

GRAND TRAVERSE COUNTY ORDINANCE NO. 28

AN ORDINANCE TO REQUIRE A PERMIT BEFORE DEMONSTRATING OUTSIDE OF LOCATIONS IN WHICH A FUNERAL SERVICE IS BEING HELD; TO PROHIBIT CERTAIN CONDUCT AT OR NEAR THE LOCATIONS IN WHICH A FUNERAL SERVICE IS BEING HELD; AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

Section 1. Purpose. To protect and preserve the peace and respect toward those attending or conducting a funeral or memorial service.

Section 2. Permit. It shall be unlawful to demonstrate on public property outside of any funeral home, church, synagogue, mosque, any other place of worship, cemetery, or any other location at which a funeral service or memorial service is being held without first obtaining a permit.

Section 3. Application for Permit. Application for a permit under this ordinance shall be made to the Grand Traverse County Sheriff's Office at least forty-eight (48) hours before the start time of the planned demonstration as listed on the application for permit. A permit shall be issued only by the Grand Traverse County Sheriff or his or her authorized agent.

Section 4. Permit Fee. A fee of \$25.00 will be assessed for the review and processing of a permit application made under this Ordinance. All fees collected under this section shall be paid to the Grand Traverse County Sheriff's Office and shall be used for the processing of applications and permits under this ordinance.

Section 5. Prohibited Acts. It shall be unlawful for any person to engage in any of the following activities within 500 feet of a building or other location where a funeral, memorial service, or viewing of a deceased person is being conducted or within 500 feet of a funeral procession or burial in the hour immediately before, or during, or in the 2 hours immediately following:

- (a) Making loud and raucous noise and continuing to do so after being asked to stop.
- (b) Making any statement or gesture that would make a reasonable person under the circumstances feel intimidated, threatened, or harassed.
- (c) Engaging in any other conduct that the person knows or should reasonably know will disturb, disrupt, or adversely affect the funeral, memorial service, viewing of the deceased person, funeral procession, or burial.


Section 6. Penalties. A violation of this ordinance is a municipal civil infraction, subject to a maximum fine of \$500.00 and court costs.

Section 7. Severability. Each of the provisions of this ordinance is severable, and if any provision is held invalid for any reason by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Section 8. Effective Date. This Ordinance is ordered to take immediate effect.

Adopted at a regular meeting of the County Board of Commissioners for Grand Traverse County convened in Traverse City on the 27th day of December, 2006.

Date: 12/29/06

  
Wayne Schmidt, Chairman

I, Linda Coburn, Grand Traverse County Clerk, certify that the above Ordinance was introduced and adopted at a session of the Board convened in Traverse City on the 27th day of December, 2006.

Date: 12/29/06

Linda Coburn  
Linda Coburn, County Clerk

