

TUSCOLA TOWNSHIP

TUSCOLA COUNTY, MICHIGAN

ORDINANCE NO. 2023-1

ADOPTED: February 21, 2023

EFFECTIVE: April 15, 2023

AMENDMENT TO THE TUSCOLA TOWNSHIP ZONING ORDINANCE

An Ordinance to amend Chapter 4, Section 4.04.B of the Tuscola Township Zoning Ordinance to replace Section 4.04.B to change the penalty for enforcement to a municipal civil infraction and set forth a fine schedule; to provide an effective date; and to repeal all ordinances or parts of ordinances in conflict herewith.

THE TUSCOLA TOWNSHIP BOARD

TUSCOLA COUNTY, MICHIGAN

ORDAINS:

SECTION I

**AMENDMENT TO CHAPTER 4, SECTION 4.04.B OF THE
TUSCOLA TOWNSHIP ZONING ORDINANCE**

Chapter 4, Section 4.04.B of the Tuscola Township Zoning Ordinance is repealed in its entirety, and in its place shall be inserted the following:

" B. Penalty

1. Violation

Any person, partnership, limited liability company, corporation or association who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, any administrative decision made under this Ordinance, or any permit or approval issued under this Ordinance, including any conditions imposed thereon, or who causes, allows or consents to any of the same, shall be deemed to be responsible for a violation of this Ordinance. Any person, partnership, limited liability company, corporation or association responsible for a violation of this Ordinance, whether as an owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.

2. Municipal Civil Infraction

A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall

be punishable by a civil fine determined in accordance with the following schedule:

- First Offense \$100.00
- Second Offense Within two (2) years of the first offense \$250.00
- Third or Subsequent Offense Within two (2) years of the date of the first offense \$500.00

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township of Tuscola has incurred in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 nor more than \$500.00 be ordered, excluding Township restitution and cost recovery.

3. Remedial Action

Any violation of this Ordinance shall constitute a basis for injunctive relief or other appropriate remedy in any court of competent jurisdiction to compel compliance with this Ordinance and enforce the provisions thereof.”

SECTION II
EFFECTIVE DATE AND REPEAL

This ordinance shall take effect thirty (30) after publication, after adoption. All parts of ordinances in conflict herewith are hereby repealed.

TUSCOLA TOWNSHIP

Michelle Hicks, Township Clerk

8561 Van Cleve Road

PO Box 1702

Vassar, MI 48768

989-871-4507

Clerk@tuscolatownship.org

<https://www.tuscolatownship.org/>