

ROBINSON TOWNSHIP

ORDINANCE NO. 97-15

CIVIL DISORDERLY CONDUCT ORDINANCE

AN ORDINANCE TO DEFINE AND PROHIBIT CIVIL DISORDERLY CONDUCT WITHIN ROBINSON TOWNSHIP, OTTAWA COUNTY, MICHIGAN AND TO PRESCRIBE PENALTIES FOR CIVIL DISORDERLY CONDUCT WITHIN THE TOWNSHIP.

THE TOWNSHIP OF ROBINSON, COUNTY OF OTTAWA, AND STATE OF MICHIGAN ORDAINS:

Section 1. Name. This Ordinance shall be known and may be cited as the Robinson Township Civil Disorderly Conduct Ordinance.

Section 2. Disorderly Conduct. No person shall act in a civil disorderly manner in the Township. For the purpose of this Ordinance, a person acts in a civil disorderly manner when the person 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. For purposes of this Ordinance, "person" includes any individual, firm, partnership, association, corporation, company or organization of any kind.

- (a) No person shall make, aid, give countenance to or assist in making any improper noise or disturbance which is unreasonably loud, raucous or a nuisance to persons within the area of audibility.
- (b) No person shall keep, harbor, or have charge of any dog which, by loud barking, howling or yelping has become a nuisance in the vicinity where kept or harbored. A complaint regarding this subsection must be made by at least two (2) persons in separate households in the vicinity where the dog is kept or harbored.
- (c) No person shall at any time or place within the Township permit or engage in the playing or use of any electronic sound producing device in such a manner or with such volume which is unreasonably loud, raucous or a nuisance to persons within the area of audibility. For the purpose of this subsection, the term "electronic sound producing device" shall include any radio, phonograph, stereo, television set, amplified musical instrument, loud speaker, tape or cassette recorder, compact disc player, or any other similar device.
- (d) No person shall loiter, sit, walk or stand upon any street, sidewalk, or other public place, when such conduct impedes or tends to impede the passage of

pedestrians or vehicles, and when the person has been ordered to move on by a police officer or Township Constable.

- (e) In order to prevent interference with traffic visibility and to promote the safety and welfare of Township residents and guests and those who are passing through the Township, the Township prohibits any person from erecting or maintaining on any corner lot any fence, pile, structure or planting over thirty (30) inches in height from the level of the center of the street within twenty (20) feet of the corner property line (i.e. the point of intersection of the front and side lot lines which run adjacent to the two streets forming the corner lot). To the extent any of the words or phrases in this subsection are defined in the Robinson Township Zoning Ordinance, as amended, those same definitions shall apply to this subsection.

Section 3. Penalties. In addition to any other charges, fines or penalties for which a person may be liable under applicable law or local ordinance, any violation of this Ordinance shall constitute a municipal civil infraction. A person who commits a civil infraction shall be subject to enforcement procedures as set forth in the Municipal Civil Infraction Ordinance adopted by the Township, and subject to a fine of \$50.00 plus costs and other sanctions for each infraction. Each day during which any violation of this Ordinance continues shall be deemed a separate and distinct offense. Increased civil fines may be imposed for repeat violations of this Ordinance; a repeat violation means a second or subsequent municipal civil infraction violation committed by a person within any twelve (12) month period and for which a person admits responsibility or is determined to be responsible. The increased civil fine for repeat violations shall be as follows:

- (a) The fine for any offense which is a first repeat offense shall be \$250.00, plus costs and other sanctions; and
- (b) The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be \$500.00, plus costs and other sanctions.

Members of the Ottawa County Sheriff's Department assigned to the Township, members of any law enforcement agency whose services are contracted for by the Township, and any other individuals who may from time to time be appointed by resolution of the Township Board are hereby designated as the authorized Township Officials to issue municipal civil infraction citations (directing alleged violators to appear in Court) or municipal civil infraction violation notices (directing alleged violators to appear at the Robinson Township Municipal Violations Bureau).

Section 4. Administrative Liability. No officer, agent, employee or member of the Township Board shall be personally liable for any damage that may accrue to any person as a result of any act, decision or other consequence or occurrence arising out of the discharge of duties and responsibilities pursuant to this Ordinance.

Section 5. Captions. The captions used in this Ordinance are used for convenience only and in no way are intended to expand, modify or limit the meaning of the sections to which they refer.

Section 6. Severability. This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses hereof are hereby declared to be severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance shall not be affected thereby.

Section 7. Repeal. All ordinances or parts thereof which are in conflict in whole or in part with any of the provisions of this Ordinance are repealed as of the effective date hereof.

Section 8. Effective Date. This Ordinance was approved and adopted by the Township Board of the Township of Robinson, Ottawa County, Michigan, on June 16, 1997. This Ordinance shall become effective 30 days following its publication in a newspaper in general circulation within the Township of Robinson.



Raymond Masko  
Township Supervisor



Thomas Hamilton  
Township Clerk

**CERTIFICATE**

I, Thomas Hamilton, Clerk for the Township of Robinson, Ottawa County, Michigan, do hereby certify that the foregoing Robinson Township Civil Disorderly Conduct Ordinance was adopted at a regular meeting of the Township Board held on June 16, 1997. The following members of the Township Board were present at that meeting: \_\_\_\_\_

Masko, Hamilton, Stille, Ralya and Peterson

The following members of the Township Board were absent: none

\_\_\_\_\_. The Ordinance was adopted by the Township Board with members of the Board Masko, Hamilton, Stille, Ralya, and Peterson voting in favor and members of the Board none voting in opposition. The Ordinance was published in the *Grand Haven Tribune* on June 21, 1997.



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Thomas Hamilton  
Township Clerk