

# **ARTICLE : 12**

## **Adoption and Amendments**

## ARTICLE 12: ADOPTION AND AMENDMENTS

### Section 12.0 - Amendment to this Ordinance

- A. The Township Board is authorized and empowered to cause this Ordinance to be amended, supplemented, or changed, pursuant to the authority and according to the procedures set forth in Act 110 of 2006, as amended.
1. The regulations and provisions stated in the text of this Ordinance and the boundaries of zoning districts shown on the Secord Township Zoning Map may be amended, supplemented or changed by action of the Township Board following a recommendation from the Township Planning Commission.
  2. Proposals for amendments, supplements or changes may be initiated by the Township Board on its own motion, by the Township Planning Commission or by petition of one (1) or more owners of property to be affected by the proposed amendment.
  3. The procedure to be followed for initiating and processing an amendment shall be as follows:
    - a. Each petition by one (1) or more persons for an amendment shall be submitted by application to the Zoning Administrator on a standard form provided and shall be accompanied by the fee as prescribed by the Township Board. No part of such fee shall be returnable to a petitioner if the public hearing is held.
    - b. The Zoning Administrator shall notify, in writing, the Township Clerk and Chair of the Planning Commission at or before the time he/she transmits the amendment request to the Planning Commission.
    - c. The Planning Commission shall consider each proposal for amendment on particular factors related to the individual proposal and in terms of the likely effect on the community's physical development. The Planning Commission may recommend any additions or modifications to the original proposal.
    - d. The public notice procedure shall be the same as that contained in **§10.3**.
    - e. **Rezoning Standards:** The Planning Commission shall review and apply the following standards and factors in the consideration of any rezoning request.
      - i. Is the proposed rezoning consistent with the Secord Township Master Plan?
      - ii. Are all of the allowable uses in the proposed district reasonably consistent with surrounding uses?
      - iii. Will there be an adverse physical impact on surrounding properties?

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- iv. Will there be an adverse effect on property values in the adjacent area?
  - v. Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?
  - vi. Will rezoning create a deterrent to the improvement or development of adjacent property in accord with existing regulations?
  - vii. Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?
  - viii. Are there substantial reasons why the property cannot be used in accordance with its present zoning classifications?
  - ix. Is the site served by adequate public facilities or is the petitioner able to provide them?
  - x. Are there sites nearby already properly zoned that can be used for the intended purposes?
- f. Following the public hearing, the Planning Commission shall submit the proposed amendment including any zoning map changes to the County Planning Commission. If the recommendation of the County Planning Commission has not been received within thirty (30) days after the receipt of the Ordinance by the County, it shall be conclusively presumed that the County has waived its right for review.
- g. The Planning Commission shall submit a final report/recommendation to the Township Board along with a summary of the comments received at the public hearing.
- h. The Township Board may hold a public hearing if it considers it necessary or if otherwise required. Notice of such hearing shall be published using the procedures in §10.3.
- i. The Township Board shall grant a hearing on a proposed ordinance provision to a property owner who requests a hearing by certified mail, addressed to the Township Clerk. Notice of such hearing shall be published using the procedures in §10.3.
- j. The Township Board may refer any proposed amendments to the Planning Commission for consideration and comment within a time specified by the Township Board.
- k. After any such public hearing as allowed under §12.0. A.3.h-i, the Township Board shall consider and vote upon the adoption of a zoning ordinance amendment. A zoning ordinance amendment shall be approved by a majority vote of the members of the Township Board.

## **Section 12.0 - Amendment to this Ordinance**

- I. Once adopted by the Township Board, amendments to this Ordinance shall be filed with the Township Clerk, and one (1) notice of adoption shall be published in a newspaper of general circulation in the Township within fifteen (15) days after adoption. Any amendments to this Ordinance shall take effect eight (8) business days after publication or at a later date as may be specified by the Township Board at the time of adoption.
  
- m. No application for a rezoning which has been denied by the Township shall be resubmitted for a period of one (1) year from the date of the last denial, except on grounds of newly discovered evidence or proof of changed conditions found upon inspection by the Township Planning Commission to be valid.

## **Section 12.1 - Conditional Rezoning**

**A. Intent:** It is recognized that there are certain instances where it would be in the best interests of the Township, as well as advantageous to property owners seeking a change in zoning boundaries, if certain conditions could be proposed by property owners as part of a request for a rezoning. It is the intent of this Section to provide a process consistent with the provisions of Section 405 of the Zoning Enabling Act (MCL125. 3405) by which an owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request. Additional fees may apply as determined by the Township Board based on the content of the request.

### **B. Application and Offer of Conditions:**

1. An owner of land may voluntarily offer in writing conditions relating to the use and/or development of land for which a rezoning is requested. This offer may be made either at the time the application for rezoning is filed or may be made at a later time during the rezoning process.
2. The required application and process for considering a rezoning request with conditions shall be the same as that for considering rezoning requests made without any offer of conditions, except as modified by the requirements of this Section.
3. The owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district.
4. The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which rezoning is requested.
5. Any use or development proposed as part of an offer of conditions that would require a Special Land Use permit under the terms of this Ordinance may only be commenced if a Special Land Use permit for such use or development is ultimately granted in accordance with the provisions of this Ordinance.
6. Any use or development proposed as part of an offer of conditions that would require a variance under the terms of this Ordinance may only be commenced if a variance

## **Section 12.1 - Conditional Rezoning continued**

for such use or development is ultimately granted by the Planning Commission in accordance with the provisions of this Ordinance.

7. Any use or development proposed as part of an offer of conditions that would require site plan approval under the terms of this Ordinance may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the provisions of this Ordinance.
8. The offer of conditions may be amended during the process of rezoning consideration provided that any amended or additional conditions are entered voluntarily by the owner. An owner may withdraw all or part of its offer of conditions any time prior to final rezoning action of the Township Board provided that, if such withdrawal occurs subsequent to the Planning Commission's public hearing on the original rezoning request, then the rezoning application shall be referred to the Planning Commission for a new public hearing with appropriate notice and a new recommendation.

### **C. Planning Commission Review:**

1. The Planning Commission, after public hearing and consideration of the factors for rezoning, may recommend approval, approval with recommended changes or denial of the rezoning; provided, however, that any recommended changes to the offer of conditions are acceptable to and thereafter offered by the owner.
2. Township Board Review, after receipt of the Planning Commission's recommendation, the Township Board shall deliberate upon the requested rezoning and may approve or deny the conditional rezoning request. The Township Board's deliberations shall include, but not be limited to, a consideration of the factors for rezoning. Should the Township Board consider amendments to the proposed conditional rezoning advisable and if such contemplated amendments to the offer of conditions are acceptable to and thereafter offered by the owner, then the Township Board shall, have the option, but not be required to refer such amendments to the Planning Commission for a report thereon within a time specified by the Township Board and proceed thereafter to deny or approve the conditional rezoning with or without amendments.
3. **Approval:**
  - a. If the Township Board finds the rezoning request and offer of conditions acceptable, the offered conditions shall be incorporated into a formal written Statement of Conditions acceptable to the owner and conforming in form to the provisions of this Section. The Statement of Conditions shall be incorporated by attachment or otherwise as an inseparable part of the Ordinance adopted by the Township Board to accomplish the requested rezoning.
  - b. The Statement of Conditions shall:
    - i. Be in a form recordable with the Register of Deeds of Gladwin County or, in the alternative, be accompanied by a recordable Affidavit or Memorandum prepared and signed by the owner giving notice of the Statement of Conditions in a manner acceptable to the Township Board.

## Section 12.1 - Conditional Rezoning continued

- ii. Contain a legal description of the land to which it pertains.
  - iii. Contain a statement acknowledging that the Statement of Conditions runs with the land and is binding upon successor owners of the land.
  - iv. Incorporate by attachment or reference any diagram, plans or other documents submitted or approved by the owner that are necessary to illustrate the implementation of the Statement of Conditions. If any such documents are incorporated by reference, the reference shall specify where the document may be examined.
  - v. Contain a statement acknowledging that the Statement of Conditions or an Affidavit or Memorandum giving notice thereof may be recorded by the Township with the Register of Deeds of Gladwin County.
  - vi. Contain the notarized signatures of all of the owners of the subject land preceded by a statement attesting to the fact that they voluntarily offer and consent to the provisions contained within the Statement of Conditions.
- c. Upon the rezoning taking effect, the Zoning Map shall be amended to reflect the new zoning classification along with a designation that the land was rezoned with a Statement of Conditions. The Township Clerk shall maintain a listing of all lands rezoned with a Statement of Conditions.
- d. The approved Statement of Conditions or an Affidavit or Memorandum giving notice thereof shall be filed by the Township with the Register of Deeds of Gladwin County. The Township Board shall have authority to waive this requirement if it determines that, given the nature of the conditions and/or the time frame within which the conditions are to be satisfied, the recording of such a document would be of no material benefit to the Township or to any subsequent owner of the land.
- e. Upon the rezoning taking effect, the use of the land so rezoned shall conform thereafter to all of the requirements regulating use and development within the new zoning district as modified by any more restrictive provisions contained in the Statement of Conditions.
- f. Compliance with Conditions.
  - i. Any person who establishes a development or commences a use upon land that has been rezoned with conditions shall continuously operate and maintain the development or use in compliance with all of the conditions set forth in the Statement of Conditions. Any failure to comply with a condition contained within the Statement of Conditions shall constitute a violation of this Zoning Ordinance and be punishable accordingly.
  - ii. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law. No permit or approval shall be granted under this Ordinance for any use or development that is contrary to an applicable Statement of Conditions.

## **Section 12.1 - Conditional Rezoning continued**

- g.** Time Period for Establishing Development or Use: Unless another time period is specified in the Ordinance rezoning the subject land, the approved development and/or use of the land pursuant to building and other required permits must be commenced upon the land within 18 months after the rezoning took effect and thereafter proceed diligently to completion. This time limitation may upon written request be extended by the Township Board if (1) it is demonstrated to the Township Board's reasonable satisfaction that there is a strong likelihood that the development and/or use will commence within the period of extension and proceed diligently thereafter to completion and (2) the Township Board finds that there has not been a change in circumstances that would render the current zoning with Statement of Conditions incompatible with other zones and uses in the surrounding area or otherwise inconsistent with sound zoning policy.

## **Section 12.2 - Conflicting Regulations**

Whenever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other Township law or ordinance, then the provisions of this Ordinance shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such ordinance shall govern. Where any provision of this Ordinance differs from any other provision of this Ordinance, the more restrictive requirement shall prevail.

The graphics, tables and text used throughout this Ordinance are regulatory. In case of a conflict, text shall control over tables or graphics; tables shall control over graphics. Photographs and illustrations marked "example" or text marked "commentary" is not regulatory and is provided for illustrative purposes only.

## **Section 12.3 – Severability**

This Ordinance and various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this Ordinance shall not be affected thereby. The Township Board hereby declared that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause thereof irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

#### **Section 12.4 - Repeal and Savings Clause**

- A. This Ordinance repeals and replaces any previous Secord Township Zoning Ordinance in its entirety.
- B. The repeal of any previous Secord Township Zoning Ordinance, as provided, shall not affect any rights acquired, fines, penalties, forfeitures or liabilities incurred there under or actions involving any of the provisions of said ordinance or parts thereof. Said ordinance or ordinance sections repealed is hereby continued in force and effect after the passage, approval and publication of this Ordinance for the purpose of such rights, fines, penalties, forfeitures, liabilities and actions therefore.

#### **Section 12.5 - Enactment and Effective Date**

- A. This Ordinance was adopted on December 17, 2014, by the Secord Township Board of Trustees and will be effective January 8, 2015. The foregoing Zoning Ordinance and Zoning Map were presented at a public hearing before the Planning Commission on November 1, 2014.
- B. Amendments or revision to this Ordinance or Map of Zoning Districts shall become effective on the expiration of seven (7) days or at a later date specified by the Township Board after publication of a notice of adoption of said amendments or revisions within fifteen (15) days of adoption in accordance with Section 401 of PA 110 of 2006, as amended.



**ENFORCEMENT OFFICER-ORDINANCE 12.6  
SECORD TOWNSHIP, GLADWIN County**

An Ordinance to establish the office of Secord Township Ordinance Enforcement Officer; to prescribe the duties of said office; to authorize the Township Board to appoint a person or persons to said office; and to amend any Ordinances of Secord Township which conflict with the provisions hereof.

The Township of Secord, County of Gladwin, State of Michigan, ordains the following Ordinance.

**Section 1:**

The office of Township of Secord Ordinance Enforcement Officer is hereby established.

**Section 2:**

The Board of Trustees of the Township of Secord is hereby authorized to appoint by resolution any person or persons to the office of Ordinance Enforcement Officer for such term or terms as may be designated in said resolution and for such compensation as the Board may determine. The Board may further, by resolution, remove any person from said office, in the discretion of the Board.

**Section 3:**

The Ordinance Enforcement Officer(s) is hereby authorized to enforce all ordinances of the Township of Secord, whether heretofore or hereafter enacted, and whether such ordinances superficially designate a different enforcing official or do not designate any particular enforcing officer. Where a particular officer is so designated in any Ordinance that officer's authority shall continue in full force and effect and shall not be diminished or impaired by the terms of this Ordinance, and the authority of the Ordinance Enforcement Officer(s) shall be in addition and supplementary to the authority granted to such other specific officer. An Ordinance Enforcement Officer(s) shall in the performance of the officer's duties be subordinate and responsible to the Board.

2/22/2010

**ORDINANCE 12.7**

**Secord Township Ordinance to Confirm the Establishment of a Planning Commission with Zoning Authority**

**Preamble**

An ordinance to confirm the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., of the Secord Township Planning Commission; provide for the composition of that Planning Commission; provide for the powers, duties, and limitations of that planning Commission; and repeal any ordinance or parts of ordinance or resolutions in the conflict with this ordinance.

THE TOWNSHIP OF SECORD, GLADWIN COUNTY, MICHIGAN, ORDAINS:

**Section 1: Scope, Purpose and Intent**

This ordinance is adopted pursuant to the authority granted the Township Board under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101 et seq., to establish a Planning Commission with the powers, duties and limitations provided by those acts and subject to the terms and conditions of this ordinance and any future amendments to ordinance.

The purpose of this ordinance is to provide that the Secord Township board shall hereby confirm the establishment under the Michigan Planning Enabling Act, Public act 33 of 2008, MCL 125.3801, et seq., of the Secord Township Planning Commission formally established under the Township Planning Act Public Act 168 of 1959, MCL 125.321 et seq.

**Section 2: Establishment**

Township board hereby confirms the establishment under the Michigan Planning Enabling Act Public Act 33 of 2008, MCL 125.3801 et seq., of the Secord Township Planning Commission formally established under the Township Planning Act Public Act 168 of 1959 MCL 123.321 et seq. The Secord Township Planning Commission shall have seven (7) members. Members of the Secord Township Planning Commission as of the effective date of this ordinance shall, except for an ex-officio member whose remaining term on the Planning Commission shall be limited to his or her term on the Township Board, continue to serve for the remainder of their existing terms so long as they continue to meet all of the eligibility requirements for Planning Commission membership set forth within the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq.

**Section 3: Appointments and Terms**

The Township supervisor, with the approval of the Township Board by a majority vote of the members elected and serving, shall appoint all Planning Commission members, including the ex-officio member.

The Planning Commission members other than the ex-officio member shall serve for terms of three (3) years each. A Planning Commission member shall hold office until his or her successor is appointed. Vacancies shall be filled for the expired term in the same manner as the original appointment.

Planning Commission members shall be qualified electors of the Township except for that one Planning Commission member may be an individual who is not a qualified elector of the Township. The membership of the Planning Commission shall be representative of important segments of the community, such as the economic, governmental, educational, and special social development of the Township, in accordance with the major interest as they exist in the Township, such as agriculture, natural resources, recreational, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire geography of The Township to the extent practicable.

One member of the Township board shall be appointed to the Planning Commission as an ex-officio member.

An ex-officio member has full voting rights. An ex-officio member's term on the Planning Commission shall expire with his or her term on the Township board.

No other elected officer or employee of the Township is eligible to be a member of the Planning Commission.

**Section 4: Removal**

The Township board may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in the office upon written charges and after a public hearing.

**Section 5: Compensation**

The Planning Commission members may be compensated for their services as provided by the Township Board resolution. The Planning Commission may adopt bylaws relative to the compensation and expenses of its members for travel when engaged in the performance of activities authorized by the Township Board, including, but not limited to attendance at conferences, workshops, educational and training programs, and meetings.

**Section 6: Officers and Committee**

The Planning Commission shall elect a chairperson and a secretary from its members, and may create and fill other offices, as it considers advisable. An ex-officio member of the Planning Commission is not eligible to serve as chairperson. The term of each office shall be one year, with the opportunity for reelection as specified in the Planning Commission by-laws.

The Planning Commission may also appoint advisory committees whose members are not members of the Planning Commission.

**Section 7: Bylaws, Meetings and Records**

The Planning Commission shall adopt bylaws for the transaction of business.

The Planning Commission shall hold at least four regular meetings each year and shall by resolution determine the time in place of the meetings.

Unless otherwise provided in the planning commission's bylaws, a special meeting of the Planning Commission may be called by the chairpersons or by two other members, upon written request to the secretary. Unless the bylaws otherwise provide; the secretary shall send written notice of a special meeting to Planning Commission members at least 48 hours before the meeting.

The business that the planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Public Act 267 of 1976, MCL 15.261, et seq.

The Planning Commission shall keep a public record of its resolutions, transactions, findings, and determinations. A writing prepared, owned, used, in possession of, or retained by a Planning Commission in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act, Public Act 442 of 1086 MCL15.231 et seq.

**Section 8: Annual Report**

The Planning Commission shall make an annual written report to the Township board concerning its operations and the status of the planning activities, including recommendations regarding actions by the Township Board related to planning and development.

**Section 9: Authority to Make Masterplan**

Under the authority of the Michigan Planning Enabling Act, Public act 33 of 2008 MCL125.3801, et seq., and other applicable planning statutes the Planning Commission shall make a master plan as a guide for development within the township's planning jurisdiction.

Final authority to approve a master plan or any amendments thereto shall rest with the Planning Commission unless the Township Board passes a resolution asserting the right to approve or reject the master plan.

Unless rescinded by the Township any plan adopted or amended under the Township Planning Act Public Act 168 of 1959 MCL 125.321 et seq., need not be readopted under the Michigan Planning Enabling Act, Public Act 33 of 2008 MCL 125.3801 et seq.

**Section 10: Zoning Powers**

The Township board hereby confirms the transfer of all powers duties and responsibilities provided for zoning boards or zoning commissions by the former Township Zoning Act, Public Act 184 of 1943 MCL 125.271 et seq.; the Michigan Zoning Enabling Act, Public Act 110 OF2006 MCL 125.3101 et seq.; or other applicable zoning statutes to the Secord Township Planning Commission formally established under the Township Planning Act, Public Act 168 of 1959 MCL 125.321 et seq. Any existing zoning ordinance shall remain in full force an effect except as otherwise amended or repealed by the Township Board.

**Section 11: Subdivision and Land Division Recommendations**

The Planning Commission may recommend to the Township board provisions of an ordinance or rules governing the subdivision of land. Before recommending such an ordinance or rule, the Planning Commission shall hold a public hearing on their proposed ordinance or rule. The Planning Commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the Township.

The Planning Commission shall review and make recommendation on a proposed plat before action thereon by the Township Board under the Land Division Act, Public Act 288 of 1967 MCL 560.101 et seq. Before making its recommendation, the Planning Commission shall hold a public hearing on the proposed plat. A plat submitted to the Planning Commission shall contain the name and address of the proprietor or other persons to whom notice of hearing shall be sent. Not less than 15 days before the date of the hearing, notice of the date time and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the Township. Similar notice shall be mailed to the owners of the land immediately adjoining the proposed platted land.

**Section 12: Severability**

The provisions of this ordinance are hereby declared to be serviceable, and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the ordinance shall continue in full force an effect.

**Section 13: Repeal**

All ordnance or parts of ordnance in conflict with this ordinance are hereby repealed. The resolution or ordinance establishing the Secord Township Planning Commission under the Township Planning Act, Public act 168 of 1959, MCL 125.321, et seq., is hereby repealed.

**Section 14: Effective Date**

This ordinance shall become effective eight (8) days after publication thereof. Adopted by the Township Board Township of Secord Gladwin County, Michigan at the meeting of the Township board held on the fifteenth day of June 2011.

## **Section 12.8 Duties of Constable**

*An ordinance to restrict and limit the powers and duties prescribed by state law for township constables; to authorize and prescribe ordinance enforcement duties by constables; to establish liability for violations of the provisions of this ordinance; and to repeal all ordinances or parts of ordinances in conflict with this ordinance.*

The Township of Secord ordains:

### **Section 1. Duties and Powers.**

Pursuant to authority vested in the Secord Township Board by Public Act 426 of 1976 (MCL 41.82) of the State of Michigan, no elected or appointed Constable of Secord Township shall exercise any power or assume any duty prescribed by the laws of the State of Michigan, except as follows:

- 1.1. Township Constables shall be authorized to serve all civil notices and process lawfully directed to them by the Township Board including the authority to issue appearance tickets.
- 1.2. Township Constables shall be authorized to enforce all ordinances of Secord Township as provided in this ordinance, including the authority to issue appearance tickets but not to make arrests.
- 1.3. Township constables shall be authorized to perform such other duties or powers of their office when so directed by the Township Board.
- 1.4. By authority of the office of constable (MCL 41.82). Constables will perform liquor control inspections.

### **Section 2. Ordinance Enforcement Authority.**

- 2.1 Township Constables are hereby authorized to enforce all ordinances of Secord Township, whether currently or hereafter enacted, and whether such ordinances specifically designate a different official to enforce the same or do not designate any particular enforcing officer, but only when expressly authorized to do so by the Township Board. Absent such express direction and authority from the Township Board, the Constable shall have no authority to enforce the ordinances.

## **Section 12.8 Duties of Constable continued**

- 2.2. Where a particular officer is so designate in any such ordinance. the authority of the constable to enforce the same shall be in addition and supplementary to the authority granted to such other specific officer. Any ordinance enforcing authority of the Township Supervisor and any other officers specifically designated in any Township Ordinance or State statute shall continue in full force and effect and shall in no way be diminished or impaired by the terms of the within ordinance.

### **Section 3. Ordinance Enforcement Duties.**

When so authorized by the Township Board, as provided for in Section 2.1, above, the ordinance enforcement duties shall include, among others, the following:

- 3.1. Issuing and serving municipal ordinance violations notices and municipal civil infraction citations as authorized under Public Act 12 of 1994, as amended (MCL 600.8701);
- 3.2. Appearing in court or other judicial proceedings to assist in the prosecution of ordinance violators: and
- 3.3. Such other ordinance enforcement duties as may be delegated by the Township Supervisor or assigned by the Township Board.

### **Section 4. Weapons.**

No Township Constable shall carry any firearm or other weapon in the performance of his or her duties.

### **Section 5. Limitation of Authority.**

The Secord Township Board is hereby authorized, by resolution at any regular meeting of said Board, to remove the authorities granted to any Township Constable by this ordinance, in the sole discretion of said Board.

### **Section 6. Liability.**

Any elected Township Constable who shall violate any provision of this ordinance shall thereby assume sole responsibility and liability for any damages resulting from such action constituting said violation.

### **Section 7. Severability.**

The provisions of this Ordinance are hereby declared to be severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect remainder of the Ordinance which shall continue in full force and effect.

### **Section 8. Repeal.**

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

### **Section 9. Effective Date.**

This Ordinance shall take effect immediately upon publication as required by law following adoption by the Township Board  
This Ordinance shall become effective upon publication.