

TOWNSHIP OF SAGOLA
COUNTY OF DICKINSON, STATE OF MICHIGAN
ORDAINS:
SAGOLA TOWNSHIP
VIOLATIONS BUREAU ORDINANCE #113-1999

An Ordinance adopted pursuant to 1994 Public Act No. 12 to establish a Township Ordinance Violations Bureau for the purpose of accepting admissions of responsibility for ordinance violations designated as township civil infractions for which township ordinance violation notices have been issued and served by authorized officials; to collect and retain civil fines/costs for such violations as prescribed herein; and to repeal all conflicting ordinances of parts of ordinances.

SECTION 1: TITLE

This ordinance shall be known and cited as the SAGOLA TOWNSHIP VIOLATIONS BUREAU ORDINANCE.

SECTION 2: ESTABLISHMENT, LOCATION AND PERSONNEL OF TOWNSHIP ORDINANCE VIOLATIONS BUREAU

- A. Establishment. The Sagola Township Ordinance Violations Bureau (hereafter “Bureau”) is hereby established pursuant to 1994 Public Act 12 (MCL 600.8396), as it may be amended from time to time, for the purpose of accepting admissions of responsibility for ordinance violations designated as township civil infractions, and to collect and retain civil fines/costs for such violations as prescribed herein.
- B. Location. The Bureau shall be located at the Township Hall/Office or such other location in the Township as may be designated by the Township Board.
- C. Personnel. The Bureau shall consist of two members of the public appointed by the Board and the Township Supervisor for a three-year term with compensation per diem.

SECTION 3: BUREAU AUTHORITY

The Bureau shall only have authority to accept admissions of responsibility (without explanation) for township civil infractions for which a township ordinance violations notice (as compared to a citation) has been issued and served, and to collect and retain the scheduled civil fines/costs for such violations specified pursuant to this ordinance or other applicable ordinance. The Bureau shall not accept payment of fines/costs from any person who denies having committed the alleged violation or who admits responsibility only with explanation. The Bureau shall not determine or attempt to determine the truth or falsity of any fact or matter relating to an alleged ordinance violation.

**SECTION 4: ORDINANCE VIOLATION NOTICE REQUIREMENTS
ADMISSION/DENIAL OF RESPONSIBILITY**

- A. Ordinance Violation Notice Requirements. Township civil infractions violation notices shall be issued and served by authorized Township officials as provided by law. A township ordinance violation notice shall include, at a minimum, all of the following:
 - 1. The violation;
 - 2. The time within which the person must contact the Ordinance Enforcement Officer for purposes of admitting or denying responsibility for the violation;
 - 3. The amount of the scheduled fines/costs for the violation;
 - 4. The methods by which the violation may be admitted or denied;
 - 5. The consequences of failing to pay the required fines/costs or contact the Enforcement Officer within the required time;
 - 6. The address and telephone number of the Ordinance Enforcement Officer;

- B. Denial of Responsibility. Where a person fails to admit responsibility (without explanation) for a violation within the jurisdiction of the Bureau and pay the required civil fines/costs within the designated time period, the Ordinance Enforcement Officer or other members of the bureau designated by the Township Board shall advise the complainant to issue and file a township civil infraction citation for such violation with the court having jurisdiction of the matter.

The citation filed with the court shall consist of a sworn complaint containing, at a minimum, the allegations stated in the township ordinance violation notice and shall fairly inform the alleged violator how to respond to the citation. A copy of the citation may be served by certified or registered mail upon the alleged violator at the alleged violator's last known address. The citation shall thereafter be processed in the manner required by law.

SECTION 5: SCHEDULE OF CIVIL FINES/COSTS

Unless a different schedule of civil fines is provided for by an applicable ordinance, the civil fines payable to the Bureau upon admissions of responsibility by persons served with township ordinance violation notices shall be determined pursuant to the following schedule:

1 st violation after warning within 30 days	-----	\$ 250.00
2 nd violation within 60 days	-----	\$500.00

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

A violator of this Ordinance shall also be subject to such additional sanctions, remedies, and judicial orders as are authorized under Michigan law. Additional \$500 fees incur every 30 days thereafter.

SECTION 6: RECORDS AND ACCOUNTING

The Ordinance Enforcement Officer or other designated Township official/employee shall retain a copy of all ordinance violation notices, and shall account to the Township Board once a month or at such other intervals as the Township Board may require concerning the number of admissions and denials of responsibility for ordinance violations within the jurisdiction of the Bureau and the amount of fines/costs collected with respect to such violations.

The civil fines/costs collected shall be delivered to the Township Treasurer at such intervals as the Treasurer shall require, and shall be deposited in the general fund of the Township.

SECTION 7: AVAILABILITY OF OTHER ENFORCEMENT OPTIONS

Nothing in this Ordinance shall be deemed to require the Township to initiate its township civil infraction ordinance enforcement activity through the issuance of an ordinance violation notice. As to each ordinance violation designated as a township civil infraction the Township may, at its sole discretion, proceed directly with the issuance of a township civil infraction citation to take such other enforcement action as is authorized by law.

SECTION 8: 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 9: REPEAL

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 10: EFFECTIVE DATE

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

Clerk

Date

Township