

ORDINANCE # 173-A

VILLAGE OF BARAGA PUBLIC ANNOYANCE OR ALARM ORDINANCE

CAUSING OR RISKING PUBLIC INCONVENIENCE, ANNOYANCE OR ALARM:

No person shall purposely cause, or recklessly create a risk of, or knowingly contribute to inconvenience, annoyance or alarm of any person in a public place by;

- a) Engaging in fighting or threatening, or engaging in violent or tumultuous behavior; or
- b) Jostling or roughly crowding persons unnecessarily; or
- c) Making an obscene communication or display; or
- d) Creating a hazardous condition by any act which serves no legitimate purpose of the actor.

Persons convicted of a violation of this section will be punished by imprisonment for not more than ninety (90) days, or by a fine of not more than five hundred (\$500.00) or by both such fine and imprisonment in the discretion of the Court.

Adopted : 8-12-96

Published: 8-21-96

This ordinance duly adopted on 8-12-96 at a regular meeting of the Baraga Village Council, and will become effective 9-20-96.

Date: 8-12-96


Betty K. Fish Village Clerk

ORDINANCE 173 A-178 DEFINITIONS

DEFINITIONS:

"Public place" as used in this chapter means a place to which the public, or a substantial group of persons has access. Among the places included are any:

- a) Highway, street, road, alley, sidewalk, park, parking lot, river, public water, wharf, dock, waterfront, publicly owned or controlled open ground.
- b) publicly owned or controlled building, excluding any interior portion thereof being used as a dwelling.
- c) Place of business.
- d) Place of amusement or entertainment, recreation or education open to the general public.
- e) Place where services are rendered to the public or a substantial group of persons.
- f) Transport facility.
- g) Public conveyance.
- h) Place of religious worship.
- i) Place of manufacturing.
- j) Railroad right of way
- k) Hospital
- l) Cemetery
- m) Common area of any hotel or apartment building.
- n) Private meeting place when a privately employed special-duty police officer, or special duty deputy sheriff is on duty there.
- o) Grounds appurtenant to any of the above designated.
- p) Parking facility used in connection with any of the above designated.

The foregoing enumeration shall be deemed partial and shall not operate to exclude other places which are within the general terms of this definition.

"Loitering" as used in this chapter means:

- a) To stand or lounge around or move slowly about, to spend time idly, to saunter or to linger; or

b) To repeatedly pass the same place without any apparent reason.

"Alcoholic beverage" as used in this chapter shall mean "alcoholic liquor" as that term is defined in Act 8, Public Acts of Michigan, 1933 Extra Session, as ammended.

"Obscene communication" as used in this chapter shall mean discussion, description, or representation of nudity, sexual conduct, sexual excitement, or sad-masochistic abuse which, when taken as a whole, the average person, applying contemporary community standards, would find appeals to the prurient or morbid interest; which depicts or describes nudity, sexual conduct, sexual excitement, or sado-masochistic abuse in a patently offensive way; and which when taken as a whole, lacks serious literary, artistic, political, or scientific value.