

Legislative Analysis



30-DAY GRACE PERIOD FOR ZONING VIOLATIONS

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House Bills 5294-5296

Sponsor: Rep. Joe Hune

Committee: Government Operations

Complete to 10-31-05

A SUMMARY OF HOUSE BILLS 5294-5296 AS INTRODUCED 10-12-05

The bills would amend the local zoning authorizing acts to provide for a 30-day grace period for violating local zoning ordinances and set the maximum fine for a violation. House Bill 5294 would amend the City and Village Zoning Act (MCL 125.587), House Bill 5295 would amend the County Zoning Act (MCL 125.225), and House Bill 5296 would amend the Township Zoning Act (MCL 125.294).

Specifically, each of the bills provides that an individual would not be liable for a violation of a zoning ordinance occurring before the 31st day after the person receives written notice of the violation. The notice would have to describe the violation and inform the individual of the grace period. The notice would have to be delivered in person or by registered mail, return receipt requested.

Additionally, the maximum fine for violating a zoning ordinance would be \$500 (if a criminal fine), \$250 for each day of violation, or three percent of the property's state equalized value, whichever is less. Each of the acts currently provides that a local unit shall either 1) impose a penalty for a violation; 2) designate a violation as a municipal civil infraction and impose a civil fine; or 3) designate a violation as a blight violation and impose a civil fine or other sanction. The acts do not appear to specify the amount of any fine.

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