

ORDINANCE NO. 2002-8

AN ORDINANCE TO AMEND CHAPTER 14, ARTICLE II, SECTION 14-22B OF THE ALLEN PARK CODE OF ORDINANCES TO PROVIDE ADDITIONAL REGULATIONS AND DEFINITIONS FOR DOMESTIC ASSAULT

THE CITY OF ALLEN PARK ORDAINS

SECTION 1. AMENDMENT TO CODE.

Chapter 14, Article II, Section 14-22B of the Allen Park Code of Ordinances is hereby amended as follows:

Section 14-22B. Domestic Assault or Battery.

a. No person within the City shall commit an assault or an assault and battery upon a spouse, a former spouse, an individual with whom that person has or has had a dating relationship, or an individual with whom the person has had a child in common, or an individual with whom the person is residing or has resided within the same household.

b. As used in this Ordinance, dating relationship means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a casual relationship or an ordinary fraternization between two (2) individuals in a business or social context.

c. If a police officer has reasonable cause to believe that a violation of subsection (a) has taken place or is taking place such violator may be arrested without a warrant, even though the violation was not committed in the officer's presence.

SECTION 2. REPEAL.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 3. SAVING CLAUSE.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 4. SEVERABILITY.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional

or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 5. PENALTY.

A person violating this ordinance shall be guilty of a misdemeanor, punishable by a fine of not more than Five Hundred (\$500.00) Dollars and/or Ninety-Three (93) days in jail.

SECTION 6. IMMEDIATE EFFECT.

To preserve the public peace, health, welfare and safety, it is necessary that this Ordinance become immediately operative. It is, therefore, declared to be an emergency measure to take effect immediately.

SECTION 7. ADOPTION.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Allen Park, County of Wayne, State of Michigan, at a regular meeting, called and held on the 25th day of February, 2003 and ordered to be given publication in the manner prescribed by law.

LEVON G. KING, Mayor
City of Allen Park

Beverly J. Kelley, City Clerk
City of Allen Park