

**BARTON HILLS VILLAGE
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE NO. 2

[AN ORDINANCE TO DEFINE AND PROHIBIT DISORDERLY CONDUCT WITHIN THE VILLAGE; TO PROHIBIT TRESPASSING AND TO AUTHORIZE LIMITED SEARCHES BY POLICE OFFICERS.]

BARTON HILLS VILLAGE ORDAINS:

SECTION 1. DEFINITIONS

The term "public place" as used in this ordinance shall mean any street open to the residents of Barton Hills Village, alley, park, public building, any place of business or assembly open to or frequented by the public, and any other place which is open to the public view, or to which the public has access, and which is within the limits of Barton Hills Village.

SECTION 2. ACTS PROHIBITED

No person shall:

- (1) Commit an assault, or an assault and battery on any person.
- (2) Be drunk in any public place or under the influence of any narcotic drug in any public place.
- (3) Engage in indecent or obscene conduct in any public place.
- (4) Discharge any firearm, air rifle, air pistol or bow and arrow in the Village except when lawfully acting in the defense of persons or property or the enforcement of law or except pursuant to a permit for eliminating animals causing a nuisance.
- (5) Fire, discharge, display, or possess any fireworks except of the type and under the conditions permitted by Chapter 39 of the Penal Code of the State of Michigan (MCL 750.243a *et seq.*).
- (6) Engage in peeping in the windows of an inhabited place.
- (7) Beg in any public place.
- (8) Engage in conduct or communication which, by its very existence, inflicts injury or tends to incite an immediate breach of the peace or which prevents the peaceful and orderly conduct of a public meeting.
- (9) Make any indecent exposure of his or her person.
- (10) Willfully destroy, remove, damage, alter or in any manner deface any property not his own.

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- (11) Engage in any fight in a public place.
- (12) Loiter on any street or sidewalk or in any park or public building or conduct oneself in any public place so as to obstruct the free and uninterrupted passage of the public.
- (13) Disturb the public peace and quiet by loud, boisterous, or vulgar conduct.
- (14) Obstruct, resist, hinder, or oppose any member of the Police Department, or any peace officer in the discharge of his duties as such.
- (15) Prowl about the private premises of any other person in the nighttime, without authority or the permission of the owner of such premises.
- (16) Summon, as a joke or prank or otherwise without any good reason therefor, 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.
- (17) Drive or operate any motor vehicle over or upon any private property without the consent of the owner of such private property except at a driveway when entry to such driveway has not been expressly prohibited under section 3 of this ordinance.

SECTION 3. TRESPASS

It shall be unlawful for any person to enter or otherwise trespass upon the lands or premises of another within the corporate limits of Barton Hills Village, after having been forbidden to do so by the owner or occupant of said lands or premises, or by the agent or servant of the owner or occupant. The posting of a conspicuous sign forbidding the entry or trespass on the posted property shall constitute sufficient notice requiring compliance with this section.

SECTION 4. STOPPING FOR QUESTIONING

When a police officer has reasonable cause to believe that the behavior of an individual warrants further investigation for criminal activity, the officer may stop and question such person.

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SECTION 5. SEARCHING FOR ARMS

When a police officer has stopped a person for questioning pursuant to section 4 and has reasonable cause to believe there is danger to himself or others, he may conduct a limited search of that person for dangerous weapons. The police officer may take and keep such weapon or any other thing, the possession of which may constitute a crime, until he has completed the questioning at which time he shall either return such property so taken, if lawfully possessed, or arrest such person and dispose of such property according to law.

SECTION 6. EFFECTIVE DATE

This ordinance will be effective in Barton Hills Village after publication of this ordinance in accordance with the charter of the Village.

SECTION 7. PENALTY

Any person convicted of a violation of any provision of this Ordinance shall be punished by a fine of not more than one hundred dollars (\$100) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Amended by Ord. No. 3 7/15/74

Adopted: May 29, 1974
Published: May 30, 1974
Effective: May 30, 1974

Amended April 13, 2009
Published April 17, 2009
Date Effective April 18, 2009

Carroll T. Sanders, Clerk
Elizabeth Langford, President