

STATE OF MICHIGAN
COUNTY OF MARQUETTE, TOWNSHIP OF NEGAUNEE
ORDINANCE ENFORCEMENT OFFICER ORDINANCE

Adopted: June 11th, 2009

Effective: July 18th, 2009

ARTICLE I
TITLE

Section 101 Title

This ordinance shall be known as the Negaunee Township Ordinance Enforcement Officer Ordinance.

ARTICLE II
PURPOSE

Section 201 Purpose

An ordinance to establish the office of Ordinance Enforcement Officer within the Township of Negaunee, Marquette County, Michigan.

ARTICLE III
APPOINTMENT

Section 301 Appointment of Officer

The Negaunee Township Board is hereby authorized by resolution, at any regular meeting of said Board, to appoint any person or persons to the office of Ordinance Enforcement Officer for such term or terms as may be designated in said resolution and for such compensation as the Board may determine. Said Board may further, by resolution, remove any person from said office, in the discretion of said Board.

ARTICLE IV
AUTHORITY

Section 401 Authority

The Ordinance Enforcement Officer is hereby authorized to enforce all ordinances of Negaunee Township, whether heretofore or hereafter enacted, and whether such ordinances specifically designate a different enforcing officer or do not designate any particular enforcing officer. An ordinance enforcement officer shall in the performance of the officer's duties be subordinate and responsible to the Township Supervisor or such other Township Board member as the Township Board may designate from time to time.

**ARTICLE V
DUTIES**

Section 501 Ordinance Enforcement Officer Duties

- A. The Ordinance Enforcement Officer’s duties shall include the following:
1. Investigation of ordinance violations;
 2. Issuing and serving ordinance violation notices;
 3. Issuing and serving appearance tickets as authorized under Public Act 175 of 1927, as amended (MCL 764.9c);
 4. Issuing and serving municipal ordinance violation notices and municipal civil infraction citations as authorized under Public Act 12 of 1994, as it may from time to time be amended (MCL 600.8701 *et seq.*);
 5. Appearance in court or other judicial or quasi-judicial proceedings to assist in the prosecution of ordinance violators; and
 6. Such other ordinances enforcement duties as may be delegated by the Township Board, Township Supervisor or assigned by the Township Attorney.

**ARTICLE VI
SUPPLEMENTARY EFFECT**

Section 601 Supplementary Effect

All ordinances of the township heretofore or hereafter adopted shall be considered to be supplemented by the terms of this ordinance.

**ARTICLE VII
SCHEDULE OF FINES**

Section 701 Schedule of Fines

Any person or other entity that violates any of the provisions of this ordinance is responsible for a Municipal Civil Infraction as defined by Michigan law and subject to a civil fine determined in accordance with the following schedule:

	Minimum	Maximum
1 st Violation within a 3-year period*	\$75.00	\$500.00
2 nd Violation within a 3-year period*	\$150.00	\$500.00
3 rd Violation within a 3-year period*	\$325.00	\$500.00
4 th or Subsequent Violation within a 3-year period*	\$500.00	\$500.00

* Determined on the basis of the date of the violation(s)

Additionally, the violator shall pay costs, which may include all direct or indirect expenses to which the Township has been put in connection with the violation. In no case, however, shall costs of less than \$75.00 or more than \$500.00 be ordered. A violator of this ordinance shall also be subject to such additional sanctions,

remedies and judicial orders as are authorized under Michigan law. Each day a violation of this ordinance continues to exist constitutes a separate violation.

**ARTICLE VIII
SEVERABILITY**

Section 801 Severability

Sections of this Ordinance shall be deemed to be severable and should any article, section, paragraph or provisions hereof be declared by the Courts to be unconstitutional or invalid, such holdings shall not affect the validity of this Ordinance as a whole or any part hereof, other than the part so declared to be unconstitutional or invalid.

**ARTICLE IX
EFFECTIVE DATE**

Section 901 Effective Date of Ordinance

Following adoption by the Township Board, this ordinance shall take effect thirty (30) days upon first publication as required by law.