

HOUSE BILL No. 4350

February 24, 1993, Introduced by Reps. Bodem, Middaugh, Dolan, Goschka and London and referred to the Committee on Tourism and Recreation.

A bill to amend section 21 of Act No. 359 of the Public Acts of 1947, entitled

"An act to authorize the incorporation of charter townships; to provide a municipal charter therefor; and to prescribe the powers and functions thereof,"

being section 42.21 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 21 of Act No. 359 of the Public Acts of
2 1947, being section 42.21 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 21. (1) The township board shall provide in each
5 ordinance ~~for the punishment of those who violate the~~
6 ~~township's provisions~~ A PENALTY FOR THE VIOLATION OF THE
7 ORDINANCE. ~~Punishment~~ A PENALTY for the violation of a township
8 ordinance shall not exceed a fine of \$500.00 ~~—~~ or imprisonment

1 for 90 days, or both, in the discretion of the court. IF THE USE
2 OF A MOTORIZED VEHICLE ON A RECREATIONAL TRAIL RESERVED FOR NON-
3 MOTORIZED TRAVEL IS AN ELEMENT OF THE VIOLATION OF THE ORDINANCE,
4 ALL OF THE FOLLOWING APPLY:

5 (A) IN ADDITION TO THE OTHER SANCTIONS PROVIDED FOR IN THIS
6 SUBSECTION, A COURT OF COMPETENT JURISDICTION MAY ORDER A PERSON
7 TO RESTORE, AS NEARLY AS POSSIBLE, ANY LAND, WATER, STREAM BANK,
8 STREAMBED, OR OTHER NATURAL OR GEOGRAPHIC FORMATION DAMAGED BY
9 THE VIOLATION OF THE ORDINANCE TO THE CONDITION IT WAS IN BEFORE
10 THE VIOLATION OCCURRED.

11 (B) A PEACE OFFICER MAY IMPOUND THE MOTORIZED VEHICLE.

12 (C) A COURT OF COMPETENT JURISDICTION MAY ORDER THE MOTOR-
13 IZED VEHICLE AND ANY PERSONAL PROPERTY ON THE MOTORIZED VEHICLE
14 SEIZED AS A RESULT OF THE VIOLATION RETURNED TO THE OWNER OR, IN
15 ADDITION TO THE OTHER SANCTIONS PROVIDED FOR IN THIS SUBSECTION
16 AND UPON RECOMMENDATION OF THE PROSECUTING ATTORNEY FOR THE TOWN-
17 SHIP, FORFEITED TO THE TOWNSHIP.

18 (2) Fines collected for the violation of the ordinances of a
19 charter township shall be distributed as provided in section 8379
20 of THE REVISED JUDICATURE ACT OF 1961, Act No. 236 of the Public
21 Acts of 1961, being section 600.8379 of the Michigan Compiled
22 Laws.