

**CITY OF LOWELL  
KENT COUNTY, MICHIGAN**

**ORDINANCE NO. 23 -06**

**AN ORDINANCE TO AMEND THE CODE OF  
ORDINANCES, CITY OF LOWELL, MICHIGAN, BY  
ADDING A NEW SECTION 13-69 AND TO AMEND  
SECTION 27-8 OF THE CODE OF ORDINANCES, CITY OF  
LOWELL, MICHIGAN, TO REGULATE HARASSMENT.**

Councilmember CHAMBERS supported by Councilmember GROVES moved the adoption of the following ordinance:

**THE CITY OF LOWELL ORDAINS AS FOLLOWS:**

**Section 1. Addition of Section 13-69.** Section 13-69 is added to Article IV, “Offenses Against Public Peace,” Chapter 13, “Offenses,” of the Code of Ordinances of the City of Lowell to read as follows:

**Sec. 13-69. – Insulting, Harassing, Annoying Others.**

It shall be unlawful for any person, with intent to harass, annoy, or alarm another person, to:

- (1) Follow a person in or about a public place or places;
- (2) Engage in a course of conduct or repeatedly commits acts that alarm or seriously annoy another person and that serve no legitimate purpose;
- (3) Insult, accost, molest, or otherwise annoy another person, either by word of mouth, sign, motion, or action, in a public space under circumstances in which that conduct is likely to provoke a retaliatory response.

**Section 2. Amendment to Section 27-8.** Section 27-8, “Violations Constituting Municipal Infractions,” Chapter 27, “Municipal Civil Infractions,” of the Code of Ordinance of the City of Lowell is amended to read as follows:

**Sec. 27-8. - Violations Constituting Municipal Civil Infractions.**

A municipal civil infraction shall include the following offenses set forth in this Code:

- (1) Violations of chapter 5, "Animals," of this Code.
- (2) Violations of chapter 6, "Auctions and Auctioneers," of this Code.
- (3) Violations of chapter 7, "Buildings and Building Regulations," of this Code.
- (4) Violations of chapter 9, "Cemeteries," of this Code.
- (5) Violations of chapter 10, "Fire Prevention and Protection" of this Code except for section 10-5.
- (6) Violations of chapter 11, "Garbage, Trash and Refuse," of this Code.
- (7) Violations of chapter 11.5, "Historic District," of this Code.
- (8) Violations of chapter 12, "Nuisances," of this Code.
- (9) Violations of chapter 13, "Offenses," of this Code except sections 13-2, 13-3, 13-4, 13-21, 13-22, 13-23, 13-42, 13-43, 13-44, 13-61, 13-63, 13-64, 13-65, 13-66, 13-67, 13-68, 13-69, 13-86, 13-87, 13-108, 13-133, 13-151, 13-152, 13-153, 13-154, 13-155, 13-156, 13-176, 13-177, 13-178, 13-179, 13-180, 13-196 and 13-198.
- (10) Violations of chapter 14, "Parks and Recreation," of this Code except section 14.55.
- (11) Violations of chapter 15, "Peddlers, Solicitors and Transient Merchants," of this Code.
- (12) Violations of chapter 19, "Streets, Sidewalks and Other Public Places," of this Code.
- (13) Violations of chapter 21, "Traffic and Motor Vehicles," of this Code.
- (14) Violations of chapter 23, "Vegetation," of this Code.
- (15) Violations of chapter 24, "Vehicles for Hire," of this Code.
- (16) Violations of chapter 25, "Water and Sewage Disposal Service," of this Code.
- (17) Violation of Appendix A, "Zoning," of this Code except chapter 17A.

Upon the effective date of this chapter, the offenses noted above are municipal civil infractions only and shall no longer constitute misdemeanor criminal offenses or subject the violator to any criminal sanctions, except as provided for by state law. This, however, shall not affect the sanctions provided for by state law or this chapter for a violator's or alleged violator's failure to comply

with an order or judgment of the 63rd District Court nor shall this section limit or restrict the authority of the court to enforce its orders by appropriate sanctions or actions. This section shall not restrict, limit or bar any action permitted under any other provision of law.

**Section 3. Repeal.** All ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 4. Publication.** After its adoption, the City Clerk shall publish this Ordinance or a summary thereof, as permitted by law, along with its date of adoption in the *Lowell Ledger*, a newspaper of general circulation in the City, at least ten (10) days before its effective date.

**Section 5. Effective Date.** This Ordinance shall take effect ten (10) days after it, or a summary thereof, as permitted by law, along with the date of its adoption, is published in the *Lowell Ledger*, a newspaper of general circulation in the City.

YEAS: Councilmembers Yankovich, Chambers, Groves, Mayor DeVore and  
Councilmember Salwedel

NAYS: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

**ORDINANCE DECLARED ADOPTED.**


Dated: July 17, 2023

  
Susan Ullery  
City Clerk

## CERTIFICATION

I, the undersigned City Clerk of the City of Lowell, Michigan (the "City"), certify that the above ordinance is a true and complete copy of an ordinance adopted at a regular meeting of the Lowell City Council held on July 17, 2023 pursuant to notice given in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended, and notice of its adoption, including a summary of its contents and its effective date, was published in the *Lowell Ledger*, on August 2, 2023. I further certify that the above ordinance was entered into the Ordinance Book of the City on August 12, 2023, and was effective August 12, 2023, ten (10) days after publication.

Dated: July 17, 2023

  
\_\_\_\_\_  
Susan Ullery  
City Clerk