



POLICE DEPARTMENT

CHARTER TOWNSHIP OF WHITE LAKE

DANIEL T. KELLER
CHIEF OF POLICE

August 4, 2021

Rik Kowall
White Lake Township Supervisor
7525 Highland Road
White Lake, MI 48383

SUBJECT: REQUESTED CHANGE TO TRESPASSING ORDINANCE

The purpose of this letter is to request a review and language change to the White Lake Township Code of Ordinances, specifically Article IV, Section 26-88, commonly referred to as OFFENSES AGAINST PROPERTY – TRESPASSING. The current ordinance reads that the offense of trespassing is "...punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both imprisonment and fine." In keeping with the corresponding State law (MCL 750.552), I am requesting that the White Lake Township Ordinance be changed to coincide with current language. That language would be "...punishable by imprisonment for not more than 30 days or a fine of not more than \$250.00, or both imprisonment and fine." This language change would make the punishment for trespassing the same as the State law.

Sincerely,

Daniel T. Keller
Chief of Police

DTK:jeh

CHARTER TOWNSHIP OF WHITE LAKE

**AN ORDINANCE TO AMEND CHAPTER 26, ARTICLE IV- SECTION 26-88,
OFFENSES AGAINST PROPERTY, OF THE WHITE LAKE TOWNSHIP
CODE OF ORDINANCES**

An Ordinance to Amend Chapter 26, Article IV, Section 26-88 of the White Lake Township Offenses Against Property Code of Ordinances.

THE TOWNSHIP OF WHITE LAKE ORDAINS:

ARTICLE I- AMENDMENT

Chapter 26, Article IV, Section 26-88 and is hereby amended to read as follows:

ARTICLE IV. - OFFENSES AGAINST PROPERTY

Sec. 26-88. - Trespass.

Any person who shall willfully enter unto lands or premises of another without lawful authority, after having been forbidden to do so or after such lands or premises have been previously posted with conspicuous notice forbidding any trespass thereon by the owner or occupant, or agent or servant of the owner or occupant, or any person being upon the land or premises of another, upon being notified to depart therefrom by the owner or occupant, or agent or servant of either, who, without lawful authority, neglects or refuses to depart therefrom shall be guilty of a misdemeanor punishable by imprisonment for not more than 30 days or a fine of not more than \$250.00, or both imprisonment and fine.

State Law reference— Trespassing generally, MCL 750.552 et seq.

ARTICLE II - 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 any court of competent jurisdiction, the remainder of the Ordinance shall remain in full force and effect.

ARTICLE III - REPEALER

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

ARTICLE IV - EFFECTIVE DATE

This Ordinance Amendment shall take effect following publication in the manner prescribed by law. This Ordinance Amendment shall be published in the manner provided by law.

V – ADOPTION

This Ordinance Amendment is hereby declared to have been adopted by the Township Board of the Charter Township of White Lake at a meeting duly called and held on _____, 2021 and ordered to be given publication in the manner prescribed by law.

Rik Kowall, Supervisor

Anthony L. Noble, Clerk