

**CHARTER TOWNSHIP OF OXFORD
COUNTY OF OAKLAND
STATE OF MICHIGAN**

ORDINANCE NO. 131

AN ORDINANCE PROHIBITING CRIMINAL CONDUCT REQUIRING A POLICE RESPONSE; PROVIDING FOR THE ENFORCEMENT OF THE PROVISIONS OF THE ORDINANCE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PORTIONS THEREOF; PROVIDING FOR AMENDMENT OF THE OXFORD CHARTER TOWNSHIP CODE BY ADDING A NEW SECTION; AND PROVIDING AN EFFECTIVE DATE.

THE CHARTER TOWNSHIP OF OXFORD ORDAINS:

The Oxford Charter Township Code is hereby amended by adding thereto a new section under Chapter 30, Article 1, to read as follows:

Section 1. SHORT TITLE

This Ordinance shall be known and may be cited as the "Criminal Conduct Causing a Police Response Ordinance."

Section 2. PURPOSE AND INTENT

An ordinance to regulate conduct to limit the use of law enforcement and recoup costs of the Township when criminal conduct requires a police response.

Section 3. DEFINITIONS

"Police" and "Police Officer" means any federal, state, county or local law enforcement officer.

"Crime" means any federal or state felony or misdemeanor; and any county or local misdemeanor.

"Person" means a natural person and any corporation, partnership, or other business entity.

Section 4. OFFENSE

A. A person who engages in conduct for which a police response was solicited by another or initiated by a police officer, and for which the court determines as part of a plea of responsible to the secondary offense that there was probable cause a crime had been committed to justify a police response, is responsible for a municipal civil infraction of causing a police response punishable as provided below.

B. A violation of subsection (A) is a "secondary offense." A person may only plead responsible to a violation of subsection (A) upon the concurrence or recommendation of the township's prosecuting attorney.

Section 5. VIOLATIONS AND PENALTIES

A. Municipal Civil Infraction / Payment of Fine.

Any person violating a provision of this Ordinance, upon an admission or a finding of responsibility for such violation, shall be deemed responsible for a municipal civil infraction, as that term is defined and used in MCL 600.101, et seq.; MSA 27A.101, et seq., as amended, and shall pay a civil fine not to exceed \$250.

B. Costs.

Upon application by the township's prosecuting attorney, any person ordered to pay a fine under Subsection A shall be ordered by the district court judge or magistrate judge to pay costs of not less than Nine Dollars (\$9) or more than Five Hundred Dollars (\$500), for reimbursement of all expenses which the Township of Oxford has been put arising out of and in the course of the police response.

Section 6. SEVERABILITY

If any section, subsection, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion of this ordinance, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 7. SAVINGS

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 8. REPEALER

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 9. EFFECTIVE DATE

This ordinance shall become effective thirty (30) days following the date of publication hereof.

MOVED BY: Treasurer Ferrari

SECONDED BY: Trustee Nichols

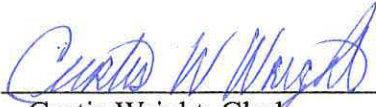
AYES: Curtis, Payne, Ferrari, Wright, Dunn, Durr, Nichols

NAYS: None

ABSENT: None

Adopted at a meeting of the Charter Township of Oxford Board of Trustees held on the 12th day of July, 2017.

William Dunn, Supervisor
Charter Township of Oxford



Curtis Wright, Clerk
Charter Township of Oxford

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

I, Curtis Wright, duly elected Clerk of the Charter Township of Oxford, do hereby certify that the foregoing is a complete and true copy of Ordinance No. 131, Chapter 30 adopted by the Charter Township of Oxford at a meeting of the Board of Trustees held on the 12th day of July, 2017.



Curtis Wright, Clerk

PUBLISHED: July 19, 2017

EFFECTIVE: August 19, 2017