

ORDINANCE NO. 80-724

AN ORDINANCE AMENDING AND REPEALING ARTICLE V OF CHAPTER 22, OFFENSES, OF THE CODE OF ORDINANCES FOR THE CITY OF WARREN RELATING TO DISORDERLY PERSONS.

THE CITY OF WARREN ORDAINS:

SECTION 1. Chapter 22 of the Code of Ordinances entitled Offenses, Section 22-108, relating to the regulation of jostling, is repealed.

SECTION 2. That Section 22-110 of Chapter 22, Article V, of the Code of Ordinances of the City of Warren, Michigan **which presently reads as follows:**

Sec. 22-110. Disorderly persons.

- (a) A person is a disorderly person if he/she is any of the following:
  - (1) A person who is intoxicated in a public place and who is either endangering directly the safety of another person or is acting in a manner that causes a public disturbance.
  - (2) A person who possesses or controls alcoholic beverages in a container which is open, uncapped or upon which the seal is broken, on any public street, sidewalk or in a motor vehicle located in a private parking area open to the public.
  - (3) A person who causes the improper diversion of motor vehicle traffic upon any public highway, street, road or thoroughfare by motion or gesture.
  - (4) A person who urinates or defecates in a public place when said public place is not a bathroom.
- (b) Failure to comply with the provisions of this section shall result in the prosecution as a misdemeanor; upon the finding of guilt, the violation shall be subject to a term of imprisonment not to exceed ninety (90) days and/or a fine not to exceed five hundred dollars (\$500.00).
- (c) If any section, subsection, clause, phrase or portion of this section

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 section and such holding shall not affect the validity of the remaining portions of this section.

**is hereby amended to read as follows:**

- (a) A person is a disorderly person if he/she is any of the following:
  - (1) A person who is intoxicated in a public place and who is either endangering directly the safety of another person or is acting in a manner that causes a public disturbance.
  - (2) A person who possesses or controls alcoholic beverages in a container which is open, uncapped or upon which the seal is broken, on any public street, sidewalk or in a motor vehicle located in a private parking area open to the public.
  - (3) A person who causes the improper diversion of motor vehicle traffic upon any public highway, street, road or thoroughfare by motion or gesture.
  - (4) A person who urinates or defecates in a public place when said public place is not a bathroom.
  - (5) A person who is engaged in indecent and obscene conduct in a public place.
  - (6) A person who is unnecessarily jostling, or roughly crowding people in a public place.
  - (7) Any person whom a peace officer encounters under circumstances which reasonably indicate that the person has committed, is committing or is about to commit a crime. The officer may detain the person pursuant to this section only to ascertain the person's identity and the suspicious circumstances surrounding the person's presence. Any person so detained shall identify him or herself, but may not be compelled to answer any other inquiry by the peace officer.
- (b) Failure to comply with the provisions of this section shall result in the prosecution as a misdemeanor; upon the finding of guilt, the violator is subject to a term of imprisonment not to exceed ninety (90) days and/or a fine not to exceed five hundred dollars (\$500.00).

- (c) If any section, subsection, clause, phrase or portion of this section 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 section and such holding

shall not affect the validity of the remaining portions of this section.

SECTION 3. All other sections of Chapter 22 are not repealed by this Ordinance, and will remain unchanged and effective.

SECTION 4. This Ordinance shall take effect on September 29, 2014.

I HEREBY CERTIFY that the foregoing Ordinance No. 80-724 was adopted by the Council of the City of Warren at its meeting held on September 9, 2014.

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PAUL WOJNO  
City Clerk

Published: September 24, 2014