

TORCH LAKE TOWNSHIP
COUNTY OF ANTRIM
STATE OF MICHIGAN
ORDINANCE NUMBER _____

ORDINANCE ENFORCEMENT OFFICER

AN ORDINANCE TO SUPERSEDE ORDINANCE NUMBER 0-79-5 WHICH ESTABLISHED AN A TORCH LAKE TOWNSHIP ORDINANCE ENFORCEMENT OFFICER. THIS ORDINANCE UPDATES THE OFFICE OF ORDINANCE ENFORCEMENT OFFICER APPOINTMENT IN TERMS OF CURRENT LAW, TO PRESCRIBE THE DUTIES OF SAID POSITION, TO AUTHORIZE THE TOWNSHIP BOARD TO APPOINT PERSONS TO SAID POSITION, AND, TO AMMEND ANY ORDINANCES OF THE TOWNSHIP WHICH CONFLICT WITH THE PROVISIONS HEREOF.

Section 1. ORDINANCE ENFORCEMENT OFFICER

The position of Torch Lake Township Ordinance Enforcement Officer is hereby established.

Section 2. APPOINTMENT

The Township Board is hereby authorized to appoint by motion/resolution any person to the position of Ordinance Enforcement Officer for a term as may be designated in said motion/resolution and for such compensation as the board may determine. At the discretion of the Township Board and without cause may, by motion, remove any person so appointed from said position.

Section 3. AUTHORITY

The Ordinance Enforcement Officer is hereby authorized to enforce all ordinances of the Township, whether heretofore or hereafter enacted, and whether such ordinances specifically designate a different enforcing official or do not designate any particular enforcing. Where a particular official is so designated in any ordinance, that official's authority shall continue in full force and effect and shall not be diminished or impaired by the terms of this Ordinance, and the authority the Ordinance Enforcing Officer shall be in addition and supplemental to the authority granted to such other specific township official. An Ordinance Enforcement Officer shall in the performance of the officer's duties be subordinate and responsible to the Supervisor or other Township Board member as the Township Board may from time to time designate.

Section 4. DUTIES

The Ordinance Enforcement Officer's duties shall include the following:

1. Investigation of suspected or citizen complaints of possible ordinance violations.

2. The sending of letters of warning related to ordinance violations.
3. The issuing of and serving appearance tickets as authorized under 1968 Public Act 147, as amended (MCL764.9c)
4. The issuing and serving municipal ordinance violation notices and municipal civil infraction citations as authorized under 1994 Public Act 12, as it may from time to time be amended (MCL600.8701 et seq).
5. Appearance in court or other quasi judicial proceedings as a witness to a violation or to assist, as needed in the prosecution of ordinance violators.
6. Other duties that may be assigned by the Township Board and/or the Township Supervisor.

Section 5. SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable and if any part is declared invalid for any reason by the result of a legal action, it shall not affect the remainder of the Ordinance, which will continue in full force and effect.

Section 6. SUPPLEMENTARY EFFECT

All ordinances of the township heretofore or hereafter adopted shall be considered to be supplemented by the terms of this ordinance.

Section 7. REPEAL

All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of the conflict

Section 9. EFFECTIVE DATE

This ordinance will effect on the published date it appears in a local newspaper of general circulation and within thirty days of it passage by the Township Board.

Roll call vote: Martel_____ Schultz_____ Windiate_____ Amos_____ Goossen_____

Number voting in favor_____ Number voting against_____

ORDINANCE DECLARED PASSED

Kathy Windiate, Township Clerk

CERTIFICATION

I, Clerk of Torch Lake Township, Antrim County, Michigan, do hereby CERTIFY that the foregoing is a true and correct copy of the Ordinance adopted by the Township Board at a regular meeting on the _____ day of _____ 2013.

Kathy Windiate, Township Clerk