

**TOWNSHIP OF CLINTON
LENAWEE COUNTY, MICHIGAN**

ORDINANCE NO.: 07-001

ADOPTED: July 14, 2014

EFFECTIVE DATE: July 16, 2014

**CIVIL INFRACTION PENALTIES FOR VIOLATION OF CLINTON
TOWNSHIP ZONING ORDINANCE**

An ordinance to amend the Clinton Township Zoning Ordinance so as to make the violation thereof a municipal infraction, to provide sanctions for violation thereof and to repeal all sections or parts of the Clinton Township Zoning Ordinance in conflict therewith.

THE TOWNSHIP OF CLINTON, LENAWE COUNTY, MICHIGAN ORDAINS:

**AMENDMENT OF ARTICLE SIX –ADMINISTRATION OF THE ORDINANCE,
SECTION 6.7 VIOLATIONS AND PENALTIES**

Article Six, Section 6.7 of the Clinton Township Zoning Ordinance is hereby amended to read in its entirety as follows:

Section 6.7 VIOLATIONS PENALTIES

- A. A violation of this Ordinance is a municipal civil infraction, for which the fine shall be not less than \$50.00 nor more than \$500.00 for the first offense and not less than \$100.00 nor more than \$2,500.00 for subsequent offenses, in the discretion of the Court, and such fine shall be in addition to all other costs, attorney fees, damages, expenses, and other remedies as provided by law. For purposes of this section, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same person for the same property within twelve (12) months of a previous violation of the same provision of this Ordinance for which said person admitted responsibility or was adjudicated to be responsible, provided, however, that offenses committed on subsequent days within a period of one week following the issuance of a citation for a first offense shall be considered separate first offenses.
- B. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection A hereof, the Township may also instate an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this Ordinance or any provision of the Ordinance.

- C. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive.
- D. Any use of land that is commenced or conducted, any activity, or any building, item or structure that is erected, moved, used, placed, reconstructed, razed, extended, enlarged, altered, maintained, or changed, in violation of any provision of this Ordinance is also hereby declared to be a nuisance per se.
- E. Each and every day during which a violation of this Ordinance shall exist shall be deemed to be a separate offense.
- F. Any person, firm or entity that assists with or enables the violation of this Ordinance shall be responsible for aiding and abetting, and shall be considered to have violated the provision of this Ordinance involved for which such aiding and abetting occurred. Furthermore, any attempt to violate this Ordinance shall be deemed a violation of the provision of this Ordinance involved as if the violation had been successful or completed.

Severability - Should any part of this Ordinance be declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any other part or portion thereof.

Publication and Effective Date – This Ordinance is adopted by the Clinton township Board upon recommendation of the Clinton Township Planning Commission after Notice and Public Hearing as provided in Article Twelve, Section 12.15 of the Clinton Township Zoning Ordinance as amended and the Michigan Zoning Enabling Act, P.A. 110 of 2006 as amended.

Repealer - All ordinances inconsistent with the provisions of this ordinance, are hereby repealed.

This ordinance was offered for adoption by the Township Board Member Thompson and was seconded by Township Board Member Zimmerman, the vote being as follows:

YEAS: (5)
NAYS: (0)
ABSENT: (0)

Ordinance declared adopted on July 14, 2014.

Phillip Reiser
Township Supervisor for the Township of Clinton