

Cities consider ordinance decriminalizing misdemeanors

BY LARRY O'CONNOR
STAFF WRITER

Farmington area residents will soon learn the difference between crimes and misdemeanors. Farmington City Council is expected to introduce an ordinance at its Monday, Nov. 20, meeting that would make certain code violations civil infractions rather than misdemeanors. Farmington Hills City Council is expected to do the same.

Both cities must adopt the ordinance by Dec. 4 in order for it to take effect Jan. 1. The move would create a Municipal Violations Bureau — most likely in 47th District Court — and a fine schedule would be set up. Such an ordinance would be limited to infractions involving zoning and building codes.

Cities retain control

CABLE CONNECTION



CAREN COLLINS

During election week, city council seats weren't the only ones filled. Another important vote took place on the Michigan Telecommunication Act. It passed on Nov. 9 and now awaits Governor Engler's signature.

Most of what you've heard about the bill is probably on how it will affect your telephone service and rates.

But there are some other important implications to cable television, telecommunication operators and your local governments. Specifically, under this bill, our city retains the right to charge franchise fees from the cable operator for the right to provide cable service. These fees fund the regulatory efforts of the Southwestern Oakland Cable Commission and the community access benefits available to you through INFO TV-12. Among other things, franchise fees also cover the expenses incurred when the cable company installs cable in the cities' rights-of-way.

Additionally, with the onslaught of competition this bill is anticipated to create, your city officials were concerned about the amount of space available in rights-of-way. If there isn't any more room, who's to decide who gets to wire their cable across the pole or dig up your streets or rose bushes? And where do you turn when you can't get satisfaction from a profit-making giant?

Fortunately, local governments retain these rights to protect your best interests, but not without significant effort.

As you can imagine, these corporate giants are heard in the state capital because they have powerful lobbying networks. But your local governments also took to the lobbying road to ensure you were heard. Thanks to all those who expressed their concern and mailed letters. Believe it or not, grass roots efforts do pay off.

In the aftermath of all my trips to Lansing, I regret that I didn't retain more from 10th grade civics class. But I learned some valuable lessons: the folks in Lansing really do want to hear from you. I guess I always felt our elected officials were too busy or... whatever. But the exact opposite is true.

The National Association of Telecommunications Officers and Advisors produced a video tape to present the local government's perspective on this issue. As one of the delegates sent to distribute these tapes, I was met with open arms.

Every side and assistant was kind and welcoming. Our own elected officials even took time out to sit down and listen to our concerns. And the end result is that a bill that looked pretty bleak as originally drafted, was instead passed with important provisions for you and your local governments.

The next meeting of the Southwestern Oakland Cable Commission is Tuesday, Dec. 12, at 5 p.m. in Farmington City Hall. The next meeting of the Cable Access Committee is Tuesday, Dec. 12, at 7 p.m. in the SWOCC offices.

Caren Collins is the Executive Director of the Southwestern Oakland Cable Commission.

By decriminalizing certain misdemeanors, cities avoid court time and costs. Offenders also wouldn't have the violation on their criminal record.

Also, the ordinance would give both cities broader authority to deal with repeat offenders, said John Donohue, who is city attorney for both Farmington and Farmington Hills. "You can write all the tickets you want, but you don't get the person's attention," Donohue said.

Currently, cities have to adhere to criminal proceedings and prove violators are guilty beyond a reasonable doubt.

That requires at least two court appearances — a pre-trial and trial — and the accused has a right to have the case tried before a jury.

With civil infractions, a person is merely proved to be responsible. No jury trials are involved.

If the violator doesn't comply, the city can ask the judge for an injunction.

"These can be in courts for months and months without adjudication," Farmington City Manager Frank Lauff said. "This grants the judge the authority to adjudicate... There's a lot more effect here."

The ordinance would give a code enforcement officer authority to fine or request that a person appear in court. A judge could also grant cities authority to go on private property remove a blight problem.

Lauff sees the ordinance as

dealing with such things as blight, snow removal, litter and barking dogs. Blight can include things such as dilapidated cars in driveways.

"It takes six months to get that moved or longer," Lauff said. "This process allows us to go to a judge and get an immediate remedy."

Farmington Hills City Council members are considering the measure as well.

Donohue said the measure, which has been adopted by several

communities in west Michigan, is a result of a state experiment in the 1970s and 1980s to change traffic tickets and other minor offenses from misdemeanors to civil infractions.

"It removed some of the stigma of criminal violations," he said. "The success of that experiment... led the Michigan Municipal League to prepare the legislation."

Staff writer Bill Contant contributed to this story.



ANN ARBOR
Apollo
2100 W. Stadium Blvd.
at Liberty
(313) 668-6100

DEARBORN
Krug
21531 Michigan Ave.
Between Southfield and Telegraph
(313) 274-8500

DETROIT
Bob Maxey
16901 Mack Ave.
At Calder
(313) 885-4000

DETROIT
Park Motor
15100 Woodward Ave.
Opposite Pilsner Park
(313) 569-5000

FARMINGTON
Bob Dusseau
1625 Grand River Ave.
1 Block West of Orchard Lake Rd.
(810) 474-3170

GARDEN CITY
Stu Evans
32000 Ford Rd.
Just West of Merriman
(313) 423-4300

NOVI
Varsity
49231 Grand River
1561 E. 13th St. of Wisconsin East
(810) 303-5300

PLYMOUTH
Hines Park
40601 Ann Arbor Rd.
at I-275
1-800-550-MERC

ROCHESTER HILLS
Crissman
1185 South Rochester Rd.
Between Hamlin and Avon Rd.
(810) 652-2100

ROSEVILLE
Arnold
29000 Grand
At 12 Mile Road
(810) 443-6000

ROYAL OAK
Diamond
221 N. Main St.
At 11 Mile Road
(810) 541-4430

SOUTHFIELD
Star
24350 W. 12 Mile Rd.
at Telegraph
(810) 354-4900

SOUTHGATE
Stu Evans
16800 Fort Street
At Telegraph
(313) 283-8800

STERLING HEIGHTS
TCST
16200 Dixie
at 12 1/2 Mile Road
(810) 939-6000

TROY
Bob Borst
1950 West Maple
Troy Motor Mall
(810) 643-6600

WATERFORD
Mel Farr
4178 Highland Rd. (M-59)
2 1/2 Miles West of Telegraph
(810) 683-9500

YPSILANTI
GESI
690 East Michigan
9 Miles West of I-75
(313) 369-0112

Imagine Getting Everything You Want Including Value.

Standard Features: • Dual air bags • 3.0-liter V-6 engine • Sequential multi-port electronic fuel injection • Tilt steering column • Particulate air filtration system • Solar tint glass • CFC-free air conditioner • Four-wheel anti-lock brake system • Power windows • Dual power heated mirrors • Flip fold center console • Cross car beam construction • Illuminated entry system Preferred Equipment Package 451A: • Fingertip speed control • Power lock group • 6-way power driver's seat • Cast aluminum wheels • Front carpeted floor mats • Light group

\$329
Per Month, 24-Month Lease

24 Month Lease	
First Month Payment	\$329
Down Payment (Net of RCL Cash)	\$1,465
Refundable Security Deposit	\$500
Cash Due at Signing	\$2,164

Save Up To \$250
In New Year Bonus Money



1996 Mercury Sable GS

Imagine The Possibilities

Standard Features: • 3.0-liter OHC V-6 engine • Dual air bags • Multi-point electronic fuel injection • Front-wheel drive • Four-wheel anti-lock brake system • Sliding rear seat • Rear window washer/wiper • Solar tint glass • Electronic AM/FM stereo cassette • Battery saver • Front side window defoggers • Child-proof lock on sliding door GS Preferred Equipment Package 692A: • CFC-free air conditioner • Power windows/locks • Dual power mirrors • 7-passenger seating • Luggage rack • 8-way power driver's seat • Aluminum wheels • Remote keyless entry

\$299
Per Month, 24-Month Lease



1996 Mercury Villager GS

*'96 Mercury Villager GS with PEP 692A MSRP \$21,995 and '96 Mercury Sable GS with PEP 451A MSRP \$20,200 excludes title, license fee. Lease payment based on average capitalized cost of 72.7% of MSRP for Villager and 66.3% of MSRP for Sable for 24-month closed-end Ford Credit Rent Carpool Leases purchased in the Great Lakes Region through 9/30/96. Some programs require some down. See dealer for payment terms. Lessee may have option to buy vehicle at lease end at price negotiated with dealer at signing. Lessee responsible for excess wear/tear and mileage over 20,000 at 11¢/mile. Credit approval/insurability determined by Ford Credit. Total amount of monthly payments is \$7,176 for Villager and \$7,046 for Sable. For special lease terms and \$1,000 RCL cash on Villager take new retail delivery from dealer stock by 1/31/96. Customers eligible for 120-basis RCL reversal incentive must terminate their lease of a Mercury Sable between 9/28/95 and 11/30/95. A customer's lease terminated early will qualify if it is terminated within the program dates. Customers who have previously terminated their Sable lease from 1/1/95 through 1/27/95, are also eligible if they had Carpet Lease a 1994-model Sable within the program period. *Excludes tax and other fees. Always wear your safety belt.