

## ORDINANCE NO. 17-E

AN ORDINANCE OF THE CHARTER TOWNSHIP OF LANSING, INGHAM COUNTY, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF LANSING, MICHIGAN, BE AMENDED BY AMENDING SECTION 17-1 ("DEFINITIONS") OF CHAPTER 17 ("MUNICIPAL CIVIL INFRACTIONS") OF TITLE I ("GENERAL PROVISIONS") TO: AMEND SECTION 17-1(2) TO PROVIDE THAT THE TOWNSHIP'S SUPERVISOR AND CODE ENFORCEMENT OFFICER ARE DESIGNATED AS AUTHORIZED TOWNSHIP OFFICIALS FOR THE PURPOSE OF ISSUING MUNICIPAL CIVIL INFRACTIONS CITATIONS AND VIOLATION NOTICES; REPEAL ORDINANCES AND PORTIONS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; AND PROVIDE AN EFFECTIVE DATE THEREOF.

THE TOWNSHIP BOARD OF TRUSTEES FOR THE CHARTER TOWNSHIP OF LANSING HEREBY ORDAINS:

1. Section 17-1 ("Definitions") of Chapter 17 ("Municipal Civil Infractions") of Title I ("General Provisions") is hereby amended as follows:

Section 17-1. Definitions.

As used in this chapter, the following terms and words are defined as follows, unless otherwise indicated:

- (1) *Act*. Act No. 236 of the Public Acts of 1961, as amended.
- (2) *Authorized township official*. The township's supervisor, code enforcement officer, building inspector, police chief, fire chief, and/or their designee(s), or other personnel of the township authorized by the township board to issue municipal civil infraction citations or municipal civil infraction violation notices.
- (3) *Bureau*. The Charter Township of Lansing Municipal Ordinance Violations Bureau as established by this chapter.
- (4) *District court*. The 55th District Court, Ingham County, Michigan.
- (5) *Municipal civil infraction action*. A civil action in which the defendant is alleged to be responsible for a municipal civil infraction.
- (6) *Municipal civil infraction citation*. A written complaint or notice prepared by an authorized township official, directing a person to appear in court regarding the occurrence or existence of a municipal civil infraction violation by the person cited.
- (7) *Municipal civil infraction violation notice*. A written notice prepared by an authorized township official, directing a person to appear at the Charter Township of

Lansing Municipal Ordinance Violations Bureau and to pay the fine and costs, if any, prescribed for the violation by the schedule of civil fines adopted by the township, as authorized under Sections 8396 and 8707(6) of the Act.

2. Severability. If a court of competent jurisdiction declares any provision of this Ordinance, or a statutory provision referred to or adopted by reference herein, to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision of this Ordinance. Provided, however, that if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be within the authority of the Township to impose.

3. Repeal. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect.

4. Effective Date. This Ordinance shall take effect immediately upon adoption and publication as required by law.