

KINROSS TOWNSHIP ORDINANCE NO. 1.103

AN ORDINANCE TO REGULATE UNLAWFUL CONDUCT OF PERSONS WHILE WITHIN THE PERIMETER AREAS OF ANY CORRECTIONAL FACILITY LOCATED WITHIN THE TOWNSHIP OF KINROSS

THE CHARTER TOWNSHIP OF KINROSS ORDAINS:

Section 1. It shall be unlawful for any person to engage in any of the following, or to cause or attempt to cause any of the following within or upon that area or property that is immediately adjacent to or surrounding any facility or compound dedicated to or being used by the Michigan Department of Corrections, or any governmental agency for the purpose of a prison, jail or any other type of correctional facility:

- (a) Throwing, depositing or otherwise attempting to discard any item, regardless of value, whatsoever, including but not limited to any trash, garbage, rubbish or debris;
- (b) Deface, mark, mutilate, inscribe or otherwise damage any fixture, whether temporary or permanent, including but not limited to signs, fences, barriers or any other installation associated with the operation, maintenance or protection of any correctional facility;
- (c) Harass, annoy, alarm, communicate with gesture to or otherwise disturb any inmate, prisoner or person in the custody or under the control of the Department of Corrections or any other governmental agency;
- (d) Harass, annoy, alarm or otherwise disturb any corrections officer, peace officer or any other person within the confines of any correctional facility operated by the Michigan Department of Corrections or any other governmental agency;
- (e) Possess, carry, display or conceal any type of weapon, including but not limited to any type of firearm or any type of apparatus that propels projectiles by mechanical means;
- (f) Loiter, stand idle, or linger.

Section 2 - EXCEPTIONS: This Ordinance shall not apply to any corrections officer or peace officer while the same is in the course of performing official duties or business.

Section 3 - SEVERABILITY: Each section or subsection heretofore provided shall be construed so as to be in harmony with and not in conflict with any other law of the state;

If any section or subsection there under of this Ordinance is stricken, declared invalid or unconstitutional by a court of competent jurisdiction, it is hereby declared that the remaining portion or portions of this Ordinance or sections there under shall remain self-sustaining, severable and capable of separate enforcement without regard to the stricken portions.

Section 4 - MISDEMEANOR: Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor, punishable by fine of not more than \$500.00 or imprisonment not to exceed 90 days in jail, or both, plus costs of prosecution.

This Ordinance hereby repeals Ordinance No. 22 formally enacted by the Charter Township of Kinross on August 18, 1980.