

**VILLAGE OF NEWBERRY
COUNTY OF LUCE
STATE OF MICHIGAN**

Title: ORDINANCE TO AMEND ORDINANCES TO PROVIDE FOR MUNICIPAL CIVIL INFRACTIONS FOR VIOLATION OF SAID ORDINANCES

VILLAGE OF NEWBERRY ORDAINS:

1. That Ordinance Sections 10:2 (Unlawful Acts), 13:15 (Collection and Disposal of Garbage and Refuse), 14:6 (Mobile Homes and Car Trailers), 15:9 (Junk), 16:11 (Open Storage of Disabled Automobile and Repair), 19:6 (Snow, Ice or Other Materials in Streets and Alleys), 21:4 (Harboring, Keeping and Maintaining of Animals, Livestock, and Fowl), 22:4 (Regulating Combustible and Flammable Materials), 29:1:9 (Trees and Other Vegetation), 29:7:11 (Open Storage of Disabled Automobile and Repair), 29:8:9 (Junk and Junk Yards), 29:10:12 (Regulation of Fences), 29:12:1 (Property Use Administrator) 29:8:15(e) (Blight), 29:31:3 (Administrative Enforcement Amendment to the Property Use Ordinance), and 35:19 (Trees and Other Vegetation) of the Newberry Code of Ordinances be amended:

To read in their entirety as follows:

“ENFORCEMENT AND PENALTY

Any person who violates Ordinance shall be responsible for a municipal civil infraction and shall be subject to the following penalties:

- 1) For a first violation the offender shall pay a fine of \$100.00,
- 2) For a second violation within a 3-year period from the date the person was found responsible for the first violation, the offender shall pay a fine of \$250.00,
- 3) For a third or subsequent violation within a 3-year period from the date the person was found responsible for the first violation, the offender shall pay a fine of \$500.00.

Each day the violation occurs shall be considered a separate violation.

The Village Ordinance Enforcement Officer and the Village Property Use Administrator are hereby designated as the authorized officials to issue municipal civil infraction citations.”

And

2. That Ordinance Sections 15:12, 15:12:1, 15:12.2, 15:12.3, 15:12.4, 15:12:13, 16.7, 16.14, 16.15, 29.7.7, 29.31.4, 29.31.5, and 29.31.6 are repealed in their entirety.

Publication and Recording. A summary of this Ordinance shall be published once in a newspaper of general circulation within the boundaries of the Village of Newberry qualified under State law to publish legal notices immediately after its adoption, and the same shall be recorded in the minutes of the Village of Newberry of the meeting at which this Ordinance was adopted and, in addition shall be recorded in the Ordinance Book of the Village.

Effective Date. This Ordinance shall be in full force and effective twenty days after its publication as provided by law.


Ayes: Brown, DeWitt, Downey, Hardenbrook, Medelis

Nays: Hendrickson

Absent: None

ORDINANCE DECLARED ADOPTED.


By: John Dewitt, Village President


By: Terese Schummer, Clerk
Date: NOVEMBER 20, 2017

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Newberry, County of Luce, State of Michigan, at a regular meeting held on NOVEMBER 20, 2017 that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act. I further certify that the foregoing Ordinance was published on NOVEMBER 27, 2017 in the following newspaper: NEWBERRY NEWS.


Terese Schummer, Clerk