

Village of Lake Isabella

1010 Clubhouse Drive
Lake Isabella, MI 48893

Proposed Ordinance 2019-03

VIOLATIONS & PENALTIES OF VILLAGE ORDINANCES

The Village of Lake Isabella hereby ordains:

SECTION 1: PURPOSE

The purpose of this ordinance is to amend various sections of the Codified Ordinances of the Village of Lake Isabella pertaining to penalties. The intent of the amendments contained herein is to create a uniform language for enforcement of the regulations contained in the non-zoning Articles of the Codified Ordinances.

SECTION 2: SECTIONS DELETED

The following sections of the Codified Ordinances of the Village of Lake Isabella are hereby deleted in full:

222.09	626.09	656.09
404.13(a)	632.29	662.03
422.11(1)	636.13	664.09
602.15	642.09	812.17
614.03	644.07	822.11
618.05	646.09	832.11
622.15(3)	652.19	
624.15	654.11	

SECTION 3: SECTIONS CREATED

The following sections are hereby created and shall read as shown below:

222.09	624.15	654.11
404.13(a)	626.09	656.09
422.11(1)	632.29	662.03
432.03	636.13	664.09
602.15	642.09	812.17
614.03	644.07	822.11
618.05	646.09	832.11
622.15(3)	652.19	840.09

[Section Number] Violations & Penalties

1. Any person who disobeys, neglects, or refuses to comply with any provision of this Chapter or who causes, allows, or consents to any of the same shall be deemed to be responsible for the violation of this Chapter. A violation of this Chapter is deemed to be a nuisance per se.
2. A violation of this Chapter is a municipal civil infraction, for which the fines shall not be less than \$100 nor more than \$500, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the Village to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Village incurs in connection with the municipal civil infraction.
3. Each day during which any violation continues shall be deemed a separate offense.
4. In addition, the Village may seek injunctive relief against persons alleged to be in violation of this Chapter, and such other relief as may be provided by law. If the Village abates a nuisance as defined herein, the cost of any abatement, including legal expenses and the authorized administrative fee will be billed to the property owner. The cost and fee will be a debt of the property owner to the Village, which may be assessed as a single lot assessment in accordance with Chapter 214 of the codified ordinances of the Village of Lake Isabella, and shall constitute a lien against the property, including interest, until paid, and enforced and collected in the same manner as ad valorem property taxes.
5. This Chapter shall be administered and enforced by a Code Enforcement Officer of the Village of Lake Isabella, a duly sworn law enforcement officer approved through the Michigan Commission on Law Enforcement Standards (MCOLES) employed by an agency having jurisdiction in the Village of Lake Isabella including the Isabella County Sheriff's Department, the Michigan State Police, and the Michigan Department of Natural Resources, or by such other person(s) as designated by the Village Council from time to time.

SECTION 4: SEVERABILITY

In the event that any one or more sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance

Section 5: Ordinances Repealed

All ordinances and/or parts of ordinances in conflict with or inconsistent with this Ordinance are hereby repealed to the extent of any such conflict or inconsistency.

Section 6: Effective Date

This Ordinance shall take effect and be in force upon the expiration of 7 days after the date when the notice of adoption for this Ordinance is published in a newspaper of general circulation in the Village of Lake Isabella. This Ordinance and attached document shall be codified, edited for typos and grammatical errors, and enumerated in accordance with the codification procedure of the Village of Lake Isabella.

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We, the undersigned President and Clerk of the Village of Lake Isabella, Isabella County, State of Michigan, do hereby certify that the above and foregoing Ordinance, known as Ordinance #2019-03 "**VIOLATIONS & PENALTIES OF VILLAGE ORDINANCES**" of the Village of Lake Isabella, was adopted in the following manner with at least seven days elapsing between the publication of the public hearing for the Ordinance and the enactment by the Village Council at a regular or special meeting of the Lake Isabella Council, offered by councilmember _____, and seconded by councilmember _____. Originally introduced by councilmember Torgerson.

Village Council Introduction	July 16, 2019
Village Council Public Hearing	August 20, 2019
Village Council Enactment	

The vote to adopt this Ordinance was taken by roll-call with the "yeas" and "nays" recorded as such.

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

Dated at Lake Isabella, Michigan, this ____ day of _____, 2019.

Village Council President
David K. Torgerson

Village Clerk
Jeffrey P. Grey

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