

Regular Council Meeting - May 12, 1980

Peacock/Beechum: Move, that the City of Pinconning adopt a revised minimum water/sewer budget income of approximately \$217,837 to cover current budget requirements with revised rate schedule retroactive to April 1, 1980 as follows:

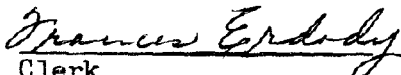
<u>IN CITY METERS</u>			<u>OUT CITY METERS</u>		
Usage			Usage		
<u>In Thousands</u>	<u>Water</u>	<u>Sewer</u>	<u>In Thousands</u>	<u>Water</u>	<u>Sewer</u>
0-3	10.80 +	10.80	0 - 3	21.60 +	21.60
3-9	1.08/1,000 +	1.08/1,000	3 - 9	2.16/1,000 +	2.16/1,000
Over 9	.66/1,000 +	.66/1,000	Over 9	1.32/1,000 +	1.32/1,000

And further, that the meter charges be increased 20% to both in-City and Out-City users.

Roll Call Vote: Yeas: All, Nays: None. Carried.


Mayor

Attest:


Clerk

Regular Meeting - January 10, 1977

Ford/Evans: Move that the City of Pinconning adopt a revised minimum water/sewer budget income of approximately \$140,000 to cover current budget requirements with revised rate schedule as follows:

<u>IN CITY METERS</u>			<u>OUT CITY METERS</u>		
<u>Usage</u> <u>in Thousands</u>	<u>Water</u>	<u>Sewer</u>	<u>Usage</u> <u>in Thousands</u>	<u>Water</u>	<u>Sewer</u>
0-3	9.00 +	9.00	0-3	18.00 +	18.00
3-9	.90/1,000 +	.90/1,000	3-9	1.70/1,000 +	1.70/1,000
over 9	.55/1,000 +	.55/1,000	over 9	1.10/1,000 +	1.10/1,000

Said rates to become effective immediately.

ROLL CALL VOTE: Yeas: J.Byrne, Evans, Whyte, Ford, Mayor Hartley.
Nay: R.Byrne. Absent: Ellison. Adopted by majority vote.

Robert Hartley
Mayor

Attest:

Frances Erdady
Clerk

Special Meeting - July 26, 1971

Flynn/Byrne: Move that the City of Pinconning adopt a revised minimum water/sewer budget income of approximately \$96,000 per engineering recommendation with revised rate schedule as follows:

<u>IN CITY METERS</u>				<u>OUT CITY METERS</u>			
Usage		Water		Usage		Water	
<u>In Thousands</u>				<u>In Thousands</u>			
0-3			9.00	0-3			18.00
3-9	add	.90/1000		3-9	add	1.70/1000	
9-18	"	.55/1000		9-18	"	1.00/1000	
Over 18	"	.43/1000		Over 18	"	.95/1000	

Sewer rate shall be identical to the water rates. Said rates to be effective April 1, 1971.

ROLL CALL VOTE: AYES: Ellison, Byrne, Gibson, Flynn, Kleinhaus and Mayor Pro-Tem Dembowski. NAYS: None. ABSENT: Mayor Hartley. Resolution declared adopted.



Mayor

Attest:



Clerk

the same become due and payable, and to provide for such other expenditures and funds for said System as this Ordinance and the Ordinances authorizing the outstanding revenue bonds may require. Such rates shall be fixed and revised from time to time as may be necessary to produce these amounts, and it is hereby covenanted and agreed at all times to fix and maintain such rates for services furnished by the System as shall be sufficient to provide for the foregoing.

Application of Revenues to Pay Bonds

Section 11. The revenues of the System remaining in the Receiving Fund established pursuant to Ordinance No. 106 of the City, as amended, and supplemented, after meeting the quarterly requirements for the outstanding revenue bonds, shall be transferred quarterly to a separate depository account to be designated "Junior Lien Bond and Interest Redemption Fund (1971 Series)" to be kept with the bank or trust company where the principal and interest on the bonds are payable. There shall be set aside each quarter in the Junior Lien Bond and Interest Redemption Fund (1971) Series), after meeting the foregoing requirements, a sum proportionately sufficient to provide for the payment of the principal of and interest upon the bonds as and when the same become due and payable. Commencing April 1, 1971, the amount so set aside for interest each quarter shall be not less than one-half of the total amount of interest next becoming due. The amount so set aside for principal each quarter commencing with quarterly period beginning July 1, 1972, shall be not less than one-fourth of the amount of principal maturing on the next following July 1st. If there shall be any deficiency in the amount previously required to be set aside, then the amount of such deficiency shall be added to the current requirements. No further payments need be made in the Junior Lien Bond and Interest Redemption Fund (1971 Series) after enough of the bonds have been retired so that the amount then held in

said Fund is equal to the entire amount of the principal and interest which will be payable at the time of maturity of all of the bonds then remaining outstanding. After providing for the requirements of the Junior Lien Bond and Interest Redemption Fund (1971 Series), any moneys remaining in the Receiving Fund in any quarterly period shall be disbursed in the manner provided in Ordinance No. 106, as amended, and supplemented by the ordinance, as amended, authorizing the outstanding revenue bonds of the City.

Reverse Flow of Funds

Section 12. In the event the moneys in the Receiving Fund established by Ordinance No. 106, as amended, of the City, are insufficient to provide for the current requirements of the Operation and Maintenance Fund, the Bond and Interest Redemption Fund (including the Bond Reserve Account) the Replacement Fund established by said Ordinance No. 106, as amended, and supplemented, or the Junior Lien Bond and Interest Redemption Fund established by this Ordinance, any moneys and/or securities in the funds of the System established by this Ordinance shall be transferred, first, to the said Operation and Maintenance Fund, and second, to the said Bond and Interest Redemption Fund, (including the Bond Reserve Account), third, to the said Replacement Fund, and fourth, to the said Junior Lien Bond and Interest Redemption Fund to the extent of any deficit therein.

Investments

Section 13. Moneys in the Junior Lien Bond and Interest Redemption Fund (1971 Series) and moneys derived from the proceeds of sale of the bonds, may be invested in obligations of the United States of America, subject to the limitations provided in Act 94, Public Acts of Michigan, 1933, as amended. In the event such investments are made, the securities representing the same shall be kept on deposit with the bank or trust company having

on deposit the fund or funds from which such purchase was made. Income received from such investments shall be credited to the fund from which said investments are made.

Sale of Bonds

Section 14. Said bonds shall be sold and the proceeds applied in accordance with the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

Bond Proceeds

Section 15. The proceeds of the sale of the bonds herein authorized to be issued shall be deposited in The Peoples National Bank and Trust Company of Bay City, Bay City, Michigan, a bank insured by the Federal Deposit Insurance Corporation. From the proceeds of sale of the bonds there shall be immediately transferred to the Junior Lien Bond and Interest Redemption Fund (1971 Series), the accrued interest, and premium, if any, received on sale and delivery of the bonds. The balance of such proceeds shall be applied solely in payment of the cost of the public improvements hereinbefore described and any engineering, legal and other expenses incident thereto and to the financing thereof. Payments for construction, either on account or otherwise, shall not be made unless the registered engineer in charge of such work shall file with the City Council a signed statement to the effect that the work has been completed in accordance with the plans and specifications therefor, that it was done pursuant to and in accordance with the contract therefor, and that such work is entirely satisfactory.

Any unexpended balance of the proceeds of sale remaining, after completion of the public improvements herein authorized shall be paid into

the Junior Lien Bond and Interest Redemption Fund (1971 Series) and shall be used for the redemption of callable bonds authorized by the provisions of this Ordinance.

Covenants

Section 16. The City covenants and agrees with the successive holders of the bonds and coupons that so long as any of the bonds remain outstanding and unpaid as to either principal or interest --

(a) The City will maintain the System in good repair and working order and will operate the same efficiently and will faithfully and punctually perform all duties with reference to the System required by the Constitution and laws of the State of Michigan, including the making and collecting of sufficient rates for water and sewer services rendered by the System, and the segregation and application of the revenues of the System in the manner provided in this Ordinance.

(b) The City will cause to be maintained and kept proper books of record and account, separate from all other records and accounts of the City, in which shall be made full and correct entries of all transactions relating to the System. Not later than sixty (60) days after the close of each operating year, the City will cause to be prepared on forms furnished by the Municipal Finance Commission, if such forms are available, a statement in reasonable detail, sworn to by its Chief Accounting Officer, showing the cash income and disbursements of the System during each operating year, the assets and liabilities of the System at the beginning

and close of the fiscal year, and such other information as is necessary to enable any taxpayer of the City, user of the service furnished, or any holder or owner of the bonds or anyone acting in their interest, to be fully informed as to all matters pertaining to the financial operation of the System during each year. A certified copy of such statement shall be filed within seventy-five (75) days after the close of each operating year with the Municipal Finance Commission, and a copy sent to the manager of the account purchasing the bonds. Such statement and books of record and account shall at all reasonable times be open to inspection by any taxpayer of the City, user of the service or holder or holders of any bonds or anyone acting in their behalf. The City will also cause an annual audit of such books of record and account for the preceding operating year to be made each year by a recognized independent certified public accountant, and will mail a copy of such audit to the manager of the syndicate or account purchasing the bonds. Such audit shall be completed and so made available not later than three (3) months after the close of each operating year.

(c) The City will maintain and carry, for the benefit of the holders of the bonds, insurance on all physical properties of the System, of the kinds and in the amounts normally carried by public utility companies and municipalities engaged in the operation of water supply and sewage disposal systems. All moneys received for losses under any such insurance policies shall be applied solely to the

replacement and restoration of the property damaged or destroyed, and to the extent not so used, shall be used for the purpose of calling bonds.

(d) The City will not sell, lease or dispose of the System, or any substantial part thereof, until all of the bonds have been paid in full, both as to principal and interest. The City further will cause the operation of the System to be carried on as economically as possible, will cause to be made to the System all repairs and replacements necessary to keep the same in good repair and working order and will not do or suffer to be done any act which would affect the System in such a way as to impair or affect unfavorably the security of the Bonds. The City will not grant any franchise that will result in the operation of a competing water or sewer facility.

Additional Bonds

Section 17. The City shall have the right to issue additional bonds payable from the revenues of the System, which will have a claim prior to the claim on the revenues of the System enjoyed by the bonds authorized by the provisions of this Ordinance, but only on the conditions set forth in Ordinance No. 106 of the City, as amended. In addition the City shall have the right to issue additional bonds which are of equal standing and priority of lien (which is a second lien) with the bonds authorized by the provisions of this Ordinance at such times as the City shall deem advisable.

Bond Form

Section 18. Said bonds and coupons shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF MICHIGAN

COUNTY OF BAY

CITY OF PINCONNING

WATER SUPPLY AND SEWAGE DISPOSAL
SYSTEM REVENUE BONDS
(1971 SERIES)

No. _____

\$5,000.00

KNOW ALL MEN BY THESE PRESENTS that the CITY OF PINCONNING, County of Bay, State of Michigan, for value received, hereby promises to pay to the bearer or, if registered, to the registered holder hereof, the sum of

FIVE THOUSAND DOLLARS

on the first day of July, A.D., 19___, with interest thereon from the date hereof until paid at the rate of _____ per cent (%) per annum, payable on January 1, 1972, and semi-annually thereafter on the first day of July and January of each year, upon presentation and surrender of the proper interest coupons hereto attached as they severally become due. Both principal of and interest on this bond are payable in lawful money of the United States of America at PEOPLES NATIONAL BANK AND TRUST COMPANY OF BAY CITY, Bay City, Michigan, and for the prompt payment thereof, the gross revenues of the Water Supply and Sewage Disposal System of the City of Pinconning, including all appurtenances, extensions and improvements thereto, after provision has been made for reasonable and necessary expenses of operation, administration and maintenance and for the requirements of the outstanding Water Supply and Sewage Disposal System Revenue Bonds of the City, authorized by Ordinance No. 106, as amended, are irrevocably pledged and a statutory lien thereon is hereby created, which is a second lien subject only to the prior liens in favor of outstanding Water Supply and Sewage Disposal System Revenue Bonds of the City, authorized by the above mentioned Ordinance. In case of insufficiency of said revenues the full faith, credit and resources of the City of Pinconning are hereby irrevocably pledged to the payment of this bond.

This bond is one of a series of thirty-one (31) bonds of even date and like tenor, except as to date of maturity_____, aggregating the principal sum of \$155,000.00, numbered consecutively in direct order of maturity from 1 to 31, inclusive, issued pursuant to Ordinance No. _____ duly adopted by the City on _____, 1971, and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan, 1933, as amended, for the purpose of paying the cost of acquiring and constructing improvements to the Water Supply and Sewage Disposal System of the City of Pinconning.

For a complete statement of the revenues from which, and the conditions under which this bond is payable, and the general covenants and provisions pursuant to which this bond is issued, reference is made to the above-described Ordinance.

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.

This bond is a self-liquidating bond and is payable both as to principal and interest from the revenues of said Water Supply and Sewage Disposal System of the City, and the principal and interest on this bond are secured by the statutory lien hereinbefore mentioned. As additional security the City in the Ordinance authorizing said bonds has pledged its full faith and credit for the payment of the principal of and interest on this bond. Should the net revenues of the Water Supply and Sewage Disposal System of the City at any time be insufficient to pay the principal of or interest on the bonds as the same becomes due, the City shall be obligated to pay the bonds and interest thereon in the manner and to the same extent as other general obligation bonds 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, and the City shall be reimbursed from the net revenues subsequently received by the Water Supply and Sewage Disposal System which are not otherwise pledged or encumbered.

The City of Pinconning hereby covenants and agrees to fix and maintain at all times while any of such bonds shall be outstanding, such rates for service furnished by said Water Supply and Sewage Disposal System as shall be sufficient to provide for payment of the interest upon and the principal of all bonds payable from the revenues of the System as and when the same become due and payable, and to create bond and interest redemption funds (including bond reserve account) therefor, to provide for the payment of expenses of administration and operation and such expenses for maintenance of said Water Supply and Sewage Disposal System as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for said System as are required by said Ordinance.

This bond and the interest thereon are exempt from any and all taxation whatsoever by the State of Michigan, or by any taxing authority within said State.

This bond may be registered as to principal only on the books of the City Treasurer in the name of the holder, and such registration noted on the back hereof by the City Treasurer, after which no transfer shall be valid unless made on the books and noted hereon in like manner, but transferability by delivery may be restored by registration to bearer. Such registration shall not affect the negotiability of the interest coupons.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the series of which this is one have been done and performed in regular and due time and form as required by law.

IN WITNESS WHEREOF, the City of Pinconning, County of Bay, State of Michigan, by its City Council, has caused this bond to be signed in the name of said City by its Mayor and to be countersigned by its City Clerk, and its corporate seal to be hereunto affixed, and has caused the annexed interest coupons to be executed with the facsimile signatures of its Mayor and City Clerk, all as of the first day of April, A.D., 1971.

CITY OF PINCONNING

By *John E. Eulochy*
Mayor

(Seal)

Countersigned:

Francis Jacura
City Clerk

(Form of Coupon)

No. _____

\$ _____

On the first day of _____, A.D., 19____, the City of Pinconning, County of Bay, State of Michigan, will pay to the bearer hereof the sum of _____ Dollars, in the manner and out of the revenues described in said bond at Peoples National Bank and Trust Company of Bay City, Bay City, Michigan, being the semi-annual interest due that date on its Water Supply and Sewage Disposal System Revenue Bond (1971 Series), dated April 1, 1971, No. _____.

This coupon is not a general obligation of the City of Pinconning, but is payable from certain revenues as set forth in the bond to which it pertains.

John E. Edoody

Mayor

Frances Jasura

City Clerk

REGISTRATION
NOTHING TO BE WRITTEN HEREON EXCEPT
BY THE CITY TREASURER

Date of Registration	Name of Registered Owner	Address	Registrar

Application to Municipal Finance Commission

Section 19. The City Clerk is hereby authorized and directed to make application to the Municipal Finance Commission for authority to issue and sell said bonds, and for approval of the form of notice of sale of said bonds in accordance with the provisions of Act 202, Public Acts of Michigan, 1943, as amended and of Act 94, Public Acts of Michigan, 1933, as amended.

Severability

Section 20. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Repealing Section

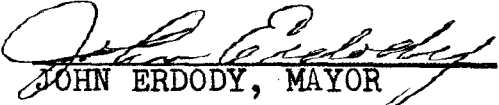
7 Section 21. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance, are to the extent of such conflict, hereby repealed.

Recording and Publishing

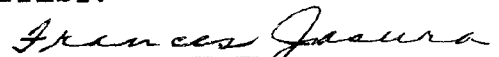
Section 22. This Ordinance shall be published in the Pinconning Journal, in full, a newspaper of general circulation in the City of Pinconning, qualified under State law to publish legal notices, promptly after its adoption and the same shall be recorded in the Ordinance Book of the City and such recording authenticated by the signatures of the Mayor and City Clerk.

Effective Date

Section 23. This Ordinance shall become effective immediately upon its adoption.


JOHN ERDODY, MAYOR

ATTEST:


FRANCES JASURA, CITY CLERK

ORDINANCE NO. 108

AN ORDINANCE PROVIDING FOR THE FIXING OF ADDITIONAL RATES FOR EXTRA STRENGTH SEWAGE AND INDUSTRIAL WASTE ADOPTED PURSUANT TO ACT 94, PUBLIC ACTS OF MICHIGAN 1933 AS AMENDED

THE CITY OF PINCONNING ORDAINS:

Section 1. Additional Rates for Extra Strength Sewage and Industrial Waste

The rates to be charged for extra strength sewage furnished by the water supply and sewage disposal system of the City of Pinconning shall be as follows:

The additional rate for extra strength sewage can be applied only to B.O.D. and S.S. since any increases in flow are automatically compensated for in the standard sewer rate. The baseline allowable limit without extra charge for B.O.D. and S.S. is 250 ppm (parts per million). Periodic testing of the sewage at each industry will be necessary to determine the strength of its sewage. Then based upon the flow quantities, the extra strength charges based on anything over 250 ppm can be determined from the following formula and tables.

$$\begin{aligned} \text{Extra Strength B.O.D. (lbs/day)} &= (\text{Tested strength (ppm)} \\ &\quad - 250 \text{ (ppm)} \times \text{flow (MGD)} \\ &\quad \times 8.34 \text{ lbs/gallon} \end{aligned}$$

$$\begin{aligned} \text{Extra Strength S.S. (lbs/day)} &= (\text{Tested strength (ppm)} \\ &\quad - 250 \text{ (ppm)} \times \text{flow (MGD)} \\ &\quad \times 8.34 \text{ lbs/gallon} \end{aligned}$$

RATE SCHEDULE FOR EXTRA STRENGTH B.O.D.

<u>Lbs/Day</u>	<u>Daily Rate Per 10 lbs.</u>	<u>Quarterly Cumulative Total (90 Days)</u>	<u>Average Cost Per 10 lbs.</u>
0-50	\$ 1.00	\$ 450.00	\$ 1.00
50-100	.95	877.50	.98
100-250	.90	2,092.50	.93
Over 250	.87		

RATE SCHEDULE FOR EXTRA STRENGTH S.S.

<u>Lbs/Day</u>	<u>Daily Rate Per 10 lbs.</u>	<u>Quarterly Cumulative Total (90 days)</u>	<u>Average Cost Per 10 lbs.</u>
0-50	\$.65	\$ 292.50	\$.65
50-100	.63	576.00	.64
100-250	.60	1,386.00	.62
Over 250	.57		

Section 2. Exclusion

The City of Pinconning, Michigan, shall reserve the right to exclude any industrial waste from the sanitary and storm sewer system that has a deliterious effect on the Wastewater Treatment Plant.

Section 3. Pretreatment

The City of Pinconning, Michigan, shall retain the right to order any industry to pretreat their industrial waste to an acceptable level, at the industry's cost, to insure the proper operation of the Wastewater Treatment Plant.

Section 4. Fiscal Review

The City of Pinconning, Michigan, will review annually the financial and per unit costs, i.e. flow, B.O.D., and S.S. to determine if the present rate schedule plus extra strength charges are correct based on present operation and maintenance data. If the charges are found to be lacking, the schedules will be changed to reflect the new charges.

Any revised per unit costs shall be based on flow, B.O.D. and S.S. parameters.

SECTION 5. Severability

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision, shall not affect any of the other provisions of this Ordinance.

Section 6. Repealing Section

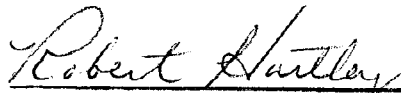
All Ordinances, Resolutions or Orders, or parts thereof, in conflict with the provisions of this Ordinance, are to the extent of such conflict, hereby repealed.

Section 7. Recording and Publishing

This Ordinance shall be published in the Pinconning Journal, in full, a newspaper of general circulation in the City of Pinconning, qualified under State Law to publish legal notices, promptly after its adoption and the same shall be recorded in the Ordinance Book of the City and such recording authenticated by the signatures of the Mayor and City Clerk.

Section 8. Effective Date

This Ordinance shall become effective immediately upon its adoption.




Robert Hartley, Mayor



Frances Jasura, Clerk

Attest:



City Clerk

Adopted by the City Council of the City of Pinconning on November 13, 1972.

Published in its entirety in the Pinconning Journal on November 22, 1972.

Prepared by:
John R. Snell Engineers, Inc.
221 W. Saginaw St.
Lansing, Mich. 48933

Regular Council Meeting - May 12, 1980

Walworth/Byrne: Move, that under Section 4 of the Industrial Waste Ordinance No. 108 to adopt a new rate schedule retroactive to April 1, 1980 for extra strength B.O.D. and S.S. replacing the rates in Section 1, and further, add to that Section 1 the extra strength Phosphorus charge.

Extra Strength Phosphorus (lbs/Day) = (Tested Strength PPM)
 - 8 (PPM) x total lbs.
 x \$1.135 per pound.

Extra Strength B.O.D. (lbs/Day) = (Tested strength PPM)
 - 250 (PPM) x flow (MGD)
 x 8.34 lbs/gallon.

Extra Strength S.S. (lbs/Day) = (Tested strength PPM)
 - 200 (PPM) x flow (MGD)
 x 8.34 lbs/gallon.


RATE SCHEDULE FOR EXTRA STRENGTH B.O.D.

<u>Lbs/Day</u>	<u>Daily Rate Per 10 lbs.</u>	<u>Quarterly Cumulative Total (90 days)</u>	<u>Average Cost Per 10 lbs.</u>
0-50	\$1.46	\$ 657.00	\$1.00
50-100	1.38	1,378.00	1.42
100-250	1.31	3,046.50	1.354
Over 250	1.27		

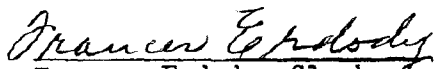
RATE SCHEDULE FOR EXTRA STRENGTH S.S.

<u>Lbs/Day</u>	<u>Daily Rate Per 10 lbs.</u>	<u>Quarterly Cumulative Total (90 days)</u>	<u>Average Cost Per 10 lbs.</u>
0-50	\$.95	\$ 427.50	\$.95
50-100	.92	841.50	.935
100-250	.87	2,016.00	.896
Over 250	.83		

Roll Call Vote: Yeas: All. Nays: None. Carried unanimously.


 W. W. Evans, Mayor

Attest:


 Frances Erdody, Clerk

\$234.00 Meter Charge Per Quarter

\$1.326 per each 1,000 gallons used per quarter.

Further, that this motion of February 8, 1982 be made part of the initial contract.

Roll Call Vote: Yeas: All. Nays: None. Carried unanimously.

Charles Halworth
Mayor

Frances E. Doddy
Attest

Regular Council Meeting February 8, 1982

Brazeau/Berthiaume: Move, that the City of Pinconning adopt a revised minimum water/sewer budget income of approximately \$289,876. to cover current budget requirements with revised rate schedule retroactive to December 15, 1981 as follows:

<u>IN CITY METERS</u>			<u>OUT CITY METERS</u>		
Usage In Thousands	Water	Sewer	Usage In thousands	Water	Sewer
0-3	14.04	+ 14,04	0-3	28.08	28.08
3-9	1.40/1,000	+ 1.40/1,000	3-9	2.80/1,000	2.80/1,000
Over 9	.86/1,000	+ .86/1,000	Over 9	1.72/1,000	1.72/1,000

and further, that the meter charges be increased 30% to both in-City and out-City users.

Further, that under Section 4 of the Industrial Waste Ordinance No. 108 to adopt a new rate schedule retroactive to Dec. 15, 1981 for extra strength B.O.D. and S.S. replacing the rates in Section 1, and further, add to that Section 1 the extra strength Phosphorus charge.

$$\begin{aligned} \text{Extra Strength Phosphorus (lbs/Day)} &= (\text{Tested Strength PPM}) \\ &\quad - 8 \text{ (PPM)} \times \text{total lbs.} \\ &\quad \times \$1.475 \text{ per pound.} \end{aligned}$$

$$\begin{aligned} \text{Extra Strength B.O.D. (lbs/Day)} &= (\text{Tested Strength PPM}) \\ &\quad - 250 \text{ (PPM)} \times \text{flow (MGD)} \\ &\quad \times 8.34 \text{ lbs/gallon.} \end{aligned}$$

$$\begin{aligned} \text{Extra Strength S.S. (lbs/Day)} &= (\text{Tested Strength PPM}) \\ &\quad - 200 \text{ (PPM)} \times \text{flow (MGD)} \\ &\quad \times 8.34 \text{ lbs/gallon} \end{aligned}$$

RATE SCHEDULE FOR EXTRA STRENGTH B.O.D.

<u>Lbs/Day</u>	<u>Daily Rate Per 10 lbs.</u>	<u>Quarterly Cumulative Total (90 Days)</u>	<u>Average Cost Per 10 lbs.</u>
0-50	\$1.90	\$ 855.00	\$1.90
50-100	1.79	1,660.50	1.845
100-250	1.70	3,955.50	1.758
Over 250	1.65		

RATE SCHEDULE FOR EXTRA STRENGTH S.S.

<u>Lbs/Day</u>	<u>Daily Rate Per 10 lbs.</u>	<u>Quarterly Cumulative Total (90 days)</u>	<u>Average Cost Per 10 lbs.</u>
0-50	\$1.24	\$ 558.00	\$1.24
50-100	1.20	1,098.00	1.22
100-250	1.13	2,623.50	1.166
Over 250	1.08		

Further, that the water rate increase of 30% also apply 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 with the rate increase retroactive to Dec. 15, 1981 as follows:

RATE SCHEDULE FOR EXTRA STRENGTH S.S.

<u>Lbs/Day</u>	<u>Daily Rate Per 10 Lbs.</u>	<u>Quarterly Cumulative Total (90 days)</u>	<u>Average Cost Per 10 lbs.</u>
0-50	\$1.55	\$ 697.50	\$1.55
50-100	1.50	1,372.50	1.525
100-250	1.41	3,276.00	1.46
Over 250	1.35		

FURTHER, that the rate increase of 25% also apply to slaughter charges as follows:

Beef .1625¢ per head
Hogs .0625¢ per head

and that this become part of Ordinance No. 108.

Roll Call Vote: Yeas: 4, Nays: 0, Absent: 3. Motion carried.

Charles Holworth
Mayor

Caroline Card
Attest

Special Council Meeting - May 23, 1985

Adcock/Henderson: Move that the City of Pinconning adopt a revised minimum water/sewer budget income of approximately \$245,035 to cover current budget requirements with revised rate schedule retroactive to March 15, 1985 as follows:

Usage In Thousands	<u>IN CITY METERS</u>		Usage In Thousands	<u>OUT CITY METERS</u>	
	Water	Sewer		Water	Sewer
0-3	16.85 +	16.85	0-3	33.70	33.70
3-9	1.68/1000	1.68/1000	3-9	3.36/1000	3.36/1000
Over 9	1.03/1000	1.03/1000	Over 9	2.06/1000	2.06/1000

and further, that the meter charges be increased 20% to both in-city and out-city users.

FURTHER, that the water rate increase of 20% also apply 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 with the rate increase retroactive to March 15, 1985 as follows:

\$280.80 Meter Charge Per Quarter

\$1.591 per each 1,000 gallons used per quarter.

FURTHER, that this motion of May 23, 1985 be made part of the initial contract.

Roll Call Vote: Yeas: 4, Nays: 0, Absent: 3. Motion carried.

Henderson/Wizorek: Move that under Section 4 of the Industrial Waste Ordinance No. 108 adopt a revised minimum wastewater income of approximately \$78,118 to cover current budget requirements with the new rate schedule retroactive to March 15, 1985 for extra strength BOD, SS and Phosphorus as follows:

Extra Strength Phosphorus (lbs/Day)=(Tested Strength PPM)
-8 (PPM) x total lbs.
x 1.85 per pound.

Extra Strength B.O.D. (lbs/Day)=(Tested Strength PPM)
-250 (PPM) x flow (MGD)
x 8.34 lbs/gallon.

Extra Strength S.S. (lbs/Day)=(Tested Strength PPM)
-200 (PPM) x flow (MGD)
x 8.34 lbs/gallon

RATE SCHEDULE FOR EXTRA STRENGTH B.O.D.

Lbs/Day	Daily Rate Per 10 lbs.	Quarterly Cumulative Total (90 Days)	Average Cost Per 10 lbs.
0-50	\$2.38	\$1,071.00	\$2.38
50-100	2.24	2,079.00	2.31
100-250	2.13	4,954.50	2.20
Over 250	2.05		

WATER SUPPLY
CROSS CONNECTIONS ORDINANCE

CITY OF PINCONNING
Bay County, Mich.

ORDINANCE NO. 109

AN ORDINANCE REGULATING CROSS CONNECTIONS WITH THE PUBLIC WATER SUPPLY SYSTEM, I.E., A CONNECTION OR ARRANGEMENT OF PIPING OR APPURTENANCES THROUGH WHICH WATER OF QUESTIONABLE QUALITY, WASTES OR OTHER CONTAMINANTS CAN ENTER THE PUBLIC WATER SUPPLY SYSTEM.

THE CITY OF PINCONNING ORDAINS:

Section 1: That the City of Pinconning adopts by reference the Water Supply Cross Connection Rules of the Michigan Department of Public Health being R 325.431 to R 325.440 of the Michigan Administrative Code.

Section 2: That it shall be the duty of the City of Pinconning to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the City of Pinconning and as approved by the Michigan Department of Public Health.

Section 3: That the representative of the City of Pinconning shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the City of Pinconning for the purpose of inspecting the piping system or systems thereof for cross connections. On request the owner, lessees or occupants of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections.

Section 4: That the City of Pinconning is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this ordinance exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this ordinance.

Section 5: That the potable water supply made available on the properties served by the public water supply shall be protected from possible contamination as specified by this ordinance and by the state plumbing code. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous manner as

WATER UNSAFE
FOR DRINKING

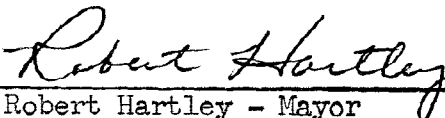
Section 6: That this ordinance does not supercede the state plumbing code but is supplementary to them.

Section 7: That any person or customer found guilty of violating any of the provisions of this ordinance, or any written order of the City of Pinconning, in pursuance thereof shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than \$50.00 nor more than \$ 50.00 for each violation. Each day upon which a violation of the provisions of this act shall occur shall be deemed a separate and additional violation for the purpose of this ordinance.

Section 8: This ordinance shall be published in the Pinconning Journal in full, a newspaper of general circulation in the City of Pinconning, qualified under State Law to publish legal notices, promptly after its adoption and the same shall be recorded in the Ordinance Book of the City and such recording authenticated by the signatures of the Mayor and City Clerk.

Section 9: This Ordinance shall become effective ten (10) days after publication.

This Ordinance #109 was adopted by City Council on June 11, 1973.


Robert Hartley - Mayor

Attest:


Frances Jasura - City Clerk


I hereby certify that Ordinance No109, Water Supply Cross Connections Ordinance, was published in the Pinconning Journal, a weekly newspaper published in the City of Pinconning, On the 13th day of June 1973.


Frances Jasura -- City Clerk

Prepared by:

GERALD G. DANIN
City Attorney
Business Address:
608 Bearinger Bldg.
Saginaw, Michigan 48607

I, the undersigned, duly qualified City Clerk of the City of Pinconning, Bay County, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted at a regular meeting of the City Council of said City held on the 8th day of March 1971 and further certify that said ordinance was published in the Pinconning Journal, a newspaper of general circulation in said city, on March 10, 1971.


FRANCES JASURA, CITY CLERK

ORDINANCE NO. 110
CITY OF PINCONNING, BAY COUNTY, MICHIGAN
CITY OF PINCONNING WASTE MANAGEMENT ORDINANCE

An Ordinance regulating the collection and disposal of trash from residential properties located within the City of Pinconning, prescribing regulations for the storage and collection of waste materials and trash within the City; providing for the maintenance of sanitary conditions on public and private premises in the City; providing for the imposition and collection by the City of charges for the collection and disposal of waste materials and trash and liens for non-payment thereof; providing penalties for the violation thereof; all for the protection of the health, safety and general welfare of the residents of the City of Pinconning, Bay County, Michigan.

SECTION 1. TITLE: THE CITY OF PINCONNING ORDAINS THAT THIS ORDINANCE SHALL BE KNOWN AND MAY BE CITED AS THE CITY OF PINCONNING WASTE MANAGEMENT ORDINANCE, ADOPTED PURSUANT TO AUTHORITY GRANTED BY THE PROVISION OF ACTS 345, PUBLIC ACTS OF 1978.

SECTION 2. DEFINITIONS: For purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number. The word "shall" is always mandatory and not merely directory.

A. "Trash: as used in this ordinance shall be deemed to include:

1. "Ashes; which for purpose hereof are defined as the residue from the burning of wood, coal, coke or other combustible materials.
2. "Garbage" which for purpose hereof are defined as putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.
3. "Refuse" which for purposes hereof is defined as putrescible and nonputrescible solid wastes, including garbage, rubbish, ashes, street cleanings, solid market wastes and discarded household appliances and furniture, excepting, however, body wastes, animal droppings or entrails.

B. For purposes hereof, a residence is any building or portion thereof which is occupied for living purposes, excluding, however, the following:

1. A building used as a motel, hotel or convention center,
2. Mobile home in a state licensed park,
3. Nursing homes,
4. Convalescent homes,
5. College dormitories,
6. Buildings of like nature used in conjunction with any commercial enterprise.
7. Apartments and condominiums.

C. "Dwelling unit" is a building or portion thereof designed for occupancy by one or more families for residential purposes and having cooking facilities therein. Apartments and condominiums shall not be included within the meaning of the term dwelling unit for purposes hereof.

D. "City" is the City of Pinconning.

E. "City Manager" is the Manager of the City of Pinconning.

F. "Person" is any person, firm, partnership, association, corporation or company of any kind.

G. "Family" is one or more persons or parents with their direct lineal descendants and adopted children, including domestic employees thereof living together in the whole or part of a dwelling unit comprising a single housekeeping unit.

SECTION 3 COLLECTION BY CITY. All trash, as herein defined, accumulated by persons residing in or upon any dwelling unit or residence as herein defined shall be collected, conveyed and disposed of by the City or Contract Hauler under contract to the City. No person shall collect, convey over any of the streets or alleys of the City, or dispose of any such trash so accumulated in the City.