

2015-06-98

**TOWNSHIP OF THETFORD
ORDINANCE # 98**

AN ORDINANCE ESTABLISHING PENALTIES, SANCTIONS AND FINES BY PROVIDING FOR GENERAL PENALTIES AND SANCTIONS FOR VIOLATIONS OF TOWNSHIP ORDINANCES; BY PROVIDING FOR CONTINUING VIOLATIONS AND INJUNCTIVE RELIEF AND BY REPEALING SECTION 24.00 OF ORDINANCE NO. 78 AND THE PENALTY PROVISION OF ORDINANCE 62.

Moved by Trustee Henry Jacobi, supported by Trustee Cecil Carl the following:

The Township of Thetford ordains:

Section 1. GENERAL PENALTIES AND SANCTIONS FOR VIOLATIONS OF THE TOWNSHIP OF THETFORD AND TOWNSHIP ORDINANCES; CONTINUING VIOLATIONS; INJUNCTIVE RELIEF

- (A) Unless a violation of this or any ordinance of the Township is specifically designated in the ordinance as a municipal civil infraction, the violation shall be deemed to be a misdemeanor.
- (B) The penalty for a misdemeanor violation shall be a fine not exceeding \$500.00 (plus costs of prosecution), or imprisonment not exceeding 90 days, or both, unless a specific penalty is otherwise provided for the violation of this or any ordinance.
- (C) The sanction for a violation which is a municipal civil infraction shall be a civil fine in the amount provided by this ordinance, plus any costs, damages, expenses and other sanctions as authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended and all other applicable laws.
 - (1) Unless otherwise specifically provided for a particular municipal civil infraction violation by any ordinance, the civil fine for a violation shall be no less than \$50.00, plus costs and other sanctions, for each infraction.

- (2) Increased civil fines may be imposed for repeat violations by a person of any requirement or provision of any ordinance. As used in this section, "repeat offense" means a second or any subsequent municipal civil infraction violation of the same requirement or provision (I) committed by a person within any six-month period (unless some other period is specifically provided by any ordinance) and (II) for which the person admits responsibility or is determined to be responsible. Unless otherwise specifically provided by which this ordinance or any ordinance for a particular municipal civil infraction violation, the increased fine for a repeat offense shall be as follows:
- (a) The fine for any offense which is a repeat offense shall be no less than \$100.00 plus costs.
 - (b) The fine for any offense which is a second repeat offense shall be no less than \$250.00 plus costs.
 - (c) The fine for any offense which is a third repeat offense shall be no less than \$500.00, plus costs.
- (D) A "violation" includes any act which prohibited or made or declared to be unlawful or an offense by any ordinance; and any omission or failure to act where the act is required by any ordinance.
- (E) Each day on which any violation of any ordinance continues constitutes a separate offense and shall be subject to penalties or sanctions as separate offense.
- (F) In addition to any remedies available at law, the Township may bring an action for an injunction or other process against a person to restrain, prevent or abate any violation of this ordinance or any Township ordinance.

Section 2.

Township of Thetford Ordinance No. 78, Section 24.00, and the penalty provision of Ordinance No. 62, are repealed.

Section 3.

The invalidity of any clause, sentence, or paragraph or part of this ordinance shall not affect the validity of the remaining parts of this ordinance.

Section 4.

This ordinance shall become effective immediately upon publication as provided by law.

Section 5.

MADE AND PASSED by the Thetford Township Board of Trustees at a regular meeting held at the Thetford Township Hall on the 28th day of September, 1998 at 8:00 p.m.. On motion of Henry Jacobi and seconded by Cecil Garl, roll call vote: yeas Jacobi, Kerr, Brady, Hobson, Hammond, Garl, & Benning, nays None.

We, the undersigned Supervisor and Clerk of the Township of Thetford, do hereby certify that the above ordinance was adopted by the Thetford Township Board of Trustees at a regular meeting on the 28th day of September, 1998.

TOWNSHIP OF THETFORD

Harold Brady
By: Harold Brady, Township Supervisor

Myra Hobson
By: Myra Hobson, Township Clerk