

LYON TOWNSHIP
ROSCOMMON COUNTY, MICHIGAN

ORDINANCE NUMBER 46

ADOPTED: April 19, 2000

ORDINANCE TO AMEND ORDINANCE PENALTY SECTIONS

PURPOSE AND INTENT

An ordinance to amend the following ordinance penalty sections to provide that violations of said ordinance shall be a municipal civil infraction in addition to being a public nuisance, per se.

TOWNSHIP OF LYON
ROSCOMMON COUNTY, MICHIGAN

ORDAINS:

SECTION 1

TITLE

This ordinance shall be known and cited as ordinance to amend ordinance penalty sections

SECTION 2

DEFINITIONS

The following terms used in this ordinance are as follows: N/A

SECTION 3

REGULATIONS

The following ordinance sections are hereby amended to delete the cited penalty sections:

- a. Ordinance No. 11, Park Regulation Ordinance, Section 76.004.
- b. Ordinance No. 15, Placement of Docks, Boat Hoists at Township Parks, Penalty Section 2.
- c. Ordinance No. 16, Zoning Ordinance, Section 140.804
- d. Ordinance No. 22, Junk and Garbage Ordinance, Section 6.
- e. Ordinance No. 32, Garbage and Yard Sale Ordinance, Section 11.007
- f. Ordinance No. 33, Subdivision and Condominium Control Ordinance.
- g. Ordinance No. 34, Refuse and Bulk Item Collection Service Ordinance, Section 20.
- h. Ordinance No. 35, Animal Control Ordinance, Section 6.
- i. Ordinance No. 36, Seawall/Retaining Wall Ordinance, Section 6.
- j. Ordinance No. 37, Sign Ordinance, Section 9.
- k. Ordinance No. 40, Burning Ordinance, Penalties Section.

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.