

ORDINANCE NO. 161

AN ORDINANCE CREATING A MUNICIPAL ORDINANCE VIOLATIONS BUREAU, LIMITING ITS AUTHORITY AND ESTABLISHING THE PROCEDURES BEFORE THE BUREAU.

THE CITY OF LUNA PIER ORDAINS:

SECTION 1: TITLE.

This Ordinance shall be known, identified and cited as the City of Luna Pier Municipal Violations Bureau Ordinance.

SECTION 2: PURPOSE.

The City of Luna Pier establishes a Municipal Ordinance Violations Bureau, as authorized under MCL 600.8396, to accept admissions of responsibility for municipal civil infractions and to collect and retain civil fines and costs pursuant to a schedule as prescribed by ordinance.

- (a) The Bureau shall be located in the Municipal Building.
- (b) The Bureau shall be under the supervision of the Treasurer.

SECTION 3: CITATIONS AND NOTICES

(a) An authorized local official may issue a citation or notice to appear in court for a violation of a Municipal Civil Infraction Ordinance that is not a crime. In addition to any other requirements established by the particular ordinance, citations or notices shall include the name and address of the alleged violator, the municipal civil infraction by ordinance number, the date and place of the infraction, and the name, address and telephone number of the First District Court.

(b) Only an officer or employee of the City who is authorized by ordinance may issue a notice of a municipal civil infraction.

SECTION 4: AUTHORITY

(a) The Bureau may process and collect the penalties for a municipal civil infraction on the agreement of both parties.

(b) The Bureau shall not determine whether an infraction was committed.

(c) The Bureau shall not collect any fines or costs from any alleged violator who denies that the infraction was committed.

(d) The City may also pursue other remedies in Court.

(e) Either the City or the alleged violator may request a formal hearing in the Court having jurisdiction over the matter.

(f) Neither the issuance of a citation, the creation of the Bureau, and the schedule of civil fines do not waive other remedies or enforcement by the City.

SECTION 5: SEVERABILITY

This Ordinance and its various parts, sentences, paragraphs, sections, subsections, phrases, and clauses are severable, and if any section, paragraph, clause, phrase or part of this Ordinance is for any reason held invalid by any court jurisdiction, such decision shall not affect the validity of the remaining provisions.

SECTION 6: REPEAL

All ordinances and amendments thereto enacted and/or adopted by the City Council inconsistent with the provisions of this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect as of the effective date of this Ordinance.

SECTION 7: EFFECTIVE DATE

This Ordinance shall become effective ten (10) days after a summary has been published as provided by law.

I, Rose M. Laderach, Clerk, City of Luna Pier, do hereby certify, that the foregoing ordinance was duly adopted at the regular meeting of the Luna Pier City Council held on _____.

Rose M. Laderach, Clerk
City of Luna Pier

ADOPTED: 3/9/00

PUBLISHED: 3/15/00

EFFECTIVE: 3/25/00