

PUBLIC NOTICE

At a special meeting of the Leighton Township Board held on the 21st day of September, 2005, the following Ordinance was adopted:

TOWNSHIP OF LEIGHTON

County of Allegan, State of Michigan

Leighton Township Ordinance No. 2005-09-01

Adopted: 9-27-05

Effective: 11-1-05

DISORDERLY ORDINANCE

An Ordinance to define and prohibit disorderly conduct with the Township of Leighton, Allegan County, Michigan, and to prescribe penalties for disorderly conduct with the Township.

The Township of Leighton, County of Allegan, State of Michigan hereby ordains as follows:

Section 1. Disorderly Conduct - Separate Offenses - Acts Prohibited

No person shall:

1. Cause or allow to be caused on either public or private property any noise which by volume, frequency, pitch, or intensity is offensive or disturbing to the members of the general public causing or allowing such noise shall constitute disorderly conduct.

This section shall not prohibit the operation of farm equipment for farming purposes.

2. Engage in any indecent, insulting, immoral, or obscene conduct in any public place.
3. Utter vile, profane, or obscene language in any public place.
4. Collect or stand in crowds, or arrange, encourage, or abet the collection of persons in crowds for illegal or mischievous purposes in any public place.
5. Loiter on any street or sidewalk or in any park or public building or conduct himself in any public place so as to obstruct the free and uninterrupted passage of the public.
6. Permit or suffer any place occupied or controlled by him to be a resort of noisy, boisterous, or disorderly persons.
7. Spit on any sidewalk or on the floor or seat of any public carrier, or on any wall, seat, or equipment of any place of public assemblage.

8. Whether in a motor vehicle or not, sleep in any park, street, public right-of-way, any public bench, or in any other public place, in the Township during night time hours which are hereby defined between the hours of 9:00 pm and 9:00 am.

Section 2. Penalty.

Any person who shall violate a provision of this Ordinance or shall fail to comply with any of its requirements shall be responsible for a Municipal Civil Infraction subject to enforcement procedures as set forth in the Municipal Civil Infractions Ordinance adopted by the Township, and as defined by Michigan Law will be subject to a civil fine in accordance with the schedule below:

First violation within a 3-year period*	\$ 50.00
Second violation within a 3-year period*	\$ 250.00
Third violation within a 3-year period*	\$ 500.00
Fourth or subsequent violation within a 3-year period*	\$1,000.00

*Additionally, the violator shall pay costs which may include all direct or indirect expenses to which the Township has been put in connection with the violation. In no case, however, shall the costs of less than \$9.00 or more than \$500.00 be ordered. A violator of this ordinance shall also be subject to such additional sanctions, remedies, and judicial orders as are authorized under Michigan law.

Section 3. Administrative Liability.

No officer, agent, or employee of the Township of Leighton shall render himself personally liable for any damage that may accrue to any person as a result of any act required or permitted in the discharge of his duties in the enforcement of this Ordinance.

Section 4. Severability.

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, phrase, word, section, subsection, part, or provision is declared unconstitutional, void, or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any remainder of the Ordinance.

Section 5. Summation.

A violation of any regulation contained in this ordinance is determined to be detrimental to the health, safety, and general welfare of the residents, property owners, and other persons within the township, and is deemed a public nuisance per se. Any violation, of this ordinance shall constitute a basis for injunctive relief against the violator, to restrain and prohibit the violator from continuing the violation, in addition to any other relief or penalty provided by this ordinance or allowed by law. The Township may bring action to enjoin such alleged violation activity.

Each day a violation continues constitutes a separate or repeat offense and shall be subject to penalties or sanctions as a separate or repeat offense.

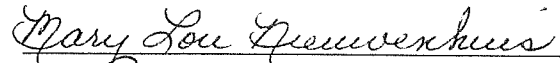
Nothing in the ordinance shall be deemed to require the Township to initiate its Municipal Civil Infraction Ordinance enforcement activity through the issuance of an ordinance violation notice. As to each ordinance violation designated as a Municipal Civil Infraction, the Township may, at its sole discretion, proceed directly with the issuance of a Municipal Civil Infraction citation or take such other enforcement action as is authorized by law.

Section 6. Effective Date.

This ordinance shall take effect 30 days after publication.

The foregoing ordinance was adopted at a special meeting of the Leighton Township Board held on the 21st day of September, 2005.

A copy of the foregoing Ordinance may be purchased or inspected any weekday between the hours of 9:00 am to 4:00 pm Tuesday through Thursday and 9:00 am to 12:00 noon on Friday at the Township Offices located at 4475 Kalamazoo Drive, Caledonia, Michigan 49316.


Mary Lou Nieuwenhuis
Leighton Township Clerk