



# SENATE BILL No. 315

February 2, 1993, Introduced by Senators WARTNER, EHLERS, EMMONS, GEAKE, SCHWARZ, ARTHURHULTZ, CISKY, PRIDNIA, KELLY and CHERRY and referred to the Committee on Local Government and Urban Development.

A bill to amend section 2 of chapter VI of Act No. 3 of the Public Acts of 1895, entitled as amended

"An act to provide for the incorporation of villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by villages; to define the powers and duties of the municipal finance commission or its successor agency and of the department of treasury with regard thereto; to define the application of this act and provide for its amendment by villages subject thereto; and to validate prior amendments and certain prior actions taken and bonds issued by villages,"

being section 66.2 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 2 of chapter VI of Act No. 3 of the  
2 Public Acts of 1895, being section 66.2 of the Michigan Compiled  
3 Laws, is amended to read as follows:

## CHAPTER VI

1  
2       Sec. 2. (1) Except as otherwise ~~specifically~~ provided in  
3 this act, the council of a village authorized to pass an ordi-  
4 nance ~~—~~ may prescribe a penalty for a violation of the  
5 ordinance. If a penalty is prescribed, it shall be prescribed in  
6 the ordinance. ~~The ordinance may provide that a person who vio-~~  
7 ~~lates the ordinance may: (a) Be punished~~ A VIOLATION OF THE  
8 ORDINANCE IS PUNISHABLE by imprisonment for not more than 90 days  
9 or a fine of not more than \$500.00, or both. IF THE USE OF A  
10 MOTORIZED VEHICLE ON A RECREATIONAL TRAIL RESERVED FOR NONMOTOR-  
11 IZED TRAVEL IS AN ELEMENT OF THE VIOLATION OF THE ORDINANCE, ALL  
12 OF THE FOLLOWING APPLY:

13       (A) IN ADDITION TO THE OTHER SANCTIONS PROVIDED FOR IN THIS  
14 SECTION, A COURT OF COMPETENT JURISDICTION MAY ORDER A PERSON TO  
15 RESTORE, AS NEARLY AS POSSIBLE, ANY LAND, WATER, STREAM BANK,  
16 STREAMBED, OR OTHER NATURAL OR GEOGRAPHIC FORMATION DAMAGED BY  
17 THE VIOLATION OF THE ORDINANCE TO THE CONDITION IT WAS IN BEFORE  
18 THE VIOLATION OCCURRED.

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

20       (C) A COURT OF COMPETENT JURISDICTION MAY ORDER THE MOTOR-  
21 IZED VEHICLE AND ANY PERSONAL PROPERTY ON THE MOTORIZED VEHICLE  
22 SEIZED AS A RESULT OF THE VIOLATION RETURNED TO THE OWNER OR, IN  
23 ADDITION TO THE OTHER SANCTIONS PROVIDED FOR IN THIS SECTION AND  
24 UPON RECOMMENDATION OF THE PROSECUTING ATTORNEY FOR THE VILLAGE,  
25 FORFEITED TO THE VILLAGE.

1       (2) ~~—(b)—Be—~~ AN ORDINANCE MAY PROVIDE THAT A PERSON WHO  
2 VIOLATES THE ORDINANCE MAY BE ordered to pay THE court costs OF  
3 PROSECUTING THE ORDINANCE VIOLATION.