

TOWNSHIP OF BRILEY  
COUNTY OF MONTMORENCY, STATE OF MICHIGAN  
BRILEY TOWNSHIP ORDINANCE NO. 01-03-07-96

ORDINANCE ENFORCEMENT OFFICER ORDINANCE

An Ordinance to establish the office of Ordinance Enforcement Officer to prescribe the duties of said office; to authorize the Township Board to appoint persons to said office; and to amend any ordinances of the Township which conflict with the provisions hereof.

THE TOWNSHIP OF BRILEY  
MONTMORENCY COUNTY, MICHIGAN  
ORDAINS:

SECTION 1

ORDINANCE ENFORCEMENT OFFICER

The office of Briley Township Ordinance Enforcement Officer is hereby established.

SECTION 2

APPOINTMENT

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

SECTION 3

AUTHORITY

The Ordinance Enforcement Officer is hereby authorized to enforce all ordinances of the Township, whether heretofore or hereafter enacted, and whether such ordinances specifically designate a different enforcing official or do not designate any particular enforcing officer. Where a particular officer is so designated in any ordinance that officer's authority shall continue in full force and effect and shall not be diminished or impaired by the terms of this Ordinance, and the authority of the Ordinance Enforcement Officer shall be in addition and supplementary to the authority granted to such other specific officer. An Ordinance Enforcement Officer shall in the performance of the officer's duties be subordinate and responsible to the Supervisor or such other Township Board member as the Township Board may from time to time designate.

SECTION 4

DUTIES

The Ordinance Enforcement Officer's duties shall include the following: investigation of ordinance violations; issuing and serving ordinance violation notices; issuing and serving appearance tickets as authorized under 1968 Public Act 147, as amended (MCL 764.9); issuing and serving municipal ordinance violation notices and municipal civil infraction citations as authorized under 1994 Public Acts 12, as it may from time to time be amended (MCL 600.8701 et seq); appearance in court or other judicial or quasi-judicial proceedings to assist in the prosecution of ordinance violators; and such other ordinance enforcing duties as may be delegated by the Township Board, Township Supervisor, or assigned by the Township Attorney.

SECTION 5

SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the Ordinance which shall continue in full force and effect.

SECTION 6

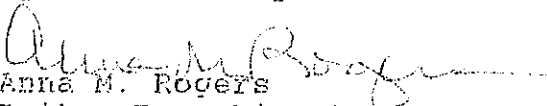
SUPPLEMENTARY EFFECT

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

SECTION 7

EFFECTIVE DATE

This Ordinance shall take effect immediately upon publication as required by law following adoption by the Township Board.

  
Anna M. Rogers  
Briley Township Clerk

Squealing of Tires, Ordinance 001-8-16-65: Delete Section 2 and replace with:

Any person or other entity who 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:

<u>Minimum</u>	<u>Maximum</u>
1st violation within three year period \$500.00	\$ 50.00
2nd violation within three year period \$500.00	\$100.00
3rd violation within three year period \$500.00	\$300.00

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 \$50.00 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 authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

Briley Township Recreation Area, Ordinance #12-4-85-008: Delete Section 2 and replace with:

Any person or other entity who 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:

<u>Minimum</u>	<u>Maximum</u>
1st violation within three year period \$500.00	\$ 50.00
2nd violation within three year period \$500.00	\$100.00
3rd violation within three year period \$500.00	\$300.00

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 \$50.00 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 authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

Public Entertainment Ordinance and Sexually Explicit Materials Ordinance, Ordinance #12-4-85-008: Delete Section 6 and replace

with:

Any person or other entity who 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:

<u>Minimum</u>	<u>Maximum</u>
1st violation within three year period \$500.00	\$ 50.00
2nd violation within three year period \$500.00	\$100.00
3rd violation within three year period \$500.00	\$300.00

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 \$50.00 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 authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

Drug Paraphernalia Ordinance, #12-4-85-009: Delete Section entitled Penalties, replace with:

Any person or other entity who 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:

<u>Minimum</u>	<u>Maximum</u>
1st violation within three year period \$500.00	\$ 50.00
2nd violation within three year period \$500.00	\$100.00
3rd violation within three year period \$500.00	\$300.00

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 \$50.00 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 authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

Dangerous Buildings Ordinance, #1-8-86-010 (Amended): Delete Section VIII, replace with:

Any person or other entity who 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:

<u>Minimum</u>		<u>Maximum</u>
\$500.00	1st violation within three year period	\$ 50.00
\$500.00	2nd violation within three year period	\$100.00
\$500.00	3rd violation within three year period	\$300.00

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 \$50.00 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 authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

Noise Ordinance, #2-8-10-89: Delete Section B, replace with:

Any person or other entity who 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:

<u>Minimum</u>		<u>Maximum</u>
\$500.00	1st violation within three year period	\$ 50.00
\$500.00	2nd violation within three year period	\$100.00
\$500.00	3rd violation within three year period	\$300.00

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Briley Township Park Ordinance, #75-08-002: Delete Section 2, replace with:

Any person or other entity who 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:

<u>Minimum</u>	<u>Maximum</u>
1st violation within three year period \$500.00	\$ 50.00
2nd violation within three year period \$500.00	\$100.00
3rd violation within three year period \$500.00	\$300.00

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 \$50.00 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 authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

Skateboarding Ordinance, #01-05-27-91: Delete Section 5, replace with:

Any person or other entity who 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:

<u>Minimum</u>	<u>Maximum</u>
1st violation within three year period \$500.00	\$ 50.00
2nd violation within three year period \$500.00	\$100.00
3rd violation within three year period \$500.00	\$300.00

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Briley Township Blight Elimination Ordinance, #02-07-26-91: Delete Section 3D, replace with:

Any person or other entity who 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:

<u>Minimum</u>		<u>Maximum</u>
\$500.00	1st violation within three year period	\$ 50.00
\$500.00	2nd violation within three year period	\$100.00
\$500.00	3rd violation within three year period	\$300.00

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 \$50.00 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 authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

**Briley Township Cemetery Ordinance, #03-07-16-93:** Delete Section 14, replace with:

Any person or other entity who 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:

<u>Minimum</u>		<u>Maximum</u>
\$500.00	1st violation within three year period	\$ 50.00
\$500.00	2nd violation within three year period	\$100.00
\$500.00	3rd violation within three year period	\$300.00

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 \$50.00 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 authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

**Traffic Control Ordinance, #04-10-13-94:** Delete Section 3, replace with:

Any person or other entity who 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:

<u>Minimum</u>		<u>Maximum</u>
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1st violation within three year period	\$ 50.00
\$500.00	
2nd violation within three year period	\$100.00
\$500.00	
3rd violation within three year period	\$300.00
\$500.00	

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 \$50.00 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 authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

*Anna M. Rosen*