



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C. HEIDI GREYER  
DIRECTOR

March 2, 2017

Mr. Mark Bone, Chairman  
Midland County Board of Commissioners  
220 West Ellsworth Street  
Midland, Michigan 48640

Dear Mr. Bone:

**SUBJECT: Midland County Solid Waste Management Plan Amendment**

The locally approved amendment to the Midland County Solid Waste Management Plan (Plan Amendment) received by the Department of Environmental Quality (DEQ), dated June 24, 2016, is hereby approved with modifications.

The Plan Amendment makes the following changes in addition to the modifications found below:

- Revised the City of Midland Landfill's facility descriptions to include contaminated soils – river sediment and floodplain soils as special wastes accepted at the facility.
- Added Saginaw County as an authorized county for importation up to 622 tons per day, 227,000 tons annually of contaminated soils – river sediment and floodplain soils.

However, the Plan Amendment requires modifications for approval. The DEQ sent the necessary modifications to the Midland County Designated Planning Agency (DPA), Mr. Scott O'Laughlin, on October 31, 2016. You provided approval of the following modifications on behalf of the Board of Commissioners and Midland County by letter dated, December 22, 2016:

Per your letter and conversations with the DPA, it was determined that the following requirement found throughout the Plan Amendment was too restrictive and was not the intent of the County, "...or through agreement with the designated planning agency as outlined in Coordination Efforts on page A-12 and Special Conditions on page D-13..." The intention of the County was to allow the contaminated soils – i.e. river sediment and floodplain soils, to be authorized for importation from Saginaw County, as identified in Table 1-A, Current Import Volume Authorization of Solid Waste, up to 622 tons per day, up to 227,000 tons per year, without the need for an agreement with the designated planning agency so long as it meets the requirements of the ordinances as governed by

chapters 10 (Garbage, Refuse, and Litter) and 21 (Rates, Charges and Fees) of the Code of Ordinances of the City of Midland. Based upon this clarification, the phrase shall be changed to the following:

“...or as governed by chapters 10 (Garbage, Refuse, and Litter) and 21 (Rates, Charges and Fees) of the Code of Ordinances of the City of Midland.”

Further, it was noted that the Code of Ordinances (sections 10 and 21), as referenced above, have been updated since the last Plan Update. Therefore, both of these updated sections shall be added to the Plan Amendment and are included as Attachment A and Attachment B respectively.

The DEQ would like to thank Midland County for its efforts in addressing its solid waste management issues. If you have any questions, please contact Ms. Christina Miller, Solid Waste Planning, Reporting and Surcharge Coordinator, Sustainable Materials Management Unit, Solid Waste Section, Waste Management and Radiological Protection Division, at 517-614-7426; millerc1@michigan.gov; or DEQ, P.O. Box 30241, Lansing, Michigan 48909-7741.

Sincerely,



Jack Schinderle, Division Director  
Waste Management and  
Radiological Protection Division  
517-284-6551

#### Attachments

cc: Senator Jim Stamas  
Representative Gary Glenn  
Representative Roger Hauck  
Mr. Scott O'Laughlin, Midland County  
Ms. C. Heidi Grether, Director, DEQ  
Ms. Amy Epkey, Environmental Deputy Director, DEQ  
Ms. Maggie Pallone, External Relations Deputy Director, DEQ  
Mr. Steven R. Sliver, DEQ  
Mr. Rhonda S. Oyer, DEQ  
Mr. Jeff Spencer/Ms. Christina Miller, DEQ/Midland County File

## Chapter 10

### GARBAGE, REFUSE AND LITTER\*

\* **Cross References:** Removal of dead dogs, § 3-33; fire prevention and protection, Ch. 8; food and food products, Ch. 9; health, Ch. 11; public yards and areas surrounding houses to be kept clean, § 12-110; garbage collection from rental housing units, § 12-121(g); junked, dismantled motor vehicles, § 13-21 et seq.; refuse collection fees, § 21-3 et seq.; sanitary landfill fees, § 21-34; use of public right-of-way, § 22-1.

**State Law References:** Garbage disposal system authorized; annual tax levy for same, M.S.A., § 5.2681; littering, § 28.603(1) et seq.

Art. I. In General, §§ 10-1-10-29

Art. II. Reserved, §§ 10-30-10-39

Art. III. Solid Waste Regulation, §§ 10-40-10-45

#### ARTICLE I.

#### IN GENERAL

##### Sec. 10-1. Short title.

This chapter shall be known and may be cited as the "City of Midland Antilitter Code."

##### Sec. 10-2. Definitions.

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings given in this section:

*Aircraft* is any contrivance now known or hereafter invented, used or designated for navigation or for flight in the air. The word "aircraft" shall include helicopters and lighter-than-air dirigibles and balloons.

*Authorized private receptacle* is a litter storage and collection receptacle as required and authorized in the garbage collection regulations.

*Bulky or heavy items* are all individual wastes or filled containers weighing more than fifty (50) pounds or having any one (1) dimension greater than three (3) feet and which cannot be loaded into a city collection vehicle by hand. These wastes include, but are not limited to, appliances; furniture; mattresses; carpeting; moving boxes, lumber, drywall, windows, shingles and other building products; bathroom and kitchen fixtures; tires and wheels; scrap metal; asphalt; concrete and other masonry rubble; loose soil; tree stumps; logs; cut tree branches; and brush.

*Commercial handbill* is any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced originals or copies of any matter of

literature:

- (1) Which advertises for sale any merchandise, product, commodity or thing;
- (2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales;
- (3) Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind, for which an admission fee is charged for the purpose of private gain or profit; but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind without a license where such exhibition is or may be required by any law of this state or under any ordinance of this city;
- (4) Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distributor.

*Garbage* is putrescible animal and vegetable wastes resulting from handling, preparation, cooking and consumption of food.

*Handbill distributor* shall mean and include any person engaging or engaged in the business for hire or gain of publishing and distributing commercial and noncommercial handbills, other than newspapers distributed to subscribers thereof, any person engaging or engaged in the business for hire or gain of distributing commercial or noncommercial handbills other than newspapers to subscribers thereof, and any person receiving compensation directly or indirectly for the distribution of such handbills.

*Household refuse* is all putrescible and nonputrescible solid wastes (except body waste, yard wastes, and bulky or heavy items), including garbage; paper; wrapping; cardboards; tin, glass, and plastic containers; bedding; clothing; crockery and similar materials generated by a private premise that can be placed in a container suitable for loading into a city collection vehicle by hand.

*Litter* is garbage, refuse, rubbish, bulky or heavy items, household refuse, recyclables, and yard wastes as defined in this section, and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.

*Newspaper* is any newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States, in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and, in addition thereto, shall mean and include any periodical or current magazine regularly published with not less than four (4) issues per year and sold to the public.

*Noncommercial handbill* is any printed or written matter, any sample, or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced originals or copies of any matter of literature not included in the definition of a "commercial handbill" or "newspaper."

*Park* is a park, reservation, playground, beach, recreation center or any other public area in the city, owned or used by the city and devoted to active or passive recreation.

*Private premises* is any dwelling, house, building, or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, ground, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

*Public place* is any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds, and buildings.

*Recyclable* are those items of household refuse that can be collected separately for reuse or remanufacture. These items include newspapers; magazines; corrugated cardboard; aluminum; tin and aluminum food cans; No. 2 plastic containers and plastic milk jugs; and clear, green or brown glass containers.

*Refuse* is all putrescible and nonputrescible solid waste (except body waste), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and solid market and industrial wastes.

*Rubbish* is nonputrescible solid wastes consisting of paper, wrapping, cigarettes, cardboards, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

*Vehicle* is every device in, upon, or by which any person or property is or may be transported or drawn upon a highway including devices used exclusively upon stationary rails or tracks.

*Yard wastes* are grass clippings, garden wastes, leaves, twigs and trimmed branches two (2) inches and under in diameter that can be placed into a container suitable for loading into a city collection vehicle by hand. (Ord. No. 807, § 1, 2-19-73; Ord. No. 1276, § 1, 9-20-93)

### **Sec. 10-3. Application of chapter.**

The provisions of this chapter relating to collection shall not be applicable to any person, company or corporation who immediately destroys all garbage by cremation or some method otherwise satisfactory to the health officer.

### **Sec. 10-4. Preparation for collection.**

Garbage and rubbish, but not including ashes shall be prepared for collection by placing the same in metal or plastic vessels or cans of such capacity as will afford storage capacity for all garbage and rubbish as shall be produced or accumulated on such premises.

### **Sec. 10-5. Obedience to garbage collection rules and regulations.**

To be entitled to be served by the city garbage collection service, residents and businesses shall comply with all garbage collection rules and regulations issued by the city manager and approved by the city council. Such rules and regulations shall be published in the manner provided by the city charter for the publication of ordinances.

**Sec. 10-6. Interfering with garbage collection system.**

It shall be unlawful for any person to interfere with or hinder the collection of garbage or refuse.

**Sec. 10-6.1. Anti-scavenging.**

(a) *Recyclables.* It shall be unlawful for any person other than the owner or occupant of the premises from which containers or items are placed or an employee of the city or its designee to disturb, collect, remove, pick up or pick over, or cause to be disturbed, collected, removed, picked up or picked over, any recyclable after it has been placed in the public right-of-way fronting said premises for collection.

(b) *Litter.* It shall be unlawful for any person to cause any item, material, container, or the contents thereof, placed in the public right-of-way for collection, to be strewn or scattered upon sidewalks, alleys, streets or other public areas or private premises.

(c) *Emergencies.* When the city manager determines that the collection, removal, picking up or picking over of refuse materials by persons other than employees of the city or its designee could endanger the public's health or safety, the city manager is hereby authorized to declare that the city is under a "city emergency". The city manager shall cause notice of the city emergency, and notice of the end thereof, to be published by all means deemed appropriate. After the notice of a city emergency has been published, it shall be unlawful for any person other than an employee of the city or its designee to disturb, collect, remove, pick up or pick over any containers, items or other materials after they have been placed in the public right-of-way for collection.

(Ord. No. 1359, § 1, 10-14-96)

**Sec. 10-7. Litter disposal at approved locations.**

No person shall dispose of litter except at locations which have been approved and supervised by the city.

**Sec. 10-8. Litter in public places.**

No person shall throw or deposit litter in or upon any street, sidewalk or public place within the city, except in public receptacles, in authorized private receptacles for collection, or in official sanitary landfills.

**Sec. 10-9. To be placed so as to prevent scattering.**

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place, or upon private property.

**Sec. 10-10. Sweeping litter into gutter prohibited.**

No person shall sweep into or deposit in any gutter, street or other public place within the city the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

**Sec. 10-11. Throwing litter from vehicles prohibited.**

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the city, or upon private property nor shall any person drive or move any vehicle or truck within the city, the wheels or tires of which carry onto or deposit in any street, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind.

Cross References: Traffic, Ch. 24.

**Sec. 10-12. Truck loads not to cause litter.**

No person shall drive or move any truck or other vehicle within the city unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place.

Cross References: Traffic, Ch. 24.

**Sec. 10-13. Dropping litter from aircraft.**

No person in an aircraft shall throw out, drop or deposit within the city any litter, handbill or any other object.

**Sec. 10-14. Litter in parks.**

No person shall throw, deposit, or cause to be deposited litter in any park within the city, except in public receptacles, and in such a manner that the litter shall be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

Cross References: Parks and recreation, Ch. 17.

**Sec. 10-15. Litter in lakes, fountains.**

No person shall throw, deposit, or cause to be deposited litter in any fountain, pond, lake, stream, bay or any other body of water in a park or elsewhere within the city.

**Sec. 10-16. Litter on occupied private property.**

No person shall throw, deposit or cause to be deposited litter on any occupied private property within the city, whether owned by such person or not. The owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

**Sec. 10-17. Owner to maintain premises free of litter.**

The owner or person in control of any private property shall at all times maintain the premises free of litter. This section shall not prohibit the storage of litter in authorized private receptacles for collection.

**Sec. 10-18. Litter on vacant lots.**

No person shall throw, deposit, or cause to be deposited litter on any open or vacant private property within the city, whether owned by such person or not.

**Sec. 10-19. Clearing of litter from open private property by city.**

(a) *Notice to remove.*

The city manager or his duly authorized representative is hereby authorized and empowered to notify the owner of any open or vacant private property within the city, or the agent of such owner, to properly dispose of litter located on such owner's property which is dangerous to public health, safety or welfare. Such notice shall be by registered mail, addressed to said owner at his last known address.

(b) *Action upon noncompliance.*

Upon the failure, neglect or refusal of any owner or agent so notified, to properly dispose of litter dangerous to the public health, safety or welfare within five (5) days after receipt of written notice provided for in subsection (a) above, or within five (5) days after the date of such notice in the event the same is returned to the city post office department because of its inability to make delivery thereof, provided the same was properly addressed to the last known address of such owner, or agent, the city manager is hereby authorized and empowered to pay for the disposing of such litter, or to order its disposal by the city.

(c) *Charge included in tax bill.*

When the city has effected the removal of such dangerous litter or has paid for its removal, the actual cost thereof, plus accrued interest at the rate of six (6) percent per annum from the date of the completion of the work, if not paid by such owner prior thereto, shall be charged to the owner of such property on the next regular tax bill forwarded to such owner by the city, and said charge shall be due and payable by said owner at the time of payment of such bill.

(d) *Recorded statement constitutes lien.*

When the full amount due the city is not paid by such owner within thirty (30) days after the disposal of such litter, as provided for in subsections (a) and (b) above, then, the city manager shall cause to be recorded in the office of the city assessor a sworn statement showing the cost and expense incurred for the work, and the date the work was done. The recordation of such sworn statement shall constitute a lien and privilege on the property, and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any, for collection, until final payment has been made. Said costs and expenses shall be collected in the manner fixed by law for the collection of taxes and further, shall be subject to a delinquent penalty of ten (10) percent in the event same is not paid in full on or before the date the tax bill upon which said charge appears



becomes delinquent. Sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been done properly and satisfactorily, and shall be full notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated or described in the statement and that the same is due and collectible as provided by law.

**Sec. 10-20. Throwing or distributing commercial and noncommercial handbills and unsolicited newspapers in public places.**

No person, firm, organization, association or business shall throw or deposit or cause the throwing or depositing of any commercial or noncommercial handbill or unsolicited newspaper in or upon any sidewalk, street or other public place within the city. No person, firm, organization, association or business shall hand out or distribute or sell or cause the handing out, distributing or selling of any commercial handbill in any public place. It shall not be unlawful on any sidewalk, street or other public place within the city, however, for any person, firm, organization, association or business to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill or newspaper to any person willing to accept it.

(Ord. No. 1147, § 1, 5-9-88)

**Sec. 10-21. Commercial and noncommercial handbills and unsolicited newspapers--Placing on vehicles.**

No person, firm, organization, association or business shall throw or deposit or cause the throwing or depositing of any commercial or noncommercial handbill or unsolicited newspaper in or upon any vehicle. It shall not be unlawful in any public place within the city, however, for a person, firm, organization, association or business to hand out or distribute or cause the handing out or distributing, without charge to the receiver thereof, of a noncommercial handbill or newspaper to any occupant of a vehicle who is willing to accept the same. *Exception:* Notwithstanding the foregoing, a noncommercial handbill relative to handicapped parking only, expressly approved by the city council which has the approval indicated on the handbill, shall not be subject to the prohibition contained in this section.

(Ord. No. 1147, § 1, 5-9-88; Ord. No. 1208, § 1, 2-4-91)

**Sec. 10-22. Same--Depositing on uninhabited or vacant premises.**

No person, firm, organization, association or business shall throw or deposit or cause the throwing or depositing of any commercial or noncommercial handbill or unsolicited newspaper in or upon any private premises which are temporarily or continuously uninhabited or vacant.

(Ord. No. 1147, § 1, 5-9-88)

**Sec. 10-23. Same--Distributing at inhabited private premises.**

No person, firm, organization, association or business shall throw, deposit or distribute or cause the throwing, depositing or distribution of any commercial or noncommercial handbill or unsolicited newspaper in or upon private premises which are inhabited, except by handing or transmitting any such handbill or unsolicited newspaper directly to the owner, occupant or other person then present in or upon such private property. In case of an inhabited private premises which is not posted as provided in section 10-24, however, such person, firm, organization, association or business, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill or unsolicited newspaper in or upon such inhabited private

premises, provided that such handbill or unsolicited newspaper shall be placed or deposited on said premises and at the main entrance thereof in such a manner so as to secure or prevent the same from being carried or deposited by the weather upon other places on said premises or on sidewalks, streets other public places or other private property, and provided further that mailboxes may not be used as a receptacle for the same when prohibited by federal postal law or regulations.

The provisions of this section shall not apply to the distribution of mail by the United States nor any agency thereof, nor to newspapers, except for unsolicited newspapers.  
(Ord. No. 1147, § 1, 5-9-88)

**Sec. 10-23.1. Distributing newspapers at inhabited private premises.**

As to newspapers not subject to the provisions of section 10-23, they shall be placed or deposited upon inhabited private property and at the main entrance thereof, or such other place as shall have been agreed upon by the newspaper distributor and the owner or occupant, in such a manner so as to secure or prevent their being carried or deposited by the weather upon other places on said premises or on any street, sidewalk, other public place or other private property.  
(Ord. No. 1147, § 1, 5-9-88; Ord. No. 1152, § 1, 6-6-88)

**Sec. 10-24. Prohibiting distribution of handbills or unsolicited newspapers where properly posted.**

No person, firm, organization, association or business shall throw, deposit or distribute or cause the throwing, depositing or distribution of any commercial or noncommercial handbill or unsolicited newspaper upon any private premises if requested by anyone on such premises not to do so, or if there is placed on such premises in a conspicuous position near the entrance thereof, a sign bearing the words, "No Trespassing, " "No Peddlers or Agents, " "No Advertisements, " "No Unsolicited Newspapers, " or any similar notice, indicating in any matter that the occupants of such premises do not desire to have their right of privacy disturbed or to have any such handbill or unsolicited newspaper left upon such premises.  
(Ord. No. 1147, § 1, 5-9-88)

**Sec. 10-25. Violation of chapter declared nuisance.**

In addition to the penalty described in section 1-11 for a violation of any provision of this Code, the violation of any provision of this chapter is hereby declared to be a nuisance. Such nuisance may be abated pursuant to the provisions of this Code or state law.  
(Ord. No. 1147, § 1, 5-9-88)

**Sec. 10-26. Name and address of distributor of handbills.**

It shall be unlawful for any person to distribute, deposit, scatter, hand out or circulate any commercial handbill in any place, under any circumstances, which does not have printed on the cover, front or back, or on the first sheet if without cover, thereof, the name and address of the following:

- (1) The person who printed, wrote, compiled or manufactured the same.
- (2) The person who caused the same to be distributed.

- (3) Any local agent of the person who printed, wrote, compiled or manufactured same, or any local agent of the person who caused the same to be distributed if that person resides or has his principal place of business outside the County of Midland.

(Ord. No. 807, § 2, 2-19-73)

**Sec. 10-27. Licensing of handbill distributors.**

(a) It shall be unlawful for any person to engage in the business of handbill distributor or for any person to distribute commercial or noncommercial handbills for compensation without first obtaining a handbill distributor's license from the city clerk.

(b) Any person desiring to obtain a handbill distributor's license shall make application to and receive from the city clerk a license in the manner and for the period prescribed by the terms of this section. Such applicant shall make written application to the city clerk upon a form or forms provided for such purpose by the city clerk. Such form shall contain, among other things that may be required, the applicant's name, a statement as to whether the applicant is an employee of a licensed handbill distributor, the business address of the applicant or his employer, the residence address of the applicant, a brief description of the nature of the business to be conducted by the applicant if the applicant is other than an employee of a licensed handbill distributor, a statement as to whether the applicant will have agents or employees engaged in distribution, the probable number of agents or employees to be engaged for distribution, together with a request for a license for the period for which the applicant seeks to engage in such business if the applicant is not an employee of a licensed handbill distributor. Such application shall be accompanied by the fee hereinafter provided for in this section.

(c) The city council may revoke any license obtained under an application containing a false or fraudulent statement or for violation of any of the terms of this chapter by the licensee or any agent or employee thereof. No license issued under this section shall be transferable; and if any such license shall be surrendered by the licensee named therein or shall be revoked for cause, neither the licensee named in such license nor any other person shall be entitled to any part of such fee.

(d) License fees under the terms of this section shall be as follows:

If as an employee of a licensed distributor only, a one-time charge of one dollar (\$1.00).

If other than an employee of a licensed distributor:

For a period of one (1) year, the sum of twenty-five dollars (\$25.00).

For a period of three (3) months, the sum of ten dollars (\$10.00).

For a period of one (1) week, the sum of five dollars (\$5.00).

(Ord. No. 807, § 2, 2-19-73)

**Cross References:** Licenses and business regulations generally, Ch. 15.

**Secs. 10-28, 10-29. Reserved.**

## ARTICLE II.

### RESERVED\*

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\* **Editors Note:** Ord. No. 1311, § 1, adopted November 7, 1994, repealed Art. II, § 10-30--10-33, in its entirety. Former Art. II derived from Ord. No. 1174, § 2, adopted August 7, 1989, and pertained to the Midland solid waste advisory commission.

**Charter References:** City council, § 4.6 et seq.

**Cross References:** General requirements for members of boards and commissions, § 2-240 et seq.

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**Secs. 10-30--10-39. Reserved.**

## ARTICLE III.

### SOLID WASTE REGULATION

#### **Sec. 10-40. Unlawful placement--Household refuse and yard waste.**

It shall be unlawful for the owner or occupant or any person or persons, agent, firm or corporation having control or management of any lot, place or parcel of land within the city to permit or allow the presence of household refuse or yard waste within the public right-of-way contiguous to such parcel of land earlier than 6:00 p.m. on the day preceding the weekly scheduled collection day. It shall also be unlawful to permit or allow the presence of household refuse or yard waste in the traveled portion of a street or sidewalk; except that leaves may be placed in the street during the city's special fall collection program. It shall also be unlawful to place yard wastes in containers other than kraft paper compost bags or bins for automated collection as approved by the city's director of public services; except that leaves may be placed loose in the street during the city's special fall collection program.

(Ord. No. 1276, § 2, 9-20-93)

#### **Sec. 10-41. Same--Stumps, logs, cut tree branches, cut brush and bulky or heavy items.**

It shall be unlawful for the owner or occupant or any person or persons, agent, firm or corporation having control or management of any lot, place or parcel of land within the city to permit or allow the presence of stumps, logs, cut tree branches, cut brush, bulky or heavy items within the public right-of-way contiguous to such parcel of land earlier than the Saturday preceding the city's monthly scheduled collection day. It shall also be unlawful to permit or allow the presence of stumps, logs, cut tree branches, cut brush, bulky or heavy items in the traveled portion of a street or sidewalk.

(Ord. No. 1276, § 2, 9-20-93)

#### **Sec. 10-42. Abatement of nuisance by city--Household refuse or yard waste.**

In the event the owner or occupant or any person or persons, agent, firm or corporation having control or management of any lot, place or parcel of land within the city fails, refuses or neglects to comply with the provisions of this article, the city and its authorized representatives are hereby empowered to remove and properly dispose of the improperly placed household refuse or yard waste. The first removal of the improperly placed household refuse or yard waste and the first posting of a notice of violation pursuant to section 10-44 at an individual premises shall be considered as an informational warning to the owner or occupant. Each

subsequent violation at the same individual premises by the same owner or occupant shall mandate that all expenses incurred by the city in the abatement process described in this section, together with a ten-percent administrative charge (with a minimum charge of ten dollars (\$10.00)), be reimbursed by the owner or owners of such parcel of land to the city and, in cases where not paid, the city shall have a lien for the same in the manner hereinafter provided.

(Ord. No. 1276, § 2, 9-20-93)

**Sec. 10-43. Same--Stumps, logs, cut tree branches, cut brush, bulky or heavy items.**

In the event the owner or occupant or any person or persons, agent, firm or corporation having control or management of any lot, place or parcel of land within the city fails, refuses or neglects to comply with the provisions of this article, the city and its authorized representatives are hereby empowered to remove and properly dispose of the improperly placed stumps, logs, cut tree branches, cut brush, bulky or heavy items. The owner or occupant shall be given a seventy-two-hour period after the notice of violation is posted pursuant to section 10-44 to remove the improperly placed materials. If the materials are not removed within the seventy-two-hour period, then the city's director of public services shall direct city forces to remove the same. All expenses incurred by the city in the abatement process described in this section, together with a ten-percent administrative charge (with a minimum charge of fifty dollars (\$50.00)) for improperly placed stumps, logs, cut tree branches, cut brush, bulky or heavy items, shall mandate that the city be reimbursed by the owner or owners of such parcel of land and, in cases where not paid, the city shall have a lien for the same in the manner hereinafter provided.

(Ord. No. 1276, § 2, 9-20-93)

**Sec. 10-44. Specific notice by posting.**

It is hereby made the duty of the city's public services division to post a notice of violation of the improperly placed household refuse, yard waste, stumps, logs, cut tree branches, cut brush, bulky or heavy items and to post a duplicate of such notice on an outside entry door of the contiguous premises.

(Ord. No. 1276, § 2, 9-20-93)

**Sec. 10-45. Reimbursement to city; assessment of costs.**

Whenever the city's public services division or its authorized representatives accomplish abatement of an existing violation pursuant to the provisions of this article, the city's director of public services is hereby authorized and directed to keep an accurate account of all expenses incurred, and, based on the same, to issue a certificate determining and certifying the costs involved for such work with respect to each parcel of property. The director is also authorized to add to such costs a ten-percent administrative charge to cover the cost of administering the work performed, overhead and other contingent expenses. The minimum charge for city forces to accomplish the abatement of household refuse or yard wastes shall be ten dollars (\$10.00) and the minimum charge for city forces to accomplish the abatement of stumps, logs, cut tree branches, cut brush, bulky or heavy items shall be fifty dollars (\$50.00). Within ten (10) days after receipt of such certificate from the director of public services, the city finance director shall forward a statement of the total charges assessed on each parcel of property to the owner as shown by the last current assessment or tax roll, and such assessment shall be payable to the city treasurer within thirty (30) days from the date such statement was forwarded. If not paid within the prescribed thirty-day period, such statement shall be filed by the city finance director with the city assessor, and shall thereupon be assessed against the land in question and become a lien on such property.

The amount so charged may be discharged at any time by the payment of the amount specified in the statement, together with interest at the rate of twelve (12) percent per annum compiled from the time of the filing of such statement with the city assessor by the city finance director.  
(Ord. No. 1276, § 2, 9-20-93)

**Chapter 21**

**RATES, CHARGES AND FEES**

**Art. I. In General, §§ 21-1--21-69**

**Art. II. Parks and Recreation Fees, §§ 21-70--21-79**

**Div. 1. Civic Arena, § 21-70**

**Div. 2. Golf Course, § 21-71**

**Div. 3. Swimming Pools, § 21-72**

**Div. 4. General Recreation, §§ 21-73--21-79**

**Art. III. Emergency Response Fees, §§ 21-80--21-89**

**Art. IV. Library Fines, Fees and Other Charges, §§ 21-90--21-100**

**Art. V. Municipal Civil Infraction Fines, §§ 21-101--21-110**

**Art. VI. False Alarm Response Fees, §§ 21-111--21-119**

**Art. VII. Midland Community Television (MCTV) Fines, Fees and Other Charges, §§ 21-120--21-129**

**Art. VIII. Parking Penalties, §§ 21-130--21-149**

**Art. IX. Stormwater Fees, §§ 21-150--21-152**

**Art. X. Parking Meter Rates, § 21-153**

**Art. XI. Police Department Service Fees, § 21-154**

**Art. XII. Geographic Information Systems (GSI) Data Fees § 21-160**

**Art. XIII. Fire Department Service Fees § 21-165 -- 21-170**

**Art. XIV. Dial-A-Ride Rates and Fees § 21-175**

**ARTICLE I.**

**IN GENERAL**

**Sec. 21-1. Short title.**

This chapter shall be known and may be cited as the "General Rate Code of the City of Midland."

**Sec. 21-2. Scope; intent; conflicting provisions.**

It is the purpose of this chapter to establish certain rates required for various licenses, permits and fees in the city. It is not intended to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this chapter. Where this chapter imposes rates other than are imposed or required by existing provisions of law, ordinance, resolution, contract or deed, the provisions of this chapter shall control.

**Sec. 21-3. Refuse collection fees repealed.**

(Ord. No. 742, § 1, 12-15-69; Ord. No. 889, § 1, 6-21-76; Ord. No. 910, § 1, 7-25-77; Ord. No. 1005, § 1, 8-24-81; Ord. No. 1051, § 1, 7-25-83; Ord. No. 1091, § 1, 7-1-85; Ord. No. 1173, § 1, 6-19-89; Ord. No. 1207, § 1, 12-17-90; Ord. No. 1220, § 1, 6-24-91; Ord. No. 1241, § 1, 6-15-92; Ord. No. 1265, § 1, 6-14-93; Ord. No. 1691, § 1, 3-8-10)

**Cross References:** Garbage, refuse and litter, Ch. 10.

#### **Sec. 21-4. Yard waste collection fees.**

(a) **Roll-out container.** An annual total fee of forty dollars (\$40.00) shall be charged to the owners or occupants of each premises requesting city collection of yard waste contained in the owners' or occupants' roll-out yard waste container(s).

An annual fee shall be charged to the owners or occupants of each premises requesting city collection of yard waste contained in the owners' or occupants' roll-out yard waste container(s) as follows:

- (1) Forty dollars (\$40.00) for the first roll-out container;
- (2) Seventeen dollars (\$17.00) for each additional roll-out container.

This fee must be paid to the city prior to the beginning of the city's collection service.

(b) **Kraft paper yard waste bag collection sticker.** A yard waste collection sticker must be affixed to each individual kraft paper yard waste bag that is placed at the curb for collection by the city. The fee for each yard waste collection sticker shall be forty cents (\$0.40).

(c) If residents with a roll-out container choose to set additional yard waste out in kraft paper bags, they must also affix a \$0.40 collection sticker to each bag.

(d) **Waiver.** Yard waste collection fees (whether for containers or yard waste bags) shall be waived during the three-week spring and fall cleanup periods, as such periods are designated by the director of public services. Notwithstanding the foregoing, yard waste collection fees may be waived during the fall leaf collection program upon approval by the city manager.

(Ord. No. 1290, § 1, 4-25-94; Ord. No. 1329, § 1, 10-30-95; Ord. No. 1691, § 2, 3-8-10; Ord. No. 1773, § 1, 2-16-15)

#### **Secs. 21-5, 21-6. Reserved.**

#### **Sec. 21-7. Subdivision fees required.**

As authorized under Section 241 and 246 of Act No. 288 or the Public Acts of 1967 and as provided in the subdivision chapter of this Code a proprietor submitting a plat for approval shall be required to deposit the following nonrefundable fees with the city. Until such fees are paid, the plat shall not be considered or reviewed.

**Cross References:** Subdivisions, Ch. 23.

#### **Sec. 21-8. Preliminary plat examination, inspection fee.**

When the preliminary plat is submitted to the city clerk, the proprietor shall deposit a fee which shall be in addition to the filing and recording fee. Such fee shall be for the examination and inspection of the plat of the land proposed to be subdivided, and related expenses, and shall be seventy-five dollars (\$75.00).

(Ord. No. 1015, § 1, 3-1-82; Ord. No. 1223, § 1, 7-29-91)

**Cross References:** Preliminary plat, §23-10 et seq.

#### **Sec. 21-9. Final plat fees.**

When the final plat is submitted to the city clerk, the proprietor shall deposit with the plat a fee of twenty dollars (\$20.00) which shall be in addition to any other fee required.

**Cross References:** Final plat § 23-16 et seq.

#### **Sec. 21-10. Public property vacation fee.**



The fee required to accompany a petition seeking vacation of public grounds pursuant to the subdivision chapter shall be four hundred dollars (\$400.00).

(Ord. No. 1015, § 2, 3-1-82; Ord. No. 1223, § 2, 7-29-91; Ord. No. 1589, § 1, 02-21-05)

**Cross References:** Vacation of property, § 23-87.

**Sec. 21-11. Pool hall license fee.**

The annual fee for a pool or billiard license shall be twenty-five dollars (\$25.00).

**Cross References:** Pool hall license, § 15-30.

**Sec. 21-12. Bowling alley license fee.**

The annual fee for a public bowling alley license shall be five dollars (\$5.00).

**Cross References:** Bowling alley license required, § 15-27.

**Sec. 21-13. Public show, exhibition license fee.**

The fee for any public show or exhibition license, either outdoors or under canvas, shall be one hundred dollars (\$100.00) per day.

**Cross References:** Public show, exhibition license, § 15-35.

**Sec. 21-14. Circus carnival license fee.**

The fee for a circus or carnival license shall be one hundred dollars (\$100.00) per day.

**Cross References:** Circus, carnival license, § 15-59.

**Sec. 21-15. Amusement ride license fee.**

The fee for any amusement ride license required by section 15-55 shall be twenty-five dollars (\$25.00) for each device for each day the same is to be operated, but shall not exceed a total of one hundred dollars (\$100.00) per day.

**Cross References:** Amusement ride license, § 15-55.

**Sec. 21-16. Children's amusement ride license fee.**

The fee for a license for each amusement ride which is by size and design limited to the use of children not exceeding nine (9) years of age shall be five dollars (\$5.00) per year.

**Cross References:** Children's amusement ride license, § 15-56.

**Sec. 21-17. Reserved.**

**Editors Note:** Ord. No. 1321, adopted June 26, 1995, repealed § 21-17 in its entirety. Former § 21-17 pertained to a fee for electrician's license, and derived from Ord. No. 920, § 1, adopted Oct. 31, 1977.

**Sec. 21-18. Electrical permit fee schedule.**

The fees required under Chapter 7 of this Code for the inspection of all installations of electrical wiring apparatus or equipment shall be as set forth herein:

*Permit Issuance Fee:*

For issuing each permit . . . . . \$20.00

For issuing each supplemental permit . . . . . 10.00

For each annual permit . . . . . 1200.00

*System Fee Schedule* (Note: The following are in addition to the permit issuing fees):

**New Residential Buildings:**

For new multifamily residential buildings (apartments and condominiums) having three (3) or more living units including the area of basements, garages, carports and other noncommercial automobile storage areas constructed at the same time, per square foot . . . . . 0.02

For new single- and two-family residential buildings including the area of basements, garages, carports and other minor accessory buildings constructed at the same time, per square foot . . . . . 0.02

*Note:* For other types of residential occupancies and alterations, additions and modifications to existing residential buildings, use the Unit Fee Schedule.

**Private Swimming Pools:**

For new private, residential, in-ground swimming pools for single-family, multifamily occupancies including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment related to the operation of a swimming pool, each . . . . . 20.00

*Note:* For other types of swimming pools, therapeutic whirlpools, spas and alterations to existing swimming pools, use Unit Fee Schedule.

**Residential Appliances:**

For fixed residential appliances or receptacle outlets for same, including wall-mounted electric ovens; counter-mounted cooking tops; electric ranges, self-contained room, console or through-wall air conditioners; space heaters; food waste grinders; dishwashers; washing machines; water heaters; clothes dryers; or other motor-operated appliances not exceeding one horsepower (hp) in rating, each . . . . . 4.00

*Note:* For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus.

**Nonresidential Appliances:**

For nonresidential appliances and self-contained factory wired, nonresidential appliances not exceeding one horsepower (hp), kilowatt (kw), or kilovolt ampere (kva), in rating including medical and dental devices; food, beverage and ice cream cabinets; illuminated show cases; drinking fountains; vending machines; laundry machines; or other similar types of equipment, each . . . . . 4.00

*Note:* For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus.

**Power Apparatus:**

For motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating air conditioners and heat pumps, cooking or baking equipment and other apparatus, as follows: (rating in horsepower (hp), kilowatts (kw), kilovolt-amperes (kva), or kilovolt-amperes-reactive (kvar):

Up to and including 1, each . . . . . 4.00

Over 1 and not over 10, each . . . . . 6.00

Over 10 and not over 50, each . . . . . 10.00

Over 50 and not over 100, each . . . . . 20.00

Over 100, each . . . . . 30.00

*Notes:*

- (1) For equipment or appliances having more than one motor, transformer, heater, etc., the sum of the combined ratings may be used.
- (2) These fees include all switches, circuit breakers, contractors, thermostats, relays and other directly related control equipment.

Busways:

For trolley and plug-in type busways, each 50 feet or fraction thereof . . . . 8.00

*Note:* An additional fee will be required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in type busways. No fee is required for portable tools.

Signs, Outline Lighting and Marquees:

For signs, outline lighting systems or marquees supplied from one branch circuit, each . . . . 10.00

For additional branch circuits within the same sign, outline lighting system or marquee, each . . . . 4.00

Services:

For services of 600 volts or less and not over 100 amperes in rating, each . . . . 15.00

For services of 600 volts or less and over 100 amperes to 600 amperes in rating, each . . . . 25.00

For services over 600 volts or over 600 to 800 amperes in rating, each . . . . 50.00

For services over 600 volts or 800 amperes in rating, each . . . . 100.00

Miscellaneous Apparatus, Conduits and Conductors:

For electrical apparatus, conduits and conductors for which a permit is required but for which no fee is herein set forth . . . . 8.00

For service move or repair . . . . 8.00

*Note:* This fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, busways, signs or other equipment.

Fire alarm systems . . . . 50.00

Energy retrofit (includes but is not limited to the following: temp control devices, ballast replacement, relamp/building of fixtures, replacement of energy control/temperature control equipment, etc.) . . . . 50.00

Other Inspections and Fees:

(1) Inspections outside of normal business hours (minimum charge--two (2) hours) per hour . . . . 30.00

(2) Re-inspection fee assessed under provisions of section 21-30, per hour . . . . 30.00

(3) Inspections for which no fee is specifically indicated (minimum charge--one-half (1/2) hour), per hour . . . . 30.00

(4)

Additional plan review required by changes, additions or revisions to approved plans (minimum charge--one-half ( 1/2) hour), per hour . . . . . 30.00

**Carnivals and Circuses:**

Carnivals, circuses, or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays and attractions:

For electric generators and electrically driven rides, each . . . . . 10.00

For mechanically driven rides and walk through attractions or displays having electric lighting, each . . . . . 5.00

For a system of area and booth lighting, each . . . . . 5.00

*Note:* For permanently installed rides, booths, displays and attractions, use Unit Fee Schedule.

**Temporary Power Service:**

For a temporary service power pole or pedestal including all pole or pedestal-mounted receptacle outlets and appurtenances, each . . . . . 15.00

For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative light, Christmas trees sales lots, firework stands, etc., each . . . . . 15.00

*Unit Fee Schedule* (Note: The following are in addition to the permit issuing fee):

**Receptacle, Switch and Lighting Outlets:**

For receptacle, switch, lighting or other outlets at which current is used or controlled, except services, feeders and meters:

First 20, each . . . . . 10.00

Additional fixtures, each . . . . . 0.50

For pole or platform-mounted lighting fixtures, each . . . . . 0.50

For theatrical-type lighting fixtures or assemblies, each . . . . . 0.50

**Other Fees:**

Annual registration fee of a Class I electrical contractor's license . . . . . 15.00

(Ord. No. 920, § 1, 10-31-77; Ord. No. 1002, § 1, 6-29-81; Ord. No. 1217, § 1, 6-17-91; Ord. No. 1321, § 2, 6-26-95)

**Sec. 21-19. Building permit fees.**

*Residential--One- and two-family dwellings:*

The building permit fees required by the building code shall be determined in accordance with the following schedule:

Total Valuation of Project	Fee
\$1.00 to \$500.00	\$20.00
501.00 to 2,000.00	\$20.00 for the first \$500.00, plus \$2.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00

2,001.00 to 25,000.00	\$50.00 for the first \$2,000.00, plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
25,000.01 to 50,000.00	\$199.50 for the first \$25,000.00, plus \$4.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
50,000.01 to 100,000.00	\$312.00 for the first \$50,000.00, plus \$3.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
100,000.01 to 500,000.00	\$462.00 for the first \$100,000.00, plus \$2.50 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
500,000.01 and up	\$1,462.00 for the first \$500,000.00, plus \$2.00 for each additional \$1,000.00 or fraction thereof

*Building permit fees--Commercial, including multifamily:*

The building permit fees required by the building code shall be determined in accordance with the following schedule:

Total Valuation of Project	Fee
\$1.00 to \$2,000.00	\$45.00
\$2,000.01 to \$25,000.00	\$45.00 for the first \$2,000.00 plus \$9.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,000.01 to \$50,000.00	\$252.00 for the first \$25,000.00 plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,000.01 to \$100,000.00	\$414.50 for the first \$50,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,000.01 to \$500,000.00	\$639.50 for the first \$100,000.00 plus \$3.50 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,000.01 to \$1,000,000.00	\$2,039.50 for the first \$500,000.00 plus \$3.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00

\$1,000,000.01 and up	\$3,539.50 for the first \$1,000,000.00 plus \$2.00 for each additional \$1,000.00 or fraction thereof
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*Other Inspections and Fees:*

- A. Inspections outside of normal business hours (minimum charge: two (2) hours), per hour\* . . . . \$30.00
- B. Reinspection fee assessed under provisions of Section 305(g), each\* . . . . 30.00
- C. Inspections for which no fee is specifically indicated (minimum charge: one-half ( 1/2) hour), per half-hour\* . . . . 20.00
- D. Initial permit application fee, per plan, or the cost of the permit, whichever is less (Note: This fee is nonrefundable and shall be applied to the cost of the permit) . . . . 50.00
- E. Plan review including changes, additions or revisions to approved plans (minimum charge: one-half ( 1/2) hour), per half-hour\* . . . . 20.00
- F. Complex plan review as determined by building official . . . . Actual city cost incurred
- G. Annual industrial building permit, per year . . . . 2,400.00
- H. Annual registration fee of building contractor license, per year . . . . 15.00

\*or the total hourly cost to the jurisdiction whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.  
(Ord. No. 1266, § 1, 6-28-93; Ord. No. 1321, § 2, 6-26-95)

**Secs. 21-20--21-24. Reserved.**

Editors Note: Ord. No. 920, § 2, adopted Oct. 31, 1977, repealed §§ 21-19--21-24, pertaining to electrical fees for permits, wiring and a service charge, derived from provisions enacted with the adoption of this Code.

**Sec. 21-25. Reserved.**

**Sec. 21-26. Plumbing permit fees.**

The plumbing permit fees required by the plumbing code shall be as follows:

*Permit Issuance:*

- (1) For issuing each permit . . . . \$20.00
- (2) For issuing each supplemental permit . . . . 10.00

*Unit Fee Schedule (in addition to (1) or (2) above):*

- (1) For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping, and backflow protection therefor) . . . . 5.00
- (2) For each building sewer and each trailer park sewer . . . . 15.00
- (3) Rainwater systems, per drain (inside building) . . . . 5.00

- (4) For each cesspool (where permitted) . . . . . 20.00
- (5) For each private sewage disposal system . . . . . 40.00
- (6) For each water heater and/or vent . . . . . 10.00
- (7) For each gas piping system of 1 to 5 outlets . . . . . 6.00
- (8) For each gas piping system over 5 outlets, per outlet . . . . . 1.00
- (9) For each industrial waste pretreatment interceptor, including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps . . . . . 8.00
- (10) For installation, alteration, or repair of water piping and/or water treating equipment, each . . . . . 7.00
- (11) For repair or alteration of drainage or vent piping, each fixture . . . . . 7.00
- (12) For each lawn sprinkler system on any one meter, including backflow protection devices therefor . . . . . 7.00
- (13) For atmospheric-type vacuum breakers not included in item 2:
  - 1 to 5 . . . . . 7.00
  - Over 5, each . . . . . 1.00
- (14) For each backflow protective device other than atmospheric-type vacuum breakers:
  - 2 inches and smaller . . . . . 7.00
  - Over 2 inches . . . . . 15.00
- (15) Annual permits as authorized by section 18-10 . . . . . 1200.00

*Other Inspections and Fees:*

- (1) Inspections outside of normal business hours (minimum charge--two hours), per hour . . . . . 30.00
- (2) Reinspection fee assessed under provisions of Section 305(h), each reinspection . . . . . 30.00
- (3) Inspections for which no fee is specifically indicated (minimum charge--one-half hour), per hour . . . . . 30.00
- (4) Additional plan review required by changes, additions or revisions to approved plans (minimum charge--one-half hour), per hour . . . . . 30.00
- (5) Annual registration fee of plumbing contractor's license . . . . . 15.00

(Ord. No. 954, § 1, 7-16-79; Ord. No. 1053, §1, 8-8-83; Ord. No. 1217, § 1, 6-17-91; Ord. No. 1321, § 2, 6-26-95)

**Sec. 21-27. Street and right-of-way work permit fees.**

The fee for each permit required by this article for performing work in the street shall be as follows:

Street opening permit . . . . . \$ 50.00

Driveway approach and curb cut permit:

Commercial driveways . . . . . 100.00  
All others . . . . . 10.00  
Annual public utility permit . . . . . 2,000.00

Public utilities performing major construction or repairs of utility services must secure a street opening permit for each project that requires street openings or right-of-way disturbance pursuant to section 22-38 of this Code regardless of acquisition of an annual permit.

(Ord. No. 774, § 1, 4-19-71; Ord. No. 1414, § 2, 6-22-98)

**Editors Note:** Prior to its reenactment by Ord. No. 1414, § 21-27, which pertained to replacement fees, was repealed by § 2 of Ord. No. 1053, enacted Aug. 8, 1983.

**Sec. 21-28. Reserved.**

**Editors Note:** Ord. No. 1053, § 2, enacted Aug. 8, 1983, repealed § 21-28, which pertained to additional permits. Said section is reserved for future use.

**Sec. 21-29. Zoning fees.**

- (a) **Site plan review fee.** The fee required to be paid pursuant to the provisions of Section 27.07 of Ordinance No. 1595 for site plan review and approval shall be one hundred fifty dollars (\$150.00).
- (b) **Planned unit development fee.** The fee required pursuant to the provisions of Section 31.02 of Ordinance No. 1585 for a planned unit development application shall be two hundred twenty-five dollars (\$225.00).
- (c) **Zoning board of appeals application fee.** The fee required pursuant to the provisions of Section 29.05 of Ordinance No. 1585 for a zoning board of appeals application shall be one hundred twenty five dollars (\$125.00).
- (d) **Zoning amendment fee.** The fee required pursuant to the provisions of Section 30.04 of Ordinance No. 1585 for the purposes of obtaining a zoning text or map amendment shall be three hundred twenty-five dollars (\$325.00).
- (e) **Conditional use permit fee.** The fee required pursuant to the provisions of Section 28.04 of Ordinance No. 1585 for the purposes of obtaining a conditional use permit shall be two hundred twenty-five dollars (\$225.00).
- (f) **Sign permit fee.** The fee required pursuant to the provisions of Section 31.02 of Ordinance No. 1585 for the purposes of obtaining a sign permit shall be:

For each wall, roof, or projecting sign thirty dollars (\$30.00).  
For each ground sign thirty dollars (\$30.00).  
For each temporary sign, requiring a sign permit thirty dollars (\$30.00).

(g) **Zoning ordinance fee.** The fee required to obtain a written black and white copy of the zoning ordinance book shall be twenty-seven dollars (\$27.00).

(h) **Zoning map fee.** The fee required to obtain a 36 inch by 52 inch color zoning map shall be five dollars (\$5.00).

(Ord. No. 746, § 1, 1-26-70; Ord. No. 1015, § 3, 3-1-82; Ord. No. 1039, § 1, 3-14-83; Ord. No. 1223, § 3, 7-29-91; Ord. No. 1589, § 2, 02-21-05)

**Sec. 21-30. Voluntary building certification fee.**

A fee of fifty dollars (\$50.00) per inspection shall be required for all voluntary or nonrequired inspections of a building, which will include one reinspection after the completion of any work necessary to meet requirements of the building code. For additional reinspections, an additional fee of fifteen dollars (\$15.00) per inspection shall be required.

(Ord. No. 986, § 1, 9-29-80)



**Sec. 21-31. Moving building permit fee.**

The fee for a permit to move a building shall be twenty-five dollars (\$25.00).  
(Ord. No. 1414, § 1, 6-22-98)

**Cross References:** Building code regulations regarding relocation of buildings, § 5-37.

**Sec. 21-32. Swimming pool permit fees.**

The permit fees for securing a swimming pool construction permit shall be as follows:

- (1) *In-ground swimming pools.* The fees for in-ground swimming pools shall be computed as provided for in sections 5-30 and 5-32 of this Code.
- (2) *Aboveground swimming pools.* The fees for aboveground, portable pools, not exempted from permit requirements in section 5-29 of this Code, shall be twenty dollars (\$20.00) for the initial installation.

(Ord. No. 1003, § 1, 6-29-81)

**Cross References:** Swimming pool permits, § 5-109.

**Sec. 21-33. Mechanical permit fees.**

The permit fees required under the mechanical code (section 5-95 of this Code) shall be as follows:

*Permit Issuance:*

- (1) For the issuance of each permit . . . . \$20.00
- (2) For issuing each supplemental permit . . . . 10.00

*Unit Fee Schedule:*

- (1) For the installation or relocation of each forced-air or gravity-type furnace or burner, appliance, up to and including 100,000 Btu/h . . . . 9.00
- (2) For the installation or relocation of each forced-air or gravity-type furnace or burner, appliance over 100,000 Btu/h . . . . 11.00
- (3) For the installation, or relocation of each floor furnace, including vent . . . . 9.00
- (4) For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater . . . . 9.00
- (5) For the installation, or relocation or replacement of each appliance vent or chimney or vent damper installed and not included in an appliance permit . . . . 15.00
- (6) For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by this Code . . . . 9.00
- (7) For the installation or relocation of each boiler or compressor to and including 3 horsepower, or each absorption system to and including 100,000 Btu/h . . . . 9.00
- (8) For the installation or relocation of each boiler or compressor over 3 horsepower to and including 15 horsepower, or each absorption system over 100,000 Btu/h to and including 500,000 Btu/h . . . . 15.00
- (9) For the installation or relocation of each boiler or compressor over 15 horsepower to and including 30 horsepower, or each absorption system over 500,000 Btu/h to and including 1,000,000 Btu/h . . . . 20.00

- (10) For the installation or relocation of each boiler or compressor over 30 horsepower to and including 50 horsepower, or for each absorption system over 1,000,000 Btu/h to and including 1,750,000 Btu/h . . . . 25.00
  - (11) For the installation or relocation of each boiler or refrigeration compressor over 50 horsepower, or each absorption system over 1,750,000 Btu/h . . . . 40.00
  - (12) For each air-handling unit to and including 10,000 cubic feet per minute. . . . 6.00
- Note:* This fee shall not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler, or absorption unit for which a permit is required elsewhere in this Code.
- (13) For each air-handling unit over 10,000 cubic feet, per minute . . . . 10.00
  - (14) For each evaporative cooler other than portable type . . . . 6.00
  - (15) For each ventilation fan connected to a single duct . . . . 5.00
  - (16) For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit . . . . 6.00
  - (17) For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood . . . . 6.00
  - (18) For ducts, air distribution assemblies, etc. to conditioned space per square foot . . . . 0.01
  - (19) For the installation or relocation of each commercial or industrial-type incinerator . . . . 40.00
  - (20) For the installation or relocation of solid fuel burning stoves or appliances . . . . 9.00
  - (21) For the installation of each vent restrictor or damper . . . . 6.00
  - (22) For each appliance or piece of equipment regulated by this Code but not classed in other appliance categories, or for which no other fee is listed in this Code . . . . 6.00
  - (23) When chapter 22 is applicable (see Section 103), permit fee for fuel-gas piping shall be as follows:  
For each gas-piping system of 1 to 5 outlets . . . . 6.00
  - (24) Annual permit (as authorized by section 5-95) . . . . 1200.00

*Other Inspections and Fees:*

- (1) Inspections outside of normal business hours (minimum charge--2 hours), per hour . . . . 30.00
- (2) Reinspection fee assessed under provisions of Section 305(f), each . . . . 30.00
- (3) Annual registration fee of mechanical contractor's license . . . . 15.00

(Ord. No. 1053, § 3, 8-8-83; Ord. No. 1217, § 1, 6-17-91; Ord. No. 1321, § 2, 6-26-95)

**Cross References:** Mechanical code, § 5-80 et seq.

**Sec. 21-34. Sanitary landfill disposal fees.**

- (a) *Landfill disposal fees.* Before being permitted to dispose of refuse, all vehicles seeking to discharge refuse at the city's sanitary landfill shall present the proper identification to the landfill attendant indicating that the refuse was generated within the City of Midland or Midland County and pay the attendant a fee as follows:

Type of Refuse	Disposal Fee
(1)* Refuse (except tires) delivered in a passenger car, furnished camper, pickup, panel van, or trailer, Residential only. * One load per month per address of three cubic yards or less of refuse (except tires) and yard waste may be disposed at no charge to the resident, which shall be compensated by the city's general fund. One appliance may be included as part of the three free yards. Additional loads and refuse in excess of three yards shall be charged according to the disposal fee schedule.	No Charge
(2) General refuse (per cubic yard)	5.50
(3) Construction and Demolition material; Foundry Sand (per cubic yard)	10.00
(4) Packer vehicles (per cubic yard) city/contractors	8.50
(5) Tires (per each):	
Passenger car tire	5.00
Truck tire	10.00
Heavy equipment tire	15.00
(6) Yard waste (per cubic yard)	3.00
(7) Appliances (per each)	7.00
(8) Contaminated soil/asbestos (per cubic yard)	12.00
(9) Fee for sharps containers (per each)	3.00
(10) Wastewater and water sludges/street dirt (per cubic yard)	10.00
(11) Bulk medical waste (includes compacted)	10.00
(12) Scrap metal (excludes appliances)	3.00

- (b) The disposal fees above shall be doubled for refuse collected outside Midland County, but authorized by the city manager to be disposed at the city's landfill, or for local units of government in Midland County not having a solid waste disposal agreement with the city.
- (c) *Landfill disposal fee calculation.* The landfill disposal fee is based upon the generating location of the refuse, the type of material and the size of the load, as determined by landfill personnel.
- (d) *Construction and Demolition material.* Construction and demolition material are hereby defined as broken concrete, brick, masonry, pavement, roofing, drywall, wood, paneling, used building materials and other materials designated by the utilities director or his agent.
- (e) *Yard waste.* Yard waste is hereby defined as grass clippings, leaves, brush, garden waste, trees and branches smaller than 12 inches in diameter and 8 feet long.
- (f) *Landfill disposal fee billing administration.* Regular landfill users with an account in good standing shall be issued charge cards and shall be billed monthly for their disposal fees. A penalty of two (2) percent of the bill, with a minimum of five dollars (\$5.00), shall be added to bills not paid to the city treasurer within thirty (30) days of the date of the billing. Access to the landfill for disposal shall be prohibited if the bill remains unpaid for more than sixty (60) days of the date of billing. To regain access to the landfill all outstanding invoices (including those less than 60 days old) shall be paid in full. Customers with an account not in good standing shall pay cash, certified check or money order for each load.

(Ord. No. 767, § 1, 1-18-71; Ord. No. 890, § 1, 6-21-76; Ord. No. 909, § 1, 7-25-77; Ord. No. 990, § 1, 11-17-80; Ord. No. 1050, § 1, 7-25-83; Ord. No. 1092, § 1, 7-1-85; Ord. No. 1133, § 1, 7-27-87; Ord. No. 1159, § 1, 8-8-88; Ord. No. 1172, § 1, 6-19-89; Ord. No. 1206, § 1, 12-17-90; Ord. No. 1219, § 1, 6-17-91; Ord. No. 1240, § 1, 6-15-92; Ord. No. 1267, § 1, 6-28-93; Ord. No. 1564, § 1, 6-23-03; Ord. No. 1569, § 1, 11-10-03)

**Sec. 21-35. Repealed.**

(Ord. No. 1195, § 1, 8-6-90; Ord. No. 1564, § 1, 6-23-03)

**Sec. 21-35.1. Reserved.**

Editors Note: Former § 21-35.1 pertained to spring cleanup fee waiver, was repealed by § 1 of Ord. No. 1194, adopted Aug. 6, 1990, and originated from Ord. No. 900, adopted Mar. 14, 1977.

**Sec. 21-36. Food service establishment license fee.**

The fee for a food service establishment license, or for any food related business defined in section 9-16, shall be five dollars (\$5.00) per year.

Cross References: Business license for food establishments, § 9-19.

**Sec. 21-37. Milk and milk products delivery vehicle license fee.**

The milk and milk products delivery vehicle license fee shall be seven dollars (\$7.00) per vehicle.

**Sec. 21-38. Secondhand, junk dealer license fee.**

The fee for each secondhand and junk dealer's license shall be twenty-five dollars (\$25.00) per year.  
(Ord. No. 770, § 1, 3-1-71)

Cross References: Junk dealer's license required, § 13-2.

**Sec. 21-39. Dismantled motor vehicles permit fee.**

A fee of one dollar (\$1.00) shall be charged for each permit required by section 13-25 of this Code to keep a dismantled or partially dismantled motor vehicle on any premises.

Cross References: Similar provisions, § 13-25.

**Sec. 21-40. Sidewalk construction permit fee.**

The fee for a sidewalk construction permit shall be twenty-five dollars (\$25.00).  
(Ord. No. 1414, § 1, 6-22-98)

**Sec. 21-41. Sidewalk builder's license fee.**

Each applicant for a sidewalk builder's license shall pay an annual fee of five dollars (\$5.00).

**Sec. 21-42. Sewer connector's license fee.**

Each applicant for a sewer connector builder's license shall pay an annual fee of five dollars (\$5.00).

Cross References: Deposit required for street cut permit, § 22-42.

**Sec. 21-43. Sewer connection fees.**

(a) There are hereby established two (2) separate classifications of sewer connection permits:

(1) For the discharge of domestic wastes, not including intercepted groundwaters or stormwaters from roofs, building drains, window well drains, patio drains, truck docks or parking lots, into designated sanitary sewers.

(2) For the discharge of intercepted groundwaters or stormwaters from roofs, yards, building drains, window well drains, patio drains, truck docks or parking lots into designated storm sewers.

(b) A sewer connection permit shall be issued upon payment of the following applicable fee:

(1) For the discharge of domestic wastes into designated sanitary sewers, a sewer connection permit shall not be granted until the applicant has paid the proper fee established in accordance with the following schedule of fees and classification of property:

- a. For property which has previously paid a special assessment, the permit fee shall be one hundred twenty dollars (\$120.00).
- b. For property which has previously constructed at private expense a sewer accepted and used by the city as a public sewer, the permit fee shall be one hundred twenty dollars (\$120.00).
- c. For property which has, previous to the adoption of this chapter, made a connection to any existing city sewer, the permit fee shall be one hundred twenty dollars (\$120.00).
- d. For each property which has not borne the expense of the construction of sewer mains, a permit shall not be granted until a permit fee, the sum of which is equal to one-half ( 1/2) of the per-foot cost of a ten-inch sewer indexed to the year of connection using *The Engineering News Record*, "The Construction Cost Index," and calculated by the city engineer on a front foot basis, is paid. An additional charge shall be made for a six-inch connection line from the sewer main to the property line of the property to be served, if the sewer has or will be constructed by the city. Said additional charges shall be the city's actual construction or contract costs. The property owner may choose to pay this fee in five (5) installments, the first installment being due at the time of connection, and the deferred installments being due annually thereafter, with interest accumulating at the rate of the most recent rate established by the city council for annual payments of special assessments. In such event, this charge shall constitute a lien on the premises subject thereto, and that amount shall also be a debt to the person to whom assessed until paid.

Annually, the city engineer shall notify the director of fiscal services of any such charges due. The director of fiscal services shall forward a statement of the total charges assessed on each parcel of property to the owner, as shown by the last current assessment or tax roll, and said assessment shall be payable to the city treasurer within thirty (30) days from the date said statement was forwarded. If not paid within the prescribed thirty-day period, such statement shall be filed by the director of fiscal services with the city assessor and shall thereupon be assessed against the land in question and become a lien on such property, in accordance with the City of Midland charter. The amount so charged may be discharged at any time by the payment of the amount specified in the statement, together with the accrued interest compiled from the time of filing said statement with the city assessor.

- (2) For the discharge of intercepted groundwaters or stormwaters into designated storm sewers, a storm sewer connection permit shall not be granted until the applicant has paid the proposed fee established in accordance with the following schedule of fees and classification of property:
  - a. For property for which the connection of a downspout, weep tile, footing drain, sump pump discharge or any other conduit that carries the discharge of stormwater or intercepted groundwater to a designated storm sewer was completed after October 26, 1987, the permit fee shall be one hundred twenty dollars (\$120.00).
  - b. For property with downspout, weep tile, footing drain, sump pump discharge or any other conduit that carries the discharge of stormwater or intercepted groundwater connected to a sanitary sewer prior to October 27, 1987, and for which the connection was eliminated and a subsequent connection to a designated storm sewer is requested, a permit fee shall not be levied.
- (3) The combined permit fee for each property for which a sanitary sewer connection permit and a storm water connection permit is obtained at the same time and for which the inspection of both connections are to be completed at the same time shall be one hundred sixty-five dollars (\$165.00).

(Ord. No. 679, § 1, 10-23-67; Ord. No. 864, § 1, 6-30-75; Ord. No. 1132, § 1, 7-27-87; Ord. No. 1151, § 1, 6-6-88; Ord. No. 1259, § 1, 3-15-93; Ord. No. 1324, § 1, 8-28-95; Ord. No. 1415, § 1, 6-22-98; Ord. No. 1422, § 1, 7-13-98; Ord. No. 1424, § 1, 9-14-98; Ord. No. 1436, § 1, 2-8-99)

**Cross References:** Sewer connection charges, § 28-162 et seq.

**Sec. 21-44. Reserved.**

**Editors Note:** Ord. No. 1349, § 1, adopted June 10, 1996, amended the Code by deleting § 21-44 in its entirety. Former § 21-44 pertained to bicycle registration fees, and carried no history note.

**Sec. 21-45. Trailer coach parking permit fee.**

A fee for a trailer coach parking, use and occupancy permit shall be two dollars (\$2.00).  
**Cross References:** Trailer coach permit issuance, § 25-7.

**Sec. 21-46. Taxicab driver's certificate of fitness fee.**

The fee for a taxicab driver's certificate of fitness shall be the sum of one dollar (\$1.00).  
**Cross References:** Taxicab driver's certificate of fitness required, § 27-31.

**Sec. 21-47. Taxicab license fee.**

A fee of five dollars (\$5.00) per year shall be collected for each taxicab licensed under this Code.  
**Cross References:** Taxicab license permit, § 27-19.

**Sec. 21-48. Reserved.**

**Editors Note:** Ord. No. 858, § 1, adopted May 21, 1975; amended this Code by repealing former § 21-48 relative to cable antenna television permit fee. Said section was derived from Ord. No. 789, § 1, adopted March 20, 1972.

**Sec. 21-49. Solicitor's fee.**

The fee for a solicitor's license shall be twenty dollars (\$20.00) per year.  
(Ord. No. 764, 10-26-70)

**Sec. 21-50. Erosion and sedimentation control permit fees.**

At the time of filing an application for a permit under Article V of Chapter 5, a nonrefundable fee of ten dollars (\$10.00) per acre of site area involved will be charged for plan review and site inspections, with a minimum fee of ten dollars (\$10.00) for such review and inspection.  
(Ord. No. 848, § 2, 12-16-74)

**Sec. 21-51. Rental dwelling certification fees and penalties.**

The fees for certification, inspection, reinspection, delinquencies and housing board of appeals shall be as follows:

For certifying each rental dwelling . . . . \$20.00

For each reinspection per unit as provided in section 12-31(a) . . . . 20.00

For each delinquent certification, per unit . . . . 20.00

For each delinquency over 30 days, per unit . . . . 40.00

For each delinquency over 60 days, per unit . . . . 60.00

*Note:* Fees for delinquencies are in addition to the fees for certifying.

For reinstating a suspended certificate . . . . 20.00

For issuing a temporary certificate . . . . 20.00

Housing board of appeals . . . . 25.00  
(Ord. No. 1218, § 2, 6-17-91; Ord. No. 1321, § 2, 6-26-95)

**Secs. 21-52--21-59. Reserved.**

**Sec. 21-60. Penalty for failure to renew on time.**

Any annual occupation or business license required by this Code, except those relating to construction, not renewed by the expiration date, shall be renewed upon payment of a fee double the established fee in addition to meeting the other established conditions of a license renewal.

(Ord. No. 770, § 2, 3-1-71)

**Secs. 21-61--21-69. Reserved.**

**ARTICLE II.**

**PARKS AND RECREATION FEES**

**DIVISION 1.**

**CIVIC ARENA**

**Sec. 21-70. Civic Arena Fees**

The fees for use of the Civic Arena and its facilities are as follows:

Rates during the season (September through May)

- |      |  |                |             |
|------|--|----------------|-------------|
| (1)  | Individual Ice Skater – Adult  | \$ 5.00        | per session |
| (2)  | Individual Ice Skater – Youth & Senior   | \$ 4.00        | per session |
| (3)  | Skating Pass (20 admissions) – Adult   | \$ 85.00       | per pass    |
| (4)  | Skating Pass (20 admissions) – Youth & Senior  | \$ 70.00       | per pass    |
| (5)  | Skate Rental   | \$ 3.00        | per session |
| (6)  | Skate Sharpening   |                |             |
|      | Hockey   | \$ 5.00        |             |
|      | Figure/Goalie  | \$ 6.00        |             |
|      | New/Rusty/Poor Condition   | \$ 8.00        |             |
| (7)  | Drop-In Program  |                |             |
|      | Hockey (Noon)  | \$ 8.00        |             |
|      | Hockey (Prime)   | \$ 10.00       |             |
|      | Speed Skating  | \$ 12.00       |             |
|      | Figure Skating   | \$ 12.00       |             |
| (8)  | Conference Room Rental   | \$ 15.00       | per hour    |
| (9)  | Special events and programs  | variable rates | per event   |
| (10) | The Civic Arena Manager is authorized to adjust rental rates for the purpose of marketing additional rink rental. The maximum hourly rate for ice rental shall be \$235.00 per hour. The maximum hourly rate for turf rental shall be \$120.00 per hour. |                |             |
| (11) | For customer invoices not paid by the invoice due date, the Civic Arena will assess a late fee on the unpaid amount at a rate of the greater of \$25.00 or 1% of the unpaid invoice balance.   |                |             |

(Ord. No. 1341, § 1, 3-18-96; Ord. No. 1368, § 1, 3-17-97; Ord. No. 1405, § 1, 3-9-98; Ord. No. 1441, § 1, 3-22-99; Ord. No. 1470, § 1, 3-20-00; Ord. No. 1497, § 1, 3-19-01; Ord. No. 1523, § 1, 3-11-02; Ord. No. 1558, § 1, 3-10-03; Ord. No. 1572 § 1, 3-8-04; Ord. No. 1591, § 1, 03-21-05; Ord. No. 1621, § 1, 07-24-06; Ord. No. 1629, § 1, 2-26-07; Ord. No. 1650, § 1, 03-10-08; Ord. No. 1671, § 1, 03-23-09; Ord. No. 1683, § 1, 07-27-09; Ord. No. 1735, § 1, 08-13-12; Ord. No. 1764, § 1, 10-06-14)

**DIVISION 2.**

**GOLF COURSE**

**Sec. 21-71. Golf Course Fees**

Golf Course Fees shall be established by Billy Casper Golf, LLC per the terms of the Currie Municipal Golf Course Management Agreement entered into between the City of Midland and Billy Casper Golf, LLC on December 23, 2013.

(Ord. No. 1342, § 1, 3-18-96; Ord. No. 1406, § 1, 3-9-98; Ord. No. 1442, § 1, 3-22-99; Ord. No. 1473, § 1, 3-27-00; Ord. No. 1498, § 1, 3-19-01; Ord. No. 1524, § 1, 3-11-02; Ord. No. 1549, § 1, 11-11-02; Ord. No. 1559, § 1, 3-10-03; Ord. No. 1573 § 1, 3-10-03; Ord. No. 1592, § 1, 03-21-05; Ord. No. 1613, § 1, 03-20-06; Ord. No. 1630, § 1, 2-26-07; Ord. No. 1632, § 1, 3-19-07; Ord. 1651, § 1, 03-10-08; Ord. No. 1672, § 1, 03-23-09; Ord. No. 1686, § 1, 12-07-09; Ord. No. 1709, § 1, 07-26-10; Ord. No. 1714, § 1, 02-28-11; Ord. No. 1744, § 1, 03-11-13; Ord. No. 1756, § 1, 05-19-14)

**DIVISION 3.**

**SWIMMING POOLS**

**Sec. 21-72. Swimming pool fees**

The fees for use of the city's swimming pools are as follows:

- |      |   |           |             |
|------|---|-----------|-------------|
| (1)  | Public Swimming - Adult   | \$ 5.00   | per session |
|      | Public Swimming - Youth & Senior  | \$ 4.00   | per session |
| (2)  | Limited Pass - 15 Admissions, Adult   | \$ 50.00  | per pass    |
|      | Limited Pass - 15 Admissions, Youth   | \$ 40.00  | per pass    |
| (3)* | Swimming Lessons  | \$ 40.00  | per session |
| (4)  | Individual Swim Pass, unlimited use - Adult   | \$ 85.00  | per pass    |
|      | Individual Swim Pass, unlimited use - Youth   | \$ 70.00  | per pass    |
| (5)  | Family Swim Pass - 2 members  | \$ 120.00 | per pass    |
| (6)  | Family Swim Pass - each additional member   | \$ 35.00  | per member  |
| (7)  | Family Swim Pass - maximum per family   | \$ 190.00 | per pass    |
| (8)  | Competitive Swim Pool Rental  | \$ 55.00  | per hour    |
| (9)  | Aquasize - per session  | \$ 25.00  | per session |
| (10) | Aquasize - daily drop-in  | \$ 5.00   | per day     |
| (11) | Midland Dolphins season contract: The director of public services is authorized with the approval of the city manager to enter into a cost recovery agreement with the Midland Dolphins consistent with the recreation fee philosophy for use of Plymouth Pool. The agreement will be reviewed and adjusted annually as needed. |           |             |

\* THERE SHALL BE A \$10.00 SERVICE FEE FOR REFUNDS.

(Ord. No. 1343, § 1, 3-18-96; Ord. No. 1407, § 1, 3-9-98; Ord. No. 1472, § 1, 3-20-00; Ord. No. 1525, § 1, 3-11-02; Ord. No. 1574, § 1, 3-8-04; Ord. No. 1593, § 1, 03-21-05; Ord. No. 1614, § 1, 03-20-06; Ord. No. 1679, § 1, 5-18-09; Ord. No. 1688, § 1, 1-11-10; Ord. No. 1772, § 1, 1-26-15)

**DIVISION 4.**

**GENERAL RECREATION**

**Sec. 21-73. General recreation fees**

- |     |  |           |            |
|-----|--|-----------|------------|
| (1) | Adult softball player  | \$ 28.00  | per player |
| (2) | Adult softball player (2 <sup>nd</sup> team)   | \$ 28.00  | per player |
| (3) | Adult softball player - Fall League  | \$ 18.00  | per player |
| (4) | Each softball team in individual tournaments - Fee set on per event basis in conjunction with Midland Softball Association |           | per event  |
| (5) | Youth softball player  | \$ 9.00   | per player |
| (6) | Rugby club   | \$ 450.00 | per club   |
| (7) | Beach volleyball   |           |            |
|     | Player fee - Recreation league   | \$ 15.00  | per player |
|     | Player fee - 2 person Competitive league   | \$ 27.00  | per player |
|     | Player fee - 4 & 6 person Competitive  | \$ 22.00  | per player |



	league		
(8)	Adult kickball (10 player minimum per team)	\$ 25.00	per player
(9)	Ski rental (rental 2 hours or part thereof)		
	Classic skis	\$ 10.00	per rental
	Skate skis	\$ 15.00	per rental
(10)	Toboggan rental (per hour two-hour maximum)	\$ 8.00	per hour
(11)	Skate and sled rental	\$ 4.00	per two hours
(12)	Chalet building rental (2 hour minimum)	\$ 40.00	per hour
(13)	Picnic kit deposit	\$ 15.00	per kit
(14)*	Ball field rental – private tournament		
	2 hour rental	\$ 35.00	per field
	4 hour rental	\$ 45.00	per field
	Full day rental	\$ 90.00	per field
	Daily complex – New Redcoats fields 9-13	\$ 400.00	per complex
	Daily complex – Old Redcoats fields 4-8	\$ 400.00	per complex
	Daily complex – Emerson fields 1-3	\$ 250.00	per complex
(15)	Ball diamond lights – private tournament use	\$ 25.00	per hour
(16)*	Ball diamond grooming – private tournament	\$ 15.00	per grooming
(17)*	Ball diamond grooming/maintenance – private tournament – Overtime	\$ 75.00	per hour
(18)*	Ball diamond grooming/maintenance – private tournament - Double time	\$ 100.00	per hour
(19)*	Diamond dry field drying material– private tournament	\$ 12.00	per bag
(20)**	Picnic shelter reservations		
	Emerson C, Emerson E	\$ 35.00	per use
	Plymouth F (south), F (north), G, H	\$ 35.00	per use
	Barstow Woods A	\$ 35.00	per use
	Stratford Woods J	\$ 35.00	per use
	Chippewassee B	\$ 35.00	per use
	Emerson D	\$ 55.00	per use
	Plymouth F (entire shelter)	\$ 65.00	per use
	Unsheltered areas	\$ 25.00	per use
	Addition of a canopy	\$ 25.00	per request
	Delivery of picnic tables (up to 5 tables) – Fee is non-refundable	\$ 40.00	per use
	Additional tables (if available up to maximum of 10 tables) – fee is non-refundable	\$ 8.00	per table
(21)	Band shell reservation	\$ 75.00	per use
(22)	Delivery of bleachers	\$ 20.00	per section
(23)	Delivery of portable grill	\$ 10.00	per use
(24)***	City stage rental		
	Non-profit group inside city limits	\$ 100.00	per use
	For profit group inside city limits	\$ 250.00	per use
	Non-profit group outside city limits	\$ 175.00	per use
	For profit group outside city limits	\$ 450.00	per use
(25)	Speaker system deposit	\$ 50.00	per system

\*Note: Fees for private tournament ball field maintenance effective starting with the 2010 softball season. All field rentals include initial field preparation (grooming and chalk lines). For private tournaments requesting special amenities or enhanced field maintenance, the director of public services may charge additional fees on a special recreation event basis to cover costs incurred.

**\*\*Note:** Fees paid for shelter reservations are non-refundable.

Exceptions to (20) Picnic shelter reservation fees are as follows:

- a) Donors of shelters shall be allowed one rent free use per year in the respective donated structure.
- b) Daytime reservations which begin after 8:00 a.m. and end before 3:00 p.m. Monday – Friday from April 15 – June 30 are exempt from fees.

**\*\*\*Note:** Stage rental is intended for community events held within the City limits or Midland County only. Stage rental fees are non-refundable.

**\*\*\*\*Note:** The director of public services is authorized with the approval of the city manager to implement rates for special recreation events according to the recreation fee philosophy to recover programming costs for such offerings.

(Ord. No. 1344, § 1, 3-18-96; Ord. No. 1369, § 1, 3-17-97; Ord. No. 1408, § 1, 3-9-98; Ord. No. 1443, § 1, 3-22-99; Ord. No. 1526, § 1, 3-11-02; Ord. No. 1560, § 1, 3-10-03; Ord. No. 1575, § 1, 3-8-04; Ord. No. 1587, § 1, 12-13-04; Ord. No. 1615, § 1, 03-20-06; Ord. No. 1622 § 1, 10-23-06; Ord. No. 1631, § 1, 2-26-07; Ord. No. 1680, § 1, 5-18-09; Ord. No. 1689, § 1, 1-11-10; Ord. No. 1713, § 1, 1-24-11; Ord. No. 1724, § 1, 1-30-12; Ord. No. 1743, § 1, 1-21-13; Ord. No. 1755, § 1, 1-27-14; Ord. No. 1771, § 1, 1-26-15; Ord. No. 1782, § 1, 2-29-16)

**Secs. 21-74--21-79. Reserved.**

### ARTICLE III.

#### EMERGENCY RESPONSE FEES

**Sec. 21-80. Police department fees.**

The emergency response fee shall be a minimum of \$250.00 per offense. If the cost of an emergency response fee shall exceed the \$250.00 minimum, the actual cost of response shall be applied.  
This Ordinance shall take effect on January 1, 2008.

(Ord. No. 1351, § 1, 6-24-96; Ord. No. 1647, § 1, 12-17-07)

**Secs. 21-82--21-89. Reserved.**

### ARTICLE IV.

#### LIBRARY FINES, FEES AND OTHER CHARGES\*

\* **Editors Note:** Ord. No. 1357, § 1, adopted September 1, 1996, amended the Code by adding a new Art. III, §§ 21-90--21-92 to this chapter. In order to prevent duplication of article numbers the editor has redesignated the new article as Article IV.

**Sec. 21-90. Library fines.**

The overdue fines for library services are as follows:

1. Adult materials, \$0.15 per day, per item, up to a maximum of \$15.00 per item per check out period, or the cost of the item, whichever is less.

2. Juvenile materials, \$0.10 per day, per item, up to a maximum of \$10.00 per item per check out period, or the cost of the item, whichever is less.
3. Videos, \$1.00 per day, per video up to the replacement cost of the video.

A four-day grace period after the due date is allowed on all materials except Book Express books, and videos. If the material is returned on the fifth day after the date due, the fine is retroactive to the original date.

(Ord. No. 1357, § 1, 9-1-96; Ord. No. 1440, § 1, 3-22-99; Ord. No. 1645, § 1, 12-03-07 )

**Sec. 21-91. Use fees.**

The fees for library services are as follows:

(1) Use fees:

- a. Videos
  1. Up to six (6) months after release: \$2.50 per check out period
  2. Six (6) months after release: \$1.25 per check out period
  3. Children's videos: No charge

The fees for videos may be adjusted or be waived at the discretion of the Library Director.

- b. Holds placed: \$0.25 per hold  
Library of Michigan MeL (Michigan Electronic Library) Catalog requests: No charge
- c. Temporary cards: \$25.00 per year
- d. Non-resident cards: \$75.00 per year
- e. Replacement cards: \$2.00; damaged cards will be replaced free of charge upon presentation of damaged card by card holder.
- f. Service charge of \$1.00 for privilege of borrowing materials without having library card readily available. (All circulation policies apply.)
- g. Public Computers Printing/Copying.
  1. Black and white – First page no charge, additional printing \$0.10 per page
  2. Color - \$1.00 per page
  3. Copy machines, Microform reader printer - \$0.10 per page
- h. Interlibrary loans – All charges from loaning libraries including postage, insurance and loaning fees will be charged to the borrower requesting the information.

Payment required in advance.

- i. Laptop computers – First hour at no charge, \$2.50 each additional hour, in-house use only, restricted to adults 18 years or older. Borrower agreement to be signed prior to use.
- j. Fees for special programs can be charged at the discretion of the Library Director.

(2) Meeting facilities use fees:

A deposit may be required at time of reservation.

	Profit Groups	Not for Profit and 501(c) Groups
a. Conference Room	\$25.00/hr	No charge
Overhead Projector	\$10.00/day	\$10.00/day
b. Lounge	\$30.00/hr Min 2 hrs	\$15.00/hr Min 2 hrs
Additional hours	\$20.00/hr	\$15.00/hr
Overhead Projector	\$10.00/day	\$10.00/day
Large Screen TV and VCR/DVD	\$20.00/day	\$20.00/day
Coffee Ums	\$5.00/day	\$5.00/day
Custodial Overtime		
Monday—Saturday	\$35.00/hr	\$35.00/hr
Sunday	\$40.00/hr	\$40.00/hr
c. Auditorium	\$40.00/hr Min 2 hrs	\$20.00/hr Min 2 hrs
Additional hours	\$30.00/hr	\$20.00/hr
Piano	\$30.00/day Tuning not included, market rate	\$30.00/day
Overhead Projector	\$10.00/day	\$10.00/day
Video Projection System	\$50.00/day	\$50.00/day
Custodial Overtime		
Monday—Saturday	\$35.00/hr	\$35.00/hr
Sunday	\$40.00/hr	\$40.00/hr
d. Mezzanine	NA	\$25.00/month

Custodial Overtime		Plus custodial services and materials if necessary
Monday—Saturday	\$35.00/hr	\$35.00/hr
Sunday	\$40.00/hr	\$40.00/hr

(Ord. No. 1357, § 1, 9-1-96; Ord. No. 1440, § 1, 3-22-99; Ord. No. 1645, § 1, 12-03-07)

**Sec. 21-92. Other charges.**

The other charges for library services are as follows:

- (1) Lost and/or damaged materials charges:
  - a. Protective holders that are damaged beyond normal wear and tear – \$4.00 replacement and processing per item.
  - b. Lost items: Cost of the item per the library database plus an \$8.00 processing fee
  - c. Damaged material: If an item is returned beyond repair, the total cost of the item per the library database must be paid plus an \$8.00 processing fee. If audiocassettes or books on CD and MP3 are returned with missing items that can be replaced, the cost of the replacement per the vendor plus an \$8.00 processing fee will be charged.
- (2) Failure to pay assessed fines and fees may result in suspension of library privileges or further legal action.

(Ord. No. 1357, § 1, 9-1-96; Ord. No. 1440, § 1, 3-22-99; Ord. No. 1645, § 1, 12-03-07)

Secs. 21-93--21-100. Reserved.

**ARTICLE V.**

**MUNICIPAL CIVIL INFRACTION FINES\***

\* **Editors Note:** Ord. No. 1363, § 1, adopted January 6, 1997, amended the Code by adding a new Art. IV, §§ 21-90 and 21-91. In order to prevent duplication of article and section numbers, said provisions have been redesignated as Art. V, §§ 21-101 and 21-102 at the discretion of the editor.

**Sec. 21-101. General fines.**

Unless an ordinance specifically provides for a particular fine for a municipal civil infraction, the civil fine shall be as follows:

- (1) First offense . . . . . \$ 50.00
- (2) First repeat offense . . . . . 250.00
- (3) Second (or any subsequent) repeat offense . . . . . 500.00

(Ord. No. 1363, § 1, 1-6-97)

**Sec. 21-102. Fire code fines.**

- (a) Parking violations, per offense (Sections 902.2.4.1, 7904.6.5 and 8214.2.1) . . . . \$ 25.00
  - (b) Non-parking violations:
    - (1) First offense . . . . 50.00
    - (2) First repeat offense . . . . 250.00
    - (3) Second (or any subsequent) repeat offense . . . . 500.00
- (Ord. No. 1363, § 1, 1-6-97)

Secs. 21-103--21-110. Reserved.

**ARTICLE VI.**

**FALSE ALARM RESPONSE FEES\***

\* **Editors Note:** Ord. No. 1379, § 1, adopted June 2, 1997, added provisions to the Code designated as Art. V, § 21-101. In order to avoid duplication of article and section numbering, the editor has redesignated the provisions of Ord. No. 1379, as Art. VI, § 21-111.

**Sec. 21-111. Police and fire department fees.**

The fees for a response by either the City of Midland Police or fire department to a false alarm pursuant to Chapter 31 of the Code of Ordinances of the City of Midland are as follows:

- (1) First false alarm . . . . \$25.00
- (2) Second false alarm . . . . 50.00
- (3) Third false alarm . . . . 75.00
- (4) Fourth and subsequent false alarms . . . . 100.00

The fees for a second and all subsequent false alarms shall be levied unless the date of a false alarm occurs more than twenty-four (24) months from the date of the previous false alarm, in which case said false alarm shall be considered to be the first false alarm.

(Ord. No. 1379, § 1, 6-2-97)

Secs. 21-112--21-119. Reserved.

**ARTICLE VII.**

**MIDLAND COMMUNITY TELEVISION (MCTV) FINES, FEES AND OTHER CHARGES\***

\* **Editors Note:** Ord. No. 1385, § 1, adopted Aug. 25, 1997, added provisions to the Code designated as Art. VI. In order to avoid duplication of article numbering, the editor has redesignated the provisions of Ord. No. 1385 as Art. VII.

**Cross References:** Midland community television; § 15-130 et seq.

**Sec. 21-120. MCTV fines.**

The fines for MCTV services are as follows:

- (1) Late equipment returns:

a. Late return of equipment, five dollars (\$5.00) per day, starting after the first hour late.  
(Ord. No. 1385, § 1, 8-25-97)

**Sec. 21-121. Use fees.**

The use fees for MCTV services are as follows:

(1)	Annual access user fee	\$25.00
(2)	Training fees:	
	a. Access user training course (initial)	\$20.00
	b. Access user training course (advanced)	10.00
	c. Video camp	50.00
(3)	Video duplication fees:	
	a. 0-60 minutes of content	\$10.00
	b. 61-120 minutes of content	20.00
	c. Over 120 minutes of content	30.00

(Ord. 1624, § 1, 12-04-06; Ord. No. 1385, § 1, 8-25-97)

**Secs. 21-122--21-129. Reserved.**

**ARTICLE VIII.**

**PARKING PENALTIES**

**Sec. 21-130. Parking violations and penalty schedule.**

The following parking violations may be settled by payment of the penalty designated:

	Offense	Penalty
(1)	Failure to display required permit	\$15.00
(2)	Parking too far from curb	\$15.00
(3)	Angle parking violations	\$15.00
(4)	Obstructing traffic	\$30.00
(5)	Prohibited parking (signs unnecessary):	
	a. On sidewalk	\$15.00
	b. In front of a public or private driveway	\$30.00
	c. Within an intersection	\$30.00
	d. Within 15 feet of hydrant	\$30.00
	e. On a crosswalk	\$30.00
	f. Within 20 feet of a crosswalk or 15 feet of corner lot lines	\$15.00
	g. Within 30 feet of traffic control signal or device	\$15.00
	h. Safety zone	\$30.00
	i. Within 50 feet of a railroad crossing	\$50.00
	j. Within 20 feet of a fire station entrance	\$30.00
	k. Within 75 feet of a fire station entrance (on opposite side of street, signs required)	\$30.00
	l. Beside street excavation when traffic obstructed	\$30.00
	m. Double parking	\$30.00
	n. On bridge or viaduct or within tunnel	\$30.00

o.	Within 200 feet of accident where police in attendance	\$15.00
p.	In front of any theater	\$15.00
q.	Blocking emergency exit	\$30.00
r.	Blocking fire escape	\$30.00
(6)	Leaving vehicle unattended with the motor running with keys in vehicle	\$15.00
(7)	In prohibited zones (signs required)	\$15.00
(8)	In an alley	\$15.00
(9)	Parking on lawn extension	\$15.00
(10)	Parking for prohibited purpose:	
a.	Displaying vehicle for sale	\$15.00
b.	Working on or repairing vehicle	\$15.00
c.	Displaying advertising	\$15.00
d.	Selling merchandise	\$15.00
e.	Storage over 48 hours	\$15.00
(11)	Wrong side boulevard roadway	\$15.00
(12)	Loading zone violation	\$15.00
(13)	Bus, parking other than bus stop	\$15.00
(14)	Taxicab, parking other than cab stand	\$15.00
(15)	Bus, taxicab stand violations	\$15.00
(16)	Meter violations	\$10.00
(17)	Meters, not parked within space	\$15.00
(18)	Violations of parking lot parking regulations	\$15.00
(19)	Parking on footwalks, bridges, paths, sidewalks, grass plots or planted spaces of park or boulevard	\$30.00
(20)	Parking on streets between 3:00 a.m. and 6:00 a.m.	\$30.00
(21)	Failure to set brakes	\$15.00
(22)	Parked on grade, wheels not turned to curb	\$15.00
(23)	Bicycle parking violations	\$15.00
(24)	Overtime parking violations	\$10.00
(25)	Left wheel to curb (car must be parked in direction of lawful traffic movement)	\$15.00

In the event any of the foregoing penalties are not paid within seven (7) days from the date of issuance of the traffic ticket or notice of violation, the amount of penalty shall double.

(Ord. No. 1404, § 1, 1-26-98; Ord. No. 1678, § 1, 5-11-09)

**Secs. 21-131-21-149. Reserved.**

## ARTICLE IX.

### STORMWATER FEES

**Sec. 21-150. Stormwater permit.**

(1) The fee for the issuance of a stormwater permit, as required pursuant to section 29-3 of this Code, shall be as follows:

- (a) Developments less than or equal to five acres in size . . . . \$150.00
- (b) Developments greater than five acres in size, per acre . . . . 30.00

Services performed by the city engineer, or his or her designee, that are included in processing the permit and for which no additional charges shall be assessed include a pre-design meeting, if necessary, an initial review of the plans and specifications required to be submitted pursuant to chapter 29, a review of any changes requested by the city engineer during the initial review, an



inspection of the development upon completion of construction and the issuance of the initial stormwater certificate.

(2) The fee for an additional review of plans and specifications shall be the greater of fifty dollars (\$50.00) or the total cost incurred to complete the review. The total cost shall be determined by multiplying the hourly wage and fringe benefits paid to the employee who performs the review by the actual number of hours required to complete the review.

(3) The fee for an additional inspection shall be the greater of thirty dollars (\$30.00) or the total cost incurred to complete the review. The total cost shall be determined by multiplying the hourly wage and fringe benefits paid to the employee who performs the review by the actual number of hours required to complete the review.  
(Ord. No. 1449, § 1, 5-17-99)

**Sec. 21-151. Stormwater certificate.**

The fee for issuance of a stormwater certificate, as required pursuant to section 29-3.1 of this Code, shall be as follows:

(1) Developments less than or equal to five acres in size . . . . \$60.00

(2) Developments greater than five acres in size, per acre . . . . 15.00

(Ord. No. 1449, § 1, 5-17-99)

**Sec. 21-152. Penalty for failure to obtain stormwater certificate.**

(1) In the event that a stormwater certificate is not renewed during the calendar month of its expiration date, but is renewed during the calendar month following the expiration date, a penalty, equal to the amount of the certification fee, shall be assessed in addition to the certification fee.

(2) In the event that a stormwater certificate is not renewed during the calendar month of its expiration date, but is renewed during the second calendar month following the expiration date, a penalty equal to fifty dollars (\$50.00) shall be assessed in addition to that penalty specified in subsection 21-152(1).

(3) In the event that a stormwater certificate is not renewed during the calendar month of its expiration date, but is renewed more than two calendar months following the expiration date, a penalty equal to one hundred dollars (\$100.00) shall be assessed in addition to that penalty specified in subsection 21-152(1).  
(Ord. No. 1449, § 1, 5-17-99)

**ARTICLE X.**

**PARKING FEES**

**Sec. 21-153.1 Parking meter rates.**

Fees charged for parking at meters within the City of Midland shall be:

One-half (1/2) hour .....	\$0.10
One hour .....	0.20

**SEC. 21-153.2 LEASED PARKING SPACES**

Fee charged for an open lot leased space within the City of Midland shall be:

Annual fee .....	\$250.00
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The annual fee may be prorated on a minimum six month basis as specified in the lease permit.  
(Ord. No. 1502, § 1, 4-9-01; Ord. No. 1690, § 1, 2-15-10)

**ARTICLE XI.**

**POLICE DEPARTMENT SERVICE FEES**

**Sec. 21-154. Police department service fee.**

Fees for services provided by the City of Midland Police Department shall be:

1. Request for accident reports from insurance company or third party . . . . \$ 2.00
2. Notary public service . . . . 2.00
3. Gun permit . . . . 5.00
4. Background record or file check . . . . 5.00
5. Concealed weapon permit . . . . 5.00
6. Dealer application firearms license . . . . 5.00
7. R.I. 9's--dealer permit . . . . 5.00
8. Preliminary breath test--upon request . . . . 5.00
9. Report summaries for third party . . . . 5.00
10. Identification cards for non-City of Midland employees . . . . 5.00
11. Fingerprinting--upon request . . . . 10.00.

(Ord. No. 1506, § 1, 5-7-01)

**Article XII**

**GEOGRAPHIC INFORMATION SYSTEMS (GIS) DATA FEES**

**Sec. 21-160. GIS DATA FEES**

Fees for GIS data by the City of Midland shall be:

	GIS Data	Cost/Entire City	Cost/Unit	Updates
1.	Pictometry (oblique imagery)	\$25,000.00	N/A	N/A
2.	Aerial Photography	\$3,500.00	\$90/mi <sup>2</sup>	N/A
3.	Parcels	\$1,500.00	\$2/parcel	\$150.00
4.	Parcels w/data	\$3,000.00	\$3/parcel	\$300.00
5.	Road Centerline	\$1,500.00	\$3/segment	\$300.00
6.	Address Points	\$1,500.00	\$3/point	\$300.00
7.	City Boundary	\$500.00	N/A	\$50.00
8.	Edge of Pavement	\$500.00	N/A	\$50.00
9.	Hydrology	\$500.00	N/A	\$50.00
10.	Building Outlines	\$500.00	N/A	\$50.00
11.	Transportation Lines	\$500.00	N/A	\$50.00

12.	Zoning	\$100.00	N/A	N/A
13.	Land Use (Future and Existing)	\$100.00	N/A	N/A
14.	100-Year Floodplain	\$100.00	N/A	N/A
15.	Wastewater Network	\$3,000.00	N/A	\$300.00
16.	Stormwater Network	\$3,000.00	N/A	\$300.00
17.	Fire Hydrants	\$1,500.00	N/A	\$150.00
18.	Elevation Contours (2ft)	\$3,000.00	N/A	N/A
19.	Digital Elevation Model (DEM)	\$3,000.00	N/A	N/A
20.	Points of Interest	\$50.00	N/A	N/A
21.	Parks	\$50.00	N/A	N/A
22.	Miscellaneous Data	\$50.00	N/A	N/A
23.	Tax Assessment Data	\$1,500.00	N/A	\$500.00
24.	Address Data	\$1,500.00	N/A	\$500.00
25.	Master Street Address Guide (MSAG)	\$1,500.00	N/A	\$500.00

(Ord. No. 1668, § 1, 11-10-08)

**ARTICLE XIII.**

**FIRE DEPARTMENT SERVICE FEES**

**Sec. 21-165. Fire department service fees.**

Fees for services provided by the City of Midland Fire Department in accordance with Chapter 8 of the Code Ordinances shall be as outlined in Article XIII. For purposes of this section, "after hours" shall be defined as hours outside of normal Fire Prevention Division hours of operation.

1. Annual and semi-annual fire safety inspections will be performed at no charge.
2. 1st re-inspection \$50.00
3. 2<sup>nd</sup> and all subsequent re-inspections \$100.00 each

**Sec. 21-166. Third party inspections.**

Third party inspections by NFPA or State of Michigan certified inspectors may be accepted at the discretion of the Midland Fire Department.

**SEC. 21-167. Occupancy inspections.**

Certificate of Occupancy and Change of Occupancy inspections which include temporary certificates of occupancy as well as one (1) re-inspection.

1. Ultra low hazard . . . . \$100.00
2. Low hazard . . . . \$150.00
3. Moderate hazard . . . . \$575.00

- 4. High hazard . . . . \$975.00
- 5. Hotels/motels and nursing homes/assisted living facilities . . . . \$95.00 per building, plus \$5.75 per room

**SEC. 21-168. Acceptance testing & temporary use permits.**

- 1. An additional flat fee of \$50.00 will be charged for all requested after hour.
- 2. Acceptance testing/inspections.
  - A. Complaints . . . . \$50.00
  - B. life safety complaints . . . . \$150.00
  - C. Hot work operations . . . . \$50.00
  - D. Fireworks displays . . . . \$95.00
  - E. Blasting . . . . \$95.00
  - F. Sprinkler system testing \$150.00
  - G. Fire pump testing . . . . \$150.00
  - H. Fire alarm testing . . . . \$150.00
  - I. Commercial range hood suppression systems (acceptance testing) . . . . \$100.00
  - J. Clean agent system (acceptance testing) . . . . \$100.00 per unit and per test
  - K. Smoke control systems (acceptance testing) . . . . \$100.00 per system and per test
  - L. Kiosk displays/booths/concession stands . . . . \$50.00
  - M. Mall displays . . . . \$65.00
  - N. Tents and other temporary membrane structures over 200 square feet . . . . \$125.00 (includes permit)
  - O. Places of assembly (event) . . . . \$50.00
  - P. Exhibits and trade shows . . . . \$50.00
  - Q. Open flame . . . . \$50.00

**Sec. 21-169. Plan review fees.**

- A. Sprinkler systems (including foam systems) . . . . \$0.08 per square foot of building area with \$250.00 minimum
- B. Fire pumps . . . . \$200 (not included in sprinkler plan review fee)
- C. Stand pipe . . . . \$200.00 (combination stand pipe and riser plans shall be reviewed under the sprinkler system schedule)
- D. Commercial range hood systems . . . . \$150.00; additional systems reviewed at the same time and for the

same building . . . . \$100.00

- E. Clean agent, carbon dioxide or other similar systems . . . . \$150.00
- F. Fire alarm/detection systems . . . . \$90.00 per hour, one (1) hour minimum
- G. Building life safety . . . . \$90.00 per hour, one (1) hour minimum
- H. Flammable, combustible liquids and compressed gas storage . . . . \$90.00 per hour, one (1) hour minimum
- I. Spectator seating review . . . . 1 to 1,000 seats \$200.00; over 1,000 seats shall be \$200.00 plus \$20.00 for each additional 20 seats

**Sec. 21-170. Cost recovery operating costs.**

Hourly unit operating rate of equipment, materials and personnel as established by the Fire Chief, including but not limited to:

- (1) Special events.
- (2) Specialized professional services for emergency response needs as deemed required by the Fire Chief or its designee.
- (3) Training provided.

(Ord. No. 1719, § 1, 10-24-11)

**ARTICLE XIV**

**DIAL-A-RIDE RATES AND FEES**

**Sec. 21-175. Dial-A-Ride rates and fees.**

Fees for services provided by the City of Midland Dial-A-Ride transportation system shall be:

- 1. Fares:
  - a. Regular, one way . . . . \$2.00
  - b. Senior citizen and persons with a disability, one way . . . . \$0.75
  - c. Child (age 5-11) with an adult or sibling, one way . . . . \$1.00
  - d. First child (under age 5) with a parent, one way . . . . No charge
  - e. Second child (under age 5) with a parent, one way . . . . \$1.00
  - f. Regular fare ticket book, ten (10) one way tickets . . . . \$18.00
  - g. Reduced fare ticket book, ten (10) one way tickets . . . . \$6.75
  
- 2. No-show penalties:
  - a. Regular, each way . . . . \$2.00
  - b. Senior citizen and persons with a disability, each way . . . . \$0.75
  - c. Child (age 5-11) with an adult or sibling, each way . . . . \$1.00
  - d. Second child (under age 5), each way . . . . \$1.00
  - e. Third no-show in a thirty (30) day period . . . . \$16.00

(Ord. No. 1769, § 1, 12-08-14)



# MIDLAND COUNTY BOARD OF COMMISSIONERS

MIDLAND COUNTY SERVICES BUILDING • 220 W. ELLSWORTH ST. • MIDLAND, MICHIGAN 48640-5194  
PH. (989) 832-6775 • FAX (989) 837-6587

December 22, 2016

Ms. Christina Miller  
Sustainable Materials Management Unit  
MDEQ – Solid Waste Section  
Office of Waste Management and Radiological Protection  
P.O. Box 30241  
Lansing, MI 48909-7741

**SUBJECT: Midland County Solid Waste Management Plan Amendment Modification**

Dear Ms. Miller:

As a follow-up to your letter dated October 31, 2016, the Midland County Board of Commissioners respectfully requests the DEQ to issue its approval of the Midland County Solid Waste Management Plan (Plan) Amendment, and agrees with the DEQ administratively making the modification as discussed below.

The administrative modification recommended by DEQ is to remove language deemed too restrictive and outside the County's intent: "...or through agreement with the designated planning agency as outlined in Coordination efforts on page A-12 and Special Conditions on page D-13..." The intention of the County was to allow specific soils to be authorized for importation from Saginaw County if approved by the designated planning agency (DPA), the City of Midland, within the import guidelines set forth in the Plan. Since the City's ordinances already mandate that waste from Saginaw County requires City of Midland authorization, the aforementioned language was redundant. Specifically chapters 10 and 21 address solid waste and associated fees.

To clarify the language, DEQ administratively changed the phrase to the following:

"...or as governed by chapters 10 (Garbage, Refuse, and Litter) and 21 (Rates, Charges, and Fees) of the Code of Ordinances of the City of Midland."

Furthermore, DEQ administratively added updated versions of these chapters to bring the original Plan versions up to date.

In the event of the City of Midland being replaced as the DPA for any reason, the City shall retain authorization/refusal authority for out-of-county waste, in accordance with the intent of these administrative changes.

Midland County appreciates your guidance throughout this Plan amendment process. Should you require additional information, please contact me at (989) 832-6775.

Respectfully,

Mark Bone, Chairman  
Midland County Board of Commissioners

**RECEIVED**

JAN 09 2017

DEPARTMENT OF ENVIRONMENTAL QUALITY



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C. HEIDI GREYER  
DIRECTOR

October 31, 2016

Mr. Scott O'Laughlin  
Midland County  
Solid Waste Management Planning Chairperson  
4311 East Ashman Street  
Midland, Michigan 48642

Dear Mr. O'Laughlin:

SUBJECT: Midland County Solid Waste Management Plan Amendment

This letter is a follow-up to our conversations on August 31, 2016, and September 7, 2016, a number of email correspondences, with you, regarding clarifying the intent of the Midland County (County) Solid Waste Management Plan Amendment (Amendment). In order for the Department of Environmental Quality (DEQ) to recommend approval and to acknowledge the intent of the County, the following modifications to the Amendment need to be made:

Per our conversations it was determined that the following requirement found throughout the Plan Amendment was too restrictive and was not the intent of the County, "...or through agreement with the designated planning agency as outlined in Coordination Efforts on page A-12 and Special Conditions on page D-13..." The intention of the County was to allow the contaminated soils – i.e. river sediment and floodplain soils, to be authorized for importation from Saginaw County, as identified in Table 1-A, Current Import Volume Authorization of Solid Waste, up to 227,000 tons per year, without the need for an agreement with the designated planning agency so long as it meets the requirements of the ordinances as governed by chapters 10 (Garbage, Refuse, and Litter) and 21 (Rates, Charges and Fees) of the Code of Ordinances of the City of Midland. Based upon this clarification, the phrase should be changed to the following:

"...or as governed by chapters 10 (Garbage, Refuse, and Litter) and 21 (Rates, Charges and Fees) of the Code of Ordinances of the City of Midland."

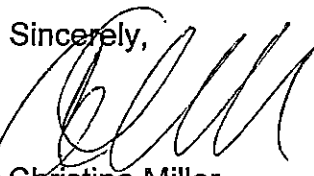
Further, as discussed, it was noted that the Code of Ordinances (sections 10 and 21), as referenced above, have been updated since the last Plan Update. Therefore, both of these updated sections should be added to the Plan Amendment and are included as Attachment A and Attachment B respectively.

If the County agrees with the DEQ administratively making these modifications to the Amendment as part of the DEQ's approval of the Amendment, please have a party who is authorized to act on behalf of the County provide a letter to the DEQ indicating the

County's agreement with these changes and requesting that the DEQ issue its approval with these modifications. An example of such a letter is enclosed.

The DEQ believes that the Amendment does not achieve the intent of the County without the modification outlined above. If the County decides not to agree to have the DEQ make the changes as part of the approval process, the Office of Waste Management and Radiological Protection will recommend that the DEQ not approve the Amendment as written.

If you have any questions concerning this matter, please contact me at the telephone number below; via e-mail at millerc1@michigan.gov; or DEQ, P.O. Box 30241, Lansing, Michigan 48909-7741.

Sincerely,  


Christina Miller  
Sustainable Materials Management Unit  
Solid Waste Section  
Office of Waste Management and  
Radiological Protection  
517-614-7426

Attachments

cc: Ms. Rhonda S. Oyer, DEQ  
Mr. Duane Roskoskey, DEQ  
Midland County File



Scott O'Laughlin  
Landfill Superintendent



4311 E. Ashmun St.  
Midland, MI 48642  
Phone: 989.837.6989  
Cell: 989.615.6231  
Fax: 989.837.5722  
[solaughl@midland-mi.org](mailto:solaughl@midland-mi.org)



June 24, 2016

Christina Miller  
MDEQ – Solid Waste Planning  
Constitution Hall  
4 South  
525 West Allegan  
P.O. Box 30241  
Lansing, MI 48933

Dear Ms. Miller:

The Midland County Solid Waste Planning Committee (Committee) has completed the steps necessary to amend its Solid Waste Management Plan (SWMP). This submittal serves as our request for review and approval by the Michigan Department of Environmental Quality (MDEQ), the final step in the approval process.

The amendment authorizes a single major concept: allowing approved contaminated river sediment and floodplain cleanup soils from Saginaw County to be exported to Midland County for disposal in the City of Midland Landfill. Soils must be approved for acceptance, and must fall within the export requirements of Saginaw County's SWMP.

The list of specific changes is summarized on the next page. A copy of each updated page, as reviewed and approved by the majority of municipalities, is attached. The changes to the SWMP are underlined.

Also attached is each requested item, including:

- Signed and approved minutes indicating approval of the amendment by SWMP Committee, before the 90-day public comment period, and approval before the Board of Commissioners formal action;
- Resolution showing approval by County Board of Commissioners;
- Copy of the notice of public hearing, including all (there was only one) comments received;
- Signed resolutions from more than 67% of municipalities and a list of all municipalities; and
- List of SWMP Committee members and their areas of representation.

**RECEIVED**

JUN 30 2016

DEPARTMENT OF ENVIRONMENTAL QUALITY

The summary below details the approved revisions to the Midland County Solid Waste Plan in the attached pages. Changes are underlined in the updated pages.

- Cover Page Change Date to 2015; add Scott O'Laughlin as Contact Person; update area code on phone and fax numbers from 517 to current 989
- Page I-2 Insert text: "...or through agreement with the designated planning agency, as outlined in Coordination Efforts on page A-12 and Special Conditions on page D-13,..." and, "...or contaminated soils – river sediment and floodplain soils..."
- Page I-3 Insert text: "...or through agreement with the designated planning agency as explained in the Import/Export section on pages III-3,5 and in the Coordination Efforts section on page A-12 and Special Conditions on page D-13..."
- Page II-3 Insert text: "Contaminated Soils – River Sediment and Floodplain Soils"
- Page III-2 Insert text: "...or through agreement with the designated planning agency as explained in the Import/Export section on pages III-3,5 and in the Coordination Efforts section on page A-12 and Special Conditions on page D-13..."
- Page III-3 Insert line allowing import to Midland from Saginaw up to 622 tons daily, 227,000 tons annually, of Contaminated Soil – River Sediment and Floodplain Soils (3); insert text footer: "3 Only through agreement with the designated planning agency as outlined in Coordination Efforts (A-12) and Special Conditions (D-13)"
- Page III-8 Insert text: "Contaminated Soils – River Sediment and Floodplain Soils"
- Page A-12 Insert text: "...or through agreement with the designated planning agency as outlined on this page and Special Conditions on page D-13 only..."; insert text: "...for Saginaw County contaminated soils – river sediment and floodplain soils, or..."; insert text: "...generator or hauler..."; and insert sub-heading "Fee Structure"
- Page D-13 Insert text: "...or through agreement with the designated planning agency as outlined in Coordination Efforts on page A-12 and this page, as described below..."; insert text: "...for Saginaw County contaminated soils – river sediment and floodplain soils, or..."; insert text: "...generator or hauler..."; and insert sub-heading "Fee Structure"

Respectfully Submitted,



Scott O'Laughlin

SWMP Committee Chairman, Midland County

Landfill Superintendent

**2015 PLAN UPDATE COVER PAGE**

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), Part 115, Solid Waste Management, and its Administrative Rules, requires that each County have a Solid Waste Management Plan Update (Plan) approved by the Michigan Department of Environmental Quality (DEQ). Section 11539a requires the DEQ to prepare and make available a standardized format for the preparation of these Plan updates. This document is that format. The Plan should be prepared using this format without alteration. Please refer to the document entitled "Guide to Preparing the Solid Waste Management Plan Update" for assistance in completing this Plan format.

**DATE SUBMITTED TO THE DEQ:**

If this Plan includes more than a single County, list all counties participating in this Plan.

Midland County with special daily cover agreements with Bay and Saginaw

The following lists all the municipalities from outside the County who have requested and have been accepted to be included in the Plan, or municipalities within the County that have been approved to be included in the Plan of another County according to Section 11536 of Part 115 of the NREPA. Resolutions from all involved County boards of commissioners approving the inclusion are included in Appendix E.

<u>Municipality</u>	<u>Original Planning County</u>	<u>New Planning County</u>
N/A	N/A	N/A

**DESIGNATED PLANNING AGENCY PREPARING THIS PLAN UPDATE:**

City of Midland

**CONTACT PERSON:** Noel Bush/Scott O'Laughlin

**ADDRESS:** 333 W. Ellsworth  
Midland, Michigan 48640

**PHONE:** (989) 837-3343 **FAX:** (989) 835-2717

**CENTRAL REPOSITORY LOCATION(S):** Grace A. Dow Library, Midland City Hall, City of Midland Landfill

Final, approved  
Updated Plan  
pages

## EXECUTIVE SUMMARY

Midland County has a population of 81,713, of which approximately half is located within the City of Midland. The county is primarily rural with the exception of the City of Midland. The population of the City of Midland is expected to grow 6.5% in the next ten years, while the overall ten year county growth rate is expected to be slightly higher at 7.3%.

Midland County's solid waste system is comprised of one municipal solid waste landfill, two hazardous waste landfills, two licensed transfer stations in Lincoln and Lee Township, and various recycling services including drop-off centers and curb-side collection.

Midland County is currently a "closed" county, meaning waste generated within Midland County must be disposed of within Midland County. In addition, waste from counties outside of Midland cannot be disposed of within Midland County. Only in emergency situations or through agreement with the designated planning agency, as outlined in Coordination Efforts on page A-12 and Special Conditions on page D-13, will waste be allowed to be transferred across county lines. In addition, the amended plan allows for the transfer of special waste (foundry sand as daily cover, or contaminated soils – river sediment and floodplain soils), between the counties of Midland, Bay, and Saginaw and the City of Midland Landfill.

The municipal solid waste landfill is owned and operated by the City of Midland. This landfill accepts approximately 170,000 compacted cubic yards of municipal solid waste (approximately 500,000 loose cubic yards per year). The City of Midland Landfill is situated on 330 acres and has capacity for a minimum of five additional cells. The estimated additional life of this landfill is 50 to 70 years dependent upon future source reduction and recycling practices.

The two hazardous waste landfills are owned and operated by Dow Chemical Company and Dow Corning Corporation for private use. All wastes of residential non-hazardous nature, that are not recycled, generated by these two corporations are currently or will be in the near future transported to the City of Midland Landfill for disposal. The Dow Chemical Company also owns and operates two incinerators for disposal purposes.

The City of Midland operates the collection system for residential waste generated by city residents. The townships contract out their collection systems to various haulers. Lee and Lincoln Townships each have licensed transfer stations. Each township currently contracts with the City of Midland Landfill for final disposal of waste.

Midland County also has a comprehensive recycling system. The City of Midland contracts with Waste Management for curbside collection of recyclables. The townships utilize both curbside collection and drop-off programs. Additionally, within the City of Midland, the Midland Volunteers for Recycling and Brady News and Recycling operate drop-off facilities for both residential and commercial recyclables. The Arnold Center, located in the City of Midland, also processes a large amount of recyclable materials for many local companies. In addition, both Dow Chemical Company and Dow Corning Corporation practice comprehensive recycling efforts, with Dow Corning diverting over 16,000 cubic yards of materials from landfill disposal.

The City of Midland also owns and operates a compost operation at the landfill site. This facility currently accepts approximately 75,000 yards of cubic yard waste, brush and leaves. Also, within the City of Midland, PUTT, Inc., a private company, completes large-scale process of wood waste and operates a small composting facility. They also produce approximately 200 yards of compost each year using yard clippings and leaf wastes. Additionally, Pat's Gradall, another locally privately owned company produces up to 2,000 yards of compost per year.

Lastly, the County and City of Midland recycles 100% of the asphalt wastes in roadway reconstruction projects. This amounts to approximately 37,000 tons of asphalt being recycled per year.

## CONCLUSIONS AND SELECTED ALTERNATIVE

The City of Midland Landfill has an approved expansion for the construction of five additional cells beyond Cell 14, which is currently being filled. This expansion provides Midland County with at least fifty years of capacity using current projected waste generation rates. Additionally, as Midland County proceeds toward the State of Michigan's goal of 35% recycling, the capacity could increase to seventy-five years. Therefore, Midland County has sufficient landfill capacity, and the need to investigate further landfill areas is not required.

Likewise, the waste transportation systems currently utilized within Midland County appear to be sufficient. The City of Midland provides residential curbside service within the city limits, and the private sector handles pickup of commercial waste in the city and county and residential waste outside of the city. This allows each township and business owner the autonomy to choose the vendor, schedule, and methodology by which their solid waste will be handled.

Midland County has four household hazardous waste collections per year. This continues to be a popular service, with many requests for expanded service during the winter months. The program is hosted jointly by Midland County and Dow Chemical Company. The co-supporters will evaluate expansion of this program, and if warranted and economically feasible, the program may be expanded. However, if expanded, additional funding sources will need to be identified.

Midland County will also continue utilizing both curbside and drop-off recycling programs. Expansion in this area will be evaluated economically based both on cost to residents and market value for the recyclable materials. Education along with encouragement to both recycle and buy recycled will continue to be a high priority for all parties.

The City of Midland will continue its composting program including an expansion scheduled for summer of 2000. Putt, Inc. will also be used to process the large volume wood wastes and yard waste composting. Future developments may include the marketing of compost and the evaluation and use of a variety of compost feedstock including bio-solids, agricultural waste products, etc.

Midland County is currently a "closed" county, meaning waste generated within Midland County must be disposed of within Midland County. In addition, waste from counties outside of Midland cannot be disposed of within Midland County. This plan supports the continuation of such policies with the exception of a reciprocal agreement allowing for the transfer of foundry sand (special waste) between the counties of Midland, Bay, and Saginaw. This plan also allows for waste to cross county line in emergency situations or through agreement with the designated planning agency as explained in the Import/Export section on pages III-3,5 and in the Coordination Efforts section on page A-12 and Special Conditions on page D-13.

In conclusion, it was determined that Midland County's Solid Waste system currently meets the needs of the residents and businesses located in the county. Therefore, it was determined that Midland County should proceed as currently operating, while continuing to evaluate new technologies and expansion of recycling, household hazardous waste collection, and composting programs. Additionally, alliances will be maintained with neighboring counties to allow for transport of waste between counties in emergency situations.

**DATA BASE**

Inventory and description of all solid waste disposal areas within the County or to be utilized by the County to meet its disposal needs for the planning period.

**DATA BASE**

FACILITY DESCRIPTIONS

Facility Type: Type II

Facility Name: City of Midland Landfill

County: Midland Location: Town: 14N Range: 2E Section(s): 12

Map identifying location included in Attachment Section: X Yes  No

If facility is an Incinerator or a Transfer Station, list the final disposal site and location for Incinerator ash or Transfer Station wastes:

X Public  Private Owner:

Operating Status (check)

- X open
- closed
- X licensed
- unlicensed
- construction permit
- open, but closure pending

Waste Types Received (check all that apply)

- X residential
- X commercial
- X industrial
- X construction & demolition
- X contaminated soils
- X special wastes \*
- other:

\* Explanation of special wastes, including a specific list and/or conditions:

Tires, Appliances (Remove Freon and Recycle Scrap Iron), Yard Waste (Compost Program), Asbestos, Non-Biohazard Medical Waste, Pit Sludges and Grit, Recycle Scrap Metals, Wastewater and Water Treatment Sludges, Contaminated Soils – River Sediment and Floodplain Soils

Site Size:

Total area of facility property: 330 acres  
 Total area sited for use: 265 acres  
 Total area permitted: 265 acres  
 Operating: 20.5 acres  
 Not excavated: 49.0 acres

Current capacity: 8.5 million compacted yds<sup>3</sup>  
 Estimated lifetime: 50 years  
 Estimated days open per year: 276 days  
 Estimated yearly disposal volume: 125,925 compacted yds<sup>3</sup>

(if applicable)

Annual energy production:  
 Landfill gas recovery projects: N/A megawatts  
 Waste-to-energy incinerators: N/A megawatts

## SELECTED SYSTEM

Midland County is currently a "closed" county, meaning waste generated within Midland County must be disposed of within Midland County. In addition, waste from counties outside of Midland cannot be disposed of within Midland County. This plan supports the continuation of such policies with the exception of a reciprocal agreement allowing for the transfer of foundry sand (special waste) between the counties of Midland, Bay, and Saginaw. This plan also allows for waste to cross county line in emergency situations or through agreement with the designated planning agency as explained in the Import/Export section on pages III-3,5 and in the Coordination Efforts section on page A-12 and Special Conditions on page D-13.

It is also recommended that an alliance be formed between governmental units, environmental interest groups, business leaders, etc. whose focus will be on increasing recycling and environmental awareness and encouragement of both recycling wastes and procuring products that have been manufactured using recycled materials.

In conclusion, it was determined that Midland County's Solid Waste system currently meets the needs of the residents and businesses located in the county. Therefore, it was determined that Midland County should proceed as currently operating, while continuing to evaluate new technologies and expansion of recycling, household hazardous waste collection, and composting programs. Additionally, alliances will be maintained with neighboring counties to accept waste in emergency situations.



SELECTED SYSTEM

IMPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 1-A.

Table 1-A

CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME <sup>1</sup>	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS <sup>2</sup>
<u>Midland</u>	<u>Saginaw</u>				*
<u>Midland</u>	<u>Bay</u>				*
<u>Midland</u>	<u>Saginaw</u>		<u>622 tons<sup>(3)</sup></u>	<u>227,000 tons<sup>(3)</sup></u>	Contaminated Soil – River Sediment and Floodplain Soils <sup>(3)</sup>
<u>Midland</u>	<u>Shiawassee</u>				*
<u>Midland</u>	<u>Clare</u>				*
<u>Midland</u>	<u>Bay</u>		2,000 yards/month	24,000 yards	Foundry Sand – Special Waste Only
<u>Midland</u>	<u>Saginaw</u>		5,000 yards/month	60,000 yards	Foundry Sand – Special Waste Only

If a new solid waste disposal area is constructed and operating in the future in the County, then disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the AUTHORIZED CONDITIONS in Table 1-B.

<sup>1</sup> Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

<sup>2</sup> Authorization indicated by P = Primary Disposal; C = Contingency Disposal

<sup>3</sup> Only through agreement with the designated planning agency as outlined in Coordination Efforts (A-12) and Special Conditions (D-13)

\* = Other conditions exist and detailed explanation is included in the Attachment Section.

SELECTED SYSTEM

FACILITY DESCRIPTIONS

Facility Type: Type II

Facility Name: City of Midland Landfill

County: Midland Location: Town: 14N Range: 2E Section(s): 12

Map identifying location included in Attachment Section: X Yes  No

If facility is an Incinerator or a Transfer Station, list the final disposal site and location for Incinerator ash or Transfer Station wastes:

X Public  Private Owner:

Operating Status (check)	Waste Types Received (check all that apply)
X open	X residential
<input type="checkbox"/> closed	X commercial
X licensed	X industrial
<input type="checkbox"/> unlicensed	X construction & demolition
<input type="checkbox"/> construction permit	X contaminated soils
<input type="checkbox"/> open, but closure pending	X special wastes *
	<input type="checkbox"/> other:

\* Explanation of special wastes, including a specific list and/or conditions:

Tires, Appliances (Remove Freon and Recycle Scrap Iron), Yard Waste (Compost Program), Asbestos, Non-Biohazard Medical Waste, Pit Sludges and Grit, Recycle Scrap Metals, Wastewater and Water Treatment Sludges, Contaminated Soil – River Sediment and Floodplain Soils

Site Size:

Total area of facility property:	<u>330</u> acres
Total area sited for use:	<u>265</u> acres
Total area permitted:	<u>265</u> acres
Operating:	<u>20.5</u> acres
Not excavated:	<u>49.0</u> acres
Current capacity:	<u>8.5</u> million compacted yds <sup>3</sup>
Estimated lifetime:	<u>50</u> years
Estimated days open per year:	<u>276</u> days
Estimated yearly disposal volume:	<u>125,925</u> compacted yds <sup>3</sup>

(if applicable)

Annual energy production:	
Landfill gas recovery projects:	<u>N/A</u> megawatts
Waste-to-energy incinerators:	<u>N/A</u> megawatts

## COORDINATION EFFORTS:

Solid Waste Management Plans need to be developed and implemented with due regard for both local conditions and the state and federal regulatory framework for protecting public health and the quality of the air, water, and land. The following states the ways in which coordination will be achieved to minimize potential conflicts with other programs and, if possible, to enhance those programs.

It may be necessary to enter into various types of agreements between public and private sectors to be able to implement the various components of this solid waste management system. The known existing arrangements are described below which are considered necessary to successfully implement this system within the County. In addition, proposed arrangements are recommended which address any discrepancies that the existing arrangements may have created or overlooked. Since arrangements may exist between two or more private parties that are not public knowledge, this section may not be comprehensive of all the arrangements within the County. Additionally, it may be necessary to cancel or enter into new or revised arrangements as conditions change during the planning period. The entities responsible for developing, approving, and enforcing these arrangements are also noted.

The City of Midland will continue to negotiate contractual agreements with the townships of Midland County for the use of the City of Midland Landfill. Additionally, the City of Midland Landfill will continue to work closely with the Department of Environmental Quality to maintain regulatory compliance and pursue future environmentally conscience endeavors.

As stated earlier, Midland County shall utilize import/export authorizations in emergency situations or through agreement with the designated planning agency as outlined on this page and Special Conditions on page D-13 only. Emergency situations are those instances in which, a county's landfills are closed or cannot handle increased landfill volumes due to regulatory closure, natural disasters such as floods, tornadoes, fires, or other acts of God.

To use these facilities on an emergency, short-term basis, Midland County will sign letters of agreement with those counties calling for reciprocal agreements. These agreements would specify that Midland County will be able to use licensed landfills in Bay, Saginaw, Shiawassee, or Clare county on an interim basis in the event of a temporary or permanent closure of the City of Midland Landfill and that those same counties would be able to use the City of Midland landfill on a temporary basis if the same conditions occurred in their jurisdiction. Such agreements would require the approval and concurrence of the City of Midland and consequently a resolution or letter of agreement between the city and county would be established. Similar agreements would be required with the owners of the landfills that are located in these surrounding counties. At the same time, the county would require all private haulers operating within the county to abide by these inter-county agreements for the transfer of wastes to the designated landfill. Such agreements could be put together in the form of a contract or a formal letter of agreement.<sup>3</sup>

This contingency plan is to remain in effect until the capacities of the designated landfills in any of the participating counties reach a point that precludes the importation of out-of-county wastes. Midland County would limit the deposition of out-of-county wastes in Midland County to a maximum contiguous period of nine months. In addition, Midland County would accept only those wastes, which must be limited to those acceptable at a Type II landfill, and are generated within the exporting county.<sup>3</sup>

Additionally, for Saginaw County contaminated soils – river sediment and floodplain soils , or for those counties not having facilities available or willing to take special wastes such as asbestos and contaminated soils, the waste generator or hauler shall petition, in writing, the City of Midland City Manager for acceptance to dispose of such waste at the City of Midland Landfill. Quantities, type of waste, test results, and proper contaminated procedures must be listed on the petition. The City Manager will determine and have final approval if such waste can be disposed of at the City of Midland Landfill.

### Fee Structure

All out-of-county waste will be charged per an out-of-county fee schedule maintained by the City of Midland Council. All special waste shall be documented and filed with the Saginaw Bay District of the Department of Environmental Quality.

## ATTACHMENTS

### Special Conditions

Special conditions affecting import or export of solid waste.

The City of Midland will continue to negotiate contractual agreements with the townships of Midland County for the use of the City of Midland Landfill. Additionally, the City of Midland Landfill will continue to work closely with the Department of Environmental Quality to maintain regulatory compliance and pursue future environmentally conscience endeavors.

As stated earlier, Midland County shall utilize import/export authorizations in emergency situations or through agreement with the designated planning agency as outlined in Coordination Efforts on page A-12 and this page, as described below.

To use these facilities on an emergency, short-term basis such as floods, tornados, fire, and other natural disasters or in the event that a landfill is temporarily or permanently closed due to regulatory issues, Midland County will sign letters of agreement with those counties calling for reciprocal agreements. These agreements would specify that Midland County will be able to use licensed landfills in Bay, Saginaw, Shiawassee, or Clare County on an interim basis in the event of a temporary or permanent closure of the City of Midland Landfill or an increase of flows above and beyond capacity due to a natural disaster, and that those same counties would be able to use the City of Midland landfill on a temporary basis if the same conditions occurred in their jurisdiction. Such agreements would require the approval and concurrence of the City of Midland and consequently a resolution or letter of agreement between the City and County would be established. Similar agreements would be required with the owners of the landfills that are located in these surrounding counties. At the same time, the county would require all private haulers operating within the county to abide by these inter-county agreements for the transfer of wastes to the designated landfill. Such agreements could be put together in the form of a contract or a formal letter of agreement.<sup>3</sup>

This contingency plan is to remain in effect until the capacities of the designated landfills in any of the participating counties reach a point that precludes the importation of out-of-county wastes. Midland County would limit the deposition of out-of-county wastes in Midland County to a maximum contiguous period of nine months. In addition, Midland County would accept only those wastes, which must be limited to those acceptable at a Type II landfill, and are generated within the exporting county.<sup>3</sup>

Additionally, for Saginaw County contaminated soils – river sediment and floodplain soils, or for those counties not having facilities available or willing to take special wastes such as asbestos and contaminated soils, the waste generator or hauler shall petition, in writing, the City of Midland City Manager for acceptance to dispose of such waste at the City of Midland Landfill. Quantities, type of waste, test results, and proper contaminated procedures must be listed on the petition. The City Manager will determine and have final approval if such waste can be disposed of at the City of Midland Landfill.

### Fee Structure

All out-of-county waste will be charged per an out-of-county fee schedule maintained by the City of Midland Council. All special waste shall be documented and filed with the Saginaw Bay District of the Department of Environmental Quality.

### Information Sources

1. Midland County Road Commission, Telephone Interview, 7/27/99 - 3:00 pm. - Depac Gupta
2. City of Midland Engineering Department, E-mail message, 7/29/1999 - 10:10 am. - Dave Foote.
3. Midland County Solid Waste Management Plan - 1988.

**Midland County Solid Waste Management  
Planning Committee  
Meeting Minutes**

June 10, 2015  
Noon

Type of Meeting: County Solid Waste Plan Amendment

Meeting Facilitators: Noel Bush and Scott O'Laughlin

- I. Sign-in sheet - attached
- II. Call to order – Noel Bush 12:15 p.m.
- III. Purpose and goals of this meeting

The City of Midland is the Designated Planning Agency (DPA) for Midland County's Solid Waste Management Plan, in accordance with Part 115 of Public Act 451 of the State of Michigan. The Midland County Board of Commissioners appointed this Committee to consider an amendment to the Midland County Solid Waste Management Plan (Plan).

The amendment being considered is whether to allow case-by-case approval authority to accept contaminated floodplain soils and river sediment from Saginaw County into Midland County, for disposal at the City of Midland Landfill.

Timeline for County Solid Waste Plan Amendment process – schedule attached. This committee's next responsibility if approving amendment language would be around October.

IV. Introductions

V. New business

- a) Elect chairperson: Kevin motion, Noel support Scott for chairman; unanimous approval
- b) Elect recording secretary: Kevin motion, Scott support Noel for recording secretary; unanimous approval
- c) Discuss proposed plan amendment (Scott led discussion)

Signed + approved  
amendment by  
SWMP Committee  
before 90-day

→ Includes representatives  
on committee

- The proposed amendment expands the import authorization to Midland County from Saginaw County for specific waste type -- contaminated river sediment and floodplain soils. The current example is dioxin-contaminated soils that have been cleaned in parts of Midland County already.
- Saginaw County's Solid Waste Plan already allows export to Midland County, if Midland approves acceptance of the material.
- Any acceptance of this out-of-county material would still require City Manager approval, according to the City of Midland code of ordinances.
- Any material considered is non-hazardous. It would be considered contaminated, but not at hazardous levels. Midland Landfill accepts the same material from Midland County today. Dioxin soil would not impact the sewage/leachate leaving the Landfill site.
- Trucking laws prohibit loss of soil/sediments from trucks hauling anything. Soil would be covered with tarp or cover on each truck load.
- Increased wear on roads would be negligible due to limited volume of trucks hauling.
- A dual/redundant plastic liner system prevents contaminants from exiting the waste disposal area. The system rivals hazardous waste landfill construction design, to exceed minimum environmental protection requirements.
- Disposal at the Midland Landfill is closer than other landfills. Also cheaper disposal fee than the hazardous waste landfill at Dow. Since it is non-hazardous, there is no reason to put into a hazardous waste landfill.
- The proposed project of dioxin-contaminated soils would be roughly one year of landfill airspace/site life. Early estimates of soil volume are under 200,000 cubic yards over five years. The Landfill has over 50 years of airspace remaining.
- This would have no negative impact on disposal fees for other customers, and a negligible impact on site life.
- Various questions were answered including:
  - Why not take to Dow landfill?
  - Will this affect life of Midland County waste disposal access?

- Will township prices increase due to needing to build a cell earlier?
- Will this material harm citizens as it is trucked past their houses?
- Will this damage the roads having many trucks haul to Midland?
- Is the contaminant hazardous? Will it eventually pollute the leachate (sewage) exiting the landfill, being pumped to the wastewater treatment plant?
- How much material will be hauled in each year, and total?

d) Vote on plan amendment approval

- Dan motion and Kip support to approve plan amendment as presented; unanimous approval.

e) Designated Planning Agency (City of Midland) to proceed with process outlined in schedule attachment.

VI. Adjourned at 1:40 p.m.

A handwritten signature in black ink, appearing to read "Scott Houghton". The signature is written in a cursive style with a large, stylized initial "S".

Name	Email Address	Phone Number	Representing
Scott O'Laughlin	<a href="mailto:solaughl@midland-mi.org">solaughl@midland-mi.org</a>	989.837.6988	Solid Waste Industry
Kevin Wray	<a href="mailto:kevin@valleyelectrical-midland.com">kevin@valleyelectrical-midland.com</a>	989.205.4377	Township Government
Lucille Wodwaski	n/a	989.631.6406	General Public
Noel Bush	<a href="mailto:nbush@midland-mi.org">nbush@midland-mi.org</a>	989.837.3343	City Government
D.J. Bourdow	<a href="mailto:djbourdow@hotmail.com">djbourdow@hotmail.com</a>	989.753.7719	Solid Waste Industry
Stephen Kaufman	n/a	989.832.0670	General Public
Kip Cosan	<a href="mailto:khcosan@dow.com">khcosan@dow.com</a>	989.636.8536	Industrial Waste Generator
Esther Williams	<a href="mailto:midlandrecyclers@yahoo.com">midlandrecyclers@yahoo.com</a>	989.631.1668	Environmental Interest
Joe Sova	<a href="mailto:jsova@midland-mi.org">jsova@midland-mi.org</a>	989.837.3346	General Public
Karen Brines	<a href="mailto:kbrines@midland-mi.org">kbrines@midland-mi.org</a>	989.837.6988	Solid Waste Industry
Daniel Bloom	<a href="mailto:bloom44@msn.com">bloom44@msn.com</a>	989.615.1707	Township Government
Jeff Weckesser	<a href="mailto:glcpcpp@att.com">glcpcpp@att.com</a>	989.239.1282	General Public
Mike Krecek	<a href="mailto:mkrecek@co.midland.mi.us">mkrecek@co.midland.mi.us</a>	989.837.6574	County Gov't./Environmental Interest



# Midland County Solid Waste Planning Committee

June 10, 2015 Plan Amendment Meeting

Signature	Email Address	Phone Number (Optional)
Scott O'Laughlin	solaughl@midland-mi.org	(989) 837-6989
Klug	Kevin@valleyelectric-mi.com	989 205 4377
Lucille Modewski		989-631-6406
Noel Bush	nbush@midland-mi.org	
DJ Bourdow	djbourdow@hotmail.com	989 853-7719
Steve Kauffman		832-0670
Jim Kosan	khcosan@elco.com	636-8536
Corey Willson	midvalrec@yahoo.com	631-1668
Joe Sova	jsova@midland-mi.org	
Karen Brin	kbrin@midland-mi.org	837-6988 #6
DANIEL R. Bloom	Bloom44@MSN.com	(989) 615-1707
Jeff Weckesser	GLCPCCP@Att.com	989-239-1282
Mike Kneel	mikekneel@midland-mi.us	989 837-6574

Steve  
Kauffman

# County Solid Waste Plan Amendment Approval Process

This schedule represents the timetable if each step receives timely approval.

Procedure	Estimated Schedule
Solid Waste Management Planning Committee meets to discuss and authorize plan amendment. Committee directs Designated Planning Agency (DPA, City of Midland) to proceed.	June 10, 2015
DPA/City issues draft Plan amendment for public review for 90 days.	Issue draft mid-June; Public review ends mid-September
DPA/City publishes in newspaper at least 30 days in advance of public hearing.	Publish mid-August; public hearing mid-September
DPA/City reviews public comments and revises draft Plan amendment as needed, sends back to SWMP Committee.	Mid- to late-September
SWMP Committee reconvenes to review and approve revised draft Plan amendment. Directs DPA/City to recommend to Board of Commissioners.	Early October
Board of Commissioners reviews and approves draft Plan amendment.	October
Draft Plan amendment goes to all municipalities in Midland County for minimum 67% local approval.	October
Approved draft Plan amendment sent to Michigan Department of Environmental Quality for approval.	November

**ATTENTION!**

**PUBLIC COMMENT PERIOD AND PUBLIC HEARING:**

The Midland County Solid Waste Management Plan Amendment that is authorized under Act 451, Part 115 of the Michigan Environmental Protection Act, 1994 will be released for public review and comment. The release of the draft amendment is the first task in the approval of the plan. The draft amendment would allow limited amounts of non-hazardous river sediment and floodplain soils to be hauled from Saginaw County for disposal in the City of Midland Landfill.

A 90-day public comments period for the DRAFT Solid Waste Management Plan Amendment will be held from Wednesday July 15th through Tuesday October 20th. The draft plan can be reviewed at the City of Midland website at [cityofmidlandmi.gov](http://cityofmidlandmi.gov), and at the City of Midland Landfill located at 4311 E. Ashman Street, Midland, MI 48642. The City of Midland Landfill hours for plan review are 8 a.m. to 4:00 p.m. Comments may be made in person or by mail, telephone, facsimile, or e-mail. A public hearing for the plan is scheduled for:

Tuesday October 20th 2015 at 9:00 a.m.  
Board of Commissioners  
220 West Ellsworth  
Midland MI.48640

The hearing complies with the intent of the Michigan Environmental Protection Act, 1994. The Midland County Solid Waste Planning Committee will provide services to individuals with disabilities upon request. Individuals with disabilities requiring auxiliary aids and services should contact the Committee by writing or calling the address listed below.

After the comment period, the Solid Waste Management Planning Committee will make any necessary changes based on comments received, either in writing or at the public hearing. All written comments should be submitted in writing to:

Midland County Solid Waste Management Planning Committee  
ATTN: Scott O'Laughlin  
4311 E. Ashman Street  
Midland, MI 48642  
Phone: (989) 837-6989

Public hearing notice,  
and (1) public  
comment received

Facsimile: (989) 837-5722  
Email: [solaughl@midland-mi.org](mailto:solaughl@midland-mi.org)



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



DAN WYANT  
DIRECTOR

October 19, 2015

Mr. Scott O'Laughlin  
Midland County Solid Waste Management Planning Committee  
4311 East Ashman Street  
Midland, Michigan 48642

Dear Mr. O'Laughlin:

**SUBJECT: Midland County (County) Solid Waste Management Plan (Plan) Amendment**

The Department of Environmental Quality (DEQ) has received and reviewed the documentation provided by you for the draft Plan Amendment 90-day public comment period that began on July 15, 2015. Comments will be addressed below in the order they appear in the Plan Amendment.

Page I-2, third paragraph, third sentence, the phrase "or specially approved" was added to allow waste to be transferred across county lines. However, the phrase "specially approved" is not defined; therefore, to eliminate any discretion and/or confusion, the phrase "specially approved" must be defined or the phrase should be deleted. This same comment applied throughout the Plan Amendment, specifically, pages I-3, A-12, and D-13.

If you have any questions or comments, please contact me at the telephone number below, via e-mail at millerc1@michigan.gov; or DEQ, P.O. Box 30241, Lansing, Michigan 48909-7741.

Sincerely,

Christina Miller  
Sustainable Materials Management Unit  
Solid Waste Section  
Office of Waste Management and  
Radiological Protection  
517-614-7426

cc: Mr. Duane Roskoskey, DEQ  
Midland County File

# Midland County Solid Waste Management Planning Committee

## Meeting Minutes

November 13, 2015

Type of Meeting: County Solid Waste Plan Amendment

Meeting Facilitators: Noel Bush and Scott O'Laughlin

- I. Sign-in sheet - attached
- II. Call to order – Scott O'Laughlin – 12:05 p.m.
- III. Purpose and goals of this meeting
  - a. Share status of process
  - b. Discuss comments received during public hearing and 90 day public comment period
- IV. New business
  - a. Received one public comment, from MDEQ; requested we define or eliminate the phrase “specially approved” as it is ambiguous
  - b. This committee reviews proposed changes to draft to answer this MDEQ comment, then votes whether to approve the amendment
  - c. If approved, is sent to Midland County Board of Commissioners for approval
  - d. If Commissioners approve amendment, they send to each municipality in the County for approval
  - e. If 67% (2/3) of municipalities approve amendment, it is sent to MDEQ for final approval
- V. Discuss changes proposed to original draft, in response to Michigan Department of Environmental Quality (MDEQ) comments
  - a. Reviewed a handout outlining changes to the draft amendment to respond to MDEQ comment while keeping the original intent shared with the public
  - b. Kip Cosan noted an additional idea on pages A-12 and D-13 that the hauler is responsible for getting an agreement with the designated planning agency (DPA – City of Midland); discussion agreed that it is sensible to say “hauler or generator” as the generator could hire various haulers over time

MCSWMP Committee  
approval before  
Board of Commissioners  
formal action  
→ includes members of  
committee

- c. Kip Cosan noted that in the six references to the specific waste we are considering, there are three different descriptions used; propose unifying for consistency; the phrase will be unified to read, "contaminated soil – river sediment and floodplain soils"
- d. Changing the phrase "specially approved" into "through agreement with the designated planning agency as outlined in Coordination Efforts on page A-12 and Special Conditions on page D-13"
- e. Added a footnote to Import/Export Table 1-A on page III-3 that states the same: "only through agreement with the designated planning agency as outlined in Coordination Efforts (A-12) and Special Conditions (D-13); this keeps control with Midland County for acceptance of out-of-county soil"
- f. On pages A-12 and D-13 inserted a phrase into the final paragraph, beginning with the phrase "Additionally for those counties not having..."; edited to read, "Additionally, *for Saginaw County contaminated river sediment and floodplain soils, or for those counties...*"
- g. Finally, for clarity of fees, the Fee Structure was broken out of a previous paragraph on A-12 and D-13 and made into its own paragraph. This way the out-of-county disposal fee structure clearly applies to both emergency and non-emergency (i.e. through agreement with the DPA)

VI. Vote on updated draft plan amendment approval

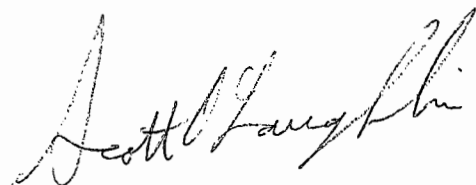
- a. Motion by Kip Cosan and Support by Pat Wurtzel to approve the draft amendment to include incorporation of the changes discussed today [as noted in section V of these minutes], to send on to the Midland County Board of Commissioners
  - i. keeps the original intent of the draft reviewed by the public
  - ii. includes the clarification requested by MDEQ
- b. Approved unanimously

VII. The approved plan amendment draft will proceed through approval stages to, in order:

- a. the Midland County Board of Commissioners
- b. all Midland County municipalities for minimum 67% approval
- c. MDEQ for final approval

VIII. Motion to adjourn by Pat Wurtzel and Support by Jeff Weckesser

- a. Approved unanimously
- b. Adjourned at 1:10 p.m.





# Midland County Solid Waste Planning Committee

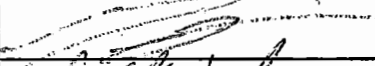
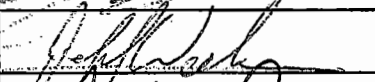
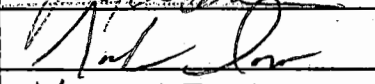
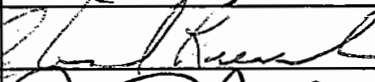
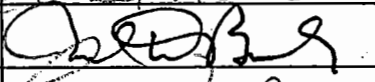
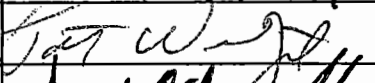


November 13, 2015 Plan Amendment Meeting

Name	Email Address	Phone Number	Representing
D.J. Bourdow (absent)	<a href="mailto:djbourdow@hotmail.com">djbourdow@hotmail.com</a>	989.753.7719	Solid Waste Industry
Daniel Bloom (absent)	<a href="mailto:bloom44@msn.com">bloom44@msn.com</a>	989.615.1707	Township Government
Esther Williams	<a href="mailto:midlandrecyclers@yahoo.com">midlandrecyclers@yahoo.com</a>	989.631.1668	Environmental Interest
Gary Hicks	<a href="mailto:hicksg@republicservices.com">hicksg@republicservices.com</a>	810.768.2218	Regional Solid Waste
Jeff Weckesser	<a href="mailto:glcpcpp@att.com">glcpcpp@att.com</a>	989.239.1282	General Public
Joe Sova	<a href="mailto:jsova@midland-mi.org">jsova@midland-mi.org</a>	989.837.3346	General Public
Karen Brines	<a href="mailto:kbrines@midland-mi.org">kbrines@midland-mi.org</a>	989.837.6988	Solid Waste Industry
Kevin Wray (absent)	<a href="mailto:kevin@valleyelectrical-midland.com">kevin@valleyelectrical-midland.com</a>	989.205.4377	Township Government
Kip Cosan	<a href="mailto:khcosan@dow.com">khcosan@dow.com</a>	989.636.8536	Industrial Waste Generator
Lucille Wodwaski (absent)	n/a	989.631.6406	General Public
Mike Krecek	<a href="mailto:mkrecek@co.midland.mi.us">mkrecek@co.midland.mi.us</a>	989.837.6574	County Gov't./Environmental Interest
Noel Bush	<a href="mailto:nbush@midland-mi.org">nbush@midland-mi.org</a>	989.837.3343	City Government
Pat Wurtzel	<a href="mailto:pwurtzel@bierlein.com">pwurtzel@bierlein.com</a>	989.698.2252	Solid Waste Industry
Scott O'Laughlin	<a href="mailto:solaughl@midland-mi.org">solaughl@midland-mi.org</a>	989.837.6988	Solid Waste Industry
Stephen Kaufman	n/a	989.832.0670	General Public
Josh Ziegelmann	<a href="mailto:sales@billyscontracting.com">sales@billyscontracting.com</a>	989.860.1914	Solid Waste Industry
	→ filled in for D.J. Bourdow		



# Midland County Solid Waste Planning Committee

November 13, 2015 Plan Amendment Meeting

Name	Signature	Email Address	Phone Number
D.J. Bourdow	→ sent Josh Ziegelmann	djbourdow@hotmail.com	989.753.7719
Daniel Bloom	(absent)	bloom44@msn.com	989.615.1707
Esther Williams	Esther Williams	midlandrecyclers@yahoo.com	989.631.1668
Gary Hicks		hicksg@republicservices.com	810.768.2218
Jeff Weckesser		glcpcpp@att.com	989.239.1282
Joe Sovo		isova@midland-mi.org	989.837.3346
Karen Brines	Karen Brines	kbrines@midland-mi.org	989.837.6988
Kevin Wray	(absent)	kevin@valleyelectrical-midland.com	989.205.4377
Kip Cosan	Kip Cosan	khcosan@dow.com	989.636.8536
Lucille Wodwaski	(absent)	n/a	989.631.6406
Mike Krecek		mkrecek@co.midland.mi.us	989.837.6574
Noel Bush		nbush@midland-mi.org	989.837.3343
Pat Wurtzel		pwurtzel@bierlein.com	989.698.2252
Scott O'Laughlin	Scott O'Laughlin	solaughl@midland-mi.org	989.837.6988
Stephen Kaufman		n/a	989.832.0670
Josh Ziegelmann		sales@billuscontracting.com	989-860-1914

DECEMBER SESSION 2015  
MIDLAND COUNTY BOARD OF COMMISSIONERS  
DECEMBER 1, 2015

APPROVED

Board called to order by Chairman, Mark Bone, at 9:00 a.m.

ROLL CALL

MEMBERS PRESENT: KLOHA, LEIGEB, KEENAN, GEISLER, DORRIEN, NOESEN, BONE.

MEMBERS ABSENT: NONE.

Invocation by Commissioner Keenan.

Pledge to the Flag was given.

APPROVAL OF MINUTES OF NOVEMBER 3<sup>RD</sup> AND NOVEMBER 10<sup>TH</sup>, 2015:

Motion by Commissioner Leigeb to approve.

Motion carried by voice.

ACCEPTANCE OF BILLS:

10-16-15 - REGULAR	\$11,944,317.94
10-23-15 - REGULAR	<u>\$296,222.09</u>
TOTAL CHECK RUNS	\$12,240,540.03

TOTAL GENERAL FUNDS EXPENDITURES \$231,812.29

ACCEPTANCE OF BILLS:

10-30-15 - REGULAR	\$310,370.71
11-06-15 - REGULAR	<u>\$1,287,150.66</u>
TOTAL CHECK RUNS	\$1,597,521.37

TOTAL GENERAL FUNDS EXPENDITURES \$132,620.81

Motion by Commissioner Noesen supported by Commissioner Kloha to accept.

Motion carried by voice.

SPECIAL PROGRAM OF THE DAY - MIDLAND COUNTY VULNERABLE ADULT NETWORK (MCVAN) ALAN BROWN, EXECUTIVE DIRECTOR, SENIOR SERVICES AND J. DEE BROOKS, MIDLAND COUNTY PROSECUTOR.

Presentation was given by Alan Brown and J Dee Brooks.

CONSENT AGENDA - NONE.

Public Comments on anything that is not on the agenda or consent:

Commissioner Consideration to remove any consent agenda item:

County Board of  
Commissioners  
approval, flagged →

DECEMBER SESSION 2015  
STANDING COMMITTEE REPORTS AND RESOLUTIONS

1

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF A MEMORANDUM OF UNDERSTANDING FOR A TRI-CITIES CROSS-JURISDICTIONAL SHARING GRANT FROM THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP A GEOGRAPHIC INFORMATION SYSTEM FOR THE LOCAL UNITS ENVIRONMENTAL HEALTH.

November 25, 2015

To the Honorable Chairman and  
Members of the Board of Commissioners

Agenda Item: 95-12-15A0

Gentlemen:

We your Administration and Operations Committee recommend approval of a Memorandum of Understanding between the four local health departments, Bay County Health Department; Midland County Public Health; Mid-Michigan District Health Department; and Saginaw County Department of Public Health for a Tri-Cities Cross-Jurisdictional Sharing Grant. The term of the Memorandum of Understanding is from September 30, 2015 through September 30, 2017.

This Memorandum of Understanding includes the sharing of a grant with these local health departments in the amount of \$25,500.00 for the Tri-Cities Cross-Jurisdictional Sharing Grant from the Michigan Department of Health and Human Services. The grant proceeds of \$16,000.00 of the \$25,500.00 are to be used to develop a shared environmental health Geographic Information System (GIS) project data system. Amalgam, LLC was identified as the vendor to develop an application to take existing and new information and provide a method for common introduction of the information and application through the creation of digital records applicable to GIS system. The Mid-Michigan District Health Department entered into an agreement with Amalgam to develop this project at a cost of \$32,000.00 of which \$16,000.00 of the grant funds will be used towards this project. The remaining cost of \$16,000.00 is to be shared equally amongst the four participating local health departments. Thus, Midland County's share will be \$4,000.00. The remaining balance of grant funds (\$9,500.00) may be used for other project priorities that are mutually agreed upon.

There are sinking fund monies in the Capital Purchase Fund (Fund 400) available for this project.

Respectfully submitted,  
S/James Geisler, Chairperson  
S/Scott Noesen

S/Richard Keenan

Administration and Operations Committee  
Motion by Commissioner Geisler to adopt.  
Motion carried by Roll Call  
Public comments: None.

ROLL CALL

YEAS: LEIGEB, KEENAN, GEISLER, DORRIEN, NOESEN, KLOHA, BONE.  
NAYS: NONE.  
ABSENT: NONE.

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2

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL TO SEEK BIDS FOR A NEW BOILER SYSTEM FOR THE SANFORD LAKE PARK.

November 25, 2015

To the Honorable Chairman and  
Members of the Board of Commissioners

Agenda Item: 98-12-15AO

Gentlemen:

We your Administration and Operations Committee recommend authorization to seek bids for the purchase a new boiler system for the Sanford Lake Park, which is estimated to be up to \$30,000.00 for this new system.

Respectfully submitted,

S/James Geisler, Chairperson

S/Richard Keenan

S/Scott Noesen

Administration and Operations Committee

Motion by Commissioner Geisler to adopt.

Motion carried by Roll Call

Public comments: None.

ROLL CALL

YEAS: KEENAN, GEISLER, DORRIEN, NOESEN, KLOHA, LEIGEB, BONE.

NAYS: NONE.

ABSENT: NONE.

3

THE ADMINISTRATIONS AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF THE PURCHASE OF A CRIMINAL LIVESCAN SYSTEM TO ALLOW THE COUNTY CLERK TO FINGERPRINT THE APPLICANTS FOR CONCEALED PISTOL LICENSES AND THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF THE TRANSFER OF FUNDS FROM THE CPL FUND 264 TO CAPITAL 404 FOR THIS PURCHASE.

November 25, 2015

To the Honorable Chairman and  
Members of the Board of Commissioners

Agenda Item: 96-12-15AOF

Gentlemen:

We your Administration and Operations Committee recommend approval of the purchase of a criminal livescan system to allow the County Clerk's Office to be able to fingerprint individuals that make application for a concealed pistol license ("CPL").

We your Finance Committee recommend approval of the transferring of \$15,000.00 for this purchase from CPL fund 264 to Capital fund 404.

Respectfully submitted,

S/James Geisler, Chairperson

S/Scott Noesen, Chairperson

S/Richard Keenan

S/James Geisler

S/Scott Noesen

S/Eric Dorrien

Administration and

Finance Committee

Operations Committee

Motion by Commissioner Geisler supported by Commissioner Noesen to adopt.

Motion carried by Roll Call

Public comments: None.

ROLL CALL

YEAS: GEISLER, DORRIEN, NOESEN, KLOHA, LEIGEB, KEENAN, BONE.

NAYS: NONE.

ABSENT: NONE.

4

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF THE PURCHASE OF A MAIL MACHINE FOR THE COUNTY TO PROCESS OUTGOING MAIL AND THE FINANCE COMMITTEE RECOMMENDS APPROVAL FOR THE FUNDING TO COME FROM CONTINGENCY AND BE TRANSFERRED TO CAPITAL 404.

November 25, 2015

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 97-12-15AOF

Gentlemen:

We your Administration and Operations Committee recommend approval of the purchase of a mail machine for the County after January 1, 2016. The cost of the machine is \$16,131.00, which includes the maintenance for the first year.

We your Finance Committee recommend authorization the transfer of \$16,131.00 from Contingency to Capital 404 to allow for this purchase.

Respectfully submitted,	
S/James Geisler, Chairperson	S/Scott Noesen, Chairperson
S/Richard Keenan	S/James Geisler
S/Scott Noesen	S/Eric Dorrien
Administration and	Finance Committee

Operations Committee  
Motion by Commissioner Geisler supported by Commissioner Noesen to adopt.  
Motion carried by Roll Call  
Public comments: None.

ROLL CALL

YEAS:            DORRIEN, NOESEN, KLOHA, LEIGEB, KEENAN, GEISLER, BONE.  
NAYS:            NONE.  
ABSENT:         NONE.

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5

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF AN AGREEMENT MEDCOM TO PROVIDE REPORTING SERVICES RELATED TO THE AFFORDABLE CARE ACT FOR MIDLAND COUNTY AND THE FINANCE COMMITTEE RECOMMENDS APPROVAL FOR THE FUNDING TO COME FROM CONTINGENCY.

November 25, 2015

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 100-12-15AOF

Gentlemen:

We your Administration and Operations Committee recommend approval of an agreement between the County of Midland and MEDCOM. The terms of this agreement is from December 1, 2015 through March 31, 2016.

Under the Affordable Care Act ("ACA"), the County is required to issue 1095-Cs forms to all full-time employees and retirees that were offered health coverage from the County. MEDCOM agrees to provide for "ObamaCare" ACA reporting services for the County. MEDCOM will provide for 2016 an ACA Employer Reporting both to employees and the Internal Revenue Services ("IRS"); help desk for employer reporting. As part of its service, MEDCOM will provide a planning; identification of data; reconciliation of data; reconciliation of the data analysis validation; and preparation and delivery of appropriate forms required by IRS.

Cont.

In exchange the County agrees to pay MEDCOM a total of \$7,240.00, due upon execution of the agreement. In addition, beyond the employer penalty appeals support, the agreement calls for a fee of \$500.00 as set-up and \$75.00 per Exchange Notice Response when demanded by the IRS which is not in this total amount.

We your Finance Committee recommend approval to take funds from the Contingency Fund.

Respectfully submitted,

S/James Geisler, Chairperson

S/Richard Keenan

S/Scott Noesen

Administration and

Operations Committee

Motion by Commissioner Geisler supported by Commissioner Noesen to adopt.

Motion carried by Roll Call

Public comments: None.

ROLL CALL

YEAS: NOESEN, KLOHA, LEIGEB, KEENAN, GEISLER, DORRIEN, BONE.

NAYS: NONE.

ABSENT: NONE.

S/Scott Noesen, Chairperson

S/James Geisler

S/Eric Dorrien

Finance Committee

6

THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF THE 2015 BUDGET ADJUSTMENTS WITHIN THE JUVENILE CARE CENTER'S BUDGET.

November 25, 2015

To the Honorable Chairman and

Members of the Board of Commissioners

Agenda Item: 94-11-15F

Gentlemen:

We your Finance Committee recommend approval of a 2015 Budget adjustment within the Juvenile Care Center's budget from line item 296-355.000-835.300, Counseling Services to line item 296-355.000-866.000, Education and Training in the amount of \$10,000.00.

Respectfully submitted,

S/Scott Noesen, Chairperson

S/Eric Dorrien

Finance Committee

Motion by Commissioner Noesen to adopt.

Motion carried by Roll Call

Public comments: None.

ROLL CALL

YEAS: KLOHA, LEIGEB, KEENAN, GEISLER, DORRIEN, NOESEN, BONE.

NAYS: NONE.

ABSENT: NONE.

S/James Geisler

7

THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF THE 2015 BUDGET ADJUSTMENTS TO KNOWN REVENUES AND EXPENDITURES FOR KNOWN VARIANCES.

November 25, 2015

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 99-12-15F

Gentlemen:

We your Finance Committee recommend approval of the proposed 2015 Budget adjustment to record changes to revenues and expenditures for known variances.

Respectfully submitted,  
S/Scott Noesen, Chairperson                      S/James Geisler  
S/Eric Dorrien

Finance Committee  
Motion by Commissioner Noesen to adopt.  
Motion carried by Roll Call  
Public comments: None.

ROLL CALL

YEAS:            LEIGEB, KEENAN, GEISLER, DORRIEN, NOESEN, KLOHA, BONE.  
NAYS:            NONE.  
ABSENT:        NONE.

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8

THE HUMAN SERVICES COMMITTEE RECOMMENDS APPROVAL OF THE AMENDED MIDLAND COUNTY SOLID WASTE MANAGEMENT PLAN.

November 25, 2015

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 25-4-15HS

Gentlemen:

We your Human Services Committee recommend approval of the proposed amended Midland County Solid Waste Plan, which the Board of Commissioners appointed Solid Waste Plan Committee, has reviewed and recommends approval with the amendments.

Respectfully submitted,  
S/Eric Dorrien, Chairperson                      S/James Leigeb  
S/Al Kloha

Human Services Committee  
Motion by Commissioner Dorrien to adopt.  
Motion carried by Roll Call  
Public comments: None.

ROLL CALL

YEAS:            KEENAN, GEISLER, DORRIEN, NOESEN, KLOHA, LEIGEB, BONE.  
NAYS:            NONE.  
ABSENT:        NONE.

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DECEMBER SESSION 2015  
MIDLAND COUNTY BOARD OF COMMISSIONERS  
REQUESTS, PETITIONS AND COMMUNICATIONS  
DECEMBER 1, 2015

94-11-15

FINANCE DIRECTOR REQUEST APPROVAL OF A BUDGET AMENDMENT TO THE 2015 BUDGET FOR EDUCATION AND TRAINING FOR THE JUVENILE CARE CENTER.

REFERRED TO THE FINANCE COMMITTEE.

95-12-15

HEALTH DIRECTOR REQUESTS APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH MID-MICHIGAN DISTRICT HEALTH DEPARTMENT, THE BAY COUNTY HEALTH DEPARTMENT, AND THE SAGINAW COUNTY DEPARTMENT OF PUBLIC HEALTH TO SHARE GRANT FUNDS FOR CROSS-JURISDICTIONAL SHARING FROM MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES ON A GEOGRAPHIC INFORMATION SYSTEM PROJECT FOR EACH HEALTH DEPARTMENT; TO BENEFIT MIDLAND COUNTY ENVIRONMENTAL HEALTH SERVICES.

REFERRED TO THE ADMINISTRATION AND OPERATIONS COMMITTEE.

96-12-15

COUNTY CLERK REQUESTS APPROVAL OF THE PURCHASE OF A CRIMINAL LIVESCAN SYSTEM TO USE TO FINGERPRINT INDIVIDUALS THAT MAKE APPLICATION FOR A CONCEALED PISTOL LICENSE DUE TO UPCOMING CHANGES; FUND IN THE CPL FUND 264.

REFERRED TO THE ADMINISTRATION AND OPERATIONS AND FINANCE COMMITTEES.

97-12-15

COUNTY CLERK REQUESTS APPROVAL OF A PURCHASE AND FUNDING FOR A MAIL MACHINE FOR THE COUNTY TO PROCESS THE OUTGOING MAIL.

REFERRED TO THE ADMINISTRATION AND OPERATIONS AND FINANCE COMMITTEES.

98-12-15

PARKS AND RECREATION DIRECTOR REQUEST APPROVAL OF THE PURCHASE AND FUNDING TO REPLACE THE EXISTING BOILER SYSTEM AT THE SANFORD LAKE PARK.

REFERRED TO THE ADMINISTRATION AND OPERATIONS AND FINANCE COMMITTEES.

99-12-15

FINANCE DIRECTOR REQUEST APPROVAL OF BUDGET ADJUSTMENTS TO THE 2015 BUDGET TO RECORD CHANGES TO REVENUES AND EXPENDITURES FOR KNOWN VARIANCES.

REFERRED TO THE FINANCE COMMITTEE.

100-12-15

FINANCE DIRECTOR REQUESTS APPROVAL FUNDING FROM CONTINGENCIES AND TO ENTER INTO AN AGREEMENT WITH MEDCOM; AFFORDABLE CARE ACT SERVICES.

REFERRED TO THE ADMINISTRATION AND OPERATIONS COMMITTEE.

101-12-15

BAY COUNTY SUBMITS RESOLUTION AND REQUESTS MIDLAND COUNTY'S SUPPORT TO URGE THE MICHIGAN LEGISLATURE TO SUPPORT SENATE BILL 437, MAINTAINING THE CURRENT 10 PERCENT CAP ON DEREGULATION AND ENSURING ENERGY MARKETERS ARE ACCOUNTABLE FOR RELIABILITY AND SENATE BILL 438, ENSURING MICHIGAN'S ENERGY PORTFOLIO MIX HAS THE FLEXIBILITY NECESSARY TO PROVIDE AFFORDABLE, RELIABLE AND CLEAN ENERGY TO ITS CUSTOMERS.

THIS RPC WAS WITHDRAWN AND WILL BE REINTRODUCED IN TWO WEEK BY COMMISSIONER LEIGEB.

102-12-15

PROSECUTING ATTORNEY REQUESTS APPROVAL OF AN AGREEMENT WITH MGT OF AMERICA, INC. TO HELP MANAGE TITLE IV-D (CHILD SUPPORT ENFORCEMENT) AND TITLE 1V-E (ABUSE AND NEGLECT ACTIONS) REIMBURSEMENT PROGRAM WITH THE STATE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

REFERRED TO THE ADMINISTRATION AND OPERATIONS COMMITTEE.



OLD BUSINESS -  
OLD BUSINESS NO. 1  
87-10-15

RECOMMENDATION TO ACCEPT THE SEVERAL APPOINTMENTS TO BOARDS AND COMMISSIONS.

December 1, 2015

To the Honorable Chairman and  
Members of the Board of Commissioners

Agenda Item: 87-10-15 BOC

Gentlemen:

I recommend accepting the Resolution from the City of Midland indicating the reappointment of Thomas Adams to the Midland County Emergency Medical Services Advisory Board as the City of Midland Council representative to this said board. Mr. Adams will be serving a second term with the term to be January 1, 2016 through December 31, 2017.

I further recommend the reappointment of Bridgette Gransden to the Midland County Building Authority for a sixth term, with the term to be January 1, 2016 through December 31, 2018. Further recommend the reappoint of Ms. Gransden to the Central Dispatch Authority Administrative Policy Board for a second term, with the term to be February 1, 2016 through January 31, 2019.

I further recommend accepting the Township Officials Association's appointments and recommend approval of the reappointments of Craig Gosen to represent the Northwest Quadrant and Larry Leach to represent the Southeast Quadrant to the Midland County Board of Public Works. Both of these appointments will be for a third term therefore, I further recommend waiving County Policy 101.3, Section 6.5.3. to allow for these reappointments. The term for both of them members will be January 1, 2016 through December 31, 2018.

I recommend the reappointment of Elizabeth Kline to the Midland County Juvenile Care Center Advisory Board as the Mental Health Professional representative for a second term, with the term to be January 1, 2016 through December 31, 2018. I further recommend the reappointment of Scott Stephenson to this said board to represent the Law Enforcement representative for a second term, with the term to be January 1, 2016 through December 31, 2018.

Respectfully submitted,  
S/James Geisler  
District #5  
Midland County Board of Commissioners  
Motion by Commissioner Geisler to approve.  
Motion carried by voice.

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NEW BUSINESS -

Motion by Commissioner Dorrien supported by Commissioner Noesen to bring one item of New Business to the floor.

Motion carried by Roll Call

Public comments: None.

ROLL CALL

YEAS: GEISLER, DORRIEN, NOESEN, KLOHA, LEIGEB, KEENAN, BONE.

NAYS: NONE.

ABSENT: NONE.

NEW BUSINESS NO. 1

103-12-15

RECOMMENDATION TO APPROVE THE HIRING OF THE NEW EMERGENCY MANAGEMENT COORDINATOR AT A PAY GRADE N, STEP 3.

November 30, 2015

To the Honorable Chairman and  
Members of the Board of Commissioners

Agenda Item: 103-12-15HS

Gentlemen:

We your Human Services Committee recommend approval for the Administrator/Controller to hire a new Emergency Management Coordinator at a pay grade N, step 3 for the annual starting salary of \$63,585.60 instead of the starting salary pay of 51,334.40.

Respectfully submitted,

S/Eric Dorrien, Chairperson.

S/James Leigeb

S/Al Kloha

Human Services Committee

Motion by Commissioner Dorrien to approve.

Motion carried by Roll Call

Public comments: None.

ROLL CALL

YEAS: DORRIEN, NOESEN, KLOHA, GEISLER.

NAYS: LEIGEB, KEENAN, BONE.

ABSENT: NONE.

-----  
COMMISSIONER COMMENTS

KEENAN - SPOKE REGARDING PAY RAISE, DOES NOT BELIEVE WE SHOULD BE DOING THIS.

GEISLER - NO COMMENT.

DORRIEN - NO COMMENT.

NOESEN -DISAGREES WITH COMMISSIONER KEENAN'S COMMENTS.

KLOHA - HE ALSO AGREES.

LEIGEB - SPOKE REGARDING BIG GOVERNMENT BEING OUT OF CONTROL AND SEVERAL OTHER TOPICS.

BONE - COURTHOUSE LIGHTING IS TONIGHT.

COMMISSIONER MEETING(S) SCHEDULE  
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MOTION BY COMMISSIONER DORRIEN SUPPORTED BY COMMISSIONER GEISLER TO ADJOURN:  
Motion carried by voice.

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MEETING IS ADJOURNED UNTIL DECEMBER 8, 2015 AT 9:00 A.M. TO MEET IN AN EXECUTIVE SESSION  
OF THE BOARD OF COMMISSIONERS AND FOR THE COMMITTEES TO RESUME THEIR DUTIES.

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\* \* \* \* \*  
\* \* \* \* \*

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Mark C. Bone, Chairman, Midland County  
Board of Commissioners

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Ann Manary, Midland County Clerk and  
Clerk of the Board of Commissioners

	<u>Municipality</u>
1	Coleman City
2	Edenville Township
3	Geneva Township
4	Greendale Township
5	Homer Township
6	Hope Township
7	Ingersoll Township
8	Jasper Township
9	Jerome Township
10	Larkin Township
11	Lee Township
12	Lincoln Township
13	Midland Township
14	Mills Township
15	Mt. Haley Township
16	Porter Township
17	Village Of Sanford
18	Warren Township
19	City of Midland

List of municipalities  
and more than  
 $\frac{2}{3}$  approving resolutions  
(not all received at time  
of this meeting)



Utilities Department • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • (989) 837-3341 • CitizenCommentsWater@midland-mi.org

BY COUNCILMAN ADAMS

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan on October 20, 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the Michigan Department of Environmental Quality have been included in the final draft of the Amendment to the Midland County Solid Waste Management Plan; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan as amended by official action on December 1, 2015; and

WHEREAS, the City of Midland believes that this plan as amended represents its interests, and therefore supports the Amended Midland County Solid Waste Management Plan; now therefore

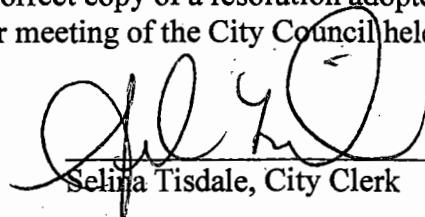
RESOLVED, that the City of Midland hereby approves the Amendment to the Midland County Solid Waste Management Plan authorizing the disposal of non-hazardous contaminated river sediment and floodplain soils from Saginaw County on a case-by-case basis at the City of Midland Landfill, within the out-of-county limits described in Saginaw County's Solid Waste Management Plan.

YEAS: Adams, Arnosky, Brown Wilhelm, Wazbinski

NAYS: None

ABSENT: Donker

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a 4/0 yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

  
Selina Tisdale, City Clerk

**Ratification of the  
Midland County Solid Waste Management Plan Amendment**

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, **Mt. Haley Township** believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that **Mt. Haley Township** ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS 4 - Dick, Leonard, Norm + Sharon

NAYS —

ABSENT 1 Amanda

Dated: 6/13/16

Attested by: CLERK Sharon Fleming

Ratification of the  
Midland County Solid Waste Management Plan Amendment

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, Hope Township believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that Hope Township ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS 5

NAYS 0

ABSENT 0

Dated: JUNE 14, 2016

Attested by: ~~CLERK~~ <sup>SUPERVISOR</sup> Andy Kobus

Ratification of the  
Midland County Solid Waste Management Plan Amendment

Jerome Township Resolution# 05112016E

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, **Jerome Township** believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

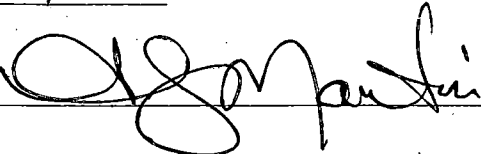
RESOLVED, that **Jerome Township** ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS <sup>(4)</sup> Angela Martin, Lee Fellows, Laura Grubbaugh, Mike Wood

NAYS Ø

ABSENT (1) Larry Nielsen

Dated: 5-11-16

Attested by: CLERK 



Ratification of the  
Midland County Solid Waste Management Plan Amendment

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, **Larkin Township** believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that **Larkin Township** ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS 6

NAYS 0

ABSENT 1

Dated: 5/10/16

Attested by: CLERK

*Sandra Rearden*

**Ratification of the  
Midland County Solid Waste Management Plan Amendment**

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, **Greendale Township** believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that **Greendale Township** ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS   5  

NAYS   0  

ABSENT   0  

Dated: MARCH 29, 2016

Attested by: CLERK *Ruth A. Knapp*

# Ratification of the Midland County Solid Waste Management Plan Amendment

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, Lee Township believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that Lee Township ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS 5

NAYS 0

ABSENT 0

Dated: May 9, 2016

Attested by: CLERK Conrad Rippe

Ratification of the  
Midland County Solid Waste Management Plan Amendment

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, **Lincoln Township** believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that **Lincoln Township** ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS 5

NAYS 0

ABSENT ~

Dated: 4/12/16

Attested by: CLERK 

Ratification of the  
Midland County Solid Waste Management Plan Amendment

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, **Geneva Township** believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that **Geneva Township** ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS 5

NAYS 0

ABSENT 0

Dated: 4-12-16

Attested by: CLERK Carole L Murray

Ratification of the  
Midland County Solid Waste Management Plan Amendment

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, **Mills Township** believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that **Mills Township** ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS 5

NAYS - 0 -

ABSENT - 0 -

Dated: 4-12-16

Attested by: CLERK Marian Brink Clerk

**Ratification of the  
Midland County Solid Waste Management Plan Amendment**

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, **Edenville Township** believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

**RESOLVED**, that **Edenville Township** ratifies the Midland County Solid Waste Management Plan and Amendments.

The foregoing resolution offered by Craig Gosen and seconded by Lydia Draves.

Upon a roll call vote, the following voted

"Aye": Karen Carey, Lydia Draves, Craig Gosen


"Nay" : Galen Gransden

"Absent": Bill Carey

The Supervisor Declared the resolution adopted.

STATE OF MICHIGAN )  
 ) ss  
COUNTY OF MIDLAND )

I, the undersigned, the duly qualified and acting Clerk for Edenville Township, Midland County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Edenville Township Board at a meeting held on the 12th day of April, 2016, and further certify that the above Resolution was adopted at said meeting.

  
Lydia Draves, Edenville Township Clerk

Ratification of the  
Midland County Solid Waste Management Plan Amendment

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

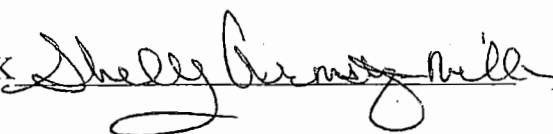
WHEREAS, **Midland Township** believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that **Midland Township** ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS 7  
NAYS 0  
ABSENT 0

Dated: 3-23-16

Attested by: CLERK





**Ratification of the  
Midland County Solid Waste Management Plan Amendment**

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

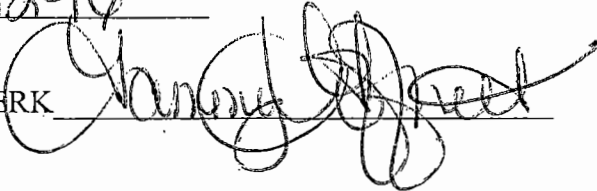
WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, **Coleman City** believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that **Coleman City** ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS 6  
NAYS 0  
ABSENT 0

Dated: 3-22-16

Attested by: CLERK 

Ratification of the  
Midland County Solid Waste Management Plan Amendment

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, **Ingersoll Township** believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that **Ingersoll Township** ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS A. Sewall, C. Shoffner, C. Sall, A. Shoffner, M. Keel

NAYS None

ABSENT None

Dated: 3-14-16

Attested by: CLERK Mary Ellen Keel

Ratification of the  
Midland County Solid Waste Management Plan Amendment

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, **Porter Township** believes that this plan as amended represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that **Porter Township** ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS   0  

NAYS   4  

ABSENT   1  

Dated: May 4, 2016

Attested by: CLERK

Marianne Corbat

# Ratification of the Midland County Solid Waste Management Plan Amendment

As approved by the County of Midland on December 1<sup>st</sup> 2015

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan October 20<sup>th</sup> 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the MDEQ have been included in the final draft of the Midland County Solid Waste Management Plan Amendment; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan and amendment by official action on December 1<sup>st</sup> 2015; and

WHEREAS, **Jasper Township** believes that this plan as amended represents its interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that **Jasper Township** ratifies the Midland County Solid Waste Management Plan and Amendments.

YEAS \_\_\_\_\_  
NAYS Dagle, Roe, Kelley, Aldrich  
ABSENT Roxanne Gibson

Dated: April 12, 2016

Attested by: CLERK Dorothy J. Kelley