

ORDINANCE NO. 3t

**BLOOMINGDALE TOWNSHIP, VAN BUREN COUNTY, STATE
OF MICHIGAN**

CIVIL INFRACTIONS ORDINANCE

ADOPTED: J'YJW? - Ab 311, 2021

AN ORDINANCE PROVIDING ALL VIOLATIONS OF ALL BLOOMINGDALE TOWNSHIP ORDINANCES SHALL BE MUNICIPAL CIVIL INFRACTIONS, ESTABLISHING THE PENALTIES AND PROCEDURES AND WHOM MAY ISSUE MUNICIPAL CIVIL INFRACTIONS IN BLOOMINGDALE TOWNSHIP.

**THE BLOOMINGDALE TOWNSHIP BOARD OF VAN BUREN COUNTY,
MICHIGAN ORDAINS:**

SECTION 1. Title.

This Ordinance shall be known and cited as the "Bloomingdale Township Municipal Civil Infractions Ordinance".

SECTION 2. Definitions.

- **ACT**-Act 236 of the Public Acts of 1961, as amended by Act 12 of the Public Acts of 1994.
- **AUTHORIZED TOWNSHIP OFFICIALS**-Unless prohibited by state law or unless otherwise provided by specific provisions of a particular Bloomingdale Township ordinance to the contrary, the following officials are hereby designated as the authorized Township officials to issue and serve municipal civil infraction citations for violations of Township Ordinances:

The Township Building Inspector
 The Van Buren County Sheriff and all other Deputy County Sheriffs
 The Township Inspectors
 The Township Ordinance Enforcement Officer
 The Township Zoning Administrator

- **MUNICIPAL CIVIL INFRACTION ACTION**-A civil action in which the defendant is alleged to be responsible for a municipal civil infraction.
- **MUNICIPAL CIVIL INFRACTION CITATION**-A written complaint or notice prepared by an authorized Township official, directing a person to appear in court regarding the occurrence or existence of a municipal civil infraction violation by the person cited.

SECTION 3. Municipal Civil Infractions.

Unless prohibited by state law, any person who violates any provisions of any Bloomingdale Township Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan statute.

SECTION 4. Municipal Civil Infraction Procedure.

All municipal civil infraction citations, issuance, contents and services shall be governed by Act 236 of PA 1961 as amended (in particular sections 600.8701 through 600.8735 of the Michigan Compiled Laws).

SECTION 5. Enforcement and Sanctions.

Any person found responsible for a Bloomingdale Township Municipal Civil Infraction shall be punishable by a civil fine as determined in accordance with the following (based on the date of commission of the offense for repeat offenders):

	<u>Minimum Fine</u>
1 st Offense within 3 year period	\$100
2 nd Offense within 3 year period	\$250
3 rd Offense within 3 year period	\$500

A. The foregoing sanctions shall be in addition to the rights of the Township to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township incurs in connection with the municipal civil infraction pursuant to MCL 600.8727.

B. In addition, the Township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law. MCL 600.8302.

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

SECTION 6. 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 or competent jurisdiction, it shall not affect any other portion of this Ordinance.

SECTION 7. Repeal.

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

SECTION 8. Effective Date.

This Ordinance shall take effect 31 days after publication as required by law.

SECTION 9. Publication, Recordation.

This Ordinance or a summary shall be published as required by law in a newspaper of general circulation in the Township, promptly after its adoption, and shall be recorded in the Ordinance Book of the Township and such recording authenticated by the signatures of the Township Supervisor and Township Clerk.

The above Ordinance was offered for adoption by Township Board Member, James Lisowski, on 11/16/2021, and seconded by Township Board Member James Lisowski. The roll call vote being as follows:

NAME	YES	NO	ABSENT
James Lisowski	<u>L</u>	_____	_____
Judy Little	<u>V</u>	_____	_____
Gerald Sommerfeld	<u>V</u>	_____	_____
Brett Johnson	_____	_____	_____
Peter Fritz	_____	_____	_____

THE BOARD SUPERVISOR DECLARED THIS ORDINANCE ADOPTED THIS **3/ST** DAY OF 11/16/2021 o21. -

CERTIFICATION

I certify that the foregoing is a true and complete copy of the Municipal Civil Infractio_s Ordinance 3 dopted by the Bloomingdale Township Board at a meeting held on the of 7¹/₁, 2021, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: f1¹³/₄LO'L31 2021



Judy Little, Township Clerk

PUBLICATION

I hereby certify that the Ordinance or a summary of the foregoing Ordinance was published in the Courier Leader on the 8th day of April, 2021.

Dated: 1st 2021



Judy Little, Township Clerk