

LYON TOWNSHIP
ROSCOMMON COUNTY, MICHIGAN

ORDINANCE NUMBER 23

ADOPTED: November 3, 1977

LIMITING POWER OF CONSTABLE

An ordinance to restrict or limit the powers and duties prescribed by State law for township constables; to establish liability for violations of the provisions of the Ordinance; and to repeal all ordinances or parts of ordinances in conflict with this ordinance.

PURPOSE AND INTENT

TOWNSHIP OF LYON
ROSCOMMON COUNTY, MICHIGAN

ORDAINS:

SECTION 1

Pursuant to the authority vested in the Lyon Township Board by Public Act. No. 426 of the Public Acts of 1976, of the State of Michigan, that being MCLA 41.82, no elected or appointed constable of the Township of Lyon shall exercise any power or assume any duty prescribed by the laws of the State of Michigan, except as follows:

The township constable shall be authorized to serve civil notices and process lawfully directed to them by this Township Board.

TITLE

This ordinance shall be known and cited as Limiting Power of Constable

SECTION 2

DEFINITIONS

SECTION 3

REGULATIONS

SECTION 4

VIOLATIONS AND PENALTIES

Any person who violates any of the provisions of this ordinance shall be deemed to be responsible for a Municipal Civil Infraction as defined by Michigan statute, punishable by a civil fine determined in accordance with the schedule:

	<u>Minimum Fine</u>
1 st offense within a 3-year period*	\$ 50.00
2 nd offense within a 3-year period*	\$125.00
3 rd offense within a 3-year period*	\$250.00
4 th or subsequent offense in a three-year period*	\$400.00

*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Lyon Township has been put in connection with the Municipal Civic Infraction.

In addition, any violation of this ordinance is hereby declared to be a public nuisance per se which may be abated in Circuit Court in lieu of or in addition to other civil infractions.

Each day that a violation exists shall constitute a separate offense for enforcement purposes.

SECTION 5

SEVERABILITY

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this ordinance.

SECTION 6

REPEAL

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 7

EFFECTIVE DATE

This ordinance shall take effect 30-days after publication as required by law.