

ORDINANCE NO. 2021-39
CHAPTER 31
ARTICLE II

AN ORDINANCE to amend Chapter 31 of the 2019 Detroit City Code, Offenses, Article II, Obstruction of Government, by amending Section 31-2-2 to expand prohibited conduct and protections to all public servants in the performance of their duties and to define the terms “police officer” and “public servant.”

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 31 of the 2019 Detroit City Code, *Offenses*, Article II, *Obstruction of Government*, be amended by amending Section 31-2-2 to read as follows:

**CHAPTER 31. OFFENSES
ARTICLE II. OBSTRUCTION
OF GOVERNMENT**

Sec. 31-2-2. Interference with public servants in the performance of their duties unlawful.

(a) It shall be unlawful for any person to knowingly or intentionally:

(1) Fail to comply with the lawful command of a police officer;

(2) Interfere with or obstruct any public servant in the performance of their duties as a public servant; or

(3) Engage in any threatening or intimidating conduct toward any public servant in the performance of their duties as a public servant that places the public servant in reasonable apprehension of physical harm in the furtherance of such duties.

(b) For purposes of this section, the following words and phrases shall have

the meaning respectively ascribed to them by this subsection:

Police officer means any person sworn as a member of the Police Department authorized to enforce this Code, state law, and, where applicable, federal law.

Public servant means the Mayor, members of the City Council, the City Clerk, appointive officers, any member of a board, commission, or other voting body that is established by either branch of City government by the Charter or by this Code, and any appointee, any employee, or any individual who provides services to the City within or outside of its offices or facilities pursuant to a personal services contract.

Section 2. This ordinance is hereby declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

Section 3. All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

Section 4. In the event this ordinance is passed by two-thirds majority of City Council Members serving, it shall be given immediate effect and become effective upon publication in accordance with Section 4-118(1) of the 2012 Detroit City Charter. Where this ordinance is passed by less than a two-thirds majority of City Council Members serving, it shall become effective on the 30th day after publication in accordance with Section 4-118(2) of the 2012 Detroit City Charter.

(J.C.C. Page): October 19, 2021
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Approved: November 4, 2021
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Effective: November 19, 2021

JANICE M. WINFREY
City Clerk

