



BOARD OF COMMISSIONERS

1200 N. Telegraph Road
Pontiac, MI 48341-0475
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RECEIVED

MAR 09 2017

Village of Ortonville

March 7, 2017

Village Clerk
Village of Ortonville
476 Mill Street, PO Box 928
Ortonville, MI 48462

Dear Clerk,

Please accept this letter as notification that the Oakland County Board of Commissioners will hold a Public Hearing on Wednesday March 15, 2017 at 7:00 p.m. in the Board of Commissioners Auditorium located in the County Courthouse, 1200 N. Telegraph Road, Pontiac, Michigan to recommend the approval or denial of the following ordinance:

COUNTY ORDINANCE #31-AN ORDINANCE TO PROTECT PUBLIC SAFETY OPERATIONS, INFRASTRUCTURE SUPPORTING PUBLIC SAFETY OPERATIONS, AND CRITICAL INFRASTRUCTURE

A copy of the proposed ordinance and legal notice is enclosed.

Sincerely,

Michael J. Gingell
Chairman, Oakland County Board of Commissioners

ENCLOSURE

MISCELLANEOUS RESOLUTION #

BY: Commissioner Christine Long, Chairperson, General Government Committee

RE: BOARD OF COMMISSIONERS – ADOPTION OF COUNTY ORDINANCE #31, AN ORDINANCE TO PROTECT PUBLIC SAFETY OPERATIONS, INFRASTRUCTURE SUPPORTING PUBLIC SAFETY OPERATIONS, AND CRITICAL INFRASTRUCTURE

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the Board of Commissioners are authorized by statute to adopt ordinances that relate to County affairs; and

WHEREAS to protect public health, safety, and welfare of the citizens of Oakland County, the Board of Commissioners concludes that access to County owned or leased property that house public safety operations, infrastructure supporting public safety operations, and critical infrastructure should be limited ; and

WHEREAS the Board of Commissioners has welcomed citizen input and conducted a public hearing in accordance with the requirements of the Standing Rules of the Board of Commissioners.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby adopts Ordinance #31:

THE COUNTY OF OAKLAND ORDAINS:

ORDINANCE #31-- AN ORDINANCE TO PROTECT PUBLIC SAFETY OPERATIONS, INFRASTRUCTURE SUPPORTING PUBLIC SAFETY OPERATIONS, AND CRITICAL INFRASTRUCTURE

1. **PURPOSE AND APPLICATION.**

Being necessary to protect public health, safety, and welfare, the County of Oakland ("County") adopts this ordinance pursuant to Sections 10b and 11 of Public Act 156 of 1851, MCL 46.10b and MCL 46.11, to limit access to areas of County owned or leased property that house public safety operations, infrastructure supporting public safety operations, and critical infrastructure.

2. **DEFINITIONS.**

2.1. "Authorized Persons" means persons who have prior approval to enter Restricted County Property granted by the elected official or head of the County Office or Department, which is responsible for providing, operating, managing and/or maintaining public safety operations, infrastructure supporting public safety operations or critical infrastructure.

2.2. "Critical Infrastructure" means property, equipment, or systems (physical or virtual) that are: (1) owned or leased by the County and are so vital that their destruction would have a debilitating impact on the public health, safety and welfare of the citizens of the County and (2) expressly or impliedly mandated or authorized by constitution, statute, local charter or ordinance, or other law.

2.3. "Public Safety Operations" means: (1) first responder or law enforcement services or functions that are expressly or impliedly mandated or authorized by constitution, statute, local charter or ordinance, or other law or (2) services or functions performed by the Oakland County Department of Homeland Security or successor department that are expressly or impliedly mandated or authorized by constitution, statute, local charter or ordinance, or other law.

- 2.4. "Restricted County Property" means any property, buildings, and/or structures or any part or area thereof: (1) that are owned or leased by the County, (2) that house public safety operations, infrastructure supporting public safety operations or critical infrastructure, and (3) that are clearly and physically marked and/or posted as "Restricted County Property."
3. **ENTRY TO RESTRICTED PROPERTY.** Only Authorized Persons shall enter Restricted County Property.
4. **PENALTIES.**
 - 4.1. **Violation of Ordinance.** Any person found to be in violation of this Ordinance shall be punishable by a fine of not more than \$500 or imprisonment for not more than 90 days, or both.
 - 4.2. **Violation of State or Local Law.** Any person found to be in violation of state or local law, regulation, or ordinance related to unauthorized entry of Restricted County Property may be subject to the civil and/or criminal penalties provided by that law, in addition to the penalties provided herein.
5. **CONSTRUCTION/SEVERABILITY.** If any part of this Ordinance is adjudicated to be unlawful, such part shall be deemed severable and invalid, and shall not affect the validity of the remaining parts of this Ordinance.
6. **HEADINGS.** Section and subsection numbers and heading for such are intended for the convenience of the reader and are not intended to have any substantive meaning and shall not be interpreted to limit or modify any substantive provisions of this Ordinance.
7. **CHANGES TO STATE LAW.** Any changes to state law which modify the requirements in this Ordinance shall supersede the requirements of this Ordinance, upon the effective date of the law.
8. **EFFECTIVE DATE.** This Ordinance shall be effective immediately as provided by law and the Standing Rules of the Board of Commissioners.

Chairperson, on behalf of the General Government Committee, I move the adoption of the foregoing ordinance.

**NOTICE OF PUBLIC HEARING
COUNTY OF OAKLAND, MICHIGAN
PROPOSED ORDINANCE NO. 31**

Notice is hereby given that the Oakland County Board of Commissioners will hold a Public Hearing on Wednesday March 15, 2017 at 7:00 p.m. in the Board of Commissioners Auditorium located in the County Courthouse, 1200 N. Telegraph Road, Pontiac, Michigan to recommend the approval or denial of the following ordinance:

COUNTY ORDINANCE #31-AN ORDINANCE TO PROTECT PUBLIC SAFETY OPERATIONS, INFRASTRUCTURE SUPPORTING PUBLIC SAFETY OPERATIONS, AND CRITICAL INFRASTRUCTURE

NOTICE: The full text of the proposed ordinance, as introduced, has been posted, and is available for inspection at the following locations: (1) the office of the Board of Commissioners and (2) the office of the County Clerk, both being located at 1200 N. Telegraph Road, Pontiac, Michigan and may be viewed at the following web address: www.oakgov.com/boc.

Copies of the proposed ordinance can be obtained from the office of the County Clerk for a fee to be determined by the County Clerk in accordance with the Freedom of Information Act, MCL 15.231, et seq.

Michael J. Gingell
Chairman, Oakland County Board of Commissioners

Published: March 3, 2017

Commissioner Christine Long, District #7
Chairperson, General Government Committee