opposes, hinders, obstructs or interferes with the performance of duties by any police or other public official, when known to be such an official.]
- (q) A person who incites or attempts to incite, or is involved in attempting to incite a riot.
- (r) A person who addresses abusive language or threats to any police officer, or any other authorized official of the Village who is engaged in the lawful performance of their duties, or any other person when such words have a direct tendency to cause acts of violence, excluding, however, words causing displeasure, annoyance or resentment.
- (s) A person who makes or causes to be made any loud, boisterous and unreasonable noise which disturbs the public peace.
- (t) A person who fails to obey a lawful order to disperse by any police officer, when known to be such an official, where one or more persons are committing acts of disorderly conduct in the immediate vicinity, and the public health and safety is threatened.
- (u) A person who bathes in any body of water in a naked state or with their person undressed so that there shall be indecent exposure of the body, or shall indecently expose their body under any circumstances.
- (v) A person who maliciously destroys, defaces or injures any public property or any private property not their own.
- (w) A person who disturbs any school, meeting, election, or congregation lawfully assembled, whether religious, political or otherwise, or causes any disturbance in any tavern, store, grocery, manufacturing establishment or any other business place.
- (x) A person who damages, befouls or disturbs public property, or the property of another so as to create a hazardous, unhealthy or physically offensive condition.
- (y) A person who commits an assault or assault and battery, or other breach of peace, or aids and abets any fight, quarrel or other disturbance.

(z) A person who throws, drops or places any glass bottle, jar, broken glass, refuse, garbage, or rubbish upon any street, alley, sidewalk, public parking lot, or public park, or any property not his own.

(aa) A person who enters willfully upon the lands or premises of another without lawful authority, after having been forbidden so to do by the owner or occupant, agent or servant of the owner or occupant, or any police officer, or any person being upon the land or premises of another, upon being notified to depart therefrom by the owner or occupant, the agent or servant of either, or any police officer, and who neglects or refuses to depart therefrom.

(bb) [A person who loiters on or about any street, sidewalk, park, public building, or conducts himself in any such places, so as to obstruct or interfere with the free and uninterrupted passage of or use by the public.]

SECTION 3. It shall be unlawful for any person to be a disorderly person under the terms and provisions of this Ordinance within the limits of the Village of Dansville and upon conviction thereof shall be guilty of a misdemeanor punishable by a fine of up to Five Hundred (\$500.00) Dollars together with all costs of prosecution or by imprisonment in the County Jail for up to ninety (90) days or both, in the discretion of the District Court.

SECTION 4. Nothing herein shall be construed to suppress the right to lawful assembly, picketing, public speaking, or other lawful means of expressing public opinion not in contravention of other laws.

SECTION 5. This Ordinance and the several sections, clauses and parts thereto, are hereby declared to be severable. If any part of clause thereof is declared or adjudged invalid by present or future legislation or by any court, the balance of the Ordinance shall not be affected thereby.

SECTION 6. This Ordinance shall take effect twenty (20) days after its adoption by the Village Council.

History: As amended by Ordinance No. 16 enacted July 13, 1982.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 7 duly adopted by the Council of the Village of Dansville, Ingham County, Michigan on June 17, 1981 and that the same was published in accordance with Section 4 of Act 3, P.A. 1895 in The Ingham County News on June 25, 1981.

Wilmot S. Bohnet
Wilmot S. Bohnet
Village Clerk

Clayton Johnson, Jr.
Clayton Johnson, Jr.
Village President