

Ordinance Enforcement Officer Ordinance

Township of Lincoln County of Midland, State of Michigan Lincoln Township Ordinance No. 11

Adopted:
Effective:

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.

Section 1: Ordinance Enforcement Officer

The Lincoln Township Ordinance Enforcement Officer is hereby established.

Section 2: Appointment

The township board is hereby authorized to appoint by motion/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, by 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 officer 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 Public Act 147 of 1968, as amended (MCL 764.9c); 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.*); 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 ordinances 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.

Section 8: Sanctions for Violations

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:

	Minimum	Maximum
First violation within a 3-year period*	\$50	\$500
Second violation within a 3-year period*	\$125	\$500
Third violation within a 3-year period*	\$250	\$500
Fourth or Subsequent violation within a 3-year period	\$400	\$500

** 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 \$9 or more than \$500 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.

Zoning Ordinance Violation Notice
Lincoln Township
First Notice of Zoning Ordinance Violation

This is to inform you that the Zoning Enforcement Officer has discovered a violation of the Lincoln Township zoning ordinance on your property located at _____

Permanent parcel number _____, on date _____

The Lincoln Township Zoning Ordinance, Section _____, requires that _____

A copy of this provision is included with this notice. On _____, the Zoning Enforcement Officer found _____

In order to correct this violation, you will need to _____

Once this action has been taken, you will no longer be in violation of this ordinance.

The Zoning Enforcement Officer will recheck your property in approximately 30 days.

Should you have any questions about this notice or need additional time to bring the condition into compliance with the ordinance, please do not hesitate to call _____

between the hours of 9am - 5pm, Mon. - Fri. You may also call and make an appointment during those same hours. We thank you for your prompt attention to this notice.

Sincerely,

Zoning Ordinance Violation Notice
Lincoln Township
Second Notice of Zoning Ordinance Violation

On _____ you were sent a notice of a violation by the Zoning Enforcement Officer. This violation of the Lincoln Township zoning ordinance was located on your property at _____, permanent parcel number _____

A copy of that first notice is attached.

A recheck was made of your property on _____. At that time, it was noted that the corrective measures required by the notice dated _____ had not been undertaken.

In order to correct this violation, you will need to _____

Failure to correct this situation could result in the issuance of a civil infraction citation, which may result in fines up to \$500.00. In addition, each day that this violation continues will be considered a separate offense and subject to additional fines.

The Zoning Enforcement Officer will recheck your property in approximately 20 days.

You are urged to contact this office immediately if there is a valid reason why corrective action has not been taken. You may call _____ between the hours of 9am - 5pm, Mon - Fri. Please take prompt action so that further legal action will not be necessary.

Sincerely

TOWNSHIP OF LINCOLN

COUNTY OF MIDLAND STATE OF MICHIGAN

ORDINANCE ENFORCEMENT OFFICER TERMS OF EMPLOYMENT

- The purpose of the Ordinance Enforcement Officer is to enforce ordinances of the township whether heretofore or hereafter enacted.
- The Ordinance Enforcement Officer (hereafter known as the OEO) will to the best of his/her abilities uphold the ordinances as per the ordinance enforcement officer ordinance.
- The OEO will serve an appointed term of one year. After which the OEO can be reappointed to serve another term.
- The OEO can be removed from said position by a majority vote of the Lincoln Township Board.
- The OEO will give a report of his/her activities to the Lincoln Township Board at the regular monthly board meeting.
- The OEO will work with the Zoning Administrator, Planning Commission and Zoning Board of Appeals to conduct enforcement issues.
- The OEO will maintain a post office box at the Sanford Post Office.
- The OEO will maintain a telephone number where he/she can be reached.
- The OEO will carry an identification card at all times when on duty and shall identify himself/herself when in contact with the public.
- The OEO will conduct himself/herself in a professional manner treating all with the utmost respect.
- The OEO will be unbiased and equal in the enforcement of all ordinances.