CHARTER TOWNSHIP OF WEST BLOOMFIELD

ORDINANCE NO. C-647-A

COST RECOVERY ORDINANCE AMENDMENT

An ordinance to provide for reimbursement, payment and collection of costs and expenses for police activities in connection with violations for driving without a valid license.

THE CHARTER TOWNSHIP OF WEST BLOOMFIELD ORDAINS:

Section 1 of Ordinance

Chapter 2, Administration, Article VI, Finances, Division 2, Emergency Cost Recovery, of the West Bloomfield Charter Township Code, is amended by amending Sections 2-223(a), and 2-223(e), to read as follows.

Sec. 2-223. Definitions.

(a) Emergency Response means legally authorized or required police, fire, medical treatment or transportation, rescue, environmental cleanup or response, or other services or actions of or by those emergency service providers, including dispatch, that are provided by or at the direction or request of the Township in one or more of the following situations.

(1) When emergency equipment, personnel or services are provided to persons, motor vehicles or property in response to a request or report of the possible need for the emergency equipment, personnel or services.

(2) When one or more motor vehicles are in an accident involving personal injury.

(3) In connection with a traffic stop or arrest, or involving a motor vehicle accident where one or more drivers were operating a motor vehicle while impaired by, or under the influence of intoxicating liquor or a controlled substance or a combination of intoxicating liquor and a controlled substance or any other enumerated offense for which reimbursement expenses may be payable as provided in Article VII of Chapter 22 of the West Bloomfield Charter Township Code.

(4) In connection with a violation of one or more of the laws set forth in Section 1.f.(1), of Public Act No. 345 of 1999, MCL 769.1f.(1), as amended now or in the future, which pursuant to MCL 42.23, is adopted by reference as an Ordinance of the Township.
(5) In connection with a violation of a state or federal law, one or more provisions of the West Bloomfield Charter Township Code, or the ordinances of a unit of government where the Township Fire Department is authorized or required to provide service.

(6) In connection with a violation of the Michigan vehicle code, or any uniform traffic code that is adopted as an ordinance of the township under Chapter 22 of the West Bloomfield Charter Township Code, for the offense of operating a motor vehicle without a valid operator's license.

(c) Responsible Person means any of the following:

(1) A person who receives emergency fire, medical or transportation or rescue service or other benefit from an Emergency Response identified in Section 2-223(a)(i) or (ii).

(2) A person that is convicted or found responsible for a violation of a law identified in Section 2-223(a)(3), (4), (5) or (6).

(3) A person whose intentional or negligent actions or omissions created the need for the Emergency Response and from which the person or their property benefited.

(4) When the responsible person is a minor under the age of 18, the parents, guardians or other persons that are legally responsible for the care, custody, control or support of that minor.

Section 2 of Ordinance

The sanction for violation of this Ordinance shall be as specified in Section 1-10(a) of the West Bloomfield Charter Township Code.

Section 3 of Ordinance

Should any section, subdivision, sentence, clause or phrase of this ordinance, be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

Section 4 of Ordinance

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 5 of Ordinance

The provisions of this Ordinance are hereby ordered to take effect immediately upon publication.
CERTIFICATION

It is certified that the Ordinance set forth above was duly adopted by the Board of Trustees of the Charter Township of West Bloomfield at a meeting duly called and held on the February 17, 2009, 2009.

CHARTER TOWNSHIP OF WEST BLOOMFIELD

By: Catherine Shaughnessy, Clerk

INTRODUCED: 02-02-09
ADOPTED: 02-17-09
PUBLISHED: 02-22-09