

20.0200

**DISORDERLY PERSONS ORDINANCE
TOWNSHIP OF GRAND HAVEN, MICHIGAN
ord. no. 48 eff. July 1, 1982**

An Ordinance to define and prohibit disorderly conduct within Grand Haven Township, Ottawa County, Michigan including definitions of disorderly conduct and to prescribe penalties for the violation thereof.

THE TOWNSHIP OF GRAND HAVEN, OTTAWA COUNTY, MICHIGAN,
ORDAINS:

20.0201

Sec. 1 TITLE

This Ordinance shall be known and cited as the Grand Haven Township Disorderly Conduct Ordinance.
(ord. no. 48 eff. July 1, 1982)

20.0202

Sec. 2 DISORDERLY DEFINITIONS

1. No persons shall conduct himself or herself in a disorderly manner in the Township of Grand Haven, Ottawa County, Michigan. For the purpose of this Ordinance, a person conducts himself or herself in a disorderly manner when he or she does any act or engages in any practice hereinafter listed, or aids or abets any person who does any such act or engages in any such practice hereinafter listed:
 - A. Engage in any indecent, immoral, or obscene conduct in any public place;
 - B. Swim or bathe in the nude in any public place or on private property without specific permission of the owner;
 - C. Utter any vile, blasphemous, vulgar or obscene language in any public place or in such a way as to subject the public to such language;
 - D. Tell or pretend to tell fortunes for hire, gain, reward, or profit whether by means of cards, token trances, inspection of the hands or skull, mind reading, consulting the movements of the heavenly bodies, or otherwise; or for hire, gain, reward, or profit, pretend to enable another to recover lost or stolen property, pretend to give success in any business enterprise, speculation or game of chance, or by improper means induce any person to dispose of property in favor of another;
 - E. Willfully destroy, damage, deface, injure, or tamper with any property

of another, or without proper authority, or in any manner mar the walls of any building or any fence, tree, or pole within the Township; or take, or meddle with any property belonging to the Township, or remove the same from the building or place where it may be kept, placed, standing, or stored, without authority from the official custodian of said property;

- F. Collect or stand in crowds for illegal or mischievous purposes in any public place;
- G. Without proper authority, conduct himself or herself in any public place so as to obstruct the free and uninterrupted passage of the public;
- H. Permit or suffer any place occupied or controlled by him to be unreasonably noisy, boisterous or to be occupied by persons acting in a disorderly manner as herein defined;
- I. Disturb the public peace and quiet by loud, boisterous, or vulgar conduct; or make, aid, give countenance to, or assist in making any improper noise, disturbance, breach of the peace or diversion tending to a breach of the peace, in any place within the Township;
- J. Disturb any service of worship or any other assembly gathered for lawful purposes;
- K. Permit any loud or boisterous noise, congregation, disturbance, or sound by which the peace and good order of the Township are disturbed, in or about his or her premises, or premises controlled by such person;
- L. Gun or race the engine of any motor vehicle, including every motorcycle, or motor driven cycle or run or operate a motor vehicle, motorcycle, or motor driven cycle without a muffler in good working order (one which in constant operation prevents excessive or unusual noise and annoying smoke); a person shall not remove, destroy, or damage any of the baffles contained in the muffler, nor shall a person use a muffler cut-out, bypass, or similar device upon a motorcycle or motor driven cycle in any place within the Township;
- M. Shout, yell, hoot, whistle, sing, or make any loud noises on the public streets or public or municipal parks between the hours of 11:00 p.m. and 7:00 p.m.;
- N. Create any loud noises or use any loud speaker, sound amplifier or

other electrical or mechanical device intended to increase the volume or sound at any place or places within the Township in such a manner as to disturb unnecessarily and without reasonable cause the quiet, comfort, or repose of any person or persons between the hours of 12:00 a.m. and 7:00 a.m.;

- O. Create any loud noises by the erection, including excavation therefor, demolition, alteration, maintenance or repair of any property or the excavation of any streets or highways at any time, except between the hours of 6:00 a.m. and 9:00 p.m. or except as may be necessary for emergency construction operations or repairs;
- P. Knowingly sell, give, or furnish liquor, wine or beer to any drunken, intoxicated or disorderly person; or do or engage in any act relating to traffic in alcoholic liquors without such licenses as may be required under the laws of the state;
- Q. Disobey any validly posted signs in any public park or other public place;
- R. Trespass or unlawfully enter or remain on the premises of another to the annoyance or disturbance of the lawful owner or occupant thereof;
- S. Consume alcoholic liquor in or upon any public street, or other public place, or place or parking lot open to the public, unless such place is duly licensed to sell alcoholic liquor for consumption on the premises, or furnish alcoholic liquor to any person not of the lawful age to possess it;
- T. Enter into any place, area, or building or any part thereof, without having first paid any fee, charge, or other consideration required for admission;
- U. Knowingly furnish to any police officer, or other official of the Township of Grand Haven, Ottawa County, a false name or address in connection with an arrest for the commission of any crime or misdemeanor;
- V. Possess any knife, dagger, dirk, razor, stiletto, or machete, with a blade over three (3) inches long, or a club, nightstick, bludgeon, weapon of the martial arts, or any other deadly weapon or instrument without a legitimate cause related to the person's occupation or business; except on the person's own private property.
- W. Operate or permit to be operated, on any property under his or her

ownership or control, a liquid propane cannon in a manner which is inconsistent with the following:

- 1) There shall be no more than one cannon per ten (10) acres of crops to be protected.
- 2) The cannon(s) shall not be fired more frequently than once every three (3) minutes.
- 3) The cannon(s) shall not be fired between sunset and sunrise unless the farm owner or operator has notified the Township of a need to fire the guns between sunset and sunrise because of animal predation.
- 4) Otherwise use the cannon in a manner that is inconsistent with generally accepted agricultural practices.

X. Engage in public nudity in a public place, as hereinafter defined:

“Public Nudity” means the knowing or intentional display of any individual’s genitals, anus, or of a female individual’s breast, in a public place, or at any other for payment or promise of payment by any person. An individual’s genitals or anus shall be considered to be displayed if it or they are visible; an individual’s genitals or anus shall not be considered to be displayed if they are covered by a fully opaque covering. A female individual’s breast shall be considered to be displayed if the nipple or areola is visible; a female individual’s breast shall not be considered to be displayed if the nipple and areola are covered by a fully opaque covering. Payment or promise of payment includes the payment of, or promise of payment of, any consideration or admission fee. Public nudity does not include any of the following: (1) the exposure of a woman’s breast while breast-feeding a child, whether the nipple or areola is visible during or incidental to the feeding; (2) Any materials which meet or satisfy the definition contained in Section 2 of Act No. 343 of the Public Acts of 1984, as amended, being MCLA 752.362; (3) Any sexually explicit visual material, as defined in Section 3 of Act No. 33 of the Public Acts of 1978, as amended, being MCLA 722.673; or, (4) any display of an individual’s genitals or anus, or of a female individual’s breast, which occurs as part of the regular curriculum of an educational institution that is funded, chartered, or recognized by the State of Michigan.

“Public Place” means any real property, or appurtenance to real property, which is owned by the State of Michigan, by any

municipality of this State, a public agency, or by a college or university of this state. The term includes, but is not limited to a structure, enclosure, facility or complex, such as a court, mall, park, or other area, feature of element which is owned or operated by the State of Michigan, or any subordinate unit of government, agency, commission, or instrumentality of the state. Public Place shall also mean a business or an educational, refreshment, entertainment, recreation, health, transportation facility, or institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.
(ord. no. 280 eff. Feb. 15, 1998)

20.0203 Sec. 3 INVALID CLAUSES

Should any section, clause, or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof, other than the parts so declared to be invalid.
(ord. no. 48 eff. July 1, 1982)

20.0204 Sec. 4 VIOLATIONS AND PENALTIES

A violation of any provision of this Ordinance shall constitute a misdemeanor. Any person who violates any provision of this Ordinance shall, upon conviction thereof, be punished by a fine not to exceed five hundred dollars (\$500.00) and costs of prosecution, or by imprisonment in the county jail for a period not to exceed ninety (90) days, or both, in the discretion of the court.
(ord. no. 48 eff. July 1, 1982; amend. by ord. no. 176 eff. Dec. 14, 1992; amend. by ord. no. 220 eff. June 11, 1995; amend. by ord. no. 280 eff. Feb. 15, 1998; amend. by ord. no. 294 eff. May 4, 1998)

20.0205 Sec. 5 EFFECTIVE DATE

This Ordinance, after being duly adopted, shall become effective thirty (30) days after publication thereof.
(ord. no. 48 eff. July 1, 1982)