

# HOUSE BILL No. 5296

October 12, 2005, Introduced by Reps. Hune, Gosselin and Drolet and referred to the Committee on Government Operations.

A bill to amend 1943 PA 184, entitled  
"Township zoning act,"  
by amending section 24 (MCL 125.294), as amended by 1994 PA 24.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 24. (1) A use of land, or a dwelling, building, or  
2       structure including a tent or trailer coach, used, erected,  
3       altered, razed, or converted in violation of a ~~local ordinance or~~  
4       ~~regulation adopted pursuant to this act~~ **TOWNSHIP ZONING ORDINANCE**  
5       is a nuisance per se. The court shall order the nuisance abated and  
6       the owner or agent in charge of the dwelling, building, structure,  
7       tent, trailer coach, or land is liable for maintaining a nuisance  
8       per se. ~~The township board shall in the ordinance enacted under~~  
9       ~~this act~~

1           (2) A TOWNSHIP ZONING ORDINANCE SHALL designate the proper  
2 official or officials who shall administer and enforce that  
3 ordinance. ~~and~~

4           (3) A TOWNSHIP ZONING ORDINANCE SHALL do either of the  
5 following for each violation of the ordinance:

6           (a) Impose a penalty for the violation.

7           (b) Designate the violation as a municipal civil infraction  
8 and impose a civil fine for the violation.

9           (4) FOR THE PURPOSES OF SUBSECTION (3), A PERSON IS NOT LIABLE  
10 FOR A VIOLATION OF A ZONING ORDINANCE OCCURRING BEFORE THE THIRTY-  
11 FIRST DAY AFTER THE PERSON RECEIVES WRITTEN NOTICE OF THE VIOLATION  
12 FROM AN OFFICIAL ENFORCING THE ZONING ORDINANCE. THE NOTICE SHALL  
13 SPECIFICALLY DESCRIBE THE VIOLATION AND INFORM THE PERSON OF THE  
14 30-DAY GRACE PERIOD PROVIDED BY THIS SUBSECTION. THE NOTICE SHALL  
15 BE DELIVERED IN PERSON OR BY REGISTERED MAIL, RETURN RECEIPT  
16 REQUESTED.

17           (5) THE FINE FOR A VIOLATION OF A ZONING ORDINANCE SHALL NOT  
18 EXCEED THE LESSER OF THE FOLLOWING:

19           (A) FIVE HUNDRED DOLLARS. THIS SUBDIVISION APPLIES ONLY TO A  
20 CRIMINAL FINE.

21           (B) TWO HUNDRED FIFTY DOLLARS FOR EACH DAY OF VIOLATION.

22           (C) THREE PERCENT OF THE STATE EQUALIZED VALUE OF THE  
23 PROPERTY.