

COVERT TOWNSHIP

VAN BUREN COUNTY, MICHIGAN

ORDINANCE NO. 88

ADOPTED: FEBRUARY 14, 2017

EFFECTIVE: MARCH 21, 2017

An Ordinance to repeal the Liquor Control and Bicycle Licensing Ordinances; to amend the Unlawful Assembly and Anti-Blight Ordinances; to provide an effective date; and to repeal all Ordinances or parts of Ordinances in conflict herewith.

**THE TOWNSHIP OF COVERT
VAN BUREN COUNTY, MICHIGAN**

ORDAINS:

SECTION 1
REPEAL OF LIQUOR CONTROL ORDINANCE

The Covert Township Liquor Control Ordinance (Ordinance No. 2, as amended) is hereby repealed.

SECTION 2
REPEAL OF BICYCLE LICENSING ORDINANCE

The Covert Township Bicycle Licensing Ordinance (Ordinance No. 8, as amended) is hereby repealed.

SECTION 3
AMENDMENT TO UNLAWFUL ASSEMBLY ORDINANCE

- A. Section 5 "Penalty for Violation" of the Covert Township Unlawful Assembly Ordinance (Ordinance No. 38, as amended) is hereby amended to read as follows:

"5. Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

- 1st Offense within 3-year period*	\$ 75.00	\$500.00
-------------------------------------	----------	----------

- 2nd Offense within 3-year period*	150.00	500.00
- 3rd Offense within 3-year period*	325.00	500.00
- 4th or More Offense within 3-year period*	500.00	500.00

*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Covert Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$10.00 nor more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

B. Section 4 "Excessive Noise" of the Covert Township Unlawful Assembly Ordinance is hereby amended to read as follows:

"4. Excessive Noise. No person or persons shall idle, assemble or congregate in such a manner as to create or encourage the production of excess noise, as the same is defined by Covert Township Ordinance No. 39, as amended (Township Noise Ordinance.).

SECTION 4
AMENDMENT TO ANTI-BLIGHT ORDINANCE

Section 4 "Penalties" of the Covert Township Anti-Blight Ordinance (Ordinance NO 55, as amended) is hereby amended to read as follows:

"4. Violation and Penalty. Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

- 1st Offense within 3-year period*	\$ 75.00	\$500.00
- 2nd Offense within 3-year period*	150.00	500.00
- 3rd Offense within 3-year period*	325.00	500.00
- 4th or More Offense within 3-year period*	500.00	500.00

*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Covert Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$10.00 nor more than \$500.00 be

ordered. In addition, the Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.”

SECTION 5
SEVERABILITY

Should any section, clause or provision of this Ordinance be declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any other part thereof other than the parts so declared to be invalid.

SECTION 6
REPEAL OF CONFLICTING ORDINANCES
AND SAVINGS CLAUSE

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. Any proceedings pending, including prosecutions for violations, under any ordinance or ordinance provision being repealed hereby shall not be affected by this Ordinance and may be continued pursuant to said Ordinance provisions as they existed prior to amendment or repeal.

SECTION 7
EFFECTIVE DATE

This Ordinance shall take effect 30 days after publication following adoption.

COVERT TOWNSHIP
Daywi Cook, Clerk
PO Box 35
Covert, MI 49093


CLERK'S CERTIFICATE

I, Daywi Cook, the Clerk of Covert Township, Van Buren County, Michigan, do hereby certify that at a regular meeting of the Covert Township Board held on February 14, 2017, at the Covert Township Hall, at which the following members were present, the Board enacted and passed Ordinance No.88, hereinbefore recorded, to become effective on the 21st day of March, 2017. Motion was offered by Palgen, supported by Cook to adopt the Ordinance. The members of the board voted as follows:

Palgen - Yes
Cook - Yes
Harrington - Yes
Rendell - Yes
Taylor - Yes

I do further certify that in accordance with Township Board direction, a summary of the Ordinance was published in a newspaper of general circulation in Van Buren County, Michigan, and circulated in Covert Township on the 21st day of February 2017; including where the same could be examined or purchased and that said Ordinance No. 88 was recorded in this Ordinance Book on the 24 day of February, 2017.

Dated:



Daywi Cook, Clerk
Covert Township