

Chapter 1 GENERAL PROVISIONS

Sec. 1-1. Designation and citation of Code.

The ordinances embraced in the following chapters and sections shall constitute and be designated the "Pittsfield Charter Township Code."

Sec. 1-2. Definitions and rules of construction.

It is the legislative intent of the township board, in adopting this Code, that all provisions and sections of this Code be liberally construed to protect and preserve the peace, health, safety and welfare of the inhabitants of the township. In the construction of this Code and any amendment to this Code, the following rules shall be observed, unless the context clearly indicates otherwise:

And, or. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction "and" or "or," the conjunction shall be interpreted as follows:

And indicates that all the connected items, conditions, provisions or events shall apply.

Or indicates that the connected items, conditions, provisions or events may apply singly or in any combination.

Code. The term "this Code" or "Code" shall mean the, as designated in section 1-1.

Computation of time. The time within which an act is to be done, as provided in this Code, or in any order issued pursuant to this Code, when expressed in days, shall be computed by excluding the first day and including the last, except that if the last day be Sunday or a legal holiday it shall be excluded; and when the time is expressed in hours, the whole of a Sunday or a legal holiday, from midnight to midnight, shall be excluded.

County. The term "the county" or "this county" shall mean the County of Washtenaw in the State of Michigan.

Gender. A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships, corporations, units of government, trusts, estates, joint ventures and other legal entities, as well as to males.

MCL, MSA. The abbreviations "MCL" and "MSA" refer to the Michigan Compiled Laws and Michigan Statutes Annotated, respectively, as amended.

Number. A word importing the singular number only may extend and be applied to several persons and things as well as to one person or thing.

Oath, affirmation, sworn, affirmed. The term "oath" shall be construed to include the term "affirmation" in all cases where by law an affirmation may be substituted for an

oath, and in like cases the term "sworn" shall be construed to include the term "affirmed."

Officer, department or other agency. Whenever any officer, department or other agency is referred to by title only, such reference shall be construed as if followed by the words "of the Charter Township of Pittsfield, Washtenaw County, Michigan." Whenever, by the provisions of this Code, any officer of the township is assigned any duty or empowered to perform any act or duty, reference to such officer shall mean and include such officer or his deputy or authorized subordinate. Whenever in accordance with the provisions of this Code or any ordinance of the township, any specific act is required to be done by any designated officer or official of the township, such act may be performed by any township employee duly authorized to perform that act by such officer or official.

Person. The term "person" includes firms, joint ventures, partnerships, corporations, estates, trusts, units of government, clubs and all associations or organizations of natural persons, either incorporated or unincorporated, howsoever operating or named, and whether acting by themselves or by a servant, agent or fiduciary, and includes all legal representatives, heirs, successors and assigns thereof.

Public acts. References to public acts are references to the Public Acts of Michigan as amended. (For example reference to Public Act No. 279 of 1909 is a reference to Act No. 279 of the Public Acts of Michigan of 1909.)

Shall/may. The term "shall" is mandatory, and the term "may" is permissive.

State. The term "the state" or "this state" shall be construed to mean the State of Michigan.

Tense. Words used in the present or past tense include the future as well as the present and past.

Township. The term "township" shall mean the Charter Township of Pittsfield in Washtenaw County, Michigan.

Township board. The term "township board" shall mean the Township Board of Pittsfield Charter Township, Washtenaw County, Michigan.

Week. The term "week" shall be construed to mean seven days.

Sec. 1-3. Section catchlines and other headings.

The catchlines of the several sections of this Code printed in boldface type are intended as mere catchwords to indicate the contents of the sections and shall not be deemed or taken to be the titles of such sections, nor as any part of the sections, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or reenacted. No provision of this Code shall be held invalid by reason of deficiency in any such catchline or in any heading or title to any chapter, article or division.

Sec. 1-4. History notes.

The history notes appearing in parentheses after sections of this Code are not intended to have any legal effect, but are merely intended to indicate the source of matter contained in the section.

Sec. 1-5. Reserved.**Sec. 1-6. Certain provisions saved from repeal.**

Nothing in this Code or the ordinance adopting this Code, when not inconsistent with this Code, shall affect any ordinance:

- (1) Affecting the boundaries of the township;
- (2) Relating to any specific local improvement;
- (3) Authorizing, directing or ratifying any purchase or sale;
- (4) Authorizing or directing the issuance of any bonds or other evidence of indebtedness;
- (5) Authorizing or directing the making of any investment;
- (6) Making or otherwise affecting any appropriations;
- (7) Levying or otherwise affecting any taxes, not inconsistent with this Code;
- (8) Establishing the procedure or requirements for awarding franchises or relating to franchises;
- (9) Regarding special districts;
- (10) Establishing or amending zoning or land use regulations, including the zoning map or rezoning property;
- (11) Pertaining to personnel regulations;
- (12) Any temporary or special ordinances;
- (13) Any administrative ordinance;

and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code. Such ordinances are on file in the office of the township clerk. No offense committed or penalty incurred or any right established prior to the adoption date of the Code shall be affected.

Sec. 1-7. Effect of repeal of ordinances.

- (a) The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect.
- (b) The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, or any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed or cause of action arising under the ordinance repealed.

Sec. 1-8. Severability.

Should any provision or section of this Code be held unconstitutional or invalid, such holding shall not be construed as affecting the validity of any of the remaining provisions or sections, it being the intent of the township board that this Code shall stand, notwithstanding the invalidity of any of its provisions or sections. The provisions of this section shall apply to the amendment of any section of this Code, whether or not the wording of this section is set forth in the amendatory ordinance.

Sec. 1-9. Amendments to Code.

- (a) Amendments to any of the provisions of this Code shall be made by amending such provisions by specific reference to the section number of this Code in the following language: "That section _____ of the Pittsfield Charter Township Code Charter Township of Pittsfield, Washtenaw County, Michigan (or Pittsfield Charter Township Code), is hereby amended to read as follows:" The new provisions shall then be set out in full as desired.
- (b) If a new section not heretofore existing in the Code is to be added, the following language shall be used: "That the Pittsfield Charter Township Code. is hereby amended by adding a section, to be numbered _____, which section reads as follows:" The new section shall then be set out in full as desired.

Sec. 1-10. Supplementation of Code.

- (a) By contract or by township personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the township board. A supplement to the Code shall include all substantive permanent and general parts of ordinances adopted during the period covered by the supplement and all changes made by the supplement in the Code. The pages of a supplement shall be so numbered that they will fit properly in the Code and will, where necessary, replace pages that have become obsolete or partially obsolete; and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.
- (b) In preparing a supplement to this Code, all portions of this Code that have been repealed shall be excluded from the Code by their omission from reprinted pages.
- (c) When preparing a supplement to this Code, the codifier (meaning the person authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified Code. For example, the codifier may:
 - (1) Organize the ordinance material into appropriate subdivisions.
 - (2) Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles.

- (3) Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers.
- (4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections _____ to _____" (inserting section numbers to indicate the sections of the Code that embody the substantive sections of the ordinance incorporated into the Code).
- (5) Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

Sec. 1-11. Altering Code.

It shall be unlawful for any person to change or amend, by additions or deletions, any part or portion of this Code, or to insert or delete pages or portions of pages, or to alter or tamper with such Code in any manner whatsoever that will cause the Code to be misrepresented. Any person violating this section shall be punished as provided in section 1-13.

Sec. 1-12. Administrative liability.

No officer, agent, employee or member of the township board shall render himself personally liable for any damage that may accrue to any person as a result of any act, decision or other consequence or occurrence arising out of the discharge of his duties or responsibilities pursuant to this Code.

Sec. 1-13. General penalty for violation of Code; continuing violations.

- (a) Unless another penalty is expressly provided by this Code for any particular provision or section, every person convicted of a violation of any provision of this Code, or any rule or regulation adopted or issued pursuant to this Code, shall be punished by a fine of not more than \$500.00 and costs of prosecution, or by imprisonment for a term not exceeding 90 days, or by both such fine and imprisonment. Each act of violation and every day upon which any such violation shall occur shall constitute a new and separate offense.
- (b) In addition to the penalties provided in subsection (a) of this section, the township may enjoin or abate any violation of this Code by appropriate action.