

**CITY OF IONIA
IONIA COUNTY, MICHIGAN
ORDINANCE NO. 569**

**AN ORDINANCE TO AMEND PART TWO, TITLE TWO, CHAPTER 202,
SECTION 202.99 ENTITLED “ADMINISTRATION CODE; GENERAL
PROVISIONS; CODIFIED ORDINANCES; GENERAL CODE PENALTY;
CIVIL INFRACTIONS; EQUITABLE REMEDIES; COMPLICITY” OF
THE CODIFIED ORDINANCES OF THE CITY OF IONIA**

The City of Ionia Ordains:

Section 1: Amendment

That Part Two, Title Two, Chapter 202, Section 202.99 of the Codified Ordinances of the City of Ionia is amended to read as follows:

202.99 GENERAL CODE PENALTY; MUNICIPAL CIVIL INFRACTIONS;
EQUITABLE REMEDIES; COMPLICITY.

(a) Misdemeanors.

(1) Unless a violation of these Codified Ordinances or any ordinance of the City is specifically designated in these Codified Ordinances or any other ordinance as a Municipal civil infraction, the violation shall be deemed to be a misdemeanor.

(2) The penalty for a misdemeanor violation shall be a fine not exceeding five hundred dollars (\$500.00) (plus costs of prosecution), or imprisonment not exceeding ninety-three days, or both, unless a specific penalty is otherwise provided for the violation by these Codified Ordinances or any other ordinance.

(b) Municipal Civil Infractions.

(1) The sanction for a violation which is designated as a Municipal civil infraction shall be a civil fine in the amount as provided by these Codified Ordinances or any ordinance, plus any costs, damages, expenses or other sanctions, or relief as authorized in Chapter 87 of Act 236 of the Public Acts of 1961, as amended-, and other applicable laws.

(2) Unless otherwise specifically provided for a particular Municipal civil infraction violation by these Codified Ordinances or any other ordinance, the ~~civil~~ fine for a violation designated as a Municipal civil infraction shall be not more than one hundred dollars (\$100.00), plus-in addition to costs and other sanctions, for each infraction including, without limitation, the costs of prosecution to the full extent and in the manner provided by law.

(3) Increased civil fines may-in excess of one hundred dollars (\$100.00) to the maximum extent permitted by law shall be imposed for repeated violations by a person of any requirement or provision of these Codified Ordinances or any ordinance. As used in this section, "repeat offense" means a second (or any subsequent) Municipal civil infraction of the same requirement or provision

committed by a person within any one-year period (unless some other period is specifically provided by these Codified Ordinances or any other ordinance) and for which the person admits responsibility or is determined to be responsible. Unless otherwise specifically provided by these Codified Ordinances or any other ordinance for a particular Municipal civil infraction violation, the increased fine for a repeat offense shall be as follows:

A. The fine for any first repeat offense shall be not more than five hundred dollars (\$500.00), plus costs.

B. The fine for any second repeat offense or any subsequent repeat offense shall be not more than one thousand dollars (\$1,000), plus costs.

(c) Violations Deferred; Separate Offenses.

(1) A violation includes any act which is prohibited or made or declared to be unlawful or an offense by these Codified Ordinances or any other ordinance, and any omission or failure to act where the act is required by these Codified Ordinances or any other ordinance.

(2) Each day on which any violation of these Codified Ordinances or any other ordinance continues and each act of violation constitute a separate offense and shall be subject to penalties or sanctions as a separate offense.

(3) The penalty provided in this section, unless another penalty is expressly provided, shall apply to the amendment of any section of these Codified Ordinances, whether or not such penalty is re-enacted in the amendatory clause.

(d) Equitable Remedies; Surcharges.

(1) In addition to any remedies available at law, the City may bring an action for an injunction or other process against a person to restrain, prevent or abate any violation of these Codified Ordinances or any City ordinance.

(2) The imposition of any penalty provided for in this section shall be in addition to any surcharges levied for a violation of or noncompliance with the provisions of these Codified Ordinances, or a provision of a technical or other code adopted by reference in these Codified Ordinances, or a rule, regulation or order promulgated or made under authority of either, or under authority of State law, and shall be in addition to any equitable remedy provided by a provision of these Codified Ordinances or a provision of a technical or other code adopted by reference in these Codified Ordinances, or a rule, regulation or order promulgated or made under authority of either, or under authority of State law, including the enforced removal of prohibited conditions.

(e) Complicity. Every person concerned in the commission of an offense under these Codified Ordinances, whether he or she directly commits the act constituting the offense or procedures, counsels, aids or abets in its commission, may be prosecuted, indicted, tried or found responsible, and on conviction shall be punished, as if he or she had directly committed such offense.

Section 2: Repealer

That all ordinances and parts of ordinances in conflict herewith are repealed to the extent of such conflict.

Section 3: Publication and Effective Date

The City Clerk shall cause a notice of adoption of this ordinance to be published. This ordinance shall take effect upon its, or a summary thereof as permitted by law, publication in the *Daily News*, a newspaper of general circulation in the City unless otherwise provided by law.

CITY OF IONIA

Dated: _____

By: Mary Patrick, City Clerk

Introduction and First Reading:
Notice of Public Hearing:
Public Hearing, Second Reading, Adoption:
Effective: (7 days after publication)

