

**HUNTING AND FIREARM CONTROL;
PORTION OF FENTON CHARTER TOWNSHIP
Ordinance No. 161
Adopted: August 14, 1968**

An ordinance to prohibit hunting for any wild animal or wild bird with a firearm, or the discharge of a firearm in the interest of public safety and general welfare for a portion of Fenton Township as more fully set forth as follows:

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1 Operation.

No person, firm, individual, corporation, association and/or partnership shall after the effective date hereof hunt for any wild animal or wild bird with a firearm or discharge a firearm in the following part of Fenton Township, Genesee County, State of Michigan, described as that part of:

In a part of Fenton Township described as that part of Sec. 2 lying S of North Long Lake Road and Wiggins Rd., all of Sec. 11, that part of Sec. 12 lying S of North Long Lake Road and W of Fenton Road, that part of Section 13 lying W of Fenton Road, all of Sec. 14, that part of Sec. 15 lying East of Torrey Rd., the N half of Sec. 23 except the NW 1/4 of NW 1/4, and that part of the N 1/2 of Sec. 24 lying W of Fenton Road, T5N, R6E, Fenton Township, Genesee County, Michigan.

SECTION 2 Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 651, 10-17-05)

SECTION 3 Saving clause.

If any section, or provision of any section of this ordinance shall be held void, ineffective or unconstitutional, such clause shall not effect the validity of the remaining sections thereof.

SECTION 4 Effective clause.

This ordinance shall take effective action on and after the 14th day of August, AD, 1968.

SECTION 5 Adoption; certification.

We, the undersigned, Supervisor and Clerk of the Township of Fenton, Genesee County, Michigan, do hereby certify that the above ordinance was passed by the Fenton Township Board on the 14th day of August, AD, 1968.

**HUNTING AND FIREARM CONTROL;
BYRAM LAKE
Ordinance No. 170
Adopted: July 11, 1969**

An ordinance to prohibit hunting for any wild animal or wild bird with a firearm, or the discharge of a firearm in the interest of public safety and general welfare for a portion of Fenton Township as more fully set forth as follows:

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1 Operation.

Hunting for migratory waterfowl with a firearm or the possession of a firearm for the purpose of hunting migratory waterfowl on the waters of Byram Lake in Fenton Township, Genesee County, or within 300 feet from the shore thereof is prohibited.

SECTION 2 Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 651, 10-17-05)

SECTION 3 Saving clause.

If any section, or provision of any section of this ordinance shall be held void, ineffective or unconstitutional, such clause shall not effect the validity of the remaining sections thereof.

SECTION 4 Effective clause.

This ordinance shall take effective action on and after the 15th day of August, AD, 1969.

SECTION 5 Adoption; certification.

We, the undersigned, Supervisor and Clerk of the Township of Fenton, Genesee County, Michigan, do hereby certify that the above ordinance was passed by the Fenton Township Board on the 11th day of June, AD, 1969.

**HUNTING AND FIREARM CONTROL;
SILVER AND MARL LAKES
Ordinance No. 236
Adopted: November 25, 1974**

An ordinance to described areas closed to hunting, special local regulations for hunting and to provide for the safety of persons and property within the Township of Fenton, Genesee County, enacted under the authority of Act 159, Public Acts of 1967 (MCL 317.331), being identical to state administrative rules filed in the office of the Secretary of State.

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1 Definitions.

All words and phrases used in this ordinance shall be construed and have the same meaning as those words and phrases defined in Act 159, P.A. 1967 MCL 317.331.

SECTION 2 Restrictions.

Fenton Township, Silver Lake; hunting prohibited.

Hunting with or the discharge of a firearm is unlawful on the waters of Silver Lake and within 450 feet of the water's edge, sections 27, 28, and 33, T5N R6E Fenton Township, Genesee County.

Fenton Township, Marl Lake; hunting prohibited.

Hunting with or the discharge of a firearm is unlawful on the waters of Marl Lake and within 450 feet of the water's edge, section 32 and 33 T5N R6E, Fenton Township, Genesee County.

SECTION 3 Repeal.

All other ordinances or parts of ordinances in conflict here within are hereby repealed.

SECTION 4 Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 651, 10-17-05)

SECTION 5 Severability.

This ordinance and the various parts, sections, subsections, provisions, sentences and clauses are severable. If any part of this ordinance is found to be unconstitutional or invalid it is declared the remainder of this ordinance shall not be affected hereby.

SECTION 6 Effective date.

This ordinance shall take effect 30 days after its publication in the Fenton Independent newspaper.

**BLIGHT ELIMINATION
Ordinance No. 508
Adopted: May 5, 1997**

An ordinance to define, prevent, reduce or eliminate blight, blighting factors or causes of blight within the Charter Township of Fenton, Genesee County, Michigan; to provide for the enforcement hereof; and to provide penalties for the violation hereof. Pursuant to the enacting authority therefore provided by act 344 of the Public Acts of 1945, as amended.

THE CHARTER TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN
ORDAINS:

SECTION 1. Purpose.

Consistent with the letter and spirit of Public Act 344 of 1945, as amended, it is the purpose of this ordinance to prevent, reduce or eliminate blight or potential blight in the Charter Township of Fenton by the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in said township.

SECTION 2. Causes of Blight or Blighting Factors.

It is hereby determined that the following uses, structures and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods. On and after the effective date of this ordinance, no person, firm or corporation of any kind shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any property in the Charter Township of Fenton owned, leased, rented or occupied by such person, firm or corporation.

- A. In any area, the storage upon any property of building materials unless there is in force a valid building permit issued by the Charter Township of Fenton for construction upon said property and said materials are intended for use in connection with such construction, or unless the building materials are stored within a totally enclosed structure. Building materials shall include but shall be limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws, or any other materials used in constructing any structure.
- B. In any area, the storage or accumulation of junk, trash, rubbish or refuse of any kind without a landfill permit, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed 15 days. The term "junk" shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants of woods, metal or any other material or other cast-off material of any kind whether or not the same could be put to any reasonable use.
- C. In any area, the existence of any structure or part of any structure which, because of fire, wind or other natural disaster, or physical deterioration is no longer inhabitable, if a dwelling, nor useful for any other purpose of which it may have been intended.
- D. In any area, the existence of any vacant dwelling, garage or other out-building unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals, or other unauthorized persons.

- E. In any area, the existence of any partially completed structure unless such structure is in the course of construction in accordance with a valid and unexpired building permit issued by the township and unless such construction is completed within a reasonable time.

SECTION 3 Enforcement and Penalty for Violation.

This ordinance shall be enforced by the Township Ordinance Enforcement Officer and/or the Township Building Inspector.

The owner, if possible, and the occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 2 hereof is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within 10 days after service of the notice upon him. Such notice may be served personally or by certified mail, return receipt requested. Additional time may be granted by the Ordinance Enforcement Officer or Building Inspector where bonafide efforts to remove or eliminate such causes of blight or blighting factors are in progress.

Failure to comply with such notice within the time allowed by the owner and/or occupant shall constitute a violation of this ordinance.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 528, 5-18-98; Ord. No. 570, 2-5-01)

SECTION 4. Effective Date.

This ordinance shall be published as required by law and shall take effect 30 days after adoption and publication.

Enacted at a regular meeting of the Board of Trustees of the Charter Township of Fenton, held on the 5th day of May 1997.

**NOISE ABATEMENT
Ordinance No. 595
Adopted: July 22, 2002**

An ordinance to define, prohibit and provide penalties for the creation or permitting of unreasonably loud, disturbing or unnecessary noise within the limits of Fenton Township.

THE CHARTER TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN
ORDAINS:

SECTION 1. Definitions.

Plainly Audible Sound – any sound of which the information content is unambiguously communicated to the listener such as, but not limited to, understandable spoken speech, comprehension of whether a voice is raised or normal, or comprehensible musical rhythms.

SECTION 2. Restrictions.

It shall be unlawful for any person himself, or knowingly to permit another person in any place owned and/or controlled by him, to create, assist in creating, permit, continue, or permit the continuance of any unreasonably loud, disturbing or unnecessary noise, which either injures or endangers the comfort, repose, health, peace or safety of others within the limits of the Township.

The following acts among others, are declared to be unreasonably loud, disturbing or unnecessary noises in violation of this Ordinance, but said enumeration shall not be deemed exclusive, namely:

- a. The sounding of any horn or signal device emanating from a motor vehicle or watercraft, except as a danger signal, so as to create any loud or harsh sound plainly audible within any dwelling unit or residence.
- b. The playing or operation of any device designed for sound reproduction including, but not limited to, any radio, television set, musical instrument, audio system, including cassette tape players, compact disc players, and speakers or loud speaker, in such a manner or with such volume as to be plainly audible in any dwelling unit or residence which is not the source of the sound, or to operate any such device on public property, public right-of-way or private street so as to be plainly audible fifty (50) feet or more from such device.

For prosecution of a violation of Section 2a of this Ordinance, proof that the particular motor vehicle or watercraft described in the misdemeanor citation was used in the violation together with proof that the defendant named in the misdemeanor citation was the owner of the motor vehicle or watercraft at the time of the violation constitutes in evidence a presumption that the registered owner of the motor vehicle or watercraft was the person who operated or controlled the motor vehicle when the noise violation occurred. The person in whose name the motor vehicle or watercraft is registered with the Secretary of State is presumed to be the owner of the motor vehicle or watercraft.

SECTION 3. Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or

such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

SECTION 4. Repeals.

All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 5. Effective Date.

This ordinance shall be published as required by law and shall take effect 30 days after publication.

Enacted at a regular meeting of the Fenton Township Board held on the 22nd day of July 2002.

DISORDERLY PERSONS

Ordinance No. 623

Adopted: July 19, 2004

An ordinance to repeal Ordinance No. 103; to define disorderly conduct in the Charter Township of Fenton; and to provide penalties for the violation of this Ordinance.

THE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN ORDAINS:

SECTION 1. Definitions

- A. The term “public place”, as used in this ordinance, shall mean any street, alley, park, parking lot, 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.
- B. Whenever any words and phrases used herein are not defined but are defined in the State Penal Code, any such definition therein shall be deemed to apply to such words and phrases used herein.

SECTION 2. Disorderly Persons

For the purposes of this Ordinance, a disorderly person shall be any person who shall engage in any act or practice hereinafter enumerated and any person who shall aid or abet such person to do such act or to engage in such practice, as follows:

- 1. Commit an assault, or an assault and battery on any person or be engaged in or aid in any fight, quarrel, or other disturbance;
- 2. Be visibly intoxicated in a public place and endanger directly the safety of another person or of property or acts in a manner that causes a public disturbance;
- 3. Consume or offer any alcoholic liquor to any person in any automobile while parked or being driven on any public street or highway;
- 4. Engage in any indecent, immoral, or obscene conduct in any public place;
- 5. Fire, discharge, display, or possess any fire works except those of the type used under the conditions permitted by the Penal Code of the State of Michigan, or by the ordinance of the Township of Fenton;
- 6. Engage in peeping in windows of any inhabited place;
- 7. Beg in any public place or be a vagrant;
- 8. Swim or bathe in any public place without wearing clothing;
- 9. Utter any indecent, immoral, vulgar, vile, profane, or obscene language in any public place or in such a way as to subject the public to same;
- 10. Make any immoral or indecent exposure of his or her person or indulge in any indecent or immoral conduct in any public place;

11. Willfully destroy, take, damage, alter, or in any manner deface any property of another or that which is not his own, or remove same from the building or place where it may be kept, placed or stored, without proper authority, or mark or post hand bills on, or in any manner mark the walls of any public building, fence, tree, or pole within the Township of Fenton, or destroy, take, disconnect, tamper, or meddle with any property belonging to the Township of Fenton;
12. Engage in any disturbance, fight, or quarrel in a public place;
13. Jostle or roughly crowd persons unnecessarily in any public place;
14. Engage in any act of prostitution or solicit or accost any person for the purpose of inducing the commission of any illegal or immoral act;
15. Attend, frequent, operate or be an occupant or inmate of any place where prostitution, gambling, the illegal sale of intoxicating liquor, or where any other illegal or immoral business or occupation is permitted or conducted;
16. Knowingly transport any person to a place where prostitution or gambling is practiced, encouraged, or allowed for the purpose of enabling such person to engage in gambling or in any illegal or immoral act;
17. Keep, maintain, or permit the use of, a gambling room, table, or equipment or any policy or pool tickets controlled by him; or place, receive, or transmit any bet on the outcome of any race, contest, or game of any kind whatsoever unless otherwise permitted;
18. Disturb the public peace and quiet by loud, boisterous, or vulgar conduct or by loud music, riot, disturbance or diversion tending to breach the peace.
19. Obstruct, resist, hinder, or oppose any member of the police force, or any peace officer in the discharge of his duties as such, or any deputized officer serving civil process or executing upon property by proper court order;
20. Prowl about or trespass upon any premises, either by day or night, without expressed or implied authority or the permission of the owner of such premises;
21. Turn in, or encourage to be turned in, a false alarm of fire or a false report or complaint to any Township, police, fire or school official;
22. Knowingly sell or furnish liquor, wine, beer, or other alcoholic beverages to any person under the age of twenty one (21) years, or to any visibly intoxicated person;
23. Throw or propel any snowball, missile, or object maliciously toward any person, vehicle or structure, or from any moving vehicle;
24. Cause any animal to be over driven, overloaded, tormented, overworked, tortured, cruelly beaten, mutilated, cruelly killed, or deprived of necessary sustenance.
(Amended: Ord. No. 626, 9-7-04; Ord. No. 721, 3-29-10; Ord. No. 795, 8-21-17)

SECTION 3. Severability

This Ordinance and its various paragraphs, parts, sections, sentences, and clauses are

hereby declared to be severable. If any paragraph, part, section, sentence or clause of this Ordinance is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected thereby and shall be given effect without such invalid part or parts.

SECTION 4. Repeal of Inconsistent Ordinances

Ordinance No. 103 of the Charter Township of Fenton is hereby repealed, as are any other ordinances of the Charter Township of Fenton in conflict herewith.

SECTION 5. Penalty

Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be punished by a fine not exceeding Five Hundred Dollars (\$500.00) and costs of prosecution, or by imprisonment in the Genesee County Jail for a period not to exceed ninety (90) days, or by both, such fine, costs, and imprisonment in the discretion of the Court.

SECTION 6. Effective Date

This ordinance shall be published as required by law and shall take effect 30 days after its enactment and publication.

Enacted at a regular meeting of the Board of Trustees of the Charter Township of Fenton, held on the 19th day of July 2004.

TALL GRASS ORDINANCE

Ord. No. 709

Adopted: May 18, 2009

An ordinance to regulate the height of grass in the Charter Township of Fenton.

**THE CHARTER TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN
ORDAINS:**

SECTION 1. Purpose

The Township hereby finds that tall grass can have a blighting effect on neighborhoods and can provide a refuge for vermin. The purpose of this ordinance is to secure the public health, safety and general welfare of the residents and property owners of Fenton Township by regulating the height grass is allowed to grow.

SECTION 2. Definition

Grass: any type of grass or weed, but not including small grain crops such as corn oats or barley.

Owner: any person holding an ownership interest in land in the Charter Township of Fenton upon which there is tall grass growing. For the purposes of this Ordinance, the name and address listed on the Township tax assessment roll shall indicate ownership interest in such land.

Used for agriculture: the use of land for tilling of the soil, the raising of field or tree crops or animal husbandry, as a source of income.

SECTION 3. Duty to Cut Grass

- A. This ordinance applies to the following lots under one (1) acre in size:
 - 1. Lots with a structure.
 - 2. Vacant lots in a residential subdivision where 75% of the lots or units have been developed, or in the case of a multi-phase project, in any phase where 75% of the lots or units have been developed.
- B. This ordinance does not apply to:
 - 1. Land used for agricultural purposes.
 - 2. Portions of lots used for flower gardens, shrubbery or vegetable gardens.
 - 3. Naturally wooded areas, regulated wetlands or meadows.
 - 4. Areas designated as undeveloped open space.
- C. The owner of lots to which this ordinance applies shall not allow the grass to grow over twelve inches (12") in height.

SECTION 4. Enforcement

- A. This ordinance shall be enforced by the Fenton Township Ordinance Enforcement Officer (OEO).
- B. If it is determined that a lot is in violation of the ordinance, the OEO shall send notice of the violation to the property owner listed in the most recent Township Assessment Roll. The notice shall be sent by both first class and certified mail return receipt. The notice shall give the property owner fourteen (14) days from the date of the notice to cut the grass.
- C. If the grass is not cut within fourteen (14) days the OEO shall have the authority and may contract to have the lawn mowed by an authorized representative who is bonded

and insured and is hereby empowered to enter upon any premises or land in Fenton Township for the purpose of mowing grass in violation of this ordinance. No person shall interfere with such person or persons while they are engaged in carrying out the provisions of this ordinance.

- D. After having a lot mowed, the Township shall then submit a bill to the property owner for the cost of the mowing plus an administrative fee established by the Township Board. If the property owner does not pay the bill within 30 days of the date of the invoice the cost of such payment shall be charged against the premises and it shall become a lien on the land or property assessed of the same character in effect as the lien created by general law for taxes, until paid.

SECTION 5. Severability

The several provisions of this ordinance are declared to be separate; if any Court shall hold that any section or provision hereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this ordinance.

SECTION 6. Effective Date

This ordinance shall be published as required by law and shall take effect 30 days after its enactment and publication.

Enacted at a regular meeting of the Board of Trustees of the Charter Township of Fenton, held on the 18th day of May 2009.

CRIMINAL OFFENSES - LARCENY

Ordinance No. 06-356-20

Adopted: March 2, 2020

An ordinance to prohibit larceny, theft of property, fraudulent activity, stealing valuables from any device or box, breaking and/or breaking and entering any structure or receiving stolen goods, and to prescribe criminal penalties for violations thereof, all to protect the general health, welfare and safety of the residents of the Charter Township of Fenton.

THE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN HEREBY ORDAINS:

SECTION 1. Larceny

No person shall commit the offense of larceny by stealing the personal property, including, but limited to, money goods or chattels, mark notes or bills, bonds, promissory notes, due bills, drafts, books of account, deeds or other writing containing a conveyance of land, or process, or public records belonging to another.

SECTION 2. Theft by Fraud

No person shall, with intent to defraud or cheat, designedly, by color of any false token, by any false or bogus check, by spurious coin, by switching price tags, or by means of any false weights or measures, obtain from any person any money or other valuable thing.

SECTION 3. Theft from Receptacle

No person shall break or enter into any coin-operated telephone or other coin device or depository box or other receptacle established and maintained for the convenience of the public wherein is contained money or other things of value for the purpose of stealing or unlawfully removing such money or valuable property therein.

SECTION 4. Breaking & Entering

No person shall break and enter, or shall enter without breaking, any dwelling, house, tent, hotel office, store, shop, warehouse, barn, factory or other building, boat, ship, railroad car, apartment, cottage, clubhouse, lodge, garage or the outbuildings belonging thereto, or any other structure, whether occupied or unoccupied, without first obtaining permission to enter from the owner or occupant, agent or person having lawful control thereof.

SECTION 5. Stolen Property

No person shall buy, receive or aid in the concealment of any stolen, embezzled or converted money, goods, or property knowing the same to have been stolen, embezzled or converted.

- A. Any person being a dealer in or collector of any merchandise or personal property, or the agent, employee, or representative of a dealer or collector who fails to make reasonable inquiry that the person selling or delivering any stolen, embezzled or converted property or who buys or receives any such property which has a registration, serial or other identifying number altered or obliterated on any external surface thereof, shall be presumed to have bought or received such property knowing it to have been stolen, embezzled or converted. This presumption may, however, be rebutted by proof.
- B. In any prosecution of the offense of buying, receiving or aiding in the concealment of stolen, embezzled or converted money, or other property, it shall not be

necessary to aver, nor on the trial thereof to prove that the person who stole, embezzled or converted such property has been convicted.

SECTION 6. Embezzlement

No person who as the agent, servant or employee of another, or as the trustee, bailee or custodian of the property of another, or of any partnership, voluntary association, public or private corporation, or of the state, or of any country, city, village, township or school district within the state, shall fraudulently dispose of or convert to the person's own use, or take or secrete with intent to convert to the person's own use without the consent of the person's principal, any money or other personal property of the person's principal which shall have come to the person's possession or shall be under the person's charge or control by virtue of the person being such agent, employee, trustee, bailee, or custodian as aforesaid. In any prosecution under this section, the failure, neglect or refusal of such agent, servant, employee, trustee, bailee or custodian to pay, deliver, or refund the person's principal such money or property entrusted to the person's care upon demand shall be prima facie proof of intent to embezzle.

SECTION 7. Mortgage/Lease Fraud

No person shall embezzle, fraudulently remove, conceal or dispose of any personal property held by him subject to any chattel mortgage, or written instrument intended to operate as a chattel mortgage, or any lease or written instrument intended to operate as a lease, or any contract to purchase not yet fulfilled with intent to injure or defraud the mortgagee, lessor or vendor under such contract or any assignee thereof.

SECTION 8. Bank Fraud

No person who, with intent to defraud shall make or draw or utter or deliver any check, draft or order for the payment of money, to apply on account or otherwise, upon any bank or other depository, knowing at the time of such making, drawing, uttering or delivery, that the maker, or drawer, has not sufficient funds in or credit with such bank or other depository, for the payment of such check, draft or order, in full, upon its presentation, or any person, who, with the intent to defraud, shall make, draw, utter or deliver any check, draft or order for the payment of money to apply on account or otherwise, upon any bank or other depository and who shall not have sufficient funds for the payment for same when presentation for payment is made to the drawee, except where such lack of funds is due to garnishment, attachment, levy or other lawful cause, and such fact was not known to the person who made, drew, uttered or delivered the instrument at the time of so doing.

SECTION 9. Forgery

No person who, with intent to defraud or cheat, shall designedly, by color of any false token or writing or by any false or bogus check or other written, printed or engraved instrument, by spurious coin or metal in the similitude of coin, or by any other false pretense, cause any person to grant, convey, assign, demise, lease or mortgage any land or interest in land, or obtain the signature of any person to any written instrument, the making whereof would be punishable as forgery, or obtain from any person any money or personal property or the use of any instrument, facility or article or other valuable thing or service, or by means of any false weights or measures obtain a larger amount or quantity of property than was bargained for, or by means of any false weights or measures sell or dispose of a less amount or quantity of property than was bargained for.

SECTION 10. Hotel & Restaurant Fraud

No person who shall put up at any hotel, motel, inn, restaurant or cafe as a guest and shall procure any food, entertainment or accommodation without paying therefor, except when

credit is given therefor by express agreement, with intent to defraud such keeper thereof out of the pay for the same, or who, with intent to defraud such keeper out of the pay therefor, shall obtain credit at any hotel, motel, inn, restaurant or cafe for such food, entertainment or accommodation, by means of any false show of baggage or effects brought thereto. No conviction shall be had under the provision of this section unless complaint is made within 60 days of the time of the violation hereof.

SECTION 11. Theft by Conversion

No person shall convert to the person's self any property, commodity, thing of value or service through a self-service system of acquiring such property without paying for such property or making prior arrangement for payment therefor with the owner, attendant or supplier of such property, commodity, thing of value or service. It shall be prima facie evidence of a violation of this section for any person to leave the building or premises where such property was obtained without first making full payment therefor with the owner, attendant or supplier. Further, probable cause shall exist to effect an arrest of, or seek a warrant against, the registered owner of any vehicle used to leave the premises where such property was obtained in violation of this article.

SECTION 12. Prior Ordinances

All prior ordinances or parts thereof in conflict with the terms of this Ordinance are deemed superseded.

SECTION 13. Penalties

Any violation of this ordinance shall be determined to be a criminal offense punishable by imprisonment of not more than ninety-three (90) days and a fine of up to \$500, together with the cost of prosecution.

SECTION 14. Severability

Each and every article, section and subsection of this Ordinance, and each provision of each article, section and subsection is hereby declared to be separable and severable, and a judicial determination that any article, section, subsection or provision of this Ordinance is invalid or unenforceable, shall not affect the validity or enforceability of any other article, section, subsection or provision.

SECTION 15. Effective Date

This Ordinance shall take effective immediately upon passage and publication hereof and is allowed by law.

Enacted at a regular meeting of the Fenton Township Board held on the 2nd day of March 2020.

CRIMINAL OFFENSES - OBSTRUCTION OF JUSTICE

Ordinance No. 06-478-20

Adopted: March 2, 2020

An ordinance to prohibit individuals from resisting arrest and obstructing justice, and to prescribe criminal penalties for violations thereof, all to protect the general health, welfare and safety of the residents of the Charter Township of Fenton.

THE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN HEREBY ORDAINS:

SECTION 1.

No person shall knowingly and willfully obstruct, resist or oppose any sheriff, deputy sheriff, code enforcement officer, medical examiner, process server, constable, police officer or person duly authorized, in serving, or attempting to serve or execute any process, rule or order made or issued by lawful authority, or who shall resist any such officer in the execution of any ordinance, by law, or any rule, order or resolution made, issued, or passed by the township board or shall assault, beat or wound any such officer duly authorized, while serving, or attempting to serve or execute any such process, rule of order, or for having served, or attempted to serve or execute the same, or who shall so obstruct, resist, oppose, assault, beat or wound any of the previously named officers, or any other persons authorized by law to maintain and preserve the peace, in their lawful acts, attempts and efforts to maintain, preserve and keep peace.

SECTION 2.

No person shall knowingly and willfully hinder, obstruct or interfere with any firefighter in the performance of the firefighter's duties, or who shall, while in the vicinity of any fire or emergency scene willfully disobey any reasonable order, rule or regulation of the officer commanding any fire department at such fire or emergency scene.

SECTION 3.

No person shall refuse to comply with any order of a police officer when such officer, for public interest and safety, is guiding, directing, controlling or regulating traffic on the highways of the Township.

SECTION 4.

A driver of a motor vehicle, who is given by hand, voice, emergency light or siren a visual or audible signal by a police or sheriff department officer, acting in the lawful performance of the officer's duty, directing the driver to bring the driver's motor vehicle to a stop, and who willfully fails to obey such direction, by increasing speed, extinguishing the driver's lights, or otherwise attempting to flee or elude the officer, shall be guilty of a violation of this Ordinance. The officer giving the signal shall be in uniform; and the vehicle driven by the officer shall be adequately identified as an official police or conservation department vehicle.

SECTION 5. Prior Ordinances

All prior ordinances or parts thereof in conflict with the terms of this Ordinance are deemed superseded.

SECTION 6. Penalties

Any violation of this ordinance shall be determined to be a criminal offense punishable by imprisonment of not more than ninety-three (90) days and a fine of up to \$500, together with the cost of prosecution.

SECTION 7. Severability

Each and every article, section and subsection of this Ordinance, and each provision of each article, section and subsection is hereby declared to be separable and severable, and a judicial determination that any article, section, subsection or provision of this Ordinance is invalid or unenforceable, shall not affect the validity or enforceability of any other article, section, subsection or provision.

SECTION 8. Effective Date

This Ordinance shall take effective immediately upon passage and publication hereof and is allowed by law.

Enacted at a regular meeting of the Fenton Township Board held on the 2nd day of March 2020.

**ASSAULT & BATTERY
Ordinance No. 06-81-20
Adopted: April 6, 2020**

An ordinance to specifically prohibit assaults against all individuals, including the prohibiting of domestic assaults as herein defined, and to prescribe criminal penalties for the violations thereof, all to protect the general health, welfare and safety of the residents of the Charter Township of Fenton.

THE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN ORDAINS:

SECTION 1. Assault and Battery

No person shall assault or assault and batter any other person.

SECTION 2. Domestic Assault

A. No person shall assault or assault and batter:

1. His or her spouse or former spouse.
2. An individual with whom he or she has had a dating relationship.
3. An individual with whom he or she has had a child in common.
4. An individual who is a resident or former resident of the same household.
5. An individual to whom he or she is related by blood or marriage.

B. No person shall assault or assault and batter an individual who is pregnant.

SECTION 3. Definitions

- A. "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This would not include a casual relationship or an ordinary fraternization between two (2) individuals in a business or social context.
- B. "Related by blood or marriage" means within the second degree of relationship.

SECTION 4. Prior Ordinances

All prior ordinances or parts thereof in conflict with the terms of this Ordinance are deemed superseded.

SECTION 5. Penalties

- A. Any violation of this ordinance shall be determined to be a criminal offense punishable by imprisonment of not more than ninety-three (93) days and a fine of up to \$500, together with the cost of prosecution.

SECTION 6. Severability

Each and every article, section and subsection of this Ordinance, and each provision of each article, section and subsection is hereby declared to be separable and severable, and a judicial determination that any article, section, subsection or provision of this Ordinance is invalid or unenforceable, shall not affect the validity or enforceability of any other article section, subsection or provision.

SECTION 7. Effective Date

This Ordinance shall take effective immediately upon passage and publication hereof and is allowed by law.

Enacted at a regular meeting of the Fenton Township Board held on the 6th day of April 2020.