

ORDINANCE NO. 917

AN ORDINANCE TO AMEND SECTION XV - ENFORCEMENT PENALTIES OF THE ZONING CODE OF THE CODE OF ORDINANCES, CITY OF ESCANABA.

THE CITY OF ESCANABA ORDAINS:

CHAPTER I

Section 1. Amendment of Section XV.

Section XV of the Zoning Code of the City of Escanaba is amended to read in its entirety as follows:

Section XV - Enforcement Penalties.

- (A) The provisions of this Ordinance shall be enforced by the Code Official.
- (B) The concurring vote of two-thirds (2/3) of the members of the Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination of any administrative official charged with the enforcement of this ordinance or any amendments thereto or to decide in favor of the applicant any matter upon which they are required to pass under this ordinance or any amendments thereto.
- (C) The Code Official is hereby designated as the authorized City Official to issue municipal civil infraction citations directing alleged violators to appear in Court as provided by this Zoning Code.
- (D) A person who violates any provision of this Chapter (Zoning Code) is responsible for a municipal civil infraction subject to payment of a civil fine of not less than Fifty (\$50.00) Dollars plus costs and other sanctions for each infraction. Repeat offenses under this Chapter shall be subject to all of the provisions of Section 1-13 of this Code.
- (E) The owner of any building or premises, or part thereof where any conditions in violation of this ordinance shall exist or shall be created, and any architect, builder, contractor, agent, corporation or person employed in connection therewith, and who has assisted knowingly in the commission of any such violation shall each be guilty of a separate offense and upon conviction thereof shall be liable to the fines herein provided.

CHAPTER II

SAVINGS CLAUSE

If any section, subsection, sentence, clause, or phrase of the within Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, section, subsection, sentence, clause, phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

CHAPTER III

REPEALING CHAPTER

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

CHAPTER IV

EFFECTIVE DATE

This Ordinance shall be in full force and effect ten (10) days after its passage and publication.

APPROVED:

Ralph B. K. Peterson Jeanne M. Rose
City Attorney

APPROVED:

Mayor

ATTEST:

Robert S. Richards
City Clerk

I hereby certify that the above and foregoing Ordinance was duly passed and adopted at a meeting of the City Council held on September 19, 1996, and was published in the Daily Press, a newspaper of general circulation in the City of Escanaba, on September 25, 1996.

Robert Richards
City Clerk