

## VILLAGE OF FRUITPORT

### Notice of Adoption of Municipal Civil Infraction Ordinance Publication Summary

**TAKE NOTICE** that the Village of Fruitport, Muskegon County, Michigan, on June 20, 2011, adopted a Municipal Civil Infraction Ordinance, 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.*). A summary of which is printed below.

**Section 1: Title** Title of the ordinance is the Village of Fruitport Municipal Civil Infraction Ordinance.

**Section 2: Establishment, Location and Personnel of Municipal Ordinance**

**Violations Bureau** The Village of Fruitport Municipal Ordinance Violations Bureau is established pursuant to state law at a location in the Village designated by the Village Council. The personnel of the Bureau shall be Village officials or employees.

**Section 3: Bureau Authority** The Bureau shall have authority to accept admissions of responsibility for municipal civil infraction notices, and to collect and retain the scheduled civil fines/costs for such violations.

**Section 4: Ordinance Violation Notice Requirements, Admission/Denial of Responsibility**

**A. Ordinance Violation Notice Requirements.** Municipal civil infraction violation notices shall include, at a minimum, all of the following: the violation; the time within which to contact the Bureau; the amount of the fine/costs for the violation; the methods to admit or deny the violation; the consequences of failing to pay contact the Bureau; the address and telephone number of the Bureau, the days and hours that the Bureau is open.

**B. Denial of Responsibility** Provides for issuance of a municipal civil infraction citation for failure to admit responsibility with the court having jurisdiction. The citation filed with the court shall consist of a sworn complaint, shall fairly inform the alleged violator how to respond to the citation, and be served upon the alleged violator.

**Section 5: Schedule of Civil Fines/Costs** Unless a different schedule of civil fines is provided, the civil fines are as follows: 1st violation within 2-year period \$100; 2nd violation within 2-year period \$250.00; 3rd violation within 2-year period \$500.00. Costs will also be assessed by the Bureau.

**Section 6: Records and Accounting** The Village Council shall be provided a report once a month of the activity of the Bureau. Civil fines/costs collected shall be deposited in the general fund of the Village.

**Section 7: Availability of Other Enforcement Options** The Village may proceed directly with the issuance of a municipal civil infraction citation or take such other enforcement action as is authorized by law.

**Section 8: Ordinance Violations as Municipal Civil Infractions** Violations of all Village General and Zoning Ordinances are declared to be municipal civil infractions unless otherwise designated.

**Section 9: Severability** The provisions of the Ordinance are severable.

**Section 10: Repeal** All conflicting Ordinances are repealed.

**Section 11: Effective Date** The Ordinance shall take effect 30 days from publication of this summary.

**TAKE FURTHER NOTICE** that the true copy of the complete ordinance may be inspected or obtained at the office of the Fruitport, call clerk at 865-3234, during regular business hours.

**Publish:** July 1, 2011

Village Clerk, Carolyn A. Lemler