

I AS YOUR MAYOR HAVE A STATEMENT TO MAKE IN REGARDS TO THE RECENT AMENDMENTS THAT WERE MADE TO THE CODE OF ORDINANCES ON DECEMBER 18TH, 2008.

FOR THOSE OF YOU WHO SHOWED AN INTEREST IN THESE AMENDMENTS DUE TO THE MEDIA ATTENTION IT RECEIVED ALLOW ME TO GIVE SOME ADDITIONAL INFORMATION.

EVERY FALL OUR CITY COUNCIL ALONG WITH DEPARTMENT DIRECTORS CONDUCT A GOAL SETTING RETREAT THAT IS OPEN TO THE PUBLIC AND THE MEDIA. THIS LAST FALL, OUR POLICE CHIEF HAD REQUESTED THAT WE AS A COUNCIL CONSIDER SOME AMENDMENTS TO OUR EXISTING ORDINANCE.

OUR POLICE DEPARTMENT HAD RUN INTO SOME SITUATIONS WHEREIN THE EXISTING ORDINANCE DID NOT HAVE A MECHANISM FOR ADDRESSING HARRASSMENT AT A CERTAIN LEVEL. HARRASSMENT THAT REACHES THE LEVEL OF STALKING CAN BE ADDRESSED UNDER STATE LAW, HOWEVER LESSER FORMS OF HARRASSMENT REQUIRE LOCAL ORDINANCES.

SOME EXAMPLES WHERIN THESE AMENDMENTS THAT WERE ADOPTED WOULD APPLY WOULD BE;

1. ONGOING NEIGHBOR DISPUTES THAT RISE TO A LEVEL WHERE APPLICATION OF THE ORDINANCE MIGHT PREVENT AN ESCALATION OF CONDUCT.
2. CONSISTANT AND REPEATED TEENAGE BULLYING THAT BEGINS TO FRIGHTEN, AND JEAPORDISES THE SAFETY OF THE VICTOM.
3. UNWANTED AND REPEATED TEXT MESSAGES
4. HARRASSMENT OF AN INDIVIDUAL BECAUSE OF THEIR RACE, SEXUAL ORIENTATION, OR RELIGIOUS AFFILIATION.

SOME EXAMPLES OF WHERE THE ORINANCE WOULD NOT APPLY ARE;

1. THE SCREAMING CHILD IN THE GROCERY LINE.
2. THE SPOUSE THAT LEAVES THEIR DIRTY SOCKS ON THE FLOOR.
3. THE DRIVER THAT DOESN'T USE THEIR TURN SIGNAL
4. YOU GET THE IDEA, .

THE ORIGINAL CITY ORDINANCE, WHICH WAS ADOPTED IN 1981 ALREADY PROHIBITED ANNOYING BEHAVIOR. THE AMENDMENT, WHICH WAS MADE ON DECEMBER 18TH, 2008 LIMITED AND DEFINED THE PROHIBITED

CONDUCT TO BE OF REPEATED NATURE THAT SERVED NO LEGITIMATE PURPOSE.

THE AMENDMENTS WERE DONE TO COMPLY WITH EXISTING COURT CASE LAW AND PURSUANT TO LEGITIMATE GOVERNMENT INTEREST AND RESPONSIBILITIES TO PROTECT THE PUBLIC.

COUNCIL AND STAFF TAKE THAT ROLE VERY SERIOUSLY. WE WILL DO WHATEVER IS NECESSARY TO PROTECT THE CITIES CITIZENS, MERCHANTS, EMPLOYEES AND VISITORS FROM DISRUPTIVE AND OR HARRASSING CONDUCT THAT SERVES NO LEGITIMATE PURPOSE BUT TO SPAWN ANGER AND POTENTIALLY ESCALATE TO VIOLENCE.

- CITY COUNCIL DID WHAT IT WAS ELECTED TO DO-ASSURE THAT PROPER AND ENFORCABLE RULES EXIST TO MAINTAIN THE PUBLIC WELFARE.
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- WHILE 17 OTHER NEARBY COMMUNITIES IN MICHIGAN USE SIMILAR ORDINANCES WITH SIMILAR LANGUAGE, BRIGHTONS ORDINANCE REQUIRES A COURSE OF CONDUCT OR REPEATED ACTS IN ORDER FOR ENFORCEMENT ACTION TO OCCUR.
- OUR NEIGHBORS TO THE SOUTH IN GREEN OAK TWP AND OUR NEIGHBORS TO THE WEST IN FOWLerville ALSO HAVE LANGUAGE SIMILAR TO WHAT IS USED IN NUMEROUS OTHER COMMUNITIES IN MICHIGAN.

WHY DID THIS AMENDMENT RECEIVE NATIONAL MEDIA ATTENTION??? THE ANSWER IS THAT THE HEADLINES ARE PICKED UP ON THE ASSOCIATED PRESS. SO WHEN THE HEADLINE IS 'IT IS AGAINST THE LAW TO BE ANNOYING IN BRIGHTON ' IT WAS A STORY, THAT WAS NOT ABOUT THE ECONOMY, UNEMPLOYMENT, FORECLOSURES, AND THE WAR.

YOUR FIRST AMENDMENT RIGHTS ARE NOT BEING VIOLATED BY THESE AMENDMENTS.

THANK YOU FOR THE ATTENTION YOU HAVE GIVEN ME. NOW WE WILL MOVE ONTO THE BUSINESS OF THE CITY THAT WE HAVE THIS EVENING.