

ORDINANCE NO.58

Richfield Township Public Disturbance and Public Nuisance 2012

No person shall cause any public disturbance. For purposes of this subsection, the term "public disturbance" means any act or series of actions causing an interruption of the public peace and quiet; the interference with a person who is in the pursuit of a lawful right or occupation; the irritation or incitement of an assembly, in whole or part; the direct endangerment of the safety of persons or property; or the interference with law enforcement or other township officials during the performance of their duties.

No person shall host, maintain, cause, or facilitate a public nuisance. For purposes of this subsection, the term "public nuisance" means a gathering of persons on public or private premises which, by the action or conduct of those persons in attendance, results in any one or more of the following conditions or events occurring on neighboring public or private property: public drinking or drunkenness; public urination or defecation; the unlawful sale, furnishing, or consumption of intoxicating beverages or controlled substances; the unlawful deposit of trash or litter; the unlawful storage, possession, use, or display of fireworks; the destruction of property; or unlawful vehicular traffic standing or parking which obstructs the free flow of traffic including pedestrian traffic or interferes with the ability to render emergency services; loud noise which disturbs the comfort, quiet, or repose of the neighborhood, including public disturbances, brawls, fights, or quarrels; conduct or conditions which injure or endanger the safety, health, or welfare of the neighborhood; indecent or obscene conduct; and any immoral exhibition or indecent exposure by persons attending the gathering.

Penalty.

A violation of this ordinance is a civil infraction, punishable by a fine of up to \$500.00, plus cost of prosecution.

Severability.

If any Section, subsection, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion of this ordinance, and such holding shall not affect the validity of the remaining portions of this ordinance.

This ordinance shall not be construed to suppress the right to lawful assembly, picketing, public speaking, or other lawful means of expressing public opinion.

Motion by Alexander, 2nd by Rieli

Ayes: Scroggin, Van Wormer, Alexander, Rieli, Scott. Carried.

Nays: None

July 17, 2012