

101.000 - MUNICIPAL CIVIL INFRACTION AND PENALTIES ORDINANCE Adopted: June 20, 2016

An Ordinance providing for municipal civil infractions violations and penalties.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF ATLAS HEREBY ORDAINS:

101.001 - [Title.]

Sec. 1. This Ordinance shall be known as the "Atlas Township Municipal Civil Infraction and Penalties Ordinance."

101.002 - [Generally.]

Sec. 2.

- A. A violation of this Ordinance is a municipal civil infraction, for which the fine shall be not less than \$100.00 nor more than \$500.00 for the first offense and not less than \$200.00 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 eighteen (18) 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 all be considered separate first offenses.
- B. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection A hereof, the Township may also institute 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 following the issuance of an additional ten-day notice.
- 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.

101.003 - Effective date.

Sec. 3. This Ordinance shall become effective thirty (30) days after its publication (publication of a summary thereof) in a newspaper in general circulation within Atlas Township.