

**FRENCHTOWN CHARTER TOWNSHIP**  
**MUNICIPAL CIVIL INFRACTIONS**  
**VIOLATIONS BUREAU ORDINANCE**  
**Ord. No. 224; Adopted March 13, 2018**

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 ordinance.

THE CHARTER TOWNSHIP OF FRENCHTOWN, MONROE COUNTY, MICHIGAN HEREBY ORDAINS:

**Section 1. Title.**

This Ordinance shall be known as the “Frenchtown Charter Township Municipal Civil Infractions Violations Bureau Ordinance.”

**Section 2. Establishment, Location and Personnel of Municipal Civil Infractions Violations Bureau.**

A. Establishment. The Frenchtown Charter Township Municipal Civil Infractions 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 as prescribed herein.

B. Location. The Bureau shall be located at the Township Offices.

C. Personnel. All personnel of the Bureau shall be Township employees. The Township Treasurer is hereby designated as the Bureau Clerk with the duties prescribed herein and as otherwise may be delegated by the Township Board.

**Section 3. Bureau Authority.**

The Bureau shall only have authority to accept admissions of responsibility (without explanation) for municipal civil infractions for which a municipal ordinance violations notice (as compared to a citation) 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 for 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 to 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 fails to pay the required civil fines/costs within the designated time period, the Township Bureau Clerk or other designated Township employee(s) shall advise the Township Official who issued the Notice, of such failure. Said Township Official may thereafter determine to issue and serve a municipal civil infraction citation for such violation in the manner provided for by Township Ordinance and file it with the court having jurisdiction of the matter.

**Section 5. Schedule of Civil Fines/Costs.**

Unless a different schedule of civil fines is provided for by an applicable ordinance 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:

1 <sup>st</sup> violation within 3 year period*	\$100.00
2 <sup>nd</sup> violation within 3 year period*	\$250.00
3 <sup>rd</sup> violation within 3 year period *	\$500.00

\*determined on the basis of the date of violation(s).

**Section 6. Records and Accounting.**

The Bureau Clerk or other designated Township official or 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 fines and costs collected with respect to such violations. The civil fines and 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, in the case of habitual offenders or emergent conditions proceed directly with the issuance of a municipal civil infraction citation or take such other enforcement action as authorized by law.

**Section 8. Severability.**

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**Section 9. Repeal.**

All Ordinances in conflict with this Ordinance are to the extent of such conflict hereby repealed.

**Section 10. Effective Date.**

This Ordinance shall become effective thirty (30) days after its publication (or publication of a summary thereof) in a newspaper in general circulation within Frenchtown Charter Township.

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