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October 21, 2008

Mr. Robert J. Bruner, Jr. City Manager
City of Ferndale
300 E. Nine Mile Road
Ferndale, Michigan 48220

Via E-Mail Only

Re: Amendment to Section 2-4

Dear Bob:

Attached for your review, please find a revised ordinance amendment regarding Section 2-4 of the Ferndale Code reflecting the suggestions made by both you and Mr. Photiades which would authorize DPW supervisors, specialists and sanitation inspectors to issue appearance tickets in connection with observed violations of the snow emergency ordinance, being Chapter 16 of the Code of Ordinances. The proposed amendment should be placed on an upcoming Council agenda for Council's consideration.

If you have any questions regarding this matter, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to be 'P. Daniel Christ', written over a horizontal line.

P. Daniel Christ

PDC/bbo

Enc.

cc: Ms. J. Cherilynn Tallman, City Clerk (w/enc.)
Mr. Byron Photiades, DPW Director (w/enc.)
Councilman T. Scott Galloway (w/o enc.)
Councilman Mike Lennon (w/o enc.)

ORDINANCE NO. 1061

CITY OF FERNDALE
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND CHAPTER 2, ADMINISTRATION, SECTION 2-4
APPEARANCE TICKETS, OF THE FERNDALE CODE OF ORDINANCES.

THE CITY OF FERNDALE ORDAINS:

Part I.

The City of Ferndale Code of Ordinances, Chapter 2, Administration, Section 2-4 Appearance Tickets, is amended as follows:

Section 2-4. Appearance tickets.

- (a) As used in this section, "appearance ticket" means a complaint or written notice issued by a police officer or other city official authorized by this section to issue it, directing a designated person to appear in the district court at a designated future time in connection with his or her alleged commission of a designated violation or violations of a local ordinance which is a minor offense pursuant to MCL 764.9(c) and the related provisions of the state statutes and court rules governing the same.
- (b) The city officials enumerated in this section are hereby specifically authorized to issue and serve appearance tickets with respect to any and all violations within their enumerated jurisdiction when the city official has reasonable cause to believe that the person has committed such an ordinance violation(s).
- (c) Such city official shall not have any power to arrest a person beyond the power of any other private person nor be deemed to be police or peace officer.
- (d) The city officials authorized and empowered to exercise the powers granted by this section are the following and their duly appointed deputies, assistants and designees:

City manager--Chapter 25.

Building inspector--Chapters 6, 7, 7 1/4, 10, 12, 16, 20 and 24.

Code enforcement officer--Chapters 6, 7, 7 1/4, 10, 11, 12, 16, 20 and 24.

Rental housing inspector--Chapters 6, 7, 10, 12, 16, 20 and 24.

Plumbing/HVAC inspector--Chapters 6, 7 and 7 1/4.

Electrical inspector--Chapters 6, 7 and 7 1/4.

Fire marshal--Chapters 6, 7 1/4, 9 and 10.

Animal enforcement officer--Chapters 5 and 13.

Parking enforcement officer--Ordinance No. 550 (Traffic Code Ordinance): Chapter 18.

Department of public works supervisors, specialists and sanitation inspectors--Chapter 16.

Part II. Savings Clause.

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 enforced when they are commenced.

Part III. Severability.

The various parts, sections and clauses of this ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

Part IV. Repeal.

All regulatory provisions contained in other city ordinances which are inconsistent with the provisions of this ordinance, are repealed.

Part V. Effective Date; Publication.

This ordinance shall become effective upon publication of a notice in a newspaper circulated in the City, stating the date of the enactment and the effective date of the ordinance, a brief notice as to the subject matter of this ordinance, and such other facts as the city clerk shall deem pertinent and that a copy of the ordinance is available for public use and inspection at the office of the city clerk.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FERNDALE, OAKLAND COUNTY, MICHIGAN, THIS ___ DAY OF _____, 2008.

CRAIG COVEY, MAYOR

J. CHERILYNN TALLMAN, CITY CLERK

Date of Adoption: _____

Date of Publication: _____

CERTIFICATE OF ADOPTION

I certify that the foregoing is a true and complete copy of the Ordinance passed at a meeting of the Ferndale City Council held on the ___ day of _____, 2008.

J. CHERILYNN TALLMAN, CITY CLERK

CITY OF FERNDALE
NOTICE OF ADOPTION
ORDINANCE _____

NOTICE IS GIVEN that the City of Ferndale Council has adopted Ordinance No. _____, an ordinance to amend Chapter 2, Administration, Section 2-4, Appearance Tickets.

This Ordinance shall become effective upon publication. This Ordinance was adopted by the City Council on _____, 2008. A complete copy of the Ordinance is available for public use and inspection at the office of the City Clerk.

J. CHERILYNN TALLMAN, CITY CLERK
(248) 546-2384