

KALKASKA CODE-GENERAL OFFENSES

TITLE XIII: GENERAL OFFENSES

Chapter

130. OFFENSES AGAINST VILLAGE REGULATIONS

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Section

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Cross-reference:

Consumption of alcoholic beverages in public, see § 111.03

Fire prevention and control, see Ch. 93

Sale to minors prohibited, see § 111.04

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OFFENSES AGAINST MORALS

§ 130.01 PROSTITUTION

(A) No person shall engage in prostitution.

(B) No person shall consort in a house of ill fame or place where prostitution or lewdness is practiced, encouraged or allowed.

(C) No person shall by physical motion, word, sign, or in any manner solicit, urge, invite, compel, or require any other person to engage in illegal sexual intercourse.

VILLAGE PARKS AND RECREATIONAL AREAS: RULES, REGULATIONS, PENALTIES AND ENFORCEMENT

§ 130.10 POSTING, RULES AND REGULATIONS

A. *Posting.* The rules, regulations and penalties listed below will be posted at all parks and recreational areas in such a size, manner and location, as determined by the Village Manager or designee, supported by the Village parks and Recreations committee, owned and/or maintained by the Village of Kalkaska.

B. *Rules and Regulations.*

1. All parks and recreational areas are closed at dusk, unless previous arraignments are made with the Village Manager or designee.
2. Smoking or the use of any tobacco products is PROHIBITED within the “Imagination Station” portion of Chalker Park.
3. The use of skateboards, roller blades, roller skates, bicycles or any other type coaster toy is strictly PROHIBITED inside any park or recreational are owned and/or maintained by the Village of Kalkaska.
4. Persons over the age of 12 years old are not allowed inside the “Imagination Station” portion of Chalker Park, unless that person is directly supervising a younger child or children.
5. Vulgar/Obscene language and/or gestures are strictly PROHIBITED.
6. Alcoholic beverages prohibited as prescribed in Village Code Title 11, Chapter 111, Section 111.03(A).
7. Actions that may appear to endanger the safety of another person or property or is acting in such a manner as to cause as public disturbance within the park is prohibited.
8. Dogs shall not be permitted in any Village park at any time.

§ 130.11 PENALTIES

(A) Violators of the rules and regulations set forth by Title 13, Chapter 130, Sections 130.10 of the village of Kalkaska Code of Ordinances are responsible for a municipal Civil Infraction and subject to fines and costs as prescribed in Title 3, Chapter 32, section 32.61 of the same code of ordinances.

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(B) Any other violations of the law will be dealt with in the manner as prescribed by local, county, state, federal laws, rules statutes and/or regulations with the penalties as described therein.

§ 130.12 ENFORCEMENT

Those persons and/or agencies responsible to enforce violations of local, county, state, and federal laws, statutes, rules and regulations are as follows:

(A) *Violations of state and local laws.* Any police officer that has the authority to enforce laws, statutes, rules and regulations within the state of Michigan, County of Kalkaska and Village of Kalkaska.

(B) *Violations of Ordinance/Rules and Regulations* those persons as listed in the Village of Kalkaska code of Ordinances, Title 3, Chapter 32, Section 32.52.

OFFENSES AGAINST PUBLIC PEACE AND ORDER

§ 130.15 CURFEW

(A) *Regulation of minors.* No minor child under the age of 16 years shall be abroad upon the public streets, alleys, parks, or other public place of the village between the following hours:

(1) Sunday through Thursday, between 11:00 p.m. and the following 6:00 a.m.

(2) Friday and Saturday, between 12:00 midnight and the following 6:00 a.m.

(B) *Prosecution of parent or guardian.* It shall be unlawful for either or both of the parents or for the guardian or adult person placed in charge of any minor under the age of 16 years to permit, allow, or suffer a minor to violate the provisions of § 130.15(A).

(C) *Exemptions.* This section does not apply to a minor who is:

(1) Accompanied by his parent, guardian, or custodian;

(2) Accompanied by an adult specified by his parent, guardian, or custodian;

(3) Carrying out an errand or other lawful activity as directed by his parent, guardian, or custodian; or

(4) Participating in, going to, or returning from:

(a) Lawful employment; or

(b) A lawful athletic, educational, entertainment, religious, or social event.

('67 Code, § 4.22)

§ 130.16 DISORDERLY CONDUCT

Any person who shall do any of the following acts in the village shall be guilty of disorderly conduct:

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- (A) Be a person of sufficient ability who refuses or neglects to support his or her family;
- (B) Be a common prostitute;
- (C) Be a window peeper;
- (D) Be a person who engages in an illegal occupation or business;
- (E) Be a person who is intoxicated in a public place and who is either endangering directly the safety of another person or of property or is acting in a manner that causes a public disturbance;
- (F) Be a person who is engaged in indecent or obscene conduct in a public place;
- (G) Be a vagrant;
- (H) Be a person found begging in a public place;
- (I) Be a person found loitering in a house of ill fame or prostitution or a place where prostitution or lewdness is practiced, encouraged, or allowed;
- (J) Be a person who knowingly loiters in or about a place where an illegal occupation or business is being conducted;
- (K) Be a person who loiters in or about a police station, police headquarters building, county jail, hospital, court building, or other public building or place for the purpose of soliciting employment of legal services or the services of sureties upon criminal recognizance's;
- (L) Be a person who is found jostling or roughly crowding people unnecessarily in a public place;
- (M) Incite, encourage, participate in any manner, or be connected with any row, riot, unlawful assemblage, or disorder, or make or assist in making any noise or disturbance which shall tend to destroy peace and good order;
- (N) Disturb or be instrumental in disturbing any school, meeting, or congregation, lawfully assembled, whether religious, political, or otherwise;
- (O) Engage in any fray or commit any assault or assault and battery upon another or commit any act whatsoever amounting to a breach of the peace;
- (P) Utter any profanity, indecent, or improper language in any public street, alley, or other public place;
- (Q) Spit on any street or sidewalk or on the floor or wall of any place of public assemblage;
- (R) Discharge any firearm or air gun;
- (S) Maliciously or willfully destroy, deface, damage, or injure any public property owned by another;

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(T) Misrepresent or falsify his or her age or the age of another for the purpose of obtaining beer, wine, liquor, or other intoxicating beverage for any minor under the age of 21 years;

(U) Obstruct, resist, injure, or fail or refuse to comply with any lawful order or direction of a police officer.

('67 Code, § 4.13)

Statutory reference:

Similar provisions, see M.C.L.A. § 750.167

§ 130.17 LOITERING

(A) *General prohibition.* It shall be unlawful for any person to loiter, loaf, wander, stand, or remain idle either alone or while consorting with others in a public place or in any place accessible to the public for the parking of motor vehicles, in such manner so as to:

(1) Obstruct any public street, public highway, place accessible to the public for the parking of motor vehicles, public sidewalk, or any other public place or building by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic, or pedestrians.

(2) Commit in or upon any public street, public highway, place accessible to the public for the parking of motor vehicles, public sidewalk, or any other public place or building any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street, public highway, place accessible to the public for the parking of motor vehicles, public sidewalk, or any other public place or building, all of which prevents the free and uninterrupted ingress, egress, and regress therein, thereon, and thereto.

(B) *Violation.* When any person causes or commits any of the conditions enumerated in § 130.13(A), a police officer shall order that person to stop causing or committing such conditions and to move on or disperse. Any person who fails or refuses to obey such orders shall be guilty of a violation of this section. Each occurrence shall constitute a separate violation and offense.

('67 Code, § 4.14) (Am. Ord. passed 1-2-79)

§ 130.18 PENALTY

Any person, firm or corporation that violates any section of this chapter is responsible for a Municipal Civil Infraction as prescribed in Section 10.99(A).