

Ordinance No. 70

BRIDGEWATER TOWNSHIP

Decriminalization Ordinance

An ordinance to amend specified Bridgewater Township Ordinances so as to make violations thereof a municipal civil infraction; to provide sanctions for violations thereof; and to repeal all ordinances or parts of ordinances in conflict therewith.

THE TOWNSHIP OF BRIDGEWATER, COUNTY OF WASHTENAW, STATE OF MICHIGAN, ORDAINS:

Section 1. Amendment of the Bridgewater Township Burning Ordinance

Section 13 of the Bridgewater Township Burning Ordinance (Ordinance No.36) is amended to read in its entirety as follows:

Section 13. Penalty

- A. Any person violating any provision of this ordinance shall be deemed responsible for a civil infraction. Penalties may be imposed as set forth in Ordinance 69 of the ordinances of Bridgewater Township and any amendments thereto.
- B. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection A hereof, the Township may also initiate an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this 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. Each and every day during which a violation of this Ordinance shall exist shall be deemed to be a separate offense.
- E. Any person, firm or entity that assists with or enables the violation of this 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. Furthermore, any attempt to violate this Ordinance shall be deemed a violation of the provision of this Ordinance involved as if the violation had been successful or completed.

Section 2. Amendment of the Bridgewater Township Junk Yard Ordinance

Section 5 of the Bridgewater Township Storage and Disposal of Junk (Ordinance 37) is amended to read in its entirety as follows:

Section 5. Penalty

- A. Any person violating any provision of this ordinance shall be deemed responsible for a civil infraction. Penalties may be imposed as set forth in Ordinance 69 of the ordinances of Bridgewater Township and any amendments thereto.
- B. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection A hereof, the Township may also initiate an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this 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. Each and every day during which a violation of this Ordinance shall exist shall be deemed to be a separate offense.
- E. Any person, firm or entity that assists with or enables the violation of this 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. Furthermore, any attempt to violate this Ordinance shall be deemed a violation of the provision of this Ordinance involved as if the violation had been successful or completed.

Section 3. Severability

Should any section, clause or provision of this Ordinance be declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared invalid.

Section 4. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict herewith are hereby repealed. Any proceedings pending, including prosecutions for violations under any previous ordinance provision being repealed hereby, shall not be affected by this Ordinance and may be continued pursuant to said previous ordinance provisions.

Section 5. Effective Date

This Ordinance shall take effect 30 days after publication following adoption.

YEAS: Faust, Fromhart, Smith
NAYS: None
ABSENT: McQueer, Oliver

Ordinance declared adopted on August 6, 2015.

Ronald Smith
Bridgewater Township Supervisor

CERTIFICATION OF ADOPTION AND PUBLICATION

I, Laurie Fromhart, the duly elected Township Clerk, certify that the foregoing ordinance was properly enacted by the Township board of the Township of Bridgewater, Washtenaw County, Michigan on August 6, 2015 and that it was published in the Sun Times News on August 12, 2015.

Laurie Fromhart
Bridgewater Township Clerk