

ARTICLE 23

VIOLATIONS AND PENALTIES

Section 23.01. **GENERAL.** Uses of land and dwellings, buildings or structures including tents and trailer coaches, used, erected, altered, razed or converted in violation of this Zoning Ordinance are a nuisance per se.

Section 23.02. **VIOLATION AND PENALTY.** Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any other provision of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be subject to a fine of not less than fifty (\$50.00) dollars, nor more than five hundred (\$500.00) dollars, and may be imprisoned in the County Jail for a term not to exceed ninety (90) days, or both. Each day that a violation is permitted to exist shall constitute a separate offense.

- (a) *Violations of Zoning Ordinance a municipal civil infraction.* Any violation of this Ordinance shall constitute a municipal civil infraction. Any person, firm, or corporation who violates any provision of this ordinance is responsible for a municipal civil infraction, and subject to payment of a civil fine, as well as any other action by the Township to abate the violation. The minimum fine for a municipal civil infraction under this Ordinance shall be one hundred (100) dollars, plus costs and other sanctions, for each violation. Increased civil fines shall be imposed for repeated offenses by the same person. As used in this section, the phrase “repeated offenses” means a second, or any subsequent, municipal civil infraction violation of the same requirement or provision of this Ordinance which is committed by a person, firm or corporation within twelve (12) months of a prior municipal civil infraction for which the person, firm or corporation admitted responsibility or was determined to be responsible. Each day on which a violation of this Ordinance continues shall constitute a separate offense and shall be subject to penalties or sanctions as a separate offense.
- (b) *Persons authorized to issue municipal civil infraction citations.* The Township Zoning Administrator, the Township Building Inspector, and the Muskegon County Sheriff and all other Deputy County Sheriffs of said County are hereby authorized to issue municipal civil infraction citations (directing alleged violators to appear in court) for violations of this Ordinance. All such citations shall be issued in accordance with all of the requirements of state law.
- (c) *Violations are a nuisance, per se.* Any violation of this Ordinance shall constitute a nuisance per se. The Township is authorized to take any and all actions appropriate to prevent, abate, enjoin, or remove any such violation, and such remedies shall be in addition to any other remedies that the Township may have.