

LYON TOWNSHIP
ROSCOMMON COUNTY, MICHIGAN

ORDINANCE NUMBER 43

ADOPTED: April 19, 2000

EFFECTIVE: April 19, 2000

MUNICIPAL ORDINANCE VIOLATION BUREAU

An ordinance adopted pursuant to Public Act 12 of 1994 to establish a municipal ordinance violations bureau for the purpose of accepting admissions of responsibility for ordinance violations designated as municipal civil infractions for which municipal ordinance violation notices have been issued and served by authorized officials to collect and retain civil fines/costs for such violations as prescribed herein, and to repeal all conflicting ordinance or parts of ordinances.

PURPOSE AND INTENT

TOWNSHIP OF LYON
ROSCOMMON COUNTY, MICHIGAN

ORDAINS:

SECTION 1

TITLE

This ordinance shall be known and cited as Lyon Township Municipal Ordinance Violations Bureau

SECTION 2

DEFINITIONS

The following terms used in this ordinance are as follows:

ESTABLISHMENT, LOCATION AND PERSONNEL OF MUNICIPAL ORDINANCE VIOLATIONS BUREAU

- A.** *Establishment.* The Lyon Township Municipal Ordinance Violations Bureau (hereafter "Bureau") is hereby established pursuant to Public Act 12 of 1994 (MCL 600.8396), as it may be amended from time to time, for the purpose of accepting admissions of responsibility for ordinance violations designated as municipal civil infractions, and to collect and retain civil fines/costs for such violations as prescribed herein.
- B.** *Location.* The bureau shall be located at the township hall/office or other such location in the township as may be designated by the township board.

- C. *Personnel.* All personnel of the bureau shall be township employees. The township board may by resolution designate a bureau clerk with the duties prescribed herein and as otherwise may be delegated by the township board.

SECTION 3

REGULATIONS

The bureau shall only have authority to accept admissions of responsibility (without explanation) for municipal civil infractions for which a municipal ordinance violations notice (as compared to a citation) has been issued and served, and to collect and retain the scheduled civil fines/costs for such violations specified pursuant to this ordinance or other applicable ordinance. The bureau shall not accept payment of fines/costs from any person who denies having committed the alleged violation or who admits responsibility only with explanation. The bureau shall not determine or attempt to determine the truth or falsity of any fact or matter relating to an alleged ordinance violation.

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 a 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.