

**GAINES TOWNSHIP
ORDINANCE NUMBER 122**

An ordinance to prohibit embezzlement; and to proscribe penalties for violations thereof.

THE GAINES TOWNSHIP BOARD HEREBY ORDAINS:

Section 1. Prohibited conduct.

- (a) No person shall as the agent, servant or employee of another, or as the trustee, bailee or custodian of the property of another, of any partnership, voluntary association, public or private corporation, or of any county, city, village, township or school district within this state, fraudulently dispose of or convert to his own use, or take or secrete with intent to convert to his own use without the consent of his principal, any money or other personal property of his principal which shall have come to his possession or shall be under his charge or control by virtue of his being such agent, servant, employee, trustee, bailee or custodian as aforesaid. In any prosecution under this ordinance, the failure, neglect or refusal of such agent, servant, employee, trustee, bailee or custodian to pay, deliver or refund to his principal such money or property entrusted to his care upon demand shall be prima facie proof of intent to embezzle.
- (b) No person shall through fraud, deceit, misrepresentation, coercion or unjust enrichment, obtain, use, or attempt to obtain or use money or property of a vulnerable adult, directly or indirectly benefiting himself, knowing or having reason to know that the person was a vulnerable adult.

Section 2. Penalty.

A person violating this ordinance shall be guilty of a misdemeanor punishable by a fine of not more than \$500.00 and/or imprisonment for not more than 93 days.

Section 3. Effective Date.

This ordinance shall take effect 30 days after publication.

At a regular meeting of the Board of Trustees for the Township of Gaines held on September 7, 2016, **Diane Hyrman** moved for adoption of the foregoing ordinance and **Lee Purdy** supported the motion.

Voting for: **Michael Dowler, Diane Hyrman, Lee Purdy, Chuck Timmons, Paul Fortino**

Voting against: **None**

The Supervisor declared the ordinance **adopted**.

Paul Fortino Supervisor

Paul Fortino, Supervisor

Michael Dowler

Michael Dowler, Township Clerk

Certification

Michael Dowler, Gaines Township Clerk, certifies that the foregoing is a true copy of Ordinance No. 122 which was enacted by the Board of Trustees of Gaines Township at a regular meeting held on September 7, 2016.

Michael Dowler

Michael Dowler, Township Clerk