

FRANKLIN TOWNSHIP

County of Clare, State of Michigan

ORDINANCE ENFORCEMENT OFFICER ORDINANCE No. 108-16

An Ordinance to establish the office of Ordinance Enforcement Officer, to prescribe the duties of said office; to authorize the Township Board to appoint any person or persons to said office, and to amend any Ordinance of Franklin Township which conflict with the provisions hereof.

The Franklin Township Board hereby ordains:

Section 1: Title: This ordinance shall be known and cited as the Franklin Township Ordinance Enforcement Officer Ordinance.

Section 2: Ordinance Enforcement Officer: There is hereby established the office of Ordinance Enforcement Officer within the Township of Franklin, County of Clare, State of Michigan.

Section 3: Appointment: The Township Board of Franklin Township is hereby authorized to appoint a person or persons to the position of Ordinance Enforcement Officer for such term or terms as may be designated in said Resolution. The person or persons appointed shall serve at the pleasure of the Board, and the Board may remove any person or persons from said office, by resolution of the Board with or without cause.

Section 4: Powers and Authority: The Ordinance Enforcement Officer is hereby authorized and empowered to enforce all Ordinances of the Township of Franklin, whether now in effect or hereafter enacted; and whether or not such Ordinance specifically designates another official to enforce said Ordinance or does not designate any particular officer to enforce its provisions. When a particular person different from the Ordinance Enforcement Officer is designated in an Ordinance as enforcing officer, the authority of the Ordinance Enforcement Officer shall be in addition and supplementary to the authority vested in the Township Supervisor by statute so provided by the State of Michigan. The ordinance enforcement authority of the Township Supervisor and the other officers specifically designated in any Township Ordinance or State statute shall continue in full force and effect and shall in no way be diminished or impaired by the terms of this Ordinance.

Section 5: Duties: The duties of the Ordinance Enforcement Officer herein authorized shall include but not be limited to the following:

- a. Receipt and investigation of complaints from any person or persons regarding violation of Township Ordinances;
- b. Developing methods and procedures for the receipt and investigation of complaints, the recording of the results of said investigations, and reporting of said results to the Township Board.
- c. Authorizing and serving of appearance tickets as provided under Chapter IV of Public Act 175 of 1927, as amended;
- d. Appearance in judicial or administrative proceedings on behalf of the Township as required to assist in the prosecution of ordinance violations;
- e. Other ordinance enforcement duties as assigned from time to time by the Township Supervisor or Township Attorney.

Section 6: Saving Clause: The provisions of this Ordinance are hereby declared severable and the invalidation of any one or more of the same by any judicial determination or statutory or constitutional provisions shall not invalidate the remainder of said provisions.

Section 7: Effective Date: This Ordinance shall take effect immediately. All Ordinances of the Township heretofore or hereafter adopted shall be supplemented by the terms and provisions of this Ordinance.

The above Ordinance was offered for adoption by Ed Erskine and was supported by Acacia Erdin at a regular meeting of the Franklin Township Board, held at the Franklin Township Hall, on the 18 day of August, 2016, at 7:30 p.m., the vote being as follows:

YEAS: 4

NAYS: 0

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED:



Ed Erskine, Franklin Township Supervisor

CERTIFICATION

I hereby certify that:

I, Diane Blackburn, the duly elected qualified and acting Clerk of Franklin Township, Clare County MI. certify that the above Ordinance Enforcement Officer Ordinance No 108-16 was adopted at a regular meeting of the Franklin Township Board held at the Franklin Township Hall located at 9809 N. M18, Gladwin MI. 48624 on the 18 day of August, 2016 by the majority of the members of the board present and voting.

8-18-16

Procedures for Franklin Township Nuisance Ordinance enforcement

The following is the procedure that will be used in the enforcement of the Franklin Township Nuisance Ordinance.

1. The complaint should be in writing or the complainant may call township officials to complain but must have location of complaint such as address and landowners name and general description of the violation. The complainants name and information will not be made public so that complainant will not fear retribution.

2. The Township Ordinance Officer will make a visual inspection of the premises in question and may ask another township official to verify complaint is accurate and deserves attention.

3. The Township Ordinance Officer will inform the owner of record by mail the verified violation.

4. If there is no response to the verified violation letter then an enforcement letter will be sent giving a deadline (not less than 10-days) when the correction must be completed.

The enforcement letter will have specific language from the Nuisance Ordinance what violation is being cited.

5. If the violation is not corrected by the deadline, a ticket with the fine may be issued to obtain compliance. If the property is still not in compliance then the normal legal procedures using the Township Lawyer and the court will be used to try to gain compliance.

no more than \$500