

**VILLAGE OF NORTH BRANCH
PUBLIC DISTURBANCE ORDINANCE
ORDINANCE NO. 29**

An ordinance to regulate conduct constituting offenses against the public peace by persons in the Village; to prevent the use of alcoholic beverages by minors; to promote the public peace, safety and health; and to prescribe penalties for violations.

THE VILLAGE OF NORTH BRANCH ORDAINS:

Section 1. OFFENSES AGAINST THE PUBLIC PEACE.

A. TUMULTUOUS CONDUCT. No person shall disturb, tend to disturb, or aid in disturbing the peace of others by violent, tumultuous, offensive or obstreperous conduct. Nor shall any person knowingly permit such conduct upon any premises owned or rented by him or otherwise under his control.

B. ASSAULT. No person shall beat, strike, wound, imprison, or inflict violence on another where the circumstances show malice. Nor shall any person assault another with a lethal weapon, instrument, or thing with intent to commit upon the person of another any bodily injury where no considerable provocation appears or where the circumstances of the assault show malice.

C. FIGHTING. No person shall fight another person, except in boxing or wrestling exhibitions duly authorized under law.

D. BLOCKING PUBLIC PLACES. No persons shall occupy or congregate in any street, sidewalk, alley, park, parking lot or other public place in a manner which blocks free public access or use.

E. UNLAWFUL OCCUPANCY. No person shall occupy, lodge, or sleep in any vacant or unoccupied barn, garage, railroad car, vehicle, or lot without owning the same or without permission of the owner or person entitled to the possession of the same.

F. DISTURBANCE OF RELIGIOUS WORSHIP. No person shall disquiet or disturb any congregation or assembly for religious worship by making a noise or by rude or indecent behavior, or profane discourse within their place of worship or so near the same as to disturb the order or solemnity of the meeting.

G. VULGAR LANGUAGE. No person shall use vulgar, profane or indecent language on any public street, sidewalk, park, parking lot, or other public place or in any place of business open to public patronage.

H. WINDOW PEEPING. No person shall look, peer, or peep into, or be found loitering around or within a view of any window of a building occupied as a residence with the intent of watching or looking through said window to observe any person undressed, or in the event of dressing or undressing.

I. LEWD CONDUCT. No person shall conduct himself in a lewd, wanton or lascivious manner in speech or behavior in any public place.

Section 3. OFFENSES INVOLVING MINORS AND ALCOHOLIC BEVERAGES.

A. SALE OR DELIVERY TO MINOR. No person shall either directly or indirectly, by himself, clerk, agent, servant or employee, either sell, furnish, give or deliver any alcoholic beverage to any minor.

B. POSSESSION BY MINOR. No person shall purchase, consume, or knowingly possess or transport, or have under his control in any motor vehicle any alcoholic beverage; and for the purpose of this subparagraph it shall be presumed that minor is knowingly in possession of, or is knowingly transporting alcoholic beverages if the alcoholic beverage is found in a motor vehicle occupied by said minor.

C. FALSE REPRESENTATIONS BY MINOR. No person shall make any false statements or give false information regarding the age of a minor in order to procure the sale or furnishing of an alcoholic beverage to a minor.

Section 4. AIDING AND ABETTING. Each person involved in the commission of an offense under this Ordinance, whether he directly commits the act constituting the offense, or procures, counsels, aids or abets in its commission, may hereafter be prosecuted and tried and upon conviction shall be punished as if he had directly committed such offense.

Section 5. REPEAL. The former Offenses Ordinance, as made effective on December 24, 1965, is hereby repealed in its entirety.

Section 6. PENALTY. Any person found guilty of violating any of the provisions of this Ordinance shall be punished by a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment in the discretion of the Court.

The undersigned President and Clerk of the Village of North Branch hereby certify that this ordinance was duly adopted by the Village Council at a meeting held on the 5th day of April, 1990, and was published in the Lapeer County Press on the 18th day of April, 1990. This ordinance was made effective twenty (20) days after the date of adoption.

[SIGNED]

Bernard G. Kohler, President

[SIGNED]

Betty L. Kennedy, Clerk