

**SHARON TOWNSHIP MUNICIPAL CIVIL INFRACTION
PENALTY PROVISIONS ORDINANCE**

**GENERAL PENALTIES AND SANCTIONS FOR VIOLATIONS OF THE SHARON TOWNSHIP
MUNICIPAL CIVIL INFRACTION ORDINANCE; SUBSEQUENT VIOLATIONS;
INJUNCTIVE RELIEF**

THE TOWNSHIP OF SHARON, WASHTENAW COUNTY, MICHIGAN ORDAINS:

- A. Unless a violation of a township ordinance is specifically designated within that ordinance as a municipal civil infraction or a civil infraction, the violation shall be deemed a criminal misdemeanor, with procedures and penalties pertaining thereto as provided by law.
- B. The penalty for a misdemeanor violation shall be a fine not exceeding \$500.00 (plus cost of prosecution), or imprisonment not exceeding 93 days, or both, unless a specific penalty is otherwise provided for by the ordinance in question.
- C. A violation of the township's Municipal Civil Infraction Ordinance is a municipal civil infraction and a nuisance per se, for which the fine shall be no less than \$50.00, nor more than \$500.00 for the first offense, and no 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, and expenses incurred by the township in connection with the civil infraction, and other remedies as provided by law.
 - i. For purposes of this section, "subsequent offenses" means a violation of the same provision of the Municipal Civil Infraction Ordinance committed by the same person or property owner (and when related, for the same property) within twelve (12) months of a previous violation regardless of whether said person or property owner admitted responsibility, was adjudicated to be responsible, failed to appear, or defaulted on the issued violation.
 - ii. Each and every day during which a violation of the Municipal Civil Infraction is determined to exist shall be deemed to be a separate offense and shall be subject to penalties or sanctions as a separate offense.
- D. In addition to pursuing a Municipal Civil Infraction proceeding pursuant subsection **A** hereof, the township may also institute an appropriate action in the 14 A-1 Judicial District Court seeking injunctive, declaratory, or other equitable relief to enforce, restrain, prevent or abate any violation of any township ordinance or interpret the Municipal Civil Infraction Ordinance or any provision of any ordinance. Costs and expenses incurred by the township to enforce any injunctive relief or abate or prevent any violation of an ordinance may be assessed against the violator.

- E. If a person fails to pay any fines, penalties and/or costs assessed pursuant to this ordinance or any provision of any ordinance, then the amount due shall accrue interest at the rate of six percent annum from the date when it became due.
- F. All remedies available to the township under this ordinance and Michigan Law shall be deemed to be cumulative and not exclusive.
- G. Any person, firm or entity that assists with or enables the violation of a Municipal Civil Infraction 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.

Adoption.

This Ordinance was duly adopted by the Sharon Township Board of Trustees at its regular meeting called and held on the ____ day of _____, 2015.

Publication.

The Township Clerk shall cause a copy of Ordinance No. _____ or a summary thereof to be published in a newspaper of general circulation within Sharon Township within thirty (30) days after adoption.

Effective Date.

This Ordinance shall take effect upon the expiration of thirty (30) days after publication of this Ordinance or a summary thereof pursuant to MCL 41.184.

Chelsea Mikel, Sharon Township Clerk

Adoption Date:

Publication Date:

Effective Date:

CERTIFICATION

I, Chelsea Mikel, the Clerk for Sharon Township, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. _____ adopted by the Sharon Township Board of Trustees at a regular meeting held on _____, 2015. The following members of the Sharon Township Board of Trustees were present at the meeting:

_____.

The Ordinance was adopted by the Sharon Township Board of Trustees with _____ members of the Board voting in favor (_____) and _____ voting against (_____). Notice of Adoption of the Ordinance was published in The Manchester Enterprise on _____.

Chelsea Mikel, Sharon Township Clerk