

United States of America

State of Michigan

County of Bay

CITY OF PINCONNING

Number

\$1,000

WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM

REVENUE BOND, SERIES 1963

Know All Men By These Presents, that the City of Pinconning, Bay County, Michigan, hereby acknowledges that it is indebted and for value received promises to pay to the bearer hereof (or if this bond be registered, to the registered holder hereof) the sum of _____

ONE THOUSAND DOLLARS

on the first day of July, A.D. 19__, and to pay interest thereon at the rate of _____ (_____) per centum per annum from the date hereof until paid, said interest being payable on January 1, 1964 and thereafter semi-annually on the first days of July and January in each year, which principal and interest are to be paid solely out of the revenues hereinafter specified. Both principal and interest are payable in lawful money of the United States of America at the _____ in the City of _____, upon presentation and surrender of this bond and the coupons hereto attached as they severally mature.

This bond is one of a series of bonds of like date and tenor except as to maturity _____, numbered consecutively in the direct order of their maturities from 1 to 220, both inclusive, aggregating the principal sum of Two Hundred Twenty Thousand Dollars (\$220,000) issued by said City of Pinconning under and pursuant to and in full conformity with the Constitution and Statutes of the State of Michigan (especially Act No. 94 of the Michigan Public Acts of 1933, as amended), the charter of said city and Ordinance No. _____ duly adopted by the Council of said city on the _____ day of April, 1963, for the purpose of defraying the cost of improving the city's water supply and sewage disposal system.

This bond is a self-liquidating revenue bond, is not a general obligation of said city, and does not constitute an indebtedness of said city, within any constitutional, statutory or charter limitation. The principal of and interest on the bonds of this series are payable solely from the revenues of said water supply and sewage disposal system (including future improvements, enlargements and extensions thereof) remaining after deducting the reasonable expenses of the administration, operation and maintenance of said system, and the payment of both the principal of and interest on said bonds, and on any additional bonds of equal standing which may be issued pursuant to the terms of said ordinance, is secured by a statutory first lien on such net revenues.

The bonds of this series maturing in the years 1974 to 1993, both inclusive, are subject to redemption prior to maturity at the option of the city, in inverse numerical order, on any one

or more interest payment dates on and after July 1, 1970.

Each bond called for redemption shall be redeemed at the par value thereof and accrued interest, plus a premium in accordance with the following schedule, to-wit:

- \$50 if called to be redeemed on or after July 1, 1970
but prior to July 1, 1974
- \$40 if called to be redeemed on or after July 1, 1974
but prior to July 1, 1978.
- \$30 if called to be redeemed on or after July 1, 1978
but prior to July 1, 1981.
- \$25 if called to be redeemed on or after July 1, 1981
but prior to July 1, 1984.
- \$20 if called to be redeemed on or after July 1, 1984 but
prior to July 1, 1987.
- \$15 if called to be redeemed on or after July 1, 1987
but prior to July 1, 1990.
- \$10 if called to be redeemed on or after July 1, 1990
but prior to July 1, 1992.
- \$0 if called to be redeemed on or after July 1, 1992.

Notice of redemption shall be given to the holders of bonds called to be redeemed, by publication of such notice not less than thirty (30) days prior to the date fixed for redemption, at least once in a newspaper or publication circulated in the City of Detroit, Michigan, which carries as a part of its regular service, notices of the sale of municipal bonds: Provided that where any bond shall be registered, then notice of the redemption thereof shall be given by registered mail addressed to the registered holder thereof at the address shown

on the bond registration books of the City Clerk of said city, which notice shall be mailed not less than thirty (30) days prior to the date fixed for redemption. Bonds so called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the paying agent to redeem the same.

The City of Pinconning hereby covenants and agrees that at all times while any of the bonds of this issue shall be outstanding it will maintain such rates for services furnished by said water supply and sewage disposal system as shall be sufficient to provide for the payment of the expenses of administration and operation of said system and such expenses for the maintenance thereof as may be necessary to preserve the same in good repair and working order; to provide for the payment of the interest upon and the principal of all bonds payable therefrom, as and when the same become due and payable, and for the creation of a reserve in the bond and interest redemption fund as required by said ordinance; and to provide for such other expenditures and funds for said system as are required by said ordinance. Rates shall be fixed and revised from time to time by the Council of said city so as to produce the foregoing amounts.

This bond may be registered as to principal only in the name of the holder on the books of the City Clerk and Treasurer of said city, and such registration noted on the back hereof by said City Clerk and Treasurer, and thereafter no transfer shall be valid unless made upon the said books and likewise noted on the back hereof. Transferability by delivery may be restored by registration to the bearer. Negotiability of the interest coupons shall not be affected by

registration.

It is hereby certified recited and declared that all acts, conditions and things required to exist, happen and be performed, precedent to and in the issuance of the bonds of this series, existed, have happened and have been performed in due time, form and manner as required by law.

IN WITNESS WHEREOF, the City of Pinconning, Bay County, Michigan, by its Council has caused this bond to be signed in its name by its Mayor and by its City Clerk and Treasurer, and its corporate seal to be affixed hereto, and has caused the annexed interest coupons to be executed with the facsimile signatures of said Mayor and City Clerk and Treasurer, all as of the first day of July, A.D. 1963.

CITY OF PINCONNING

By:

Mayor

And:

City Clerk and Treasurer

(COUPON)

Number _____

\$ _____

On the first day of _____, A.D. 19____, the City of Pinconning, Bay County, Michigan, will pay the bearer hereof the sum of _____ Dollars, lawful money of the United States of America, at the _____, in the City of _____,

same being the interest due on that day on its Water Supply and Sewage Disposal System Revenue Bond, Series 1963, No. _____, dated July 1, 1963. This coupon is not a general obligation of said city, is payable solely from certain revenues as set forth in the bond to which this coupon pertains, and is subject to the redemption provisions in said bond.

City Clerk and Treasurer

Mayor

REGISTRY

<u>In Whose Name Registered</u>	<u>Date of Registration</u>	<u>Signature of City Clerk and Treasurer Of Pinconning, Michigan</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

SECTION 22. The proceeds of the sale of the bonds herein authorized to be issued, shall be deposited in the Pinconning State Bank, in the City of Pinconning, Michigan; Provided that any portion of said proceeds, which from time to time is not required by immediate disbursement, may be invested in United States Government obligations upon authorization by the Council. From said moneys there shall first be transferred to the Bond and Interest Redemption Fund, any premium and accrued interest paid to the city by the purchaser of said bonds. The balance of such proceeds shall be used solely to pay the cost of the project thereinbefore described and any engineering, legal and other expenses incident thereto, and shall be paid out only upon authorization of the Council:

Provided, that said Council shall not authorize the payment of any such moneys for construction work until there shall have been first filed with it by the consulting engineer in charge of such work, a written statement to the effect that the sum so to be paid is in full or partial payment of a contract obligation in connection with said project and that the city has received the consideration for such payment. Said statement of the engineer shall also show the amount of construction estimates which have been theretofore approved by him for payment and the amount of the balance which will be required for the completion of the project.

SECTION 23. The said Water Supply and Sewage Disposal System Revenue Bonds, Series 1963, shall not be issued until the Municipal Finance Commission of the State of Michigan has approved such issuance, and the City Clerk and Treasurer is hereby authorized and directed to make application to said commission for such approval.

SECTION 24. Any unexpended balance of the proceeds of the sale of the bonds herein authorized, remaining after the completion of the project, may to the extent of Thirty-Three Thousand Dollars (\$33,000) be used for the improvement, enlargement and-or extension of the system, if such use shall be approved by the Municipal Finance Commission, and any remaining balance shall be paid immediately into the Bond and Interest Redemption Fund and the same shall be used only for the redemption

or purchase at not more than the fair market value, of said bonds. Any bonds so acquired by redemption or purchase shall be cancelled and shall not be reissued.

SECTION 25. This ordinance shall be recorded in the minutes of the meeting of the Council at which it was adopted, as soon as practicable after its passage, which record shall be authenticated by the signatures of the Mayor and the City Clerk and Treasurer of said city and shall be published once in the Pinconning Journal, a newspaper of general circulation within said city. This ordinance shall become effective immediately upon its adoption.

SECTION 26. If any section, paragraph, sentence, clause or phrase of this ordinance shall be held invalid, the same shall not effect any other part of this ordinance.

SECTION 27. All ordinances and resolutions or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed: Provided, that the foregoing shall not operate to repeal any provision thereof, the repeal of which would impair the obligation of any bond contract.

City Clerk and Treasurer

Mayor

ORDINANCE TO REGULATE THE DISPOSAL OF
SEWAGE FROM PREMISES FRONTING OR ABUT-
TING ON THE SEWER SYSTEM OF THE CITY
OF PINCONNING.

THE CITY OF PINCONNING ORDAINS:

SECTION 1. No person, firm or corporation owning or controlling premises fronting or abutting upon any sanitary sewer in said City shall after the 1st day of June 1940, construct, install or maintain any privy - dry closet outhouse or other toilet on said premises except such toilet be connected to the sanitary sewer system of the City of Pinconning.

SECTION 2. The owner or occupant of all premises, so located on which now exist any privy, dry closet, outhouse or toilet not now connected with said Sanitary Sewer System shall on or before the above mentioned date discontinuē the use of the same and cause/such privy, dry closet, outhouse or toilet and the vaults, cesspools or the depository connected with the same to be thoroughly cleaned and made sanitary and to be then closed and secured and kept closed and secured so that the same cannot be used for the purpose for which it was originally designed.

SECTION 3. It shall be the duty of the Health Officer of the City of Pinconning to see that this ordinance is enforced and for that purpose he is authorized to go upon all premises and into all buildings falling within the provisions of this ordinance and to all parts of same necessary to ascertain whether this ordinance

is being violated and in case of such violation to make complaint under this ordinance against all persons, firms or corporations owning said premises or occupying the same or any part of the/same and shall have also the authority to close and seal from use all such privies, dry closets, outhouses or toilets not connected with the public sewer and coming within the terms of this ordinance, the reasonable expense of such closing and sealing to be recovered in an action of assumpsit against such owner or occupant.

SECTION 4. An person, firm or corporation violating this ordinance shall, upon conviction thereof, be punished by a fine of not less than five dollars not more than Twenty Five Dollars, or by imprisonment in the County Jail of Bay County for a period not exceeding Thirty Days or by both such fine and imprisonment in the discretion of the Court. Every day that such privy, dry closet, outhouse or toilet shall be so maintained within said district in violation of this ordinance shall be considered a separate offense.

This ordinance shall take effect on this 1st day of June, 1940.
Passed the Common Council and approved this 6th day of May, 1940.

S/

JOHN W. JANKOWIAK, Mayor

S/

LUNSON G. SHEARER, City Clerk

PROOF OF PUBLICATION

County of Bay)
 :
State of Michigan) ss

MRS. C.U. HAIRE, BEING
DULY SWORN, deposes and says that she is the Publisher of the
Pinconning Journal, a public newspaper, printed, published and
circulated in said county, that a notice, of which the annexed
printed notice is a true copy, has been duly published in said
newspaper for two successive weeks on the

22nd and 29th days of May, 1940.

S/

Mrs. C.U. Haire

Subscribed and sworn to before
me this 29th day of June,
A.D. 1940.

S/

Stanley Resmer

Notary Public in and for Bay
County, Michigan. My Commission
expires 3-19-43.

At a Special Meeting of the Council of the City of Pinconning, Bay County, Michigan, held in the City Hall in said city, on the 29th day of May, 1963, at 1:00 o'clock P.M., Eastern Standard Time.

AN ORDINANCE TO AMEND SECTION 4, OF ORDINANCE NO. 6 OF THE ORDINANCES OF THE CITY OF PINCONNING, ENTITLED: AN ORDINANCE TO PROVIDE FOR THE IMPROVEMENT OF THE WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM OF THE CITY OF PINCONNING, MICHIGAN; TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BONDS TO DEFRAY THE COST THEREOF; TO PROVIDE FOR THE RETIREMENT AND SECURITY OF SAID BONDS: AND TO PROVIDE FOR OTHER MATTERS RELATIVE TO SAID SYSTEM AND SAID BONDS.

THE CITY OF PINCONNING (BAY COUNTY, MICHIGAN) ORDAINS:

SECTION 1. Section 4 of Ordinance No. 106 of the ordinances of the City of Pinconning, Michigan, entitled "An ordinance to provide for the improvement of the water supply and sewage disposal system of the City of Pinconning, Michigan; to provide for the issuance and sale of revenue bonds to defray the cost thereof; to provide for the retirement and security of said system and said bonds" is hereby amended to read as follows:

SECTION 4. There are hereby authorized to be issued and sold pursuant to the provisions of Act. No. 94, Michigan Public Acts of 1933, as amended, revenue bonds in the aggregate principal sum of Two Hundred Twenty Thousand Dollars (\$220,000), for the purpose of defraying the cost of said project. Said bonds shall be known as "Water

Supply and Sewage Disposal System Revenue Bonds, Series 1963"; shall be dated as of July 1, 1963; shall be numbered consecutively in the direct order of their maturities from 1 to 220, both inclusive; shall be coupon bonds in the denomination of \$1,000 each; shall be registrable as to principal only, in the manner hereinafter set forth in the bond; shall bear interest at a rate or rates to be hereafter determined not exceeding 5% per annum, payable on January 1, 1964, and thereafter semi-annually on the first days of July and January in each year; and shall mature on July first in each year as follows: \$2,000 in the year 1965, \$3,000 in the year 1966, \$4,000 in each of the years 1967 thru 1972, \$5,000 in each of the years 1973 thru 1976, \$7,000 in each of the years 1977 thru 1979, \$8,000 in each of the years 1980 thru 1981, \$10,000 in each of the years 1982 thru 1986, and \$12,000 in each of the years 1987 thru 1993. The bonds of said issue maturing in the years 1974 thru 1993, shall be subject to redemption prior to maturity, at the option of the city, in inverse numerical order, on any one or more interest payment dates on and after July 1, 1970. Each bond called for redemption shall be redeemed at the par value thereof and accrued interest, plus a premium in accordance with the following, schedule, to-wit:

- \$50 if called to be redeemed on or after July 1, 1970 but prior to July 1, 1974.
- \$40 if called to be redeemed on or after July 1, 1974 but prior to July 1, 1978.
- \$30 if called to be redeemed on or after July 1, 1978 but prior to July 1, 1981.
- \$25 if called to be redeemed on or after July 1, 1981 but prior to July 1, 1984.
- \$20 if called to be redeemed on or after July 1, 1984 but prior to July 1, 1987.

\$15 if called to be redeemed on or after July 1, 1987
but prior to July 1, 1990.

\$10 if called to be redeemed on or after July 1, 1990
but prior to July 1, 1992.

\$ 0 if called to be redeemed on or after July 1, 1992.

Notice of redemption shall be given to the holders of the bonds to be redeemed by publication of such notice not less than thirty (30) days prior to the date fixed for redemption at least once in a newspaper or publication circulated in the City of Detroit, Michigan, which carried as a part of its regular service, notices of the sale of municipal bonds:

Provided, that where any bond shall be registered, than notice of the redemption thereof shall be given by registered United States mail addressed to the registered holder thereof at the address shown on the City Clerk's registration books, which notice shall be mailed not less than thirty (30) days prior to the date fixed for redemption. Bonds so called for redemption, provided funds are on hand with the paying agent to redeem the same.

The principal of said bonds and the interest thereon shall be payable in lawful money of the United States of America at such bank or trust company, which qualifies as a paying agent under Federal or Michigan Law, as shall be designated by the original purchaser of the bonds upon presentation and surrender of said bonds and attached coupons as they severally mature.

SECTION 2. This ordinance shall be recorded in the minutes of the meeting of the Council at which it was adopted, as soon as practicable after its passage, which record shall be

authenticated by the signatures of the Mayor and City Clerk of said City, and shall be published once in the Bay City Times, a newspaper of general circulation within the said City, either separately or as a part of the Council minutes. This ordinance shall become effective immediately upon its adoption.

SECTION 3. If any section, paragraph, sentence, clause, or phrase of this ordinance shall be held invalid, the same shall not affect any other part of this ordinance.

SECTION 4. All ordinances and resolutions or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed.

Mayor

City Clerk

ORDINANCE NO. 106a

AN ORDINANCE TO AMMEND SECTIONS 11, 12 and 13, OF ORDINANCE NO. 106 OF THE ORDINANCE OF THE CITY OF PINCONNING, ENTITLED: AN ORDINANCE TO PROVIDE FOR THE IMPROVEMENT OF THE WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM OF THE CITY OF PINCONNING, MICHIGAN: TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BONDS TO DEFRAY THE COST THEREOF: TO PROVIDE FOR THE RETIREMENT AND SECURITY OF SAID BONDS: AND TO PROVIDE OTHER MATTERS RELATIVE TO SAID SYSTEM AND SAID BONDS.

THE CITY OF PINCONNING (BAY COUNTY, MICHIGAN) ORDAINS:

Section 1. Sections 11, 12 and 13 of Ordinance No. 106 of the ordinances of the City of Pinconning, Michigan, entitled "An ordinance to provide for the improvement of the water supply and sewage disposal system of the City of Pinconning, Michigan; to provide for the issuance and sale of revenue bonds to defray the cost thereof; to provide for the retirement and security of said bonds; and to provide for other matters relative to said system and said bonds." are hereby amended to read as follows:

Section 11. Except as herein otherwise provided, water to be furnished by the system to each premises shall be measured by a meter installed and controlled by the city. The quarterly (3 months) charges for water service to each premises connected with the water supply system shall be as follows:

- (a) Quarterly Meter Charges:
- | | |
|-------------------|----------------------|
| 5/8" x 3/4" Meter | - \$7.50 per Quarter |
| 3/4" Meter | - 7.50 per quarter |
| 1" Meter | - 9.00 per quarter |
| 1-1/4" Meter | - 11.25 per quarter |
| 1-1/2" Meter | - 12.75 per quarter |
| 2" Meter | - 15.75 per Quarter |

- (b) Quarterly Charges Based on Consumption in Addition to (a) above:

The charge for the first 6,000 gallons of water used per quarter is included in Quarterly Meter Charge set forth in (a) above.

All water used during the quarter in excess of 6,000 gallons shall be paid for at the rate of \$0.25 per 1,000 gallons.

The minimum quarterly charge to each premises connected with the water supply system shall be in the amount of the quarterly meter charge based on size of meter in service as set forth in (a) above.

The City shall pay for all water used by it at the foregoing rates, except that for fire hydrant service, the charge shall be Twenty-five Dollars (\$25) per year for each hydrant in the City. Charges against the city shall be payable in quarterly (3 months) installments from the current funds of the city or from the proceeds of taxes, which the city, within constitutional limitations, is hereby authorized and required to levy in an amount sufficient for that purpose.

The cost of water service connections from the City's water mains to private premises shall not be paid from the proceeds of the bond issue, or from the revenues of the system.

Section 12. The quarterly (3 months) charge for sewage disposal services to each premises connected with the sewage disposal system shall be computed in accordance with the amount of water used therein or thereon as measured by the water meter installed on the premises, regardless of meter size, and at the following rates, to-wit:

\$7.50 per quarter for the first 6,000 gallons
of water used per quarter.
\$0.25 per 1,000 galls for the next 12,000
gallons of water used per quarter.
\$0.20 per 1,000 gallons for all water used in
excess of 18,000 gallons per quarter.

The minimum quarterly sewage disposal charge to each premises connected with the sewage disposal system shall be the sum of Seven and One-Half Dollars (\$7.50).

If the character of sewage from any manufacturing or industrial

plant, or from any building or premises, is such that it imposes an unreasonable additional burden upon the sewage disposal system through which it flows, then an additional charge shall be made over and above the regular rates, or it may be required that such sewage be treated by the person, firm or corporation responsible therefor before being emptied into any public drain or sewer, or the right to so empty said sewage may be denied, if necessary for the protection of any such sewage disposal system or the public health or safety.

The cost of sewer connections from the City's sewer to private premises shall not be paid from the proceeds of the bond issue or from the revenues of the system.

Section 13. No free service shall be furnished by the system to the city or to any person, firm or corporation, public or private, or to any public agency or instrumentality. Charges for services furnished by the system shall be billed and collected quarterly. Such charges shall become due at such times, not exceeding 15 days after the reading of the water meter, as shall be established by resolution of the Council, and if such charges are not paid on or before such due date, then a penalty of 10% shall be added thereto. In the event that the charges for any such services furnished to any premises shall not be paid within 30 days after the due date thereof, then all services furnished by the system to such premises shall be discontinued. Services so discontinued shall not be restored until all sums then due and owing, including penalties, shall be paid, plus a shut-off charge of \$2.00 and a turn-on charge of \$2.00.

Section 2. This ordinance shall be recored in the minutes of the meeting of the Council at which it was adopted, as soon as practicable after its passage, which record shall be authenticated by the signatures of the Mayor and City Clerk of said, City, and shall be published once

in the Pinconning Journal, a newspaper of general circulation within the said City, either separately or as a part of the Council minutes. This Ordinance shall become effective immediately upon its adoption.

Section 3. If any section, paragraph, sentence, clause or phrase of this ordinance shall be held invalid, the same shall not affect any other part of this ordinance.

Section 4. All ordinances and resolutions or parts thereof, insofar, as the same may be in conflict herewith, are hereby repealed.

/s/ C.L. Reynolds
MAYOR

/s/ Ronald R. Saha
CLERK

ORDINANCE NO. 106B

AN ORDINANCE TO AMEND SECTIONS 11 AND 12 (AS AMENDED BY ORDINANCE 106a OF ORDINANCE NO. 106 OF THE ORDINANCES OF THE CITY OF PINCONNING ENTITLED: AN ORDINANCE TO PROVIDE FOR THE IMPROVEMENT OF THE WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM OF THE CITY OF PINCONNING, MICHIGAN: TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BONDS TO DEFRAY THE COST THEREOF: TO PROVIDE FOR THE RETIREMENT AND SECURITY OF SAID BONDS: AND TO PROVIDE FOR OTHER MATTERS RELATIVE TO SAID SYSTEM AND SAID BONDS.

THE CITY OF PINCONNING (BAY COUNTY, MICHIGAN) ORDINANS:

Section 1. Sections 11 and 12 (as amended by Ordinance 106a of Ordinance No 106 of the ordinances of the City of Pinconning, Michigan entitles "An ordinance to provide for the improvement of the water supply and sewage disposal system to the City of Pinconning, Michigan; to provide for the issuance and sale of revenue bonds to defray the cost thereof; to provide for the retirement and security of said bonds; and to provide for other matters relative to said system and said bonds," are hereby amended to read as follows:

Section 11. Except as herein otherwise provided, water to be furnished by the system to each premises shall be measured by a meter installed and controlled by the city. The quarterly (3 months) charges for water service to each premises within the city connected with the water supply system shall be as follows:

(a) Quarterly Meter Charges:

5/8" x 1/2" Meter	- \$ 9.00 per Quarter
5/8" x 3/4" Meter	- 9.00 per Quarter
3/4" x 3/4" Meter	- 9.00 per Quarter
1" Meter	- 10.80 per Quarter
1-1/4" Meter	- 13.50 per Quarter
1-1/2" Meter	- 15.30 per Quarter
2" Meter	- 18.90 per Quarter

(b) Quarterly Charges Based on Consumption in Addition to (a) above:

The charge for the first 6,000 gallons of water used per quarter is included in Quarterly Meter Charge set forth in (a) above.

All water used during the quarter in excess of 6,000 gallons shall be paid for at the rate of \$0.35 per 1,000 gallons.

The minimum quarterly water charge to each premises within the city connected with the water supply system shall be in the amount of the quarterly meter charge based on the size of meter in service as set forth in (a) above.

The quarterly (3 month) charges for water service to each premises outside the City connected with the watersupply system shall be as follows:

(a) Quarterly Meter Charges:

5/8" x 1/2" Meter -	\$18.00 per Quarter
5/8" x 3/4" Meter -	18.00 per Quarter
3/4" x 3/4" Meter -	18.00 per Quarter
1" Meter -	21.60 per Quarter
1-1/4" Meter -	27.00 per quarter
1-1/2" Meter -	30.60 per Quarter
2" Meter -	37.80 per Quarter

(b) Quarterly Charges Based on Consumption
in Addition to (a) above:

The charge for the first 6,000 gallons of water used per quarter is included in Quarterly Meter Charge set forth in (a) above.

All water used during the quarter in excess of 6,000 gallons shall be paid for at the rate of \$0.60 per 1,000 gallons.

The minimum quarterly water charge to each premises outside the city connected with the water supply system shall be in the amount of the quarterly meter charge based on size of meter in service as set forth in (a) above.

The City shall pay for all water used by it at the foregoing rates, except that for fire hydrant service, the charge shall be Twenty-five Dollars (\$25) per year for each hydrant in the City. Charges against the city shall be payable quarterly (3 months) installments from the current funds of the city or from the proceeds of taxes, which the city, within constitutional limitations, is hereby authorized and required to

levy in an amount sufficient for that purpose.

The cost of water service connections from the city's water mains to private premises shall not be paid from the proceeds of the bond issue or from the revenues of the system.

Section 12. The quarterly (3 months) charge for sewage disposal service to each premises with the city connected with the sewage disposal system shall be computed in accordance with the amount of water used therein or thereon as measured by the water meter installed on the premises, regardless of meter size, and at the following rates, to wit:

- \$9.00 per quarter for the first 6,000 gallons of water used per quarter.
- \$0.35 per 1,000 gallons for the next 12,000 gallons of water used per quarter.
- \$0.25 per 1,000 gallons for all water used in excess of 18,000 gallons per quarter.

The minimum quarterly sewage disposal charge to each premises within the City connected with the sewage disposal system shall be the sum of Nine Dollars (\$9.00).

The quarterly (3 months) charge for sewage disposal services to each premises outside the city connected with the sewage disposal system shall be computed in accordance with the amount of water used therein or thereon as measured by the water meter installed on the premises, regardless of meter size, and at the following rates, to wit:

- \$13.50 per quarter for the first 6,000 gallons of water used per quarter.
- \$00.60 per 1,000 gallons for all water used in excess of 6,000 gallons per quarter.

The minimum quarterly sewage disposal charge to each premises outside the City connected with the sewage disposal system shall be in the sum of Thirteen and One-half Dollars (\$13.50).

If the character of sewage from any manufacturing or industrial plant, or from any building or premises, is such that it imposes an unreasonable additional burden upon the sewage disposal system of the city or any

other sewage disposal system through which it flows, then an additional charge shall be made over and above the regular rates, or it may be required that such sewage be treated by the person, firm or corporation responsible therefor before being emptied into any public drain or sewer, or the right to so empty said sewage may be denied, if necessary, for the protection of any such sewage disposal system or the public health or safety.

The cost of sewer connections from the City's sewer to private premises shall not be paid from the proceeds of the bond issue or from the revenues of the system.

Section 2. This ordinance shall be recorded in the minutes of the meeting of the Council at which it was adopted, as soon as practicable after its passage, which record shall be authenticated by the signatures of the Mayor and City Clerk of said City, and shall be published once in The Pinconning Journal, a newspaper of general circulation within the said City, either separately or as a part of the Council minutes. This ordinance shall become effective immediately upon its adoption and the rates set forth therein will be effective as of July 1, 1965.

Section 3. If any section, paragraph, sentence, clause, or phrase of this ordinance shall be held invalid, the same shall not affect any other part of this ordinance.

Section 4. All ordinances and resolutions or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed.

signed, C. L. Reynolds, Mayor

signed, R. R. Saha, City Clerk

ORDINANCE NO. 107

AN ORDINANCE TO PROVIDE FOR THE ACQUISITION AND CONSTRUCTION OF IMPROVEMENTS TO THE WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM OF THE CITY OF PINCONNING: TO PROVIDE FOR THE ISSUANCE OF SELF-LIQUIDATING JUNIOR LIEN REVENUE BONDS FOR THE PURPOSE OF PAYING THE COST THEREOF UNDER THE PROVISIONS OF ACT 94, PUBLIC ACTS OF MICHIGAN, 1933, AS AMENDED: PROVIDING FOR THE FIXING, COLLECTION, SEGREGATION AND DISPOSITION OF THE REVENUES OF THE WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM OF THE CITY AND PAYMENT OF SAID BONDS OUT OF THE REVENUES THEREOF: AND CREATING A STATUTORY LIEN ON SAID REVENUES, WHICH WILL BE JUNIOR TO THE STATUTORY LIEN CREATED IN FAVOR OF THE OUTSTANDING WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM REVENUE BONDS OF THE CITY AUTHORIZED BY ORDINANCE NO. 106, AS AMENDED, AND PLEDGING THE FULL FAITH AND CREDIT OF THE CITY FOR THE PAYMENT OF THE BONDS HEREIN AUTHORIZED.

THE CITY OF PINCONNING ORDAINS:

Necessity and description of Project

Section 1. It is hereby determined to be necessary for the public health, safety and welfare of the City of Pinconning (hereinafter sometimes called "City"), to acquire and construct, in accordance with detailed maps, plans and specifications therefor prepared by John R. Snell Engineers, Inc., consulting engineers of Lansing, Michigan, improvements to the Water Supply and Sewage Disposal System of the City consisting of the construction of additions and modifications to convert the existing trickling filter secondary sewage treatment plant to an activated sludge treatment plant with phosphate removal facilities including a grit chamber, clarifiers, and modifications to the sludge handling system, wet well and pumping facilities, together with necessary appurtenances and attachments.

Estimated Cost and Period of Usefulness

Section 2. The cost of said public improvements has been estimated by said engineers to be One Hundred Fifty-Five Thousand (\$155,000.00) Dollars, including the payment of incidental expenses as specified in Section 3 of this Ordinance, which estimate of cost is hereby

approved and confirmed, and the period of usefulness of said public improvements is estimated to be not less than forty (40) years.

BONDS Authorized and Definitions

Section 3. To pay the cost of acquiring and constructing said public improvements, including the payment of legal, financial and other expenses incident thereto and incident to the issuance and sale of the bonds, it is hereby determined that the City shall borrow the sum of One Hundred Fifty-Five Thousand (\$155,000.00) Dollars, and that junior lien revenue bonds be issued therefor pursuant to the provisions of Act 94, Public Acts of Michigan, 1933, as amended, which bonds are referred to in this Ordinance as "the bonds."

Whenever the words "the System" are referred to in this Ordinance, they shall be understood to mean the complete Water Supply and Sewage Disposal System of the City, as defined in Ordinance No. 106, as amended, as they exist on the date of adoption of this Ordinance, the public improvements acquired pursuant to this Ordinance and all extensions and improvements thereto hereafter made.

Whenever the words "public improvements" are used in this Ordinance, they shall be understood to mean the improvements authorized to be acquired and constructed under the provisions of this Ordinance.

Whenever the words "revenues" and "net revenues" are used in this Ordinance, they shall be understood to have the meanings as defined in Section 3, Act 94, Public Acts of Michigan, 1933, as amended.

Whenever the words "outstanding revenue bonds" are used in this Ordinance they shall be understood to mean the Water Supply and Sewage Disposal System Revenue Bonds of the City authorized by Ordinance No. 106, as amended.

Detail of Bonds

Section 4. Said bonds shall be designated WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM REVENUE BONDS (1971 SERIES) and shall be revenue bonds payable out of the net revenues of the System after provision has been made for the payment of expenses of administration, operation and maintenance and after provision has been made for the requirements of the outstanding revenue bonds; said bonds shall consist of thirty-one (31) bonds of the denomination of \$5,000.00 each, dated as of April 1, 1971, numbered in direct order of maturity from 1 to 31, both inclusive, and maturing as follows:

\$ 5,000.00 July 1st of each of the years 1973 and 1974;

\$10,000.00 July 1st of each of the years from 1975 to 1978,
both inclusive;

\$15,000.00 July 1st of each of the years from 1979 to 1985,
both inclusive.

Said bonds to bear interest at a rate or rates not exceeding seven and one-half per cent (7-1/2%) per annum, payable on January 1, 1972, and semi-annually thereafter on July 1st and January 1st of each year, both principal and interest to be payable in lawful money of the United States of America at Peoples National Bank and Trust Company of Bay City, Bay City, Michigan.

Bonds maturing in the years 1973 to 1982, inclusive, shall not be subject to redemption prior to maturity.

Bonds maturing in the years 1983 to 1985, inclusive, shall be subject to redemption prior to maturity at the option of the City, in inverse numerical order on any interest payment date on or after July 1, 1982.

Bonds called for redemption shall be redeemed at par and accrued interest to the date fixed for redemption, plus a premium of 2% of the par value of each bond redeemed on or after July 1, 1982, but prior to maturity.

Thirty (30) days notice of the call of any bonds for redemption shall be given by publication in a newspaper circulated in the State of Michigan which carries, as part of its regular service, notices of sale of municipal bonds, and in case of registered bonds, thirty (30) days notice shall be given by mail to the registered address. Bonds so called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the paying agent to redeem said bonds.

Said bonds may be registered as to principal only in the manner and with the effect set forth on the face thereof as hereinafter provided.

Said bonds shall be signed by the Mayor and countersigned by the City Clerk and shall have the corporate seal of the City impressed thereon, and shall have interest coupons attached bearing the facsimile signatures of the Mayor and City Clerk.

Pledge of Full Faith and Credit and Creation of Lien

Section 5. Said bonds and the attached coupons shall be payable from the net revenues derived from the operation of the System, and to secure such payment there is hereby created a statutory second lien upon the whole of the net revenues of said System, which second lien is subject only to the prior lien heretofore established in favor of the outstanding revenue bonds, which lien shall continue until the payment in full of the principal and interest on the bonds authorized by this Ordinance.

As additional security, more than 25% of the cost of the Project being financed from the Grant, the City hereby pledges its full faith and credit for the payment of the principal of and interest on the bonds. Should the net revenues of the System primarily pledged to the payment of the principal and interest on the bonds herein authorized at any time be insufficient to pay the principal of or interest on the bonds as the same become due, the City shall be obligated to pay the bonds and interest thereon in the same manner and to the same extent as other general obligations of the City, including the levy, when necessary of a tax on all taxable property in the City without limitation as to rate or amount. The City shall be reimbursed for any such advance from net revenues of the System subsequently received, which are not otherwise pledged or encumbered.

Remedies of Bondholders

Section 6. The holder or holders of said bonds or coupons representing in the aggregate not less than twenty per cent (20%) of the entire issue then outstanding may, either at law or in equity, by suit, action, mandamus or other proceedings, protect and enforce the statutory lien upon the revenues of said System and may by suit, action, mandamus or other proceedings, enforce and compel performance of all duties of the officers of the City, including the fixing of sufficient rates, the collection of revenues, the proper segregation of the revenues of the System and the proper application thereof: Provided, However, that the statutory lien upon said revenues shall not be construed as to compel the sale of the System.

If there be any default in the payment of the principal of or interest upon any of said bonds, any court having jurisdiction in any

proper action may appoint a receiver to administer and operate said System on behalf of the City, and under the direction of said court, and by and with the approval of said court to perform all of the duties of the officials of said City, more particularly set forth herein and in Act 94, Public Acts of Michigan, 1933, as amended.

The holder or holders of any such bonds or any coupons therefrom shall have all other rights and remedies given by said Act 94, Public Acts of Michigan, 1933, as amended, for the collection and enforcement of said bonds and the security therefor.

Construction of Public Improvements

Section 7. The construction, alteration, repair and management of the System shall be under the supervision and control of the City Council of the City of Pinconning, Michigan (hereinafter sometimes called "City Council"). The City may employ such person or persons in such capacity or capacities as it deems advisable to carry on the efficient management and operation of the System, subject to the approval of the City Council. The City Council may may make such rules, orders and regulations as it deems advisable and necessary to assure the efficient management and operation of the System.

Rates

Section 8. The rates to be charges for water and sewer service furnished by the System shall be the same and shall be as follows:

IN CITY METERS

Gallons Per Quarter (1000)	Number of Meters	Average Gals. Used (1000)	Average Additional Gals. (1000)	Rate	Cost Per Group	Cumulative Total
0-3	53	Minimum	0	\$9.00	\$9.00	\$9.00
3-9	191	5.44	2.44	.95/1000	5.70	14.70
9-15	120	11.95	2.95	.90/1000	5.40	20.10
15-25	85	19.56	4.56	.80/1000	8.00	28.10
25-50	28	37.50	12.50	.75/1000	18.75	46.85
50-100	13	75.00	25.00	.70/1000	35.00	81.85
100-200	6	150.00	50.00	.65/1000	65.00	146.85
200-1,000	11	600.00	400.00	.60/1000	480.00	626.85
Over-1,000	<u>2</u>	1,250.00	250.00	.55/1000		
	509					

OUT OF CITY METERS

0-3	6	Minimum	0	\$18.00	\$18.00	\$18.00
3-9	18	6.33	3.33	1.70/1000	10.20	28.20
9-15	13	12.10	3.10	1.65/1000	9.90	38.10
15-25	8	19.38	4.38	1.60/1000	16.00	54.10
25.50	<u>1</u>	37.50	12.50	1.55/1000	38.75	92.85
	46					

The procedure of collection of the aforesaid rates and the enforcement of the collection thereof shall be as specified in said Ordinance No. 106 as amended.

FREE SERVICE PROHIBITED

Section 9. No free service shall be furnished by said System to any person, firm or corporation, public or private, or to any public agency or instrumentality.

RATE COVENANTS

Section 10. The rates fixed are estimated to be sufficient to provide for the payment of the expenses of administration and operation and such expenses for maintenance of the said System as are necessary to preserve the same in good repair and working order, to meet all requirements established for the outstanding revenue bonds, to provide for the payment of the interest upon and the principal of all the bonds as and when

Regular Council Meeting - March 9, 1987

Henderson/LaBelle: Move that the City of Pinconning adopt a revised minimum water/sewer budget income of approximately \$497,500 (\$313,500 water, \$184,000 Sewer) to cover current budget requirements as well as requirements of a County Bond Issue needed to connect to the Bay County Water System and purchase water from the Bay County Department of Water & Sewer with revised rate schedule to take effect on March 15, 1987 as follows:

<u>IN CITY METERS</u>			<u>OUT CITY METERS</u>		
Usage			Usage		
<u>in Thousands</u>	<u>Water</u>	<u>Sewer</u>	<u>in Thousands</u>	<u>Water</u>	<u>Sewer</u>
0 to 3	20.00	20.00	0 to 3	35.00	35.00
Over 3	3.10/1000	1.68/1000	Over 3	4.00/1000	4.00/1000

AND FURTHER, in City meter charges be increased to: \$24 for 1"; \$34. for 1½"; and \$42 for 2". Out City large meter users rates to increase proportionally.

FURTHER, that the water rate increase to the water service agreement dated April 18, 1977 between the City of Pinconning and the County of Bay through its Board of Public Works to take effect March 15, 1987 be as follows:

\$300.00 Meter Charge per quarter and \$3.10 per 1,000 gallons thereafter per quarter.

FURTHER, that this motion on March 9, 1987 be made part of the initial contract.

Roll Call Vote: Yeas: 5, Nays: 0, Absent: 2.
Motion Carried.



Mayor



Attest

Special Council Meeting - November 9, 1992

Ott/Allen: Move to adopt the following water/sewer rate structure, effective with the billing quarter beginning 9/15/92:

IN-CITY RESIDENTIAL

Usage in Thousands	Water	Sewer
0 to 4	20.00	20.00
Over 4	3.55/M	3.10/M

IN-CITY COMMERCIAL

Usage in Thousands	Water	Sewer
0 to 4	20.00	20.00
Over 4	3.80/M	3.10/M

OUT-CITY RESIDENTIAL

Usage in Thousands	Water	Sewer
0 to 4	35.00	35.00
Over 4	4.60/M	4.60/M

OUT-CITY COMMERCIAL

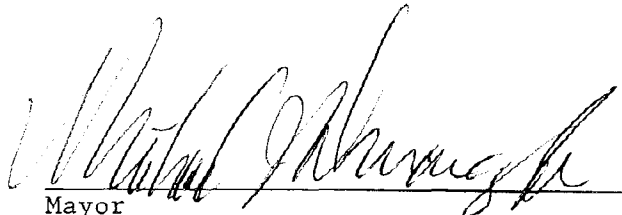
Usage in Thousands	Water	Sewer
0 to 4	35.00	N/A
Over 4	4.95/M	-

Ott/McKay: Move to increase the base gallonage per quarter for all water/sewer customers from 3,000 to 4,000/gallons effective with the billing quarter beginning 9/15/92. Carried.

On other related matters pertaining to the water/sewer rate structure and services, it was the consensus of Council that all water/sewer customers be assessed the 10% late fee if applicable; Shut-Off/Turn-On fees of \$30 to apply when service is discontinued for non-payment of bill, \$15 fee to be applied when service is shut-off at the street for customers who request same in the event they do not require the service temporarily, \$30 fee to be applied when service is shut-off at the street and the City has pulled the meter for customers who do not require the service temporarily.

Allen/Kowaleski: Move to establish a \$15 service fee for all requests for water/sewer service (new tenants, homeowners, businesses, change of renter, ownership, etc.), said fee to be effective 1/1/93. Carried.

McKay/Allen: Move to increase the tap-in fees for water/sewer service inside the City to \$1,950 each for water and sewer on a year-round basis, to be effective 1/1/93. Carried.


Mayor


Attest


Regular Council Meeting and Public Hearings - May 12, 1986

Adcock/Wizorek: Move that the City of Pinconning adopt a revised minimum water/sewer budget income of approximately \$363,552 to cover current budget requirements with revised rate schedule retroactive to March 15, 1986 as follows:

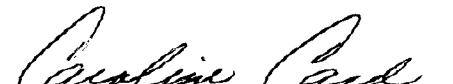
IN CITY METERS			OUT CITY METERS		
<u>Usage in M.</u>	<u>Water</u>	<u>Sewer</u>	<u>Usage in M.</u>	<u>Water</u>	<u>Sewer</u>
0-3,000	16.85 +	16.85	0-3,000	33.70 +	33.70
Over 3,000	1.68/1000	1.68/1000	Over 3,000	3.36/1000	3.36/1000

Roll Call Vote: Yeas: 7, Nays: 0. Carried unanimously.

The above to appear in the Pinconning Journal, a paper of local distribution, in the May 21, 1986 edition.



Mayor



Attest