

**LYON TOWNSHIP**  
**ROSCOMMON COUNTY, MICHIGAN**

**ORDINANCE NUMBER 44**

**ADOPTED: April 19, 2000**

**ELECTIVE: April 19, 2000**

**ORDINANCE ENFORCEMENT OFFICER**

An ordinance to establish the office of ordinance enforcement officer; to prescribe the duties of said office; to authorize the township board to appoint persons to said office, and to amend any ordinances of the township which conflict with the provisions hereof.

**PURPOSE AND INTENT**

The township board is hereby authorized to appoint by motion/resolution any person or persons to the office of ordinance enforcement office for such term or terms as may be designated in said motion/resolution and for such compensation as the board may determine. The board may further, by motion/resolution, remove any person from said office, in the discretion of the board.

**TOWNSHIP OF LYON**  
**ROSCOMMON COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION 1**

**TITLE**

This ordinance shall be known and cited as Lyon Township Ordinance Enforcement Officer.

**SECTION 2**

**DEFINITIONS**

The following terms used in this ordinance are as follows: n/a

**SECTION 3**

**REGULATIONS**

The ordinance enforcement officer is hereby authorized to enforce all ordinance of the township, whether heretofore or hereafter enacted, and whether such ordinance specifically designate different enforcing officer or so not designate any particular enforcing officer. Where a particular officer is so designated in an

ordinance, that officer's authority shall continue in full force and effect and shall not be diminished or impaired by the terms of this ordinance, and the authority of the ordinance enforcement officer shall be in addition and supplementary to the authority granted to such other specific officer. An ordinance enforcement officer shall in the performance of the officers duties be subordinate and responsible to the supervisor or such other township board member as the township board may from time to time designate.

The ordinance enforcement officer's duties shall include the following: investigation of ordinance violations issuing and service ordinance violation notices, issuing and serving appearance tickets as authorized under Public Act 147 of 1968, as amended (MCL 764.9C); issuing and serving municipal ordinance violation notice and municipal civil infraction citations as authorized under Public Act 12 of 1994, as it may from time be amended (MCL600.8701, et seq); appearance in court or other judicial or quasi-judicial proceedings to assist in the prosecution of ordinance violators; and such other ordinance enforcing duties as may be delegated by the township board, township supervisor or assigned by the township attorney.

## **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 <sup>st</sup> offense within a 3-year period*	\$ 50.00
2 <sup>nd</sup> offense within a 3-year period*	\$125.00
3 <sup>rd</sup> offense within a 3-year period*	\$250.00
4 <sup>th</sup> 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.