

CITY OF HAZEL PARK
COUNTY OF OAKLAND, STATE OF MICHIGAN
ORDINANCE NO. 15-21

AN EMERGENCY READING TO ESTABLISH AN EMERGENCY ORDINANCE TO ADD TO THE CITY OF HAZEL PARK MUNICIPAL CODE TITLE 9 – PUBLIC PEACE, MORALS AND WELFARE, VII. OFFENSES BY OR AGAINST MINORS, CHAPTER 9.88 ENTITLED DISTURBING SCHOOLS, TO PROVIDE PENALTIES FOR VIOLATION, AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH

The City Council hereby finds and determines:

All members of our community must assume a responsible role in promoting behavior that enhances academic and social success. Courteous, respectful, and responsible behavior fosters a positive climate for the learning community.

The City of Hazel Park ORDAINS:

PART I. ADDITION.

The Hazel Park Municipal Code is hereby amended by the addition of the following Chapter 9.88, to Title 9 – Public Peace, Morals and Welfare, VII. Offenses by or against Minors, which shall read in its entirety as follows:

Chapter 9.88 – Disturbing schools; Civil infraction

Sections:

9.88.010 - Definitions.

As used in this Chapter, “School” shall mean:

- (a) “School” means any pre-elementary, elementary (grades K–6), secondary (grades 7–12) school, any college or combination thereof including its buildings, ancillary structures, curtilage, school buses, and athletic track and field.

9.88.020 – Disturbing schools.

No person shall willfully or maliciously make or assist in making any noise, disturbance or improper diversion by which the peace, quiet, or good order of any public, private or parochial school is disturbed. Violation of this section is a civil infraction punishable as provided in Section 9.88.030.

9.88.030 - Violations and Penalties.

- (1) If a defendant is determined to be responsible or responsible "with explanation," a civil fine of no more than \$500.00.
- (2) A municipal civil infraction is not a lesser included offense of a criminal offense or an ordinance violation that is not a civil infraction.
- (3) Payment of costs, damages, expenses, and assessments ordered by the court as provided in MCL 600.8727 – MCL 600.8733, as amended, which are incorporated by reference.
- (4) A court order or writ to enforce and secure compliance with the Code Section being violated, including requirements that persons responsible for the violation take or refrain from taking actions as necessary to such compliance.
- (5) The judge or district court magistrate may grant a defendant permission to pay a civil fine, costs, assessment, and damages and expenses within a specified period of time or in specified installments. Otherwise, the civil fine, costs, assessment, and damages and expenses are due immediately.
- (6) If a defendant is ordered to pay a civil fine, the judge or district court magistrate shall summarily tax and determine the costs of the action, which are not limited to the costs taxable in ordinary civil actions and may include all expenses, direct and indirect, to which the plaintiff has been put in connection with the municipal civil infraction, up to the entry of judgment. Costs of not more than \$500.00 shall be ordered.
- (7) In addition to any fine or cost ordered to be paid, the judge or district court magistrate shall order the defendant to pay a justice system assessment of \$10.00.

PART II. SEVERABILITY.

If any section, clause, or provision of this Chapter is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such declaration shall not affect the remainder of the Chapter. The City Council hereby declares that it would have adopted this Chapter and each part, section, subsection, phrase, sentence, and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences, or clauses is declared invalid.

PART III. REPEAL.

This ordinance hereby repeals any ordinance which conflicts with the provisions hereof.

PART IV. EFFECTIVE DATE.

This Ordinance shall become effective immediately after publication.

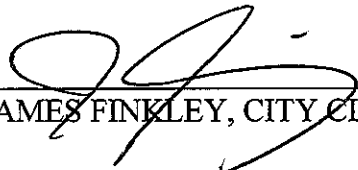
MADE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF HAZEL PARK, OAKLAND COUNTY, MICHIGAN ON THE 14th DAY OF December, 2021.


MICHAEL WEBB, MAYOR

Date of Adoption: 12/14/2021
Date of Publication: 12/22/2021
Effective date: 12/22/2021

CERTIFICATE OF ADOPTION

It is hereby certified that the foregoing is a true and complete copy of an Ordinance passed at a meeting of the City Council of the City of Hazel Park, held on the 14th day of December, 2021.



JAMES FINKLEY, CITY CLERK

