

TOWNSHIP OF LAKE
COUNTY OF MISSAUKEE,
MICHIGAN

Legal News

Minutes of a regular meeting of the Township Board of the Township of Lake, Missaukee County, Michigan, held in the Lake Township Hall located at 8105 W. Kelly Rd., Lake City, Michigan, on the 8th day of April, 2009, at 6 p.m. Local Time:

PRESENT: Members: Duddles, DelBello, Ouwinga, Gill, Hall.

ABSENT: Members: None.

It was moved by member Duddles and supported by Member Ouwinga that the following Ordinance be adopted under the authority of the Revenue Bond Act of 1933, being Act 94 of the Public Acts of Michigan of 1933, as amended.

The Ordinance was then read.

Upon roll call, the vote upon motion adopting said Ordinance was as follows:

YEAS: Members: Hall, Duddles, Gill, Ouwinga, DelBello.

NAYS: Members: None

The Township Clerk declared the Ordinance adopted.

The following is Ordinance No. 10C as adopted.

**ORDINANCE NO. 10C
AN ORDINANCE TO
AMEND THE LAKE
TOWNSHIP TRUNKLINE
SEWER RATE AND USE
ORDINANCE (ORDINANCE
NO. 10, AS AMENDED)**

THE TOWNSHIP OF LAKE
(MISSAUKEE COUNTY, MICHIGAN) ORDAINS:

Section 1. Amendment of Section 1.01. Section 1.01(l) of Ordinance No. 10, as amended ("Ordinance No. 10") is amended to read as follows:

(l) the term "charges for sewage disposal services" or "service charges" shall mean that charge established by resolution of the Township Board pursuant to Section 3.05 each premises for sewage disposal services.

Section 2. Amendment of Section 1.01. Section 1.01 of Ordinance No. 10 is amended to add subsection (n) to read as follows:

(n) the term "debt service charge" shall mean that charge established by the resolution of the Township Board pursuant to Section 3.05, which is imposed on users of the System to pay principal, interest and administrative costs of retiring debt incurred for the construction or improvement

of the System, including amounts necessary to repay advances from the Township general fund utilized to pay or pre-pay principal, interest and administrative costs of such debt.

Section 3. Amendment of Section 1.01. Section 1.01(u) of Ordinance No. 10 is amended to read as follows:

(u) the term "qualified contractor" shall be deemed to mean a licensed contractor that is bonded and insured and has been prequalified and approved and licensed through the Sewer Advisory Committee to make installations and connection to the sewer system.

Section 4. Amendment of Section 3.02. Section 3.02 of Ordinance No. 10 is amended to read as follows:

3.02 Owners of premises within the area of the Township served by the System as of the effective date of this ordinance shall pay the following charges:

a) Trunkage Charge: A rate per unit established by resolution of the Township Board from time to time.

b) Availability Charge: A rate per pressure sewer connection or per gravity sewer connection per unit established by resolution of the Township Board from time to time.

c) Connection Charge: A rate per unit established by resolution of the Township Board from time to time.

d) Debt Service Charge: A rate per unit established by resolution of The Township Board from time to time.

The owner of premises listed on the Lake Township Special Assessment Roll for the Missaukee Sanitary Drain No. 2 shall be given credit against the trunkage charge, availability charge, and connection charge specified in this Section 3.02 and as established by resolution of the Township Board from time to time equal to the amount levied on the roll and said charges will be considered paid at the time the roll was confirmed.

The trunkage, availability, and connection charge provided above shall be paid in cash at the time a connection permit is issued, if not listed on the Special Assessment Roll.

Section 5. Amendment of Section 3.05. Section 3.05 of Ordinance No. 10 is amended to read as follows:

3.05 Charges for sewage disposal services to each premises within the Township connected with the Sewage Disposal System shall be at a rate per unit established by the Township Board from time to time.

Bills will be rendered quarterly on the 1st day of March, June, September and December and shall be payable within thirty (30) days. A penalty of ten (10%) percent of the amount of the bill shall be charged for late payment.

The above notwithstanding, in the event that a structure or residence connected to the System is removed from the premises, the charges for sewage disposal services may be waived upon the written request of the owner of the premises and approval by the Board. The waiver may continue until another structure or residence is added to or rebuilt on the premises where the structure or residence is required to be connected to the Sewage Disposal System. The waiver shall not apply or be applied to any abandoned, vacant or seasonal use structures or residences not permanently removed from the premises. There shall be a one hundred and no/100 (\$100.00) dollar reconnection and inspection fee charged to each premises of such a waived service charge which fee shall be paid before any reconnection is made to the sewage disposal system.

Section 6. Amendment of Section 8.04. Section 8.04 of Ordinance 10 is amended to read as follows:

8.04 The Township specifically reserves the right to amend this ordinance in whole or in part, at one or more times hereafter, or to repeal the same. This ordinance shall otherwise not be deemed to be a part of any contractual obligation or bond contract pertaining to said System.

Section 7. Publication and Recording. A true copy or a summary of this Ordinance shall be published once in a newspaper of general circulation within the boundaries of the Township of Lake qualified under State law to publish legal notices, within thirty (30) days after its adoption and the same shall be recorded in the minutes of the Township Board of the meeting at which this Ordinance was adopted, and in addition shall be recorded in the Ordinance Book

of the Township.

Section 8. Effective Date. This Ordinance shall be in full force and effect upon publication as provided by law.

Passed and adopted by the Township Board of the Township of Lake, County of Missaukee Michigan, on April 8, 2009 and approved by me on April 8 2009.

s/ Thomas Duddles
Thomas Duddles, Supervisor
Township of Lake

Attest
s/ Kay Ouwinga
Kay Ouwinga, Clerk
Township of Lake

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Township of Lake, County of Missaukee State of Michigan, at a Regular meeting held on April 8, 2009, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting notice by posting at least eighteen (18) hours prior to the time set for said meeting.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and such recording has been authenticated by the signatures of the Supervisor and the Township Clerk.

s/ Kay Ouwinga
Kay Ouwinga, Township Clerk

CERTIFICATE OF PUBLICATION

I, the undersigned, Township Clerk of the Township of Lake County of Missaukee, Michigan, hereby certify pursuant to MCL 41.184 that the Ordinance to amend the Lake Township Trunkline Sewer Rate and Use Ordinance (Ordinance No. 10, as amended) (Township Ordinance No. 10C) or a summary thereof was published in the *Missaukee Sentinel* on April 17, 2009.

Dated: April 14, 2009

s/ Kay Ouwinga
Kay Ouwinga, Township Clerk
4/17