

ARTICLE XXIV

VIOLATIONS AND PENALTIES

SECTION 24.1 VIOLATIONS AND PENALTIES

A. A violation of this Ordinance is a municipal civil infraction, for which the fine shall be not less than \$100.00 for the first offense, \$250 for the first repeat offense and not less than \$500.00 for second or subsequent repeat 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, “repeat offense” means a second (or any subsequent) municipal civil infraction violation of the same ordinance (i) committed by the same person for the same property within any twelve (12) month period and (ii) for which the person admits responsibility or is determined to be responsible.

B. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection A hereof, or in the alternative, 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 the 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, a dwelling, building or structure including a tent or recreational vehicle, used, erected, altered, razed, or converted, in violation of any provision of this Ordinance is also hereby declared to be a nuisance per se. The court shall order such nuisance abated and the owner or agent in charge of such dwelling, building, structure, tent, recreational vehicle or land shall be liable for maintaining a nuisance per se. Costs to the Township of abating such nuisance shall be a lien upon the land.

E. Each and every day during which a violation of this Ordinance shall exist shall be deemed to be a separate offense.

Section 3. Savings.

The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the Township under such pending action. All proceedings pending when this Ordinance takes effect are saved and preserved and shall be continued all according to the terms, provisions and penalties of the Ordinance in effect at the time they were commenced.

Section 4. Repeal.

Except as set forth in Section 3 Savings above, all Ordinances or parts thereof in conflict with this Ordinance are to the extent of such conflict hereby repealed.

Section 5. Severability.

This Ordinance and the various parts, sentences, paragraphs, sections, subsections, phrases and clauses thereof are declared to be severable and if any of them are adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected.