

VILLAGE OF BANCROFT
ORDINANCE NO. 303-19
(Dated September 11, 2019)

TRESPASS ORDINANCE

The Village of Bancroft ordains:

It shall be unlawful for any person to do the following:

Section 1: Trespass upon lands or premises of another.

- A. Except as otherwise provided in subsection B, a person shall not do any of the following:
1. Enter the lands or premises of another without lawful authority after having been forbidden to do so by the owner or occupant or the agent of the owner or occupant.
 2. Remain without lawful authority on the land or premises of another after being notified to depart by the owner or occupant or the agent of the owner or occupant.
 3. Enter or remain without lawful authority on fenced or posted property of another person without the consent of the owner, occupant, or lessee, or the agent of the owner, occupant, or lessee. A request to leave the premises is not a necessary element for a violation of this subsection. This subdivision does not apply to a person who is in the process of attempting, by the most direct route, to contact the owner or his or her lessee or agent to request consent.
 4. Enter or remain without lawful authority on the land or premises of another with intent to commit a felony, misdemeanor or other offense, including a civil infraction; or enter upon the land or premises of another and, at any time while he or she is present upon or exiting the land or premises of another, commits a felony, misdemeanor, or other offense, including a civil infraction, is responsible for a civil infraction in an amount set by Resolution of the Village Council.
- B. Subsection A does not apply to a process server who is on the land or premises of another while in the process of attempting, by the most direct route, to serve process upon any of the following:
1. An owner or occupant of the land or premises.
 2. An agent of the owner or occupant of the land or premises.
 3. A lessee of the land or premises.
- C. As used in subsection B, "process server" means a person authorized under the Revised Judicature Act of 1961, 1961 PA 236, MCL 600.101 to 600.9947, or supreme court rule

to serve process.

Section 2. Penalties: Any person or persons who violates this Ordinance shall be responsible for a penalty set by Resolution of the Village Council.

Section 3. All Ordinances or parts of Ordinances in conflict with this Ordinance are repealed only to the extent necessary to give all provisions of this Ordinance full effect.

Section 4. Severability: If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Village of Bancroft declares that it would have passed this ordinance and each section, subsection, clause, or phrase hereof, irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared unconstitutional.

Section 5. This Ordinance and the related rules, regulations, provisions, requirements, orders, and matters established shall take effect immediately upon publication, except any penalty provisions which shall take effect twenty (20) days after publication, pursuant to MCL 66.1.

Adopted at a regular meeting of the Village Council held on the 11th day of September 2019.

YEAS: A. Miller, Bible, R. Miller, Terpening, Wert-Funer, Barnum

NAYS: none

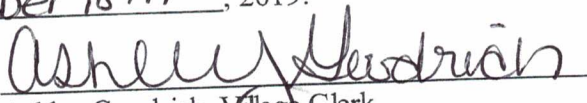
ABSENT: Hutchins

Signed:


Brian Barnum, Village President

CLERK'S CERTIFICATION

I certify that the above is a true and complete copy of Ordinance No. 303-19 adopted by the Village Council at a regular meeting held on the 11th day of September 2019 and published in the Argus Press newspaper on October 18th, 2019.


Ashley Goodrich, Village Clerk

Drafted by: Christopher S. Johnson (P-58746)
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