

HAMPTON TOWNSHIP ORDINANCE NO. 48

TRESPASSING OR UNLAWFUL ENTRY UPON LANDS OR  
PREMISES OF ANOTHER ORDINANCE

BAY COUNTY, MICHIGAN

WHEREAS, an ordinance for the purpose of prohibiting the trespassing or unlawful entry upon lands or premises of another and to provide for the public peace, health, safety and general welfare of persons and property in the Township of Hampton.

NOW, THEREFORE, the Charter Township of Hampton, Bay County, Michigan, ordains:

Section 1. SHORT TITLE

This ordinance shall be known and cited as the "Trespassing or Unlawful Entry Upon Lands or Premises of Another Ordinance".

Section 2. PARTIAL

Any person who shall willfully enter upon the lands or premises of another without lawful authority, after having been forbidden so to do by the owner or occupant, agent or servant of the owner or upon being notified to depart therefrom by the owner or occupant or the agent of either, who without lawful authority neglects or refuses to depart therefrom, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for not more than 90 days or by a fine of not more than \$100.00, or both, in the discretion of the court. If it shall appear that the lands or premises in question have been conspicuously posted by a sign or signs approved by the Charter Township of Hampton as to content, size and location which forbids trespassing in general, trespassing between certain specified times or entry upon said lands or premises when not engaged in lawful business with the owner or occupant, such a showing shall be prima facie evidence that a person found on the land or premises who is not engaged in lawful business with the owner or occupant is there without lawful authority and has been forbidden to enter or notified to depart as required by this ordinance. For all purposes of this ordinance, the term "engaged in lawful business" shall mean going to or from or presence inside a lawful business establishment located on said land or premises during the time that the business establishment is open for business.

Section 3. APPLICATION OF ORDINANCE

The provisions of this ordinance shall apply to all premises in the Charter Township of Hampton.

Section 4. PENALTY

Any person who shall violate any of the provisions of this ordinance shall be subject to a fine of not more than \$100.00 or

imprisonment in the County Jail not to exceed 90 days or both, such fine and imprisonment to be in the discretion of the Court.

Section 5. SEPARABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 6. EFFECTIVE DATE

This ordinance shall take effect immediately upon publication thereof.