

**BATH CHARTER TOWNSHIP  
CLINTON COUNTY, MICHIGAN  
CODE OF ORDINANCES AMENDMENT**

**RETAIL FRAUD ORDINANCE**

**ORDINANCE NO. 28.12**

At a duly scheduled meeting of the Township Board of Bath Charter Township, Clinton County, Michigan, held at the Bath Charter Township Board Meeting Room on June 21, 2022, at 6:01 p.m., Township Board Member Fewins-Bliss moved to adopt the following ordinance, which motion was seconded by Township Board Member Rosekrans:

**PREAMBLE**

*An ordinance to amend Chapter 42, Article III, "offenses involving property rights" of the Bath Charter Township Code of Ordinances by adding Section 42-81, "retail fraud"; to establish penalties for violation; and to provide an effective date hereof.*

THE CHARTER TOWNSHIP OF BATH, CLINTON COUNTY, MICHIGAN, ORDAINS:

**SECTION 1. TITLE.**

This Ordinance shall be known as the "Bath Charter Township Retail Fraud Ordinance."

**SECTION 2. AMENDMENT TO CHAPTER 42, ARTICLE III OF THE CODE OF ORDINANCES.**

Amendment to Chapter 42, Article III, "OFFENSES INVOLVING PROPERTY RIGHTS" to add "Retail Fraud" Code Section 42-81 shall be and is hereby amended as to read as follows:

**SECTION 3. RETAIL FRAUD; PROHIBITED CONDUCT; VIOLATIONS, FINES AND PENALTIES.**

A. A person who does any of the following in a store or in its immediate vicinity is guilty of retail fraud:

- (1) While a store is open to the public, alters, transfers, removes and replaces, conceals, or otherwise misrepresents the price at which property is offered for sale, with the intent not to pay for the property or to pay less than the price at which the property is offered for sale, if the resulting difference in price is less than \$200.
- (2) While a store is open to the public, steals property of the store that is offered for sale at a price of less than \$200.

- (3) With intent to defraud, obtains or attempts to obtain money or property from the store as a refund or exchange for property that was not paid for and belongs to the store, if the amount of money, or the value of the property, obtained or attempted to be obtained is less than \$200.

A person who violates this section is guilty of a misdemeanor punishable by jail for not more than 93 days or a fine of not more than \$500, or both such fine and imprisonment.

**SECTION 4. SEVERABILITY.**

If any section, paragraph, clause, phrase or part of this Ordinance is held invalid by any court of competent jurisdiction, or by any agency, department, or commission empowered by statute for such purpose, such decision shall not affect the validity of the remaining provisions of this Ordinance, and the application of those provisions to any person or circumstances shall not be affected thereby.

**SECTION 5. REPEAL.**

All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect. All ordinances or parts of ordinances not expressly amended, deleted, or repealed, remain in effect.

**SECTION 6. EFFECTIVE DATE.**

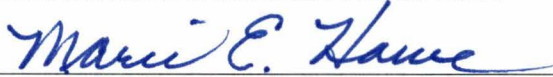
This Ordinance shall become effective thirty (30) days after its adoption and publication as provided by law.

YEAS: Butler-Challender, Howe, Wiswasser, Benzie, Almerigi, Fewins-Bliss, Rosekrans

NAYS: None

ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.



Marie E. Howe, Supervisor

CERTIFICATION

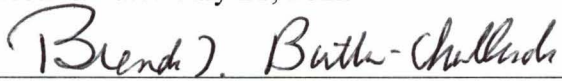
I, Brenda L. Butler-Challender, Clerk of Bath Charter Township, do hereby certify that the above is a true action taken by the Bath Township Board of Trustees as follows:

First Reading: June 6, 2022

First Publication: June 19, 2022

Second Reading/Adoption: June 21, 2022

Effective Date: July 21, 2022

A handwritten signature in cursive script that reads "Brenda L. Butler-Challender". The signature is written in black ink and is positioned above a horizontal line.

Brenda L. Butler-Challender, Clerk