

PART 67: ORDINANCE 2

**ASSAULT AND BATTERY ORDINANCE**

AN ORDINANCE TO DEFINE AND PROHIBIT ASSAULT AND BATTERY, AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

THE TOWNSHIP OF LENOX ORDAINS:

**SECTION 1: ASSAULT AND ASSAULT AND BATTERY:**

- A. It shall be unlawful for any person within the Township of Lenox to attempt to, or offer, with force and violence, to do a corporal hurt to another, or assault and/or batter any other person.
- B. An assault is an attempted battery or an unlawful act, which places another in reasonable apprehension of receiving an immediate battery.
- C. A battery is a willful touching of a person by the Defendant, or by some substance put into motion by the Defendant, and a battery is the consummation of the assault.
- D. It is the intention of Lenox Township to incorporate, by reference, existing state law with regard to assault and assault and battery as found at MCLA 750.81.

**SECTION 2: PENALTY:**

A person who shall be convicted of an assault or an assault and battery where no other punishment is prescribed shall be guilty of a misdemeanor, and shall be punishable by imprisonment in the Macomb County Jail of not more than ninety (90) days, or by fine of not more than \$500, or both, together with the cost of prosecution.

**SECTION 3: CONFLICTING PROVISIONS REPEALED:**

Any ordinance or part of ordinance in conflict herewith is hereby repealed.

**SECTION 4: EFFECTIVE DATE:**

This Ordinance shall be effective thirty (30) days after publication.