

**ORDINANCE # 2023-01**

**AN ORDINANCE TO AMEND SECTION 36-40 OF THE HILLSDALE CITY CODE TO RE-CLASSIFY THE GENERAL PENALTY FOR VIOLATIONS OF THE CITY'S ZONING ORDINANCE AS FOUND IN CHAPTER 36 OF THE HILLSDALE CITY CODE FROM MISDEMEANORS TO MUNICIPAL CIVIL INFRACTIONS.**

WHEREAS Section 36-40 of Chapter 36 of the Hillsdale City Code currently provides that a person who violates the provisions of Chapter 36, which contains the City's Zoning Ordinance, is guilty of a misdemeanor criminal offense; and

WHEREAS the Hillsdale City Council has determined that in order to provide for greater flexibility in the enforcement of violations of the City's Zoning Ordinance, it is in the best interest of the citizens of the City to reclassify the general penalty for a violation of Chapter 36 from a misdemeanor criminal offense to a municipal civil infraction;

NOW, THEREFORE, THE CITY OF HILLSDALE ORDAINS THAT:

Section 36-40 of Chapter 36 of the Hillsdale City Code is hereby amended to state as follows:

**Sec. 36-40. - Violations and penalties.**

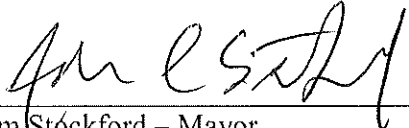
Unless otherwise provided, any person, or anyone acting on behalf of a person, violating any of the provisions of this chapter shall be guilty of a municipal civil infraction under Article II of Chapter 20 of the Hillsdale City Code. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this chapter. Any person violating any provision of this chapter shall be deemed to have committed a separate municipal civil infraction for each day the violation continues. Violations shall be subject to injunctive relief and the payment of the following civil fines, or both:

- (1) \$50 plus costs, for the first violation.
- (2) \$100 plus costs, for the first repeated offense.
- (3) \$200 plus costs for the second repeated offense and each subsequent offense.

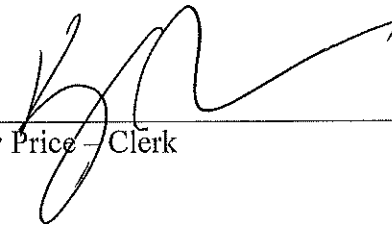
IT IS FURTHER ORDAINED THAT any prosecution, suit, or other proceeding pending, or any judgment rendered, with regard to a violation or alleged violation of Chapter 36 of the Hillsdale City Code on or prior to the adoption of this Ordinance shall not be affected by the adoption of this Ordinance.

CITY OF HILLSDALE

By

  
Adam Stockford – Mayor

Date Proposed: 11/16/2022  
Date Published as Proposed: 12/29/2022  
Date Passed: 02/06/2023  
Date Published as Passed: 02/09/2023  
Effective Date: 02/21/2023

By:   
Katy Price - Clerk