

TOWNSHIP OF CHAPIN
COUNTY OF SAGINAW, STATE OF MICHIGAN
TOWNSHIP ORDINANCE NO. _____

**CHAPIN TOWNSHIP MUNICIPAL CIVIL INFRACTION
ORDINANCE VIOLATIONS BUREAU ORDINANCE**

AN ORDINANCE ADOPTED PURSUANT TO CHAPTER 87 OF THE REVISED JUDICATURE ACT OF 1961, PUBLIC ACT 236 OF 1961, AS AMENDED, MUNICIPAL CIVIL INFRACTIONS (MCL 600.8701, ET SEQ.) TO ESTABLISH A MUNICIPAL ORDINANCE VIOLATIONS BUREAU FOR THE PURPOSE OF ACCEPTING ADMISSIONS OF RESPONSIBILITY FOR ORDINANCE VIOLATIONS DESIGNATED AS MUNICIPAL CIVIL INFRACTIONS FOR WHICH MUNICIPAL 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 OR PARTS OF ORDINANCES.

IT IS HEREBY ORDAINED BY THE TOWNSHIP OF CHAPIN, SAGINAW COUNTY, MICHIGAN:

Section 1. – TITLE

This ordinance shall be known and cited as the Chapin Township Municipal Ordinance Violations Bureau Ordinance.

**Section 2. – ESTABLISHMENT, LOCATION AND PERSONNEL OF MUNICIPAL
ORDINANCE VIOLATIONS BUREAU**

A. ESTABLISHMENT. The Chapin Township Municipal Ordinance Violations Bureau (hereafter "Bureau") is hereby established pursuant to Public Act 12 of 1994 (MCL 600.8396), as amended, for the purpose of accepting admissions of responsibility for ordinance violations designated as municipal civil infractions, and to collect and retain civil fines/costs for such violations.

B. LOCATION. The Bureau shall be located at the Township Office or such other location in the Township as may be designated by the Township Board.

C. PERSONNEL. All personnel of the Bureau shall be Township employees. The Township Board may by resolution designate a Bureau Clerk with the duties

prescribed herein and as otherwise may be delegated by the Township Board.

Section 3. – BUREAU AUTHORITY TO ACCEPT ADMISSIONS OF RESPONSIBILITY WITHOUT EXPLANATION

The Bureau shall only have authority to accept admissions of responsibility without explanation for municipal civil infractions for which a municipal ordinance violations notice 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. Municipal civil infraction violation notices shall be issued and served by authorized Township officials as provided by law. A municipal 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 Bureau of 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 Bureau within the required time;
6. The address and telephone number of the Bureau;
7. The days and hours that the Bureau is open;

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 Bureau Clerk or other designated Township employee(s) shall advise the complainant to issue and file a municipal 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 municipal 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 first class 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 Motion of the Township Board, the civil fines payable to the Bureau upon admissions of responsibility by persons served with municipal ordinance violation notices shall be determined pursuant to the following schedule:

- 1st violation within 3-year period* -----
\$75.00
- 2nd violation within 3-year period*-----
\$150.00
- 3rd violation within 3-year period*-----
\$300.00
- 4th or subsequent violation within 3-year period*-----
\$400.00

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

Section 6: Records and Accounting

The Bureau Clerk or other designated Township official/employee shall retain a copy of all municipal 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 finds/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

municipal civil infraction ordinance enforcement activity through the issuance of an ordinance violation notice. As to each ordinance violation designated as a municipal civil infraction the Township may, at its sole discretion, proceed directly with the issuance of a municipal civil infraction citation or 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 the Ordinance are hereby repealed.

Section 10: Effective Date

This Ordinance shall take effect on and be in force 30 days after publication.

VOTE ON SAID ORDINANCE

Adopted:

Yeas: _____
Nays: _____
Abstentions: _____

ROBB MAYNARD, Township Supervisor

FRANK GROSS, Township Clerk

CERTIFICATION

The above Ordinance is a true copy of the Ordinance made and passed by the Chapin Township Board at a regular meeting of said Board held on the _____ day of _____, 2022 and that the meeting was held pursuant to and in full compliance with the Michigan Open Meetings Act, Public Act 267 of 1976, as amended.

Dated: _____

FRANK GROSS, Township Clerk

PUBLICATION

The above Ordinance was published in _____,
Saginaw County, Michigan, on the ____ day of _____, 2022.

Dated: _____

FRANK GROSS, Township Clerk