

AN ORDINANCE

of the Council of the City of Berkley, Michigan
Amending Chapter 82, Article III, Section 82-71,
Assault and Assault and Battery; Domestic Violence,
of the Berkley City Code to Make Assault and Battery
a 93-Day Misdemeanor to Correspond to the State Law Penalty.

THE CITY OF BERKLEY ORDAINS:

SECTION 1: Chapter 82, Article III, Section 82-71, of the Berkley City Code shall be amended, as follows:

Sec. 82-71. – Assault and assault and battery; domestic assault.

(a) A person who assaults or assaults and batters an individual is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

(b) An individual who assaults or assaults and batters his or her spouse or former spouse, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

SECTION 2: Severability Clause

Should any word, phrase, sentence, paragraph, or section of this Ordinance be held invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 3: Penalty

All violations of this ordinance shall be misdemeanors and upon conviction thereof shall be punishable by a sentence of not more than ninety-three (93) days of confinement to jail or by a fine of not more than \$500, or both, in the court's discretion.

SECTION 4: Effective Date

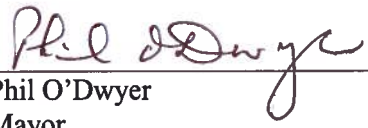
This Ordinance shall become effective 30 days following the date of adoption.

SECTION 5: Publication


The City Council directs the City Clerk to publish a summary of this ordinance in compliance with Public Act 182 of 1991, as amended, and Section 6.5 of the Berkley City Charter.

Introduced on the First Reading at the Regular City Council Meeting on Monday, June 5, 2017.

Passed on the Second Reading at the Regular City Council Meeting on Monday, June 19, 2017.



Phil O'Dwyer
Mayor

Attest: 

Phommady A. Boucher
City Clerk