

**CITY OF LINDEN
ORDINANCE NO. 383**

AN ORDINANCE TO AMEND SECTION 3.10 OF ARTICLE 3 OF THE CITY OF LINDEN ZONING ORDINANCE TO REVISE THE PENALTIES FOR VIOLATIONS OF THE ZONING ORDINANCE.

THE CITY OF LINDEN ORDAINS:

Section 1. Amendment of Section 3.10 of Article 3 of the City of Linden Zoning Ordinance.

Section 3.10 of Article 3 of the City of Linden Zoning Ordinance is hereby amended to read as follows:

Section 3.10 Violations and Penalties.

3.10.1. Enforcement Officer. The Zoning Administrator, Code Enforcement Officer, Chief of Police or designee of any of them shall be responsible for enforcing violations of this Ordinance.

3.10.2. Public nuisance; nuisance per se. A violation of this Ordinance is hereby declared to be a public nuisance subject to abatement by the City in any court of competent jurisdiction.

3.10.3. Municipal Civil Infractions. In addition to any other remedies allowed herein, a violation of this ordinance is hereby designated as a municipal civil infraction and be subject to the civil fines, sanctions, remedies and procedures set forth in Ordinance No. ____.

(A) General Penalty Clause. A violation of this Ordinance is hereby designated as a municipal civil infraction and violators shall be subject to the civil fines, sanctions, remedies and procedures as set forth in Ordinance No. ____ and Michigan law.

(B) Fines paid at Violations Bureau. If the civil fine is paid at the City of Linden Municipal Violations Bureau, the initial fine shall be Fifty (\$50.00) Dollars or other amount set by resolution of City Council.

(1) In the case of another offense within one (1) year of the date of the initial infraction, the civil fine shall be One Hundred (\$100.00) Dollars or other amount set by resolution of City Council. (This shall be known as the second offense.)

- (2) In the case of another offense within one (1) year of the date of the second offense, the civil fines shall be Two Hundred (\$200.00) Dollars or other amount set by resolution of City Council. (This shall be known as the third offense.)
- (3) In the case of another offense within one (1) year of the date of the third offense, the civil fine shall be Five Hundred (\$500.00) Dollars or other amount set by resolution of City Council. (This shall be known as the fourth offense.) All subsequent offenses shall be Five Hundred (\$500.00) Dollars or other amount set by resolution of City Council.

All such fines are due and payable at the City of Linden Violations Bureau no later than 14 days after the date of the violation notice. The City of Linden Violations Bureau is hereby authorized to accept civil fines in the amounts specified. In case of payment at the Violations Bureau, no costs shall be imposed or collected.

Section 2. Effective Date.

This Ordinance shall become effective thirty (30) days following publication.

At a regular meeting of the City Council of the City of Linden held on _____, 2018, _____ moved for adoption of the foregoing ordinance and _____ supported the motion.

Voting for:
Voting against:

The Mayor declared the ordinance adopted.

Danielle N. Cusson, Mayor

Lynn M. Henry, Clerk

Certification

Lynn Henry, City Clerk, certifies that the foregoing is a true copy of Ordinance No. _____ which was enacted by the City Council of the City of Linden at a regular meeting held on _____, 2018.

Lynn M. Henry, City Clerk