

**TOWNSHIP OF CLINTON
LENAWEE COUNTY, MICHIGAN**

ORDINANCE NO: 4

ADOPTED: 4-13-15

EFFECTIVE: 4-13-15

MUNICIPAL CIVIL INFRACTION ORDINANCE

An ordinance to amend certain specified Clinton Township Ordinances so as to make violation thereof a municipal civil infraction, to provide sanctions for violations thereof, and to repeal all ordinances or parts of ordinances in conflict therewith.

TOWNSHIP OF CLINTON LENAWE COUNTY, MICHIGAN ORDAINS:

SECTION I

**AMENDMENT OF THE CLINTON TOWNSHIP BLIGHT ELIMINATION
ORDINANCE**

Section 3 of the Clinton Township Blight Elimination Ordinance (Ordinance No. _____) is hereby amended to read in its entirety as follows:

Section 3. Enforcement and Penalties

This ordinance shall be enforced by such persons who shall be so designated by the Township Board.

The owner, if possible, and the occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 2 hereof is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within 10 days after service of the notice upon him. Such notice may be served personally or by certified mail, return receipt requested. Additional time may be granted by the enforcement officer where bonafide efforts to remove or eliminate such causes of blight or blighting factors are in progress.

Failure to comply with such notice within the time allowed by the owner and/or occupant shall constitute a violation of this ordinance.

Municipal Civil Infractions Violations and 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 initiate 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, place, 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.

SECTION II

AMENDMENT OF THE CLINTON TOWNSHIP CEMETARY ORDINANCE

Section 14 of the Clinton Township Cemetary Ordinance (Ordinance No. _____) is hereby amended to read in its entirety as follows:

Section 14. Municipal Civil Infractions Violations and 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 initiate 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, place, 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.

SECTION III

AMENDMENT OF THE CLINTON TOWNSHIP GRASS AND NOXIOUS WEEDS ORDINANCE

Section 3 of the Clinton Township Grass and Noxious Weeds Ordinance (Ordinance No. 18 of 2013) is hereby amended to read in its entirety as follows:

Section 3. Violations

If the provisions of this section are not complied with, the Supervisor or his duly authorized representative shall send a letter giving residents 7 days

to cut grass or noxious weeds. If the weeds still have not been cut, the Township shall pay a contractor to cut the weeds and bill the owner.

Municipal Civil Infractions Violations and Penalties

- 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 initiate 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, place, 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.