STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

RICK SNYDER
GOVERNOR

C. HEIDI GRETHER
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

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*

* **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.

**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 |

*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 change 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.<br>* 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 (2nd 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 with 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<br>Min 2 hrs | $15.00/hr<br>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 Urns | $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<br>Min 2 hrs | $20.00/hr<br>Min 2 hrs |
| Additional hours | $30.00/hr | $20.00/hr |
| Piano | $30.00/day<br>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 |

| | | |
|---|---|---|
| | | Plus custodial services and materials if necessary |
| Custodial Overtime | | |
| 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

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 | $90/mi$^2$ | 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. 2nd 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


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DEPARTMENT OF ENVIRONMENTAL QUALITY

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

RICK SNYDER
GOVERNOR

C. HEIDI GRETHER
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 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 sense 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*

CITY OF
Midland

*4311 E. Ashman St.*
*Midland, MI 48642*
*Phone: 989.837.6989*
*Cell: 989.615.6231*
*Fax: 989.837.5722*
*solaughl@midland-mi.org*

CITY OF
Midland

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.

| Municipality | Original Planning County | New Planning County |
|---|---|---|
| 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) | | Waste Types Received (check all that apply) | |
|---|---|---|---|
| X | open | X | residential |
| ☐ | closed | X | commercial |
| X | licensed | X | industrial |
| ☐ | unlicensed | X | construction & demolition |
| ☐ | construction permit | X | contaminated soils |
| ☐ | open, but closure pending | 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 $yds^3$ |
| Estimated lifetime: | 50 | years |
| Estimated days open per year: | 276 | days |
| Estimated yearly disposal volume: | 125,925 | compacted $yds^3$ |

(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[1] | AUTHORIZED QUANTITY/ DAILY | AUTHORIZED QUANTITY/ ANNUAL | AUTHORIZED CONDITIONS[2] |
|---|---|---|---|---|---|
| Midland | Saginaw | | | | * |
| Midland | Bay | | | | * |
| Midland | Saginaw | | 622 tons(3) | 227,000 tons(3) | Contaminated Soil – River Sediment and Floodplain Soils(3) |
| Midland | Shiawassee | | | | * |
| Midland | Clare | | | | * |
| Midland | Bay | | 2,000 yards/month | 24,000 yards | Foundry Sand – Special Waste Only |
| Midland | Saginaw | | 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.

[1] Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

[2] Authorization indicated by P = Primary Disposal; C = Contingency Disposal

[3] 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 |
| ☐ | closed | X | commercial |
| X | licensed | X | industrial |
| ☐ | unlicensed | X | construction & demolition |
| ☐ | construction permit | X | contaminated soils |
| ☐ | open, but closure pending | 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 Soil – 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 $yds^3$ |
| Estimated lifetime: | 50 | years |
| Estimated days open per year: | 276 | days |
| Estimated yearly disposal volume: | 125,925 | compacted $yds^3$ |

(if applicable)
Annual energy production:

| | | |
|---|---|---|
| Landfill gas recovery projects: | N/A | megawatts |
| Waste-to-energy incinerators: | N/A | 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.[3]

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. [3]

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.[3]

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. [3]

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

signed + approved amendment by SWMP Committee before 90-day

→ Includes representatives on Committee

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)

- 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?

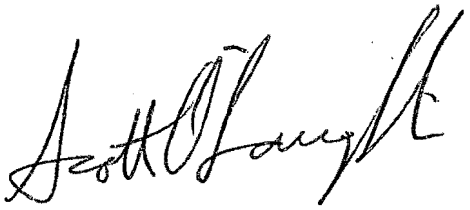
- Will township prices increase due to needing to build a cell earlier?
- Will this material harm citizens as it is trucked past their houses?
- Will this damage the roads having many trucks haul to Midland?
- Is the contaminant hazardous? Will it eventually pollute the leachate (sewage) exiting the 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.



| Name | Email Address | Phone Number | Representing |
|---|---|---|---|
| Scott O'Laughlin | solaughl@midland-mi.org | 989.837.6988 | Solid Waste Industry |
| Kevin Wray | kevin@valleyelectrical-midland.com | 989.205.4377 | Township Government |
| Lucille Wodwaski | n/a | 989.631.6406 | General Public |
| Noel Bush | nbush@midland-mi.org | 989.837.3343 | City Government |
| D.J. Bourdow | djbourdow@hotmail.com | 989.753.7719 | Solid Waste Industry |
| Stephen Kaufman | n/a | 989.832.0670 | General Public |
| Kip Cosan | khcosan@dow.com | 989.636.8536 | Industrial Waste Generator |
| Esther Williams | midlandrecyclers@yahoo.com | 989.631.1668 | Environmental Interest |
| Joe Sova | jsova@midland-mi.org | 989.837.3346 | General Public |
| Karen Brines | kbrines@midland-mi.org | 989.837.6988 | Solid Waste Industry |
| Daniel Bloom | bloom44@msn.com | 989.615.1707 | Township Government |
| Jeff Weckesser | glcpccp@att.com | 989.239.1282 | General Public |
| Mike Krecek | mkrecek@co.midland.mi.us | 989.837.6574 | County Gov't./Environmental Interest |
| | | | |
| | | | |
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# 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 |
| [illegible] | kevin@valleyelectrical-midland.com | 989 205 4377 |
| Lucille Wodowski | | 989-631-6406 |
| Noel Bush | nbush@midland-mi.org | |
| DJ Bourdow | djbourdow@hotmail.com | 989 583-7719 |
| [illegible] | | 832-0670 Steve Kaufman |
| Kip Cosan | khcosan@dow.com | 636-8536 |
| [illegible] Williams | midwlrec@yahoo.com | 631-1668 |
| Joe Sova | jsova@midland-mi.org | |
| Karen Brin | kbrines@midland-mi.org | 837-6988 #6 |
| DANIEL R. BLOOM | BLOOM44@MSN.COM | (989) 615-1707 |
| Jeff Wechersee | GLCPCCP@att.com | 989-239-1282 |
| Mike Kreiel | mkreiel@co.midland.mi.us | 989 837-6574 |
| | | |
| | | |
| | | |

# 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, 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

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

RICK SNYDER
GOVERNOR

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

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

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

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

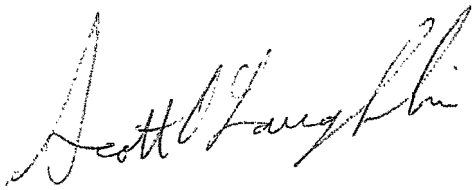
b. all Midland County municipalities for minimum 67% approval

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) | djbourdow@hotmail.com | 989.753.7719 | Solid Waste Industry |
| Daniel Bloom (absent) | bloom44@msn.com | 989.615.1707 | Township Government |
| Esther Williams | midlandrecyclers@yahoo.com | 989.631.1668 | Environmental Interest |
| Gary Hicks | hicksg@republicservices.com | 810.768.2218 | Regional Solid Waste |
| Jeff Weckesser | glcpccp@att.com | 989.239.1282 | General Public |
| Joe Sova | jsova@midland-mi.org | 989.837.3346 | General Public |
| Karen Brines | kbrines@midland-mi.org | 989.837.6988 | Solid Waste Industry |
| Kevin Wray (absent) | kevin@valleyelectrical-midland.com | 989.205.4377 | Township Government |
| Kip Cosan | khcosan@dow.com | 989.636.8536 | Industrial Waste Generator |
| Lucille Wodwaski (absent) | n/a | 989.631.6406 | General Public |
| Mike Krecek | mkrecek@co.midland.mi.us | 989.837.6574 | County Gov't./Environmental Interest |
| Noel Bush | nbush@midland-mi.org | 989.837.3343 | City Government |
| Pat Wurtzel | pwurtzel@bierlein.com | 989.698.2252 | Solid Waste Industry |
| Scott O'Laughlin | solaughl@midland-mi.org | 989.837.6988 | Solid Waste Industry |
| Stephen Kaufman | n/a | 989.832.0670 | General Public |
| Josh Ziegelmann | sales@billyscontracting.com | 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 | | glcpccp@att.com | 989.239.1282 |
| Joe Sova | | jsova@midland-mi.org | 989.837.3346 |
| 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@billyscontracting.com | 989-860-1914 |
| | | | |
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DECEMBER SESSION 2015 APPROVED

MIDLAND COUNTY BOARD OF COMMISSIONERS

DECEMBER 1, 2015

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 3RD AND NOVEMBER 10TH, 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 | $296,222.09 |
| 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 | $1,287,150.66 |
| 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: 95-12-15AO

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/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: 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.

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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 OPERATIOS 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/Richard Keenan
S/Scott Noesen
Administration and
Operations Committee

S/Scott Noesen, Chairperson
S/James Geisler
S/Eric Dorrien
Finance 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 PRIVIDE 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

S/Scott Noesen, Chairperson
S/James Geisler
S/Eric Dorrien
Finance 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.

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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

S/James Geisler

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.

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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.

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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 ENVIORONMENTAL HEALTH SERVICES.

REFERRED TO THE ADMINISTRATION AND OPERATIONS COMMITTEE.

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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 PUCHASE AND FUNDING FOR A MAIL MACHINE FOR THE COUNTY TO PROCESS THE OUTGOING MAIL.

REFERRED TO THE ADMINISTRATION AND OPERATIONS AND FINANCE COMMITTEES.

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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.

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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 SERIVCES.

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.

- - - - - - - - - - - - - - -

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

- - - - - - - - - - - - - - -

MOTION BY COMMISSIONER DORRIEN SUPPORTED BY COMMISSIONER GEISLER TO ADJOURN:
Motion carried by voice.

- - - - - - - - - - - - - - -

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

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

| | Municipality |
|---|---|
| 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
2/3 approving resolutions
(not all received at time
of this mailing)

7

CITY OF Midland

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 1st 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 20th 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 1st 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 1st 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 20th 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 1st 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~~ SUPERVISOR Andy Kobusa

# Ratification of the
# Midland County Solid Waste Management Plan Amendment
# Jerome Township Resolution# 05112016E

As approved by the County of Midland on December 1st 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 20th 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 1st 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 (4) Angela Martin, Lee Fellows, Laura Grubaugh, Mike Wood

NAYS Ø

ABSENT (1) Larry Nielsen

Dated: 5-11-16

Attested by: CLERK [signature]

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

As approved by the County of Midland on December 1st 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 20th 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 1st 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 1st 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 20th 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 1st 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 L. Knapp

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

**As approved by the County of Midland on December 1st 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 20th 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 1st 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 Ronald Pippen

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

As approved by the County of Midland on December 1st 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 20th 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 1st 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 1st 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 20th 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 1st 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 Ø

ABSENT Ø

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 1st 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 20th 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 1st 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 Maxine Brisk Clerk

**Resolution #2016-03**

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

As approved by the County of Midland on December 1st 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 20th 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 1st 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

Lydia Draves, Edenville Township Clerk

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

As approved by the County of Midland on December 1st 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 20th 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 1st 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 Shelly Kennedy Nelles

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

As approved by the County of Midland on December 1st 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 20th 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 1st 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 1st 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 20th 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 1st 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 J. Sennellegar, C. Shaffner, C. Sabb, A. Shaffner, 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 1st 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 20th 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 1st 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

K 2016-01

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

As approved by the County of Midland on December 1st 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 20th 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 1st 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 ~~Broxome~~ Gibson

Dated: April 12, 2016

Attested by: CLERK Dorothy J. Kelley

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

JOHN ENGLER
GOVERNOR

RUSSELL J. HARDING
DIRECTOR

December 3, 2002

Mr. Otis G. Wilson, Chairman
Midland County Board of Commissioners
Midland County Services Building
220 West Ellsworth Street
Midland, Michigan 48640-5194

Dear Mr. Wilson:

The Department of Environmental Quality (DEQ) received the locally approved update to the Midland County Solid Waste Management Plan (Plan) on June 10, 2002. Except for the items indicated below, the Plan is approvable. As outlined in the September 5, 2002 letter to Mr. Noel Bush, city of Midland, from Ms. Lynn Dumroese, DEQ, Waste and Hazardous Materials Division (WHMD), and as confirmed in your September 17, 2002 letter, the DEQ makes the following modifications to the Plan:

On page II-4, the Facility Description for the Dow Chemical Landfill indicates this facility is a hazardous waste landfill. At this location Dow Chemical Company operates a hazardous waste landfill and a Type III industrial landfill. The Type III industrial landfill is currently licensed under the Facility Name of Salzburg Landfill. The Plan only regulates solid waste disposal areas; therefore, the hazardous waste landfill does not need to be included in the Plan. In order to clarify that the Salzburg Landfill is the facility that is regulated under the Plan, the phrase "Type III Industrial Landfill" shall replace the phrase "Hazardous Waste Landfill" under the Facility Type. Additionally, the Facility Name shall be changed from "Dow Chemical Landfill" to "Salzburg Landfill."

On page III-7, the Plan lists the facilities that will be utilized to provide the required capacity and management needs for the planning period. The Salzburg Landfill is currently licensed and receiving solid waste; therefore, Salzburg Landfill is added under the heading "Type III Landfill."

On page III-35 under Item 3 of the Location Ordinances and Regulations Affecting Solid Waste Disposal, the Plan states: "City of Midland - Asses[s]ment of fees for disposal, violations of export/import regulations, special handling, etc." Section 11538(8) of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, preempts enforcement of all local regulation of the disposal area location, development, and operation except to the degree approved by the DEQ as part of the Plan. As written, this language is overly broad in

scope and may conflict and interfere with the DEQ regulatory authority and responsibilities under Part 115. This language refers to Chapter 10 and Chapter 21 of the City of Midland Ordinance, which contain language pertaining to solid waste. In order to clarify the scope of local authority that Midland County (County) intended to authorize, the following language shall replace the existing language under Item 3: "Chapter 10 and Chapter 21 of the City of Midland Ordinance." Additionally, a copy of Chapter 10 and Chapter 21 from the City of Midland Ordinance is added to the Plan.

With these modifications, the County's updated Plan is hereby approved, and the County now assumes responsibility for the enforcement and implementation of this Plan. Please ensure that a copy of this letter is included with copies of the approved Plan distributed by the County.

By approving the Plan with modifications, the DEQ has determined that it complies with the provisions of Part 115 and the Part 115 administrative rules concerning the required content of solid waste management plans. Specifically, the DEQ has determined that the Plan identifies the enforceable mechanisms that authorize the state, a county, a municipality, or a person to take legal action to guarantee compliance with the Plan, as required by Part 115. The Plan is enforceable, however, only to the extent that the County properly implements these enforceable mechanisms under applicable enabling legislation. The Plan itself does not serve as such underlying enabling authority, and the DEQ approval of the Plan neither restricts nor expands the County authority to implement these enforceable mechanisms.

The Plan may also contain other provisions that are neither required nor expressly authorized for inclusion in a solid waste management plan. The DEQ approval of the Plan does not extend to any such provisions. Under Part 115, the DEQ has no statutory authority to determine whether such provisions have any force or effect.

The DEQ applauds your efforts and commitment in addressing the solid waste management issues in the County. If you have any questions, please contact Ms. Rhonda Oyer Zimmerman, Chief, Solid Waste Management Unit, Storage Tank and Solid Waste Section, WHMD, at 517-373-4750.

Sincerely,

Russell J. Harding
Director
517-373-7917

cc: Senator Bill Schuette
Representative Tony Stamas
Mr. Noel Bush, City of Midland
Mr. Arthur R. Nash Jr., Deputy Director, DEQ
Mr. Thomas M. Hickson, Legislative Liaison, DEQ
Mr. George Bruchmann, DEQ
Mr. Dennis Armbruster, DEQ
Mr. Lonnie Lee, DEQ
Mr. Terry Walkington, DEQ
Ms. Rhonda Oyer Zimmerman, DEQ
Ms. Lynn Dumroese, DEQ
Midland County File

OLD BUSINESS NO. 2

cc. Dave D.
Bridgette G.
Noel Bush
Lynn Dumroese

# 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

September 17, 2002

To the Honorable Chairman and
Members of the Board of Commissioners  Agenda Item: 52-3-00

Ladies and Gentlemen:

I recommend approval of the three modifications to the Midland County Solid Waste Management Plan as recommended in Lynn Dumroese, DEQ, letter dated September 5, 2002. The State of Michigan requires Midland County to approve the three modifications to the plan before they will approve the final plan.

I further recommend that the attached letter be sent Lynn Dumroese, of the Michigan Department of Environmental Quality, Solid Waste Management Unit.

Respectfully submitted,

Rose Marie McQuaid

Rose Marie McQuaid
Midland County Board of Commissioners
District #9

njk

Motion by Commissioner McQuaid to approve the modifications.
Motion carried by roll call.

ATTESTED: Elaine M. Holder for
Karen A. Holcomb, Midland County
Clerk and Clerk of the Board of
Commissioners.
Dated: September 17, 2002

# 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


September 17, 2002

Lynn Dumroese
Solid Waste Management Unit
Waste Management Division, DEQ
Constitution Hall
525 W. Allegan St.
P.O. Box 30241
Lansing, MI 48909-7741

Dear Ms. Dumroese:

In response to your letter dated September 5, 2002 the Midland County Board of Commissioners respectfully request the DEQ to approve the Midland County Solid Waste Management Plan with the modifications recommended in your letter. The Midland County commissioners met in regular session on September 17, 2002 and received the three recommended changes to the Midland County Solid Waste Plan. The Board of Commissioners concurs with your recommendation of approving the three changes as follows:

1. On page 2-4 the facility description for the Dow Chemical landfill indicates the facility is a hazardous waste landfill. At this location, Dow Chemical operates a hazardous waste landfill and a Type 2 Industrial Landfill, which, is currently licensed under the facility name Salzburg Landfill. The hazardous waste landfill is not regulated by the plan and does not need to be included. The Salzburg Landfill is regulated by the plan, therefore, the phrase "type 3 industrial landfill" should be added to the facility type and Salzburg Landfill should be added to the facility name.

2. On page 3-7 the plan lists the facility, which will be utilized to provide the required capacity and management needs for the planning period. Salzburg Landfill is currently licensed and receiving solid waste; therefore, Salzburg Landfill should be added under the heading "Type 3 Landfill."

3. On page 3-35 the plan states, "the City of Midland-Assessment of Fees for Disposal, Violation of Export/Import Regulations, Special Handling, etc. "under item #3 of the local ordinance and regulations affecting solid waste disposal section. Section 11538 [8] of part 115 of the Natural Resource and Environmental Protection Act, 1994 P.A. 451, as amended, preempts enforcement of all local regulations of disposal area location, development, and operation accept to the degree approved by the DEQ as part of the plan. As written this language is overly broad in scope and may conflict and interfere with the DEQ regulatory authority and responsibility under part 115. You explained this language refers to Chapter 10 and Chapter 21 of the Midland Ordinance, which contains language pertaining to solid waste and forwarded a copy of these chapters. To clarify the scope of the local authority that was intended to be authorized the following language should replace the existing language under item #3, Chapter 10 and Chapter 21 of Midland Ordinance. Additionally, a copy of Chapter 10 and Chapter 21 from the City of Midland Ordinance should be added to the plan.

Midland County has received 100% approval for the solid waste plan and that information was forwarded to you at a prior date.

Thank you for consideration. We look forward to the approval of the Midland County Solid Waste Plan so that we may continue our efforts for comprehensive, convenient and cost-effective waste reduction and disposal in the future.

Respectfully,

Otis G. Wilson, Chairman
Midland County Board of Commissioners

njk

# PLAN FORMAT

FOR PREPARING

# COUNTY SOLID WASTE MANAGEMENT PLANS

AS REQUIRED BY SECTION 11539a OF
PART 115, SOLID WASTE MANAGEMENT, OF
THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT
1994 PA 451, AS AMENDED

John Engler, Governor
Russell J. Harding, Director

Michigan Department of Environmental Quality
Waste Management Division

This document is available to download from our Internet site at:
http://www.deq.state.mi.us./wmd/sections/swpshome.html

**THIS DOCUMENT IS PRINTED ON RECYCLED PAPER.**

EQP 5210 (8-97)

**1997 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.

| Municipality | Original Planning County | New Planning County |
|---|---|---|
| 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

TABLE OF CONTENTS


Section I

| | |
|---|---|
| Executive Summary | I-1 |
| Conclusion and Selected Alternative | I-3 |
| Introduction – Goals and Objectives | I-4 |

Section II

| | |
|---|---|
| Database | II-1 |
| Facility Descriptions | II-3 |
| Solid Waste Collection Services and Transportation Infrastructure | II-10 |
| Evaluation of Deficiencies and Problems | II-11 |
| Demographics | II-12 |
| Land Development | II-15 |
| Solid Waste Management Alternatives | II-16 |

Section III

| | |
|---|---|
| The Selected Solid Waste Management System | III-1 |
| Import Authorization | III-3 |
| Export Authorization | III-5 |
| Solid Waste Disposal Areas | III-7 |
| Facility Descriptions | III-8 |
| Solid Waste Collection Services and Transportation | III-11 |
| Resource Conservation Efforts | III-12 |
| Waste Reduction, Recycling, and Composting Programs | III-13 |
| Overview of Resource Recovery Programs | III-14 |
| Recycling and Composting | III-17 |
| Recycling – Table III-1 | III-18 |
| Composting – Table III-2 | III-19 |
| Source Separation of Potentially Hazardous Materials—Table III-3 | III-20 |
| Proposed Recycling – Table III-4 | III-21 |
| Proposed Composting – Table III-5 | III-22 |
| Proposed Separation of Potentially Hazardous Materials – Table III-6 | III-23 |
| Resource Recovery or Recycling Programs Management Responsibilities | III-24 |
| Projected Diversion Rates | III-25 |
| Market Availability for Collected Materials | III-26 |
| Educational and Informational Programs | III-27 |
| Timetable for Selected System Implementation—Table III-7 | III-28 |
| Siting Review Procedures | III-29 |
| Solid Waste Management Components | III-30 |
| Identification of Responsible Parties | III-31 |
| Local Ordinances and Regulations Affecting solid Waste Disposal | III-34 |
| Capacity Certifications | III-36 |

Appendix

Selected System

| | |
|---|---|
| Evaluation of Recycling | A-1 |
| Detailed Features of Recycling and Composting Programs | A-11 |
| Coordination Efforts | A-12 |
| Costs and Funding | A-13 |
| Evaluation Summary of the Selected System | A-14 |
| Advantages and Disadvantages of the Selected System | A-15 |

**Non-Selected System**
- System Components B-1
- Evaluation Summary of the Non-Selected System B-3
- Advantages and Disadvantages of the Non-Selected System B-4

**Public Participation and Approval**
- Public Involvement Process C-1
- Planning Committee Appointment Procedure C-12
- Planning Committee C-13

**Plan Implementation Strategy**
- Resolutions D-2
- Listed Capacity D-3
- Maps D-5
- Inter-County Agreements D-12
- Special Conditions D-13

# EXECUTIVE SUMMARY

The following summarizes the solid waste management system selected to manage solid waste within the County. In case of conflicting information between the executive summary and the remaining contents of the Plan update, the information provided in the main body of the Plan update found on the following pages will take precedence over the executive summary.

**OVERALL VIEW OF THE COUNTY**

| Township or Municipality | Population | % Land Use Rural | Urban | % of Economic Base Ag | For | Ind | Com | Res | Oth |
|---|---|---|---|---|---|---|---|---|---|
| Edenville Township | 2,602 | 100 | 0 | 5.5458 | 0 | 3.0097 | 1.6486 | 89.7959 | 0 |
| Geneva Township | 1,073 | 100 | 0 | 31.4679 | 3.2997 | 2.8965 | 1.2195 | 0 | 61.1663 |
| Greendale Township | 1,664 | 100 | 0 | 5.5708 | 1.5643 | 11.9774 | 3.8665 | 0 | 77.0209 |
| Homer Township | 4,549 | 100 | 0 | 4.3029 | 0.0269 | 4.1692 | 6.0842 | 0.1777 | 85.2392 |
| Hope Township | 1,252 | 100 | 0 | 12.1536 | 0 | 5.5360 | 3.5013 | 0 | 68.1101 |
| City of Midland | 40,600 | 0 | 100 | 0 | 0 | 53.4742 | 12.1235 | 0 | 34.4023 |
| Ingersoll Township | 2,915 | 100 | 0 | 22.6091 | 0.4039 | 5.3756 | 3.5013 | 0 | 68.1101 |
| Jasper Township | 1,113 | 100 | 0 | 35.7282 | 0 | 15.6893 | 0.0837 | 0 | 48.4988 |
| Jerome Township | 3,667 | 100 | 0 | 0.9865 | 0 | 3.3498 | 5.5426 | 0 | 90.1211 |
| Village of Sanford | 984 | 0 | 100 | NA | NA | NA | NA | NA | NA |
| Larkin Township | 4,660 | 100 | 0 | 4.0511 | 0.1616 | 3.9624 | 5.2910 | 0 | 86.5338 |
| Lee Township | 4,113 | 100 | 0 | 2.9103 | 0 | 7.0852 | 3.4064 | 0 | 86.5981 |
| Lincoln Township | 2,011 | 100 | 0 | 2.6109 | 0 | 5.8396 | 17.6756 | 0 | 73.8639 |
| Midland Township | 2,376 | 100 | 0 | 0 | 0 | 26.7814 | 8.2918 | 0 | 64.9268 |
| Mills Township | 1,935 | 100 | 0 | 4.0600 | 3.5096 | 4.4807 | 0.9375 | 0 | 87.0122 |
| Mt. Haley Township | 1,810 | 100 | 0 | 26.3303 | 0 | 2.8925 | 1.3649 | 0 | 69.4123 |
| Porter Township | 1,154 | 100 | 0 | 35.7095 | 4.7621 | 6.2492 | 0.4842 | 0 | 52.7950 |
| Warren Township | 1,856 | 100 | 0 | 12.9445 | 0 | 24.2234 | 3.0706 | 0 | 59.7615 |
| City of Coleman | 1,379 | 100 | 0 | 0 | 0 | 4.6807 | 24.3624 | 0 | 70.9573 |
| **Total Population** | **81,713** | | | | | | | | |

***NA – Not Available** *

Ag = Agriculture; For = Forestry; Ind = Industry; Com = Commercial; Oth = All Other Economic Bases

## 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 will waste be allowed to be transferred across county lines. In addition, the new plan allows for the transfer of special waste, foundry sands only, between the counties of Midland, Bay, and Saginaw for use as daily cover at 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 recycle 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 as explained in the Import/Export section on pages III-3, III-5 and in the Coordination section on A-14.

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.

# INTRODUCTION

## GOALS AND OBJECTIVES

To comply with Part 115 and its requirements, each Plan must be directed toward goals and objectives based on the purposes stated in Part 115, Sections 11538.(1)(a), 11541.(4) and the State Solid Waste Policy adopted pursuant to this Section, and Administrative Rules 711(b)(i) and (ii). At a minimum, the goals must reflect two major purposes of Solid Waste Management Plans:

(1) To utilize to the maximum extent possible the resources available in Michigan's solid waste stream through source reduction, source separation, and other means of resource recovery and;

(2) To prevent adverse effects on the public health and the environment resulting from improper solid waste collection, transportation, processing, or disposal, so as to protect the quality of the air, the land, and ground and surface waters.

This Solid Waste Management Plan works toward the following goals through actions designed to meet the objectives described under the respective goals, which they support:

Goal 1: To establish a countywide Solid Waste Plan and program which promotes the optimum utilization of solid waste disposal techniques, waste reduction, resource and energy recovery; provides for meeting Midland County's Sanitary Landfill needs; and satisfies adopted regulatory standards for proper solid waste management practices; while maintaining a high-quality environment and addressing public health concerns.

- Objective 1.1: Develop an efficient, environmentally sound and cost-effective waste management system capable of meeting the diverse needs of Midland County for the next 20 years.
- Objective 1.2: Encourage the cooperative use of existing solid waste facilities and services, and the coordination of collection activities by local governments and solid waste haulers.
- Objective 1.3: Locate disposal facilities in accordance with siting criteria identified in the Solid Waste Management Plan with review by affected local units of government and insure that disposal facilities are designed in accordance with Act 641 and its regulations.
- Objective 1.4: Encourage participation by the private sector in all solid waste management activities.
- Objective 1.5: Encourage the implementation of an integrated waste management system, including waste reduction, source separation, composting, materials recycling, energy recovery, and landfilling.
- Objective 1.6: Monitor countywide hauling practices for conformance with regulations, to ensure public safety, and maintain cost-effective services for Midland County residents.

**INTRODUCTION**

Goal 2: Foster an environmentally conscious community resulting in the establishment and maintenance of a high-quality environment through implementation of an all-inclusive solid waste management program that provides for public health and environmental protection efforts.

Objective 2.1: Require the City of Midland to develop a natural disaster action plan to address events such as flooding, tornadoes, etc. resulting in excess quantities of solid waste requiring disposal. This policy will include recycling and composting opportunities to the greatest extent possible.

Objective 2.2: Improve enforcement against illegal dumping of waste in unauthorized areas by enacting a county ordinance that provides for fines and other penalties and encourages witnesses to report illegal dumping.

Objective 2.3: Continue the household hazardous waste collection program on the basis of four times a year during the summer months, and investigate an expansion of the plan to allow for collection at least once during winter months.

Objective 2.4: Educate business owners and area contractors of regulations regarding solid waste disposal in Midland County, through mailings, information sheets at building permit issuance, or issuance of yearly Midland County Disposal Permits at no cost.

Goal 3: Educate citizens on solid waste management issues and concerns.

Objective 3.1: Notify citizens about opportunities for improved solid waste management such as recycling, household hazardous waste collections, and special concerns, through radio, television, flyers, mailings, and newspaper announcements.

Objective 3.2: Notify citizens of statistics regarding recycling in our community versus other communities, while encouraging residents to achieve maximum participation in these recycling efforts in order to protect the Midland County environment.

Objective 3.3: Provide local grocery stores with information about reducing individual household garbage, recycling and composting methods, and locations of local solid waste, recycling and compost disposal areas. This information could be printed on grocery bags or handed to customers in the form of flyers.

Objective 3.4: Encourage local grocery stores to provide recycling areas for grocery bags or to establish rebate programs for customers who re-use grocery bags.

Objective 3.5: Support an environmental educational program for K-12 grades by providing opportunities to tour existing solid waste management facilities, educational information to be used in school curriculums, and hands-on displays to be used in the classroom and public settings.

Goal 4: Maintain, support, and expand recycling programs and facilities.

Objective 4.1: Promote governmental, institutional, commercial, and industrial recycling opportunities.

Objective 4.2: Encourage the creation/expansion of markets for recycled and recovered materials and the use of recyclable and recycled materials by government, business, industry and the public.

Objective 4.2: Establish and encourage office paper recycling programs in government, institutional, and corporate operations.

Objective 4.3: Encourage the use of private/nonprofit organizations for operating and coordinating in recycling and resource recovery efforts.

Objective 4.4: Review local government and public institution procurement policies and suggest revisions that encourage the use of recycled and recyclable materials.

Objective 4.5: Establish a countywide tire-recycling program.

Objective 4.6: Establish a countywide Christmas tree composting program; including public education of the proper disposal methods for yard waste, brush, and wood waste.

Objective 4.7: Establish a countywide compost program including reuse/resale of compost products.

Objective 4.8: Establish a method that allows for separation of recyclable materials at the landfill disposal site along with financial incentives to do so.

Objective 4.9: Encourage corporations to apply and become MDEQ Clean Corporate Citizens and recognize such corporations appropriately.

**INTRODUCTION**

Goal 5: Provide continual analysis of Midland County's current and long-term solid waste management needs.

- Objective 5.1: Investigate the feasibility of establishing financial incentives for source separation of recyclable materials at the home and landfill site (i.e., variable fee structure for separation of paper, glass, metals, etc.)
- Objective 5.2: Support the expansion of voluntary efforts, which encourage the use of feasible alternative solid waste systems rather than landfills.
- Objective 5.3: Encourage new or innovative workable energy and materials recovery technologies.
- Objective 5.4: Encourage appropriate and cost-effective local, state and federal legislation to provide incentives for source separation, recycling, and less wasteful packaging practices.
- Objective 5.5: Endorse feasible long-range regional resource recovery/recycling/disposal plans.
- Objective 5.6: Annually review the goals contained within this Solid Waste Plan and update the entire plan every five years.

**THE CITY OF MIDLAND SHALL REVIEW THESE GOALS ON AN ANNUAL BASIS AND PUBLISH A REPORT DETAILING THE EFFORTS MADE TO ACCOMPLISH THESE GOALS.**

# DATA BASE

Below is an identification of sources of waste generation within the county, total quantity of solid waste generated to be disposed, and sources of the information. (Attach additional pages as necessary)

| County | Waste Type | Volume | Volume | Volume |
|---|---|---|---|---|
| Midland | City Residential - MSW (1) | 45,023.00 | 45,608.00 | 46,200.00 |
| | General Public - MSW(1) | 5,180.00 | 5,390.00 | 5,588.00 |
| | Contractor - MSW (1) | 353,554.00 | 370,279.00 | 385,135.00 |
| | Demolition (1) | 62,600.00 | 63,414.00 | 64,238.00 |
| | Tires(*1) | 2,761.00 | 2,797.00 | 2,833.00 |
| | Wastewater Sludge - Landfilled (1) | 1,293.00 | 1,310.00 | 1,327.00 |
| | Water Sludge - Landfilled (1) | 13.00 | 13.00 | 13.00 |
| | City Heavy Item (1) | 31,070.00 | 31,464.00 | 31,883.00 |
| | Street Dirt (1) | 1,668.00 | 1,690.00 | 1,712.00 |
| | Yard Waste General Public | 922.00 | 922.00 | 922.00 |
| | Yard Waste Contractor | 898.00 | 900.00 | 900.00 |
| | Yard Waste City Truck | 6,524.00 | 6,525.00 | 6,525.00 |
| | Clean Fill | 1,106.00 | 1,100.00 | 1,100.00 |
| | Leaves City Truck to Landfill | 31,000.00 | 31,000.00 | 31,000.00 |
| | Leaves to Other City Sites | 15,000.00 | 15,000.00 | 15,000.00 |
| | City of Midland Brush | 20,000.00 | 28,000.00 | 28,000.00 |
| | Brush to PUTT | 8,000.00 | - | - |
| | Wastewater Sludge | 14,850.00 | 14,850.00 | 14,850.00 |
| | Water Treatment Sludge | 6,000.00 | 6,000.00 | 6,000.00 |
| | Dow Chemical Landfill (1) | 35,000.00 | 35,000.00 | 35,000.00 |
| | Dow Corning Landfill (1) | 8,000.00 | 8,000.00 | 8,000.00 |
| | Recycled Materials | 79,365.00 | 83,053.00 | 85,142.00 |

Note all yardage listed is loose quantities.
*Tires are measured as each.

TOTAL QUANTITY OF SOLID WASTE GENERATED:
706,977 Cubic Yards per Year

[1]TOTAL QUANTITY OF SOLID WASTE NEEDING DISPOSAL:
546,162 Cubic Yards per Year

Based upon the current EPA rates, the estimated generation of waste per person is 4.4 pounds per day. However, based upon Midland County statistics, the waste generation in Midland County appears to be slightly higher at 5.2 pounds per person per day.

| Waste Type | Volume | Density (lbs/yd) | Total Wt. | Population | lbs/person/day |
|---|---|---|---|---|---|
| City Residential - MSW | 45,023.00 | 250 | 11,255,750.00 | | |
| General Public - MSW | 5,180.00 | 250 | 1,295,000.00 | | |
| Contractor – MSW | 353,554.00 | 250 | 88,388,500.00 | | |
| Demolition | 62,600.00 | 500 | 31,300,000.00 | | |
| Tires | 2,761.00 | 500 | 1,380,500.00 | | |
| City Heavy Item | 31,070.00 | 500 | 15,535,000.00 | | |
| **TOTAL** | | | 149,154,750.00 | 78,798.00 | 5.2 |

Based upon actual statistics, projected annual volumes are as follows:

| Waste Type | Volume | Population | Yd/Per. | 2005 Pop. | Projected 5 Yr. Vol. | 2010 Pop. | Projected 10 Yr. Vol. |
|---|---|---|---|---|---|---|---|
| **City Residential-MSW** | 45,023 | 40,600 | 1.11 | 41,995 | 46,570 | 43,390 | 48,117 |
| **General Public-MSW** | 5,180 | 78,798 | 0.07 | 82,000 | 5,390 | 85,000 | 5,588 |
| **Contractor-MSW** | 353,554 | 38,198 | 9.26 | 40,005 | 370,279 | 41,610 | 385,135 |
| **Demolition** | 62,600 | 78,798 | 0.79 | 82,000 | 65,144 | 85,000 | 67,527 |
| **Tires*** | 2,761 | 78,798 | 0.04 | 82,000 | 2,873 | 85,000 | 2,978 |
| **City Heavy Item** | 31,070 | 40,600 | 77 | 41,995 | 32,138 | 43,390 | 33,205 |

The projected volumes for Contractor MSW include an increase of 20,000 yards per year. This accounts for municipal waste generated by The Dow Chemical Company. Prior to 1999, this waste was placed in Dow Chemical's hazardous waste landfill. However, in an effort to conserve their landfill space and reduce cost, Dow Chemical Company is currently diverting this waste to the City of Midland Landfill. Additionally, the volumes for wastewater and water residuals; yard, leaves, and brush waste; street dirt; and clean fill are not expected to increase significantly. Thus the current volumes are maintained as the future projected volumes.

**DATA BASE**

Below is an 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.

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 |
| ☐ | closed | X | commercial |
| X | licensed | X | industrial |
| ☐ | unlicensed | X | construction & demolition |
| ☐ | construction permit | X | contaminated soils |
| ☐ | open, but closure pending | 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

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 $yds^3$ |
| Estimated lifetime: | 50 | years |
| Estimated days open per year: | 276 | days |
| Estimated yearly disposal volume: | 125,925 | compacted $yds^3$ |

(if applicable)
Annual energy production:

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

RETURN TO APPROVAL LETTER

FACILITY DESCRIPTIONS

Facility Type: Hazardous Waste Landfill

Facility Name: Dow Chemical Landfill

County: Midland Location: Town: 14N Range: 2E Section(s): 35

Map identifying location included in Attachment Section: XYes ☐ No

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

☐Public X Private Owner: Dow Chemical Company

| Operating Status (check) | | Waste Types Received (check all that apply) | |
|---|---|---|---|
| X | open | ☐ | residential |
| ☐ | closed | ☐ | commercial |
| X | licensed | X | industrial |
| ☐ | unlicensed | ☐ | construction & demolition |
| ☐ | construction permit | X | contaminated soils |
| ☐ | open, but closure pending | ☐ | special wastes * |
| | | ☐ | other: |

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

Site Size:

| | | |
|---|---|---|
| Total area of facility property: | 130 | acres |
| Total area sited for use: | 83.6 | acres |
| Total area permitted: | 15.2 | acres |
| Operating: | 16 | acres |
| Not excavated: | 46.7 | acres |
| Current capacity: | $1.9 \times 10^6$ | $yds^3$ |
| Estimated lifetime: | 50+ | years |
| Estimated days open per year: | 150 | days |
| Estimated yearly disposal volume: | 35,000 | $yds^3$ |

(if applicable)
Annual energy production:

| | | |
|---|---|---|
| Landfill gas recovery projects: | NA | megawatts |
| Waste-to-energy incinerators: | NA | megawatts |

FACILITY DESCRIPTIONS

Facility Type: Incinerator

Facility Name: Dow Chemical 703 Incinerator

County: Midland Location: Town: 14N Range: 2E Section(s): 27

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: Dow Chemical Landfill

☐ Public X Private Owner: Dow Chemical Company

| Operating Status (check) | | Waste Types Received (check all that apply) | |
|---|---|---|---|
| X | open | ☐ | residential |
| ☐ | closed | ☐ | commercial |
| X | licensed | X | industrial |
| ☐ | unlicensed | ☐ | construction & demolition |
| ☐ | construction permit | X | contaminated soils |
| ☐ | open, but closure pending | ☐ | special wastes * |
| | | ☐ | other: |

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

Site Size:

| | |
|---|---|
| Total area of facility property: | NA acres |
| Total area sited for use: | NA acres |
| Total area permitted: | NA acres |
| Operating: | NA acres |
| Not excavated: | NA acres |
| Current capacity: | 85 MMBTU/HR |
| Estimated lifetime: | NA years |
| Estimated days open per year: | 365 days |
| Estimated yearly disposal volume: (if applicable) | 85 Million Pounds |
| Annual energy production: | |
| Landfill gas recovery projects: | NA megawatts |
| Waste-to-energy incinerators: | NA megawatts |

FACILITY DESCRIPTIONS

Facility Type: Incinerator

Facility Name: Dow Chemical 830 Incinerator

County: Midland Location: Town: 14N Range: 2E Section(s): 27

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: Dow Chemical Landfill

☐ Public X Private Owner: Dow Chemical Company

| Operating Status (check) | | Waste Types Received (check all that apply) | |
|---|---|---|---|
| X | open | ☐ | residential |
| ☐ | closed | ☐ | commercial |
| X | licensed | X | industrial |
| ☐ | unlicensed | ☐ | construction & demolition |
| ☐ | construction permit | X | contaminated soils |
| ☐ | open, but closure pending | ☐ | special wastes * |
| | | ☐ | other: |

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

Site Size:

| | |
|---|---|
| Total area of facility property: | NA acres |
| Total area sited for use: | NA acres |
| Total area permitted: | NA acres |
| Operating: | NA acres |
| Not excavated: | NA acres |
| Current capacity: | 60 MMBTU/HR |
| Estimated lifetime: | NA years |
| Estimated days open per year: | 365 days |
| Estimated yearly disposal volume: (if applicable) | 50 Million Pounds |
| Annual energy production: | |
| Landfill gas recovery projects: | NA megawatts |
| Waste-to-energy incinerators: | NA megawatts |

FACILITY DESCRIPTIONS

Facility Type: Type B Transfer Station

Facility Name: Lee Township

County: Midland Location: Town: 14 N Range: 1 W Section(s): 21

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: City of Midland Landfill

X Public ☐ Private Owner:

| Operating Status (check) | | Waste Types Received (check all that apply) | |
|---|---|---|---|
| X | open | X | residential |
| ☐ | closed | ☐ | commercial |
| X | licensed | ☐ | industrial |
| ☐ | unlicensed | ☐ | construction & demolition |
| ☐ | construction permit | ☐ | contaminated soils |
| ☐ | open, but closure pending | ☐ | special wastes * |
| | | ☐ | other: |

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

Site Size:

| | |
|---|---|
| Total area of facility property: | NA acres |
| Total area sited for use: | NA acres |
| Total area permitted: | NA acres |
| Operating: | NA acres |
| Not excavated: | NA acres |
| Current capacity: | NA yds |
| Estimated lifetime: | NA years |
| Estimated days open per year: | NA days |
| Estimated yearly disposal volume: | NA yds |

(if applicable)
Annual energy production:

| | |
|---|---|
| Landfill gas recovery projects: | NA megawatts |
| Waste-to-energy incinerators: | NA megawatts |

FACILITY DESCRIPTIONS

Facility Type: Type B Transfer Station

Facility Name: Lincoln Township Transfer Station

County: Midland Location: Town: 15 N Range: 1 E Section(s): 22

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: City of Midland Landfill

X Public ☐ Private Owner:

| Operating Status (check) | | Waste Types Received (check all that apply) | |
|---|---|---|---|
| X | open | X | residential |
| ☐ | closed | ☐ | commercial |
| X | licensed | ☐ | industrial |
| ☐ | unlicensed | ☐ | construction & demolition |
| ☐ | construction permit | ☐ | contaminated soils |
| ☐ | open, but closure pending | ☐ | special wastes * |
| | | ☐ | other: |

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

Site Size:

| | |
|---|---|
| Total area of facility property: | NA acres |
| Total area sited for use: | NA acres |
| Total area permitted: | NA acres |
| Operating: | NA acres |
| Not excavated: | NA acres |
| Current capacity: | NA $yds^3$ |
| Estimated lifetime: | NA years |
| Estimated days open per year: | NA days |
| Estimated yearly disposal volume: | NA $yds^3$ |

(if applicable)
Annual energy production:

| | |
|---|---|
| Landfill gas recovery projects: | NA megawatts |
| Waste-to-energy incinerators: | NA megawatts |

FACILITY DESCRIPTIONS

Facility Type: Hazardous Waste Landfill

Facility Name: Dow Corning Landfill

County: Midland Location: Town: 14N Range: 2E Section(s): 26

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:

☐ Public X Private Owner:

| Operating Status (check) | | Waste Types Received (check all that apply) | |
|---|---|---|---|
| X | open | ☐ | residential |
| ☐ | closed | ☐ | commercial |
| X | licensed | X | industrial |
| ☐ | unlicensed | ☐ | construction & demolition |
| ☐ | construction permit | X | contaminated soils |
| ☐ | open, but closure pending | ☐ | special wastes * |
| | | ☐ | other: |

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

Site Size:

| | |
|---|---|
| Total area of facility property: | 21.4 acres |
| Total area sited for use: | 21.4 acres |
| Total area permitted: | 21.4 acres |
| Operating: | 21.4 acres |
| Not excavated: | 0 acres |
| Current capacity: | 145,200 $yds^3$ |
| Estimated lifetime: | 19 years |
| Estimated days open per year: | 260 days |
| Estimated yearly disposal volume: | 8,000 $yds^3$ |

(if applicable)
Annual energy production:

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

**DATA BASE**

## SOLID WASTE COLLECTION SERVICES AND TRANSPORTATION INFRASTRUCTURE

The following describes the solid waste collection services and transportation infrastructure that will be utilized within the County to collect and transport solid waste.

1. City of Midland Department of Public Services
   - Residential Curbside Municipal Solid Waste: City of Midland Residents Only
   - Residential Heavy Item Waste: City of Midland Residents Only
   - Yard Waste Collection: City of Midland Residents Only
2. Waste Management, Incorporated which includes City Environmental Services of Mid-Michigan
   - Residential Curbside Municipal Solid Waste: Midland County Residents Excluding City of Midland Residents
   - Commercial Compactor and Roll-off Accounts: City of Midland and Midland County Businesses
   - Residential Curbside Recycling: City of Midland and Midland County
   - Recycling Waste: City of Midland and Midland County Businesses
3. Superb Sanitation Services
   - Residential Curbside Municipal Solid Waste: Midland County Residents Excluding City of Midland Residents
   - Residential Curbside Recycling: Midland County
4. Metro Sanitation Services
   - Commercial Compactor and Roll-off Accounts: City of Midland and Midland County Businesses
5. All businesses and commercial sites use either a contracted service or private hauler for transporting their solid waste.
6. City of Midland Sanitary Landfill is also available to the individual homeowner within Midland County for waste disposal.

**DATA BASE**

## EVALUATION OF DEFICIENCIES AND PROBLEMS

The following is a description of problems or deficiencies in the existing solid waste system.

The current landfill capacity in Midland County is more than adequate to serve the county for more than twenty years. In addition, the City of Midland Landfill also operates a compost area capable of processing the county's yard waste. In the future, the landfill will probably need to expand the composting area due to the large amount of yard waste entering this facility.

Major deficiencies are in the small number of waste hauling companies in the area. Through recent mergers, the waste hauling industry has left the townships with few options for service. With time, it is expected that competitive hauling companies will begin to focus their attention on gaining a market share in this area.

In addition, the yard waste in the townships is not collected. There is concern that 1) the residents need and desire this service and 2) that if the service is not provided this waste will not be separated from the municipal waste stream as required by the regulations.

Household hazardous waste collections will continue to be a priority for the county. Continuance of the collections with possible expansion should be addressed in the future.

Lastly, continued emphasis on source separation and recycling efforts should be pursued including promotions, expanded drop-off and collection methods, and expanded markets by encouraging the use and purchase of recycled products. The reduction in number of tires being landfilled and methods for reuse of this waste should be pursued. Collections for these materials should be implemented.

**DATA BASE**

## DEMOGRAPHICS

The following presents the current and projected population densities and centers for five and ten year periods, identification of current and projected centers of solid waste generation including industrial solid waste for five and ten year periods as related to the Selected Solid Waste Management System for the next five and ten year periods. Solid waste generation data is expressed in tons or cubic yards, and if it was extrapolated from yearly data, then it was calculated by using 365 days per year, or another number of days as indicated.

Midland County is largely a rural county located in east central Michigan. The major urban center is Midland, situated in the eastern portion of the county about 20 miles west of Bay City, 25 miles northwest of Saginaw, and 25 miles east of Mt. Pleasant. In addition to 16 townships, Coleman and Sanford are other communities within the county.[3]

The three counties of Midland, Bay and Saginaw counties are dominant in population and industry in east central Michigan. The physical proximity of the cities of Midland, Bay City, and Saginaw offer a challenge to cooperative solutions to problems such as solid waste management. Solid waste management in the other counties of Isabella, Gratiot, Clare and Gladwin lend themselves to regional solutions.[3]

Population projections and waste projected waste generation rates are shown depicted in Figure 1 and Figure 2

Population Projections - Midland County
Figure 1

| | | | |
|---|---|---|---|
| | | Hope<br>2000 - 1,252<br>2005 - 1,298<br>2010 - 1,343 | Mills<br>2000 - 1,935<br>2005 - 2,006<br>2010 - 2,076 |
| Warren<br>2000 - 1,856<br>2005 - 1,924<br>2010 - 1,992<br><br>City of Coleman<br>2000 - 1,379<br>2005 - 1,430<br>2010 - 1,480 | Edenville<br>2000 - 2,602<br>2005 - 2,697<br>2010 - 2792 | Lincoln<br>2000 - 2,011<br>2005 - 2,085<br>2010 - 2,158 | Larkin<br>2000 - 4,660<br>2005 - 4,830<br>2010 - 5,000 |
| Geneva<br>2000 - 1,073<br>2005 - 1,112<br>2010 - 1151 | Jerome<br>2000 - 3,667<br>2005 - 3,801<br>2010 - 3,935 | Homer<br>2000 - 4,549<br>2005 - 4,715<br>2010 - 4,881 | City of Midland<br>2000 - 40,600<br>2005 - 41,920<br>2010 - 43,239<br><br>Midland Township<br>2000 - 2,376<br>2005 - 2,463<br>2010 - 2,550 |
| Greendale<br>2000 - 1,664<br>2005 - 1,725<br>2010 - 1,785 | Lee<br>2000 - 4,113<br>2005 - 4,263<br>2010 - 4,413 | Mount Haley<br>2000 - 1,810<br>2005 - 1,876<br>2010 - 1,942 | Ingersol<br>2000 - 2,915<br>2005 - 3,022<br>2010 - 3,128 |
| Jasper<br>2000 - 1,113<br>2005 - 1,153<br>2010 - 1,194 | Porter<br>2000 - 1,154<br>2005 - 1,196<br>2010 - 1,238 | | |

Figure 2

| Waste Type | Volume | Population | Yd/Per. | 2005 Pop. | Projected 5 Yr. Vol. | 2010 Pop. | Projected 10 Yr. Vol. |
|---|---|---|---|---|---|---|---|
| City Residential-MSW | 45,023 | 40,600 | 1.11 | 41,995 | 46,570 | 43,390 | 48,117 |
| General Public-MSW | 5,180 | 78,798 | 0.07 | 82,000 | 5,390 | 85,000 | 5,588 |
| Contractor-MSW | 353,554 | 38,198 | 9.26 | 40,005 | 370,279 | 41,610 | 385,135 |
| Demolition | 62,600 | 78,798 | 0.79 | 82,000 | 65,144 | 85,000 | 67,527 |
| Tires* | 2,761 | 78,798 | 0.04 | 82,000 | 2,873 | 85,000 | 2,978 |
| City Heavy Item | 31,070 | 40,600 | 0.77 | 41,995 | 32,138 | 43,390 | 33,205 |

**DATA BASE**

## LAND DEVELOPMENT

The following describes current and projected land development patterns, as related to the Selected Solid Waste Management System, for the next five and ten year periods.

Midland County contains 524 square miles of area dominated by agricultural, forested and open space land use.[3]

Residential development is largely concentrated around the City of Midland, the Sanford Lake area, and the City of Coleman. Large lot residential development has occurred along the frontage of county roads in rural areas. Commercial development is also concentrated in Midland, Sanford Lake and Coleman and spread along major routes such as U.S 10 and M-20. Industrial activity is extremely limited outside of the limits of the City of Midland. There are substantial public lands with the Ausable State Forest located within the county. [3]

Future growth is expected to continue in the City of Midland and adjacent townships. The U.S. 10 corridor will be an area of continued developmental activities and the Sanford Lake small area will continue to develop residentially.[3]

**DATA BASE**

**SOLID WASTE MANAGEMENT ALTERNATIVES** (attach additional pages as necessary)

The following briefly describes all solid waste management systems considered by the County and how each alternative will meet the needs of the County. The manner of evaluation and ranking of each alternative is also described. Details regarding the Selected Alternatives are located in the following section. Details regarding each non-selected alternative are located in Appendix B.

The Solid Waste Management Planning Committee identified several viable solid waste management alternatives, the first of which is the use of the present system. The City of Midland currently provides waste hauling services for all residents including curbside recycling services. The remainder of the County's waste hauling needs for both business and residential wastes are handled by private waste haulers. All municipal solid wastes not recycled are hauled to and disposed of at the City of Midland Landfill, which currently has at least fifty years of capacity.

In addition to the curbside recycling program within the City limits; townships in Midland County utilize various recycling systems ranging from curbside programs to drop-off centers. The County is also fortunate to have organized drop-off facilities such as The Midland Volunteers for Recycling, Brady News and Recycling, and The Arnold Center which serve both the residential and commercial population.

The last component of the current solid waste management system is composting. The City of Midland operates a three-acre compost facility that accepts yard waste, limited amounts of brush, and leaves from the entire county and processes it into finished compost. Putt Inc processes the majority of the County's brush. In addition to the City of Midland's compost facility, both Putt and Pat's Gradall operate small scale compost facilities within the county.

The majority of the alternatives examined by the Solid Waste Management Committee focus on the expansion of those programs currently in place. The first of which is the expansion of recycling opportunities within Midland County. This can be accomplished by any one or all of the following methods:

- Addition of supplemental drop-off centers in outlying regions of the county.
- Encourage residents and corporations to recycle through comprehensive publicity and educational programs.
- Encourage and facilitate the construction and operation of a Municipal Recycling Facility within the county.
- Encourage and facilitate the construction and operation of a construction and demolition recycling facility within the county.

Expansion of compost programs in the following areas were also addressed:

- Expansion of the City of Midland Landfill Compost Facility to accommodate additional raw materials.
- Expansion of the City of Midland Landfill Compost Program to accommodate new feedstocks including biosolids and various county produced agricultural wastes.
- Expansion of county-wide compost facilities by adding supplemental facilities in outlying regions of the county.

The following improvements at the current landfill site and future sites were discussed:

- Encourage and facilitate the construction of a waste-to-energy facility within the county.
- Encourage the positive use of methane generated during the waste decomposition process.
- Facilitate and encourage the use of bio-reactor design for future landfill sites and expansions.
- Encourage the positive end use of closed landfill areas.
- Encourage and facilitate the expansion of the household hazardous waste collection program.

# THE SELECTED SOLID WASTE MANAGEMENT SYSTEM

The Selected Solid Waste Management System (Selected System) is a comprehensive approach to managing the County's solid waste and recoverable materials. The Selected System addresses the generation, transfer and disposal of the County's solid waste. It aims to reduce the amount of solid waste sent for final disposal by volume reduction techniques and by various resource conservation and resource recovery programs. It also addresses collection processes and transportation needs that provide the most cost effective, efficient service. Proposed disposal areas locations and capacity to accept solid waste are identified as well as program management, funding, and enforcement roles for local agencies. Detailed information on recycling programs, evaluation, and coordination of the Selected System is included in Appendix B. Following is an overall description of the Selected System:

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 a period of seventy-five years. Therefore, Midland County has more than 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 in nature, with the City of Midland providing residential curb-side service and the private sector handling all other facets of collection and transportation of both residential and commercial waste. This allows each township and business owner the autonomy to choose which vendor, schedule, and methodology by which his or her 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 products 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 composting. Future trends will include the marketing of the compost and the evaluation and use of a variety of 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 as explained in the Import/Export section on pages III-3,5 and in the Coordination section on A-14.

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.

**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[1] | AUTHORIZED QUANTITY/ DAILY | AUTHORIZED QUANTITY/ ANNUAL | AUTHORIZED CONDITIONS[2] |
|---|---|---|---|---|---|
| Midland | Bay | | | | * |
| Midland | Saginaw | | | | * |
| Midland | Shiawassee | | | | * |
| Midland | Clare | | | | * |
| Midland | Bay | | 2,000 yards/month | 24,000 yards | Foundry Sand – Special Waste Only |
| Midland | Saginaw | | 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.

[1] Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

[2] Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

**Table 1-B**

**FUTURE IMPORT VOLUME AUTHORIZATION OF SOLID WASTE CONTINGENT ON NEW FACILITIES BEING SITED**

| IMPORTING COUNTY | EXPORTING COUNTY | FACILITY NAME[3] | AUTHORIZED QUANTITY/ DAILY | AUTHORIZED QUANTITY/ ANNUAL | AUTHORIZED CONDITIONS[4] |
|---|---|---|---|---|---|
| This does not apply to Midland County. | | — | — | — | — |
| — | — | — | — | — | — |
| — | — | — | — | — | |
| — | — | — | — | — | — |

☐ Additional authorizations and the above information for those authorizations are listed on an attached page.

[3] Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

[4] Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

SELECTED SYSTEM

**EXPORT AUTHORIZATION**

If a Licensed solid waste disposal area is currently operating within another County, disposal of solid waste generated by the EXPORTING COUNTY is authorized up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 2-A if authorized for import in the approved Solid Waste Management Plan of the receiving County.

**Table 2-A**

**CURRENT EXPORT VOLUME AUTHORIZATION OF SOLID WASTE**

| EXPORTING COUNTY | IMPORTING COUNTY | FACILITY NAME[5] | AUTHORIZED QUANTITY/ DAILY | AUTHORIZED QUANTITY/ ANNUAL | AUTHORIZED CONDITIONS[6] |
|---|---|---|---|---|---|
| Midland | Bay | — | — | — | * |
| Midland | Saginaw | — | — | — | * |
| Midland | Shiawassee | — | — | — | * |
| Midland | Clare | — | — | — | * |
| Midland | Bay | | 2,000 yards/month | 24,000 yards | Foundry Sand – Special Waste Only |
| Midland | Saginaw | | 5,000 yards/month | 60,000 yards | Foundry Sand – Special Waste Only |

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☐ Additional authorizations and the above information for those authorizations are listed on an attached page.

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[5] Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

[6] Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

If a new solid waste disposal area is constructed and operates in the future in another County, then disposal of solid waste generated by the EXPORTING COUNTY is authorized up to the AUTHORIZED QUANTITY according to the AUTHORIZED CONDITIONS in Table 2-B if authorized for import in the approved Solid Waste Management Plan of the receiving County.

**Table 2-B**

**FUTURE EXPORT VOLUME AUTHORIZATION OF SOLID WASTE CONTINGENT ON NEW FACILITIES BEING SITED**

| EXPORTING COUNTY | IMPORTING COUNTY | FACILITY NAME[7] | AUTHORIZED QUANTITY/ DAILY | AUTHORIZED QUANTITY/ ANNUAL | AUTHORIZED CONDITIONS[8] |
|---|---|---|---|---|---|

This does not apply to Midland County.

☐ Additional authorizations and the above information for those authorizations are listed on an attached page.

[7] Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

[8] Authorization indicated by P = Primary Disposal; C = Contingency Disposal; * = Other conditions exist and detailed explanation is included in the Attachment Section.

## SOLID WASTE DISPOSAL AREAS

RETURN TO APPROVAL LETTER

The following identifies the names of existing disposal areas which will be utilized to provide the required capacity and management needs for the solid waste generated within the County for the next five years and, if possible, the next ten years. Pages III-8 through III-10 contain descriptions of the solid waste disposal facilities which are located within the County and the disposal facilities located outside of the County which will be utilized by the County for the planning period. Additional facilities within the County with applicable permits and licenses may be utilized as they are sited by this Plan, or amended into this Plan, and become available for disposal. If this Plan update is amended to identify additional facilities in other counties outside the County, those facilities may only be used if such import is authorized in the receiving County's Plan. Facilities outside of Michigan may also be used if legally available for such use.

Type II Landfill:
City of Midland Landfill

Type A Transfer Facility:

Type B Transfer Facility:

Lee Township Transfer Facility
Lincoln Township Transfer Facility

Type III Landfill:

Processing Plant:

Incinerator:

Waste Piles:

Waste-to-Energy Incinerator:

Other:

Additional facilities are listed on an attached page. Letters from or agreements with the listed disposal areas owners/operators stating their facility capacity and willingness to accept the County's solid waste are in the Attachments 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 |
| ☐ | closed | X | commercial |
| X | licensed | X | industrial |
| ☐ | unlicensed | X | construction & demolition |
| ☐ | construction permit | X | contaminated soils |
| ☐ | open, but closure pending | 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

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 $yds^3$ |
| Estimated lifetime: | 50 years |
| Estimated days open per year: | 276 days |
| Estimated yearly disposal volume: | 125,925 compacted $yds^3$ |

(if applicable)
Annual energy production:

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

SELECTED SYSTEM

FACILITY DESCRIPTIONS

Facility Type: Type B Transfer Station

Facility Name: Lee Township

County: Midland Location: Town: 14 N Range: 1 W Section(s): 21

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: City of Midland Landfill

X Public ☐ Private Owner:

| Operating Status (check) | | Waste Types Received (check all that apply) | |
|---|---|---|---|
| X | open | X | residential |
| ☐ | closed | ☐ | commercial |
| X | licensed | ☐ | industrial |
| ☐ | unlicensed | ☐ | construction & demolition |
| ☐ | construction permit | ☐ | contaminated soils |
| ☐ | open, but closure pending | ☐ | special wastes * |
| | | ☐ | other: |

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

Site Size:

| | |
|---|---|
| Total area of facility property: | NA acres |
| Total area sited for use: | NA acres |
| Total area permitted: | NA acres |
| Operating: | NA acres |
| Not excavated: | NA acres |
| Current capacity: | NA $yds^3$ |
| Estimated lifetime: | NA years |
| Estimated days open per year: | NA days |
| Estimated yearly disposal volume: | NA $yds^3$ |

(if applicable)
Annual energy production:

| | |
|---|---|
| Landfill gas recovery projects: | NA megawatts |
| Waste-to-energy incinerators: | NA megawatts |

SELECTED SYSTEM

FACILITY DESCRIPTIONS

Facility Type: Type B Transfer Station

Facility Name: Lincoln Township Transfer Station

County: Midland Location: Town: 15 N Range: 1 E Section(s): 22

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: City of Midland Landfill

X Public ☐ Private Owner:

| Operating Status (check) | | Waste Types Received (check all that apply) | |
|---|---|---|---|
| X | open | X | residential |
| ☐ | closed | ☐ | commercial |
| X | licensed | ☐ | industrial |
| ☐ | unlicensed | ☐ | construction & demolition |
| ☐ | construction permit | ☐ | contaminated soils |
| ☐ | open, but closure pending | ☐ | special wastes * |
| | | ☐ | other: |

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

Site Size:

| | |
|---|---|
| Total area of facility property: | NA acres |
| Total area sited for use: | NA acres |
| Total area permitted: | NA acres |
| Operating: | NA acres |
| Not excavated: | NA acres |
| Current capacity: | NA $yds^3$ |
| Estimated lifetime: | NA years |
| Estimated days open per year: | NA days |
| Estimated yearly disposal volume: | NA $yds^3$ |

(if applicable)
Annual energy production:

| | |
|---|---|
| Landfill gas recovery projects: | NA megawatts |
| Waste-to-energy incinerators: | NA megawatts |

SELECTED SYSTEM

**SOLID WASTE COLLECTION SERVICES AND TRANSPORTATION:**

The following describes the solid waste collection services and transportation infrastructure which will be utilized within the County to collect and transport solid waste.

- City of Midland Collection System for City's internal waste generation including municipal and yard waste
- Private Waste Haulers for City of Midland Commercial and County municipal waste, both residential and commercial
- Private Waste Haulers for all recycling streams.

**RESOURCE CONSERVATION EFFORTS:**

The following describes the selected system's proposed conservation efforts to reduce the amount of solid waste generated throughout the County. The annual amount of solid waste currently or proposed to be diverted from landfills and incinerators is estimated for each effort to be used, if possible. Since conservation efforts are provided voluntarily and change with technologies and public awareness, it is not this Plan update's intention to limit the efforts to only what is listed. Instead citizens, businesses, and industries are encouraged to explore the options available to their lifestyles, practices, and processes, which will reduce the amount of materials requiring disposal.

| Effort Description | Est. Diversion Tons/Yr | | |
|---|---|---|---|
| | Current | 5th yr | 10th yr |
| Develop programs with retailer (grocers, etc.) to encourage recycling including; on site recycling of bags, distribution of literature, and marketing of recycled products | 0* | | |
| Educational programs for all ages. | 0* | 40 | 45 |
| Promote governmental, institutional, commercial, and industrial recycling. | 0* | 200 | 210 |
| Encourage the creation/expansion of markets for recycled and recovered materials and the use of recyclable and recycled materials by government, business industry and the public. | 0* | 0 | 0 |
| Establish the use of private/nonprofit organizations for operating and coordinating formal efforts in recycling and resource recovery. | 0* | 285 | 325 |
| Review local government and public institution procurement policies and suggest revision of them as necessary to encourage the use of recycled and recyclable materials. | 0* | 0 | 0 |
| Encourage a countywide tire-recycling program. | 0* | 15 | 25 |
| Establish a countywide Christmas tree compost program; including the education of the public as to the proper disposal methods regarding yard waste, brush and wood waste. | 0* | 7.5 | 15 |
| | | | |
| *See table on III-12 for current practices. Those listed in this table are all proposed. | | | |

SELECTED SYSTEM

**WASTE REDUCTION, RECYCLING, & COMPOSTING PROGRAMS:**

**Volume Reduction Techniques**

The following describes the techniques utilized and proposed to be used throughout the County which reduces the volume of solid waste requiring disposal. The annual amount of landfill air space not used as a result of each of these techniques is estimated. Since volume reduction is practiced voluntarily and because technologies change and equipment may need replacing, it is not this Plan update's intention to limit the techniques to only what is listed. Persons within the County are encouraged to utilize the technique that provides the most efficient and practical volume reduction for their needs. Documentation explaining achievements of implemented programs or expected results of proposed programs is attached.

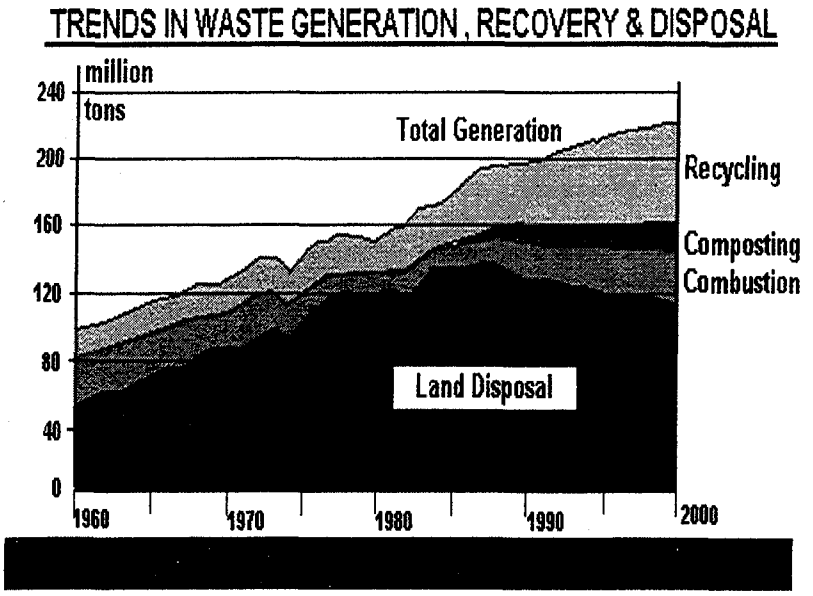
| Technique Description | Est. Air Space Conserved $Yds^3/Yr$ | | |
|---|---|---|---|
| | Current | 5th yr | 10th yr |
| Curb-side recycling. | 9,530 | 9,720 | 9,915 |
| Residential and commercial volunteer recycling. Based on MVFR. Brady would not volunteer information. | 6,788 | 7,806 | 8,977 |
| Corporation recycling efforts. Based on Dow Corning | 16,282 | 16,445 | 16,610 |
| Arnold Center | 1,556 | 1,790 | 2,059 |
| Pavement Recycling | 18,800 | 19,750 | 20,735 |
| Compost - City of Midland Landfill | 55,000 | 55,000 | 55,000 |
| Brush - City of Midland - Chipped or Composted | 20,000 | 20,000 | 20,000 |
| Compost - Pat's Gradall | 2,000 | 2,000 | 2,000 |
| Putt's Brush | Not Available | Not Available | Not Available |
| Brady News and Recycling | Not Available | Not Available | Not Available |
| Crushed Recycled Concrete | Not Available | Not Available | Not Available |
| City of Midland Landfill - Metals Recycling | 2,000 | 2,000 | 2,000 |
| Bio-solids Land Application | 14,850 | 14,850 | 14,850 |
| Dow Chemical | 7,559 | 8,692 | 9,996 |
| | | | |
| | | | |

☐ Additional efforts and the above information for those efforts are listed on an attached page.

SELECTED SYSTEM

**Overview of Resource Recovery Programs:**

The following describes the type and volume of material in the County's waste stream that may be available for recycling or composting programs. How conditions in the County affect or may affect a recycling or composting program and potential benefits derived from these programs are also discussed. Impediments to recycling or composting programs which exist or which may exist in the future are listed, followed by a discussion regarding reducing or eliminating such impediments.

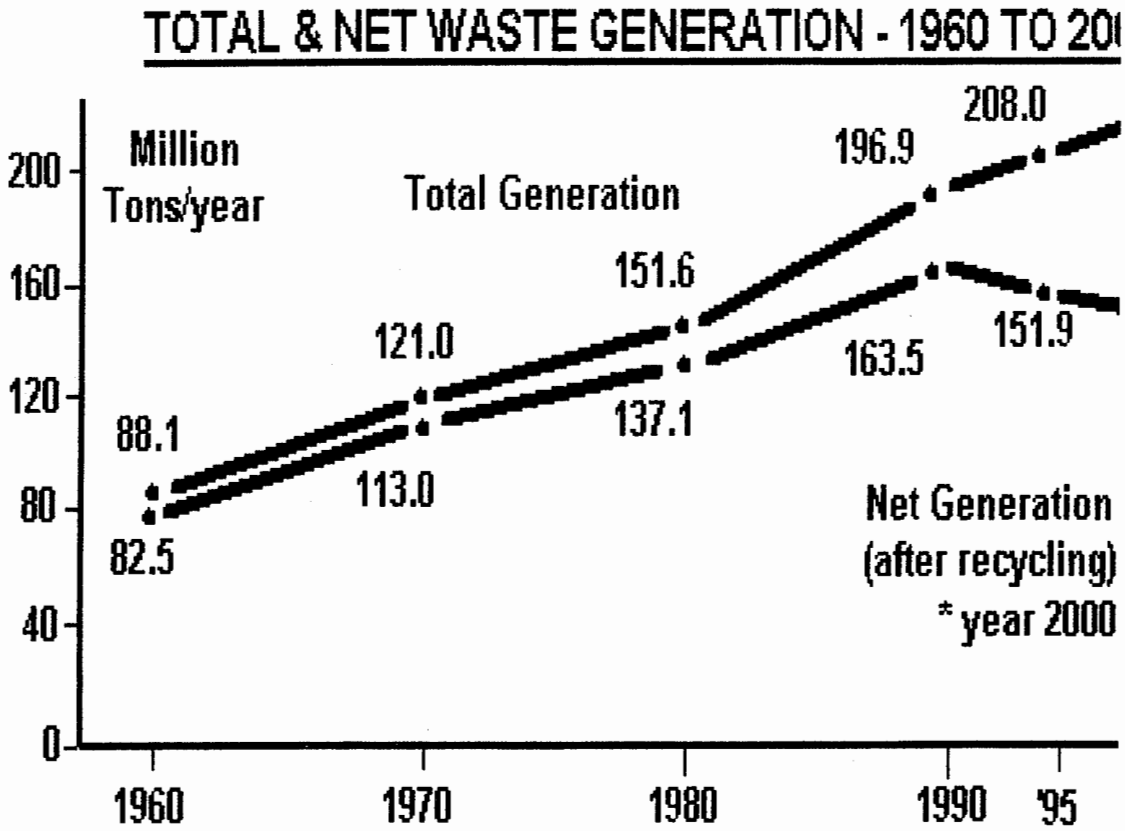



Source: Characterization of MSW in the US: 1996 Update, US EPA, Washington, DC

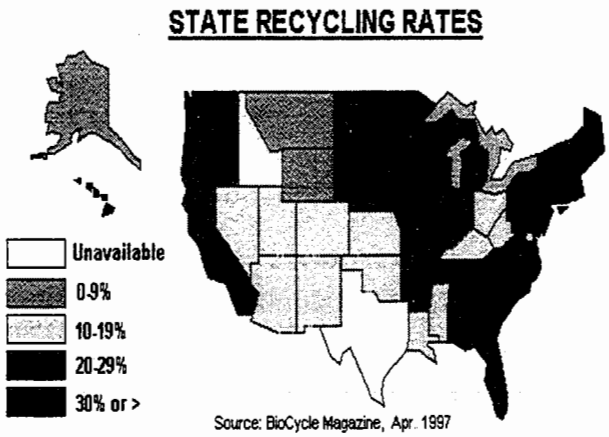
**WASTE MANAGEMENT PRACTICES, 1960-2000**
**(in millions of tons per year)**

| | 1960 | 1970 | 1980 | 1990 | 1995 | 2000 |
|---|---|---|---|---|---|---|
| Generation | 88.1 | 121.1 | 151.6 | 197.3 | 208.0 | 221.7 |
| Recovery for recycling/composting | 5.6 | 8.0 | 14.5 | 33.8 | 56.2 | 66.6 |
| Discards after recovery | 82.5 | 113.0 | 137.1 | 163.4 | 151.9 | 155.1 |
| Combustion | 27.0 | 25.1 | 13.7 | 31.9 | 33.5 | 36.0 |
| Discards to landfill | 55.5 | 87.9 | 123.4 | 131.6 | 118.4 | 119.1 |

Source: Characterization of MSW in the US: 1996 Update, US EPA, Washington, DC




Source: Characterization of MSW in the US: 1996 Update, US EPA, Washington, DC




At current rates, Midland County is recycling at a rate of 23% with townships added in. This is consistent with the current state recycling rate. The projected national recycling goal is 30%.

The following additional items may be available for recycling in the future:

| | |
|---|---|
| Recycled Materials from MSW inflow at the Landfill: - 10% of this Waste Stream- | 40,375 yards/year |
| Demolition Recycling w/ proper facility: - 30% of this Waste Stream - | 18,780 yards/year |
| Tires: 100% of this Waste Stream | 2,761 yards/year |

These recycling rates would be feasible if the following programs were added:
1) Recycling at the landfill dump site using dumpster, etc. for easier source separation.
2) A designated construction and demolition recycling facility.
3) A tire collection and tire recycling source.

Additional compost materials may be received at the landfill from the county. It should be noted that these materials are not at this time landfilled. However, they could be added to the current compost area located at the City of Midland landfill.

The impediments to recycling and composting countywide are that an efficient, cost effective transportation system for materials located in the county may not exist. Likewise, the trucks are limited in the amount and variety of materials picked up at the curb. Additionally, end markets must be established for certain recyclables. For example, the Midland Volunteers for Recycling have ended the collection of #5, #6, & #7 plastics due to the lack of a market.

The main impediment to recycling at this time in the County is the fact that for certain types of materials it can cost more to collect and process the recycled materials, than the end market can support. Possible solutions to all of these issues, would be grants to support recycling of such materials; however, locally, monies most probably are not available. A national initiative will have to be instituted similar to those in European countries.

Source separation of hazardous materials exists in the form of four household hazardous waste materials collections. These programs are quite successful with 69,860 pounds of household hazardous waste being collected in 1998.

■ Recycling programs within the County are feasible. Details of existing and planned programs are included on the following pages.

☐ Recycling programs for the County have been evaluated and it has been determined that it is not feasible to conduct any programs because of the following:

■ Composting programs within the County are feasible. Details of existing and planned programs are included on the following pages.

☐ Composting programs for the County have been evaluated and it has been determined that it is not feasible to conduct any programs because of the following:

■ Programs for source separation of potentially hazardous materials are feasible and details are included on the following pages.

☐ Separation of potentially hazardous materials from the County's waste stream has been evaluated and it has been determined that it is not feasible to conduct any separation programs because of the following:

SELECTED SYSTEM
RECYCLING AND COMPOSTING

The following is a brief analysis of the recycling and composting programs selected for the County in this Plan. Additional nformation on operation of recycling and composting programs is included in Appendix A. The analysis covers various factors within the County and the impacts of these factors on recycling and composting. Following the written analysis the tables on pages III-18, 19, & 20 list the existing recycling, composting, and source separation of hazardous materials programs that are currently active in the County and which will be continued as part of this Plan. The second group of three tables on pages III-21, 22, & 23 list the recycling, composting, and source separation of hazardous materials programs that are proposed in the future for the County. It is not this Plan update's intent to prohibit additional programs or expansions of current programs to be implemented beyond those listed.

Ten Curbside collection programs exist within Midland County. It is expected that these programs will continue as currently run. In addition, the Midland Volunteers for Recycling and Brady News and Recycling function as drop-off centers for recyclable materials. Drop-off areas also exist for most townships that do not have curbside service. It is expected that these programs will continue as currently operated.

Additionally, the City of Midland operates a three acre paved compost facility accepting yard waste. The City has the means to grind/chip the waste which speeds the composting process. Wood chips are used as daily cover for the landfill, road building, and in compost operations. It is expected that the City of Midland will expand its compost facility within the next few years, and accept more of these materials as demand increases.

Midland County in conjunction with the Dow Chemical Company sponsors four household hazardous waste collections per year. These programs are highly successful and will continue as currently operated.

SELECTED SYSTEM

TABLE III-1

RECYCLING:

| Program Name | Service Area[9] | Public or Private | Collection Point[10] | Collection Frequency[11] | Materials Collected[12] | Program Management Responsibilities[2] Development | Operation | Evaluation |
|---|---|---|---|---|---|---|---|---|
| Midland Volunteers for Recycling | All Areas | Both | O/D | d | A,B,C,D, E, F,P,J | 4 | 4 | 4 |
| Brady News & Recycling | All Areas | Both | O/D | d | A,B,C,D E,F | 5 | 5 | 5 |
| Curb-side Programs | City of Midland Townships | Private | C | b | A,B,C,E F | 2/3 | 2/3 | 2/3 |
| The Arnold Center | All Areas | Both | O/D | d | A,Paper | 5 | 5 | 5 |
| City of Midland Landfill | County-wide | Public | O/D | d | F | 6 | 6 | 6 |

☐ Additional programs and the above information for those programs are listed on an attached page.

[9] Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

[10] Identified by c = curbside; d = drop-off; o = onsite; and if other, explained.

[11] Identified by d = daily; w = weekly; b = biweekly; m = monthly; and if seasonal service also indicated by Sp = Spring; Su = Summer; Fa = Fall; Wi = Winter.

[12] Identified by the materials collected by listing of the letter located by that material type. A = Plastics; B = Newspaper; C = Corrugated Containers; D = Other Paper; E = Glass; F = Metals; P = Pallets; J = Construction/Demolition; K = Tires; L1, L2 etc. = as identified on page 25.

SELECTED SYSTEM

TABLE III-2

COMPOSTING:

| Program Name | Service Area[13] | Public or Private | Collection Point[15] | Collection Frequency[16] | Materials Collected[17] | Program Management Responsibilities[14] Development | Operation | Evaluation |
|---|---|---|---|---|---|---|---|---|
| City of Midland Landfill | County-wide | Public | c,d,o | d | G,L,W,S | 6 | 6 | 6 |
| Putt Incorporated | All Areas | Private | d,o | d | W | 5 | 5 | 5 |
| Pat's Gradall | All Areas | Private | d | varies | G,L,W | 5 | 5 | 5 |

☐ Additional programs and the above information for those programs are listed on an attached page.

[13] Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

[14] Identified by 1 = Designated Planning Agency; 2 = County Board of Commissioners; 3 = Department of Public Works; 4 = Environmental Group (Identified on page 23); 5 = Private Owner/Operator; 6 = Other (Identified on page 23).

[15] Identified by c = curbside; d = drop-off; o = onsite; and if other, explained.

[16] Identified by d = daily; w = weekly; b = biweekly; m = monthly; and if seasonal service also indicated by Sp = Spring; Su = Summer; Fa = Fall; Wi = Winter.

[17] Identified by the materials collected by listing of the letter located by that material type. G = Grass Clippings; L = Leaves; F = Food; W = Wood; P = Paper; S = Municipal Sewage Sludge; A = Animal Waste/Bedding; M = Municipal Solid Waste; L1, L2 etc. = as identified on page 25.

SELECTED SYSTEM

TABLE III-3

SOURCE SEPARATION OF POTENTIALLY HAZARDOUS MATERIALS:

Since improper disposal of nonregulated hazardous materials has the potential to create risks to the environment and human health, the following programs have been implemented to remove these materials from the County's solid waste stream.

| Program Name | Service Area[18] | Public or Private | Collection Point[20] | Collection Frequency[21] | Materials Collected[22] | Program Management Responsibilities[19] | | |
|---|---|---|---|---|---|---|---|---|
| | | | | | | Development | Operation | Evaluation |
| Midland County Household Hazardous Waste Collection | Midland County | Public | d,o | Su | AR,A,AN, C,H,OF, P,PS,PH,U | 2 | 2 | 2 |

☐ Additional programs and the above information for those programs are listed on an attached page.

[18] Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

[19] Identified by 1 = Designated Planning Agency; 2 = County Board of Commissioners; 3 = Department of Public Works; 4 = Environmental Group (Identified on page 23); 5 = Private Owner/Operator; 6 = Other (Identified on page 23).

[20] Identified by c = curbside; d = drop-off; o = onsite; and if other, explained.

[21] Identified by d = daily; w = weekly; b = biweekly; m = monthly; and if seasonal service also indicated by Sp = Spring; Su = Summer; Fa = Fall; Wi = Winter.

[22] Identified by the materials collected by listing of the letter located by that material type. AR = Aerosol Cans; A = Automotive Products except Used Oil, Oil Filters & Antifreeze; AN = Antifreeze; B1 = Lead Acid Batteries; B2 = Household Batteries; C = Cleaners and Polishers; H = Hobby and Art Supplies; OF = Used Oil Filters; P = Paints and Solvents; PS = Pesticides and Herbicides; PH = Personal and Health Care Products; U = Used Oil; OT = Other Materials and identified.

SELECTED SYSTEM

TABLE III-4

PROPOSED RECYCLING:

| Program Name | Service Area[23] | Public or Private | Collection Point[25] | Collection Frequency[26] | Materials Collected[27] | Program Management Responsibilities[24] Development | Operation | Evaluation |
|---|---|---|---|---|---|---|---|---|
| Not Applicable | | | | | | | | |

☐ Additional programs and the above information for those programs are listed on an attached page.

[23] Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

[24] Identified by 1 = Designated Planning Agency; 2 = County Board of Commissioners; 3 = Department of Public Works; 4 = Environmental Group (Identified on page 23); 5 = Private Owner/Operator; 6 = Other (Identified on page 23).

[25] Identified by c = curbside; d = drop-off; o = onsite; and if other, explained.

[26] Identified by d = daily; w = weekly; b = biweekly; m = monthly; and if seasonal service also indicated by Sp = Spring; Su = Summer; Fa = Fall; Wi = Winter.

[27] Identified by the materials collected by listing of the letter located by that material type. A = Plastics; B = Newspaper; C = Corrugated Containers; D = Other Paper; E = Glass; F = Metals; P = Pallets; J = Construction/Demolition; K = Tires; L1, L2 etc. = as identified on page 25.

SELECTED SYSTEM

TABLE III-5

PROPOSED COMPOSTING:

| Program Name. | Service Area[28] | Public or Private | Collection Point[30] | Collection Frequency[31] | Materials Collected[32] | Program Management Responsibilities[29] Development | Operation | Evaluation |
|---|---|---|---|---|---|---|---|---|
| Not Applicable | | | | | | | | |

☐ Additional programs and the above information for those programs are listed on an attached page.

[28] Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

[29] Identified by 1 = Designated Planning Agency; 2 = County Board of Commissioners; 3 = Department of Public Works; 4 = Environmental Group (Identified on page 23); 5 = Private Owner/Operator; 6 = Other (Identified on page 23).

[30] Identified by c = curbside; d = drop-off; o = onsite; and if other, explained.

[31] Identified by d = daily; w = weekly; b = biweekly; m = monthly; and if seasonal service also indicated by Sp = Spring; Su = Summer; Fa = Fall; Wi = Winter.

[32] Identified by the materials collected by listing of the letter located by that material type. G = Grass Clippings; L = Leaves; F = Food; W = Wood; P = Paper; S = Municipal Sewage Sludge; A = Animal Waste/Bedding; M = Municipal Solid Waste; L1, L2 etc. = as identified on page 25.

SELECTED SYSTEM

TABLE III-6

PROPOSED SOURCE SEPARATION OF POTENTIALLY HAZARDOUS MATERIALS:

| Program Name, | Service Area[33] | Public or Private | Collection Point[35] | Collection Frequency[36] | Materials Collected[37] | Program Management Responsibilities[34] Development | Operation | Evaluation |
|---|---|---|---|---|---|---|---|---|
| Not Applicable | | | | | | | | |

☐ Additional programs and the above information for those programs are listed on an attached page.

[33] Identified by where the program will be offered. If throughout the planning area, then listed by planning area; if only in specific counties, then listed by county; if only in specific municipalities, then listed by its name and respective county.

[34] Identified by 1 = Designated Planning Agency; 2 = County Board of Commissioners; 3 = Department of Public Works; 4 = Environmental Group (Identified on page 23); 5 = Private Owner/Operator; 6 = Other (Identified on page 23).

[35] Identified by c = curbside; d = drop-off; o = onsite; and if other, explained.

[36] Identified by d = daily; w = weekly; b = biweekly; m = monthly; and if seasonal service also indicated by Sp = Spring; Su = Summer; Fa = Fall; Wi = Winter.

[37] Identified by the materials collected by listing of the letter located by that material type. AR = Aerosol Cans; A = Automotive Products except Used Oil, Oil Filters & Antifreeze; AN = Antifreeze; B1 = Lead Acid Batteries; B2 = Household Batteries; C = Cleaners and Polishers; H = Hobby and Art Supplies; OF = Used Oil Filters; P = Paints and Solvents; PS = Pesticides and Herbicides; PH = Personal and Health Care Products; U = Used Oil; OT = Other Materials and identified.

SELECTED SYSTEM

IDENTIFICATION OF RESOURCE RECOVERY MANAGEMENT ENTITIES:

The following identifies those public and private parties, and the resource recovery or recycling programs for which they have management responsibilities.

Environmental Groups:
Midland Volunteers for Recycling

Other:
City of Midland - Composting
Putt, Inc – Composting
The Arnold Center - Recycling

SELECTED SYSTEM

**PROJECTED DIVERSION RATES:**

The following estimates the annual amount of solid waste which is expected to be diverted from landfills and incinerators as a result of the current resource recovery programs in five and ten years.

| Collected Material: | Projected Annual **Tons** Diverted: Current | 5th Yr | 10th Yr | Collected Material: | Projected Annual **Yards** Diverted: Current | 5th Yr | 10th Yr |
|---|---|---|---|---|---|---|---|
| A. TOTAL PLASTICS: | 450 | 517 | 595 | G. GRASS AND LEAVES: | 55,000* | 55,000* | 55,000* |
| B. NEWSPAPER: | 1,477 | 1,698 | 1,953 | H. TOTAL WOOD WASTE: | 20,000* | 20,000* | 20,000* |
| C. CORRUGATED CONTAINERS: | 1,479 | 1,700 | 1,955 | I. CONSTRUCTION AND DEMOLITION: | NA | NA | NA |
| D. TOTAL OTHER PAPER: | 4,574 | 5,260 | 6,049 | J. FOOD AND FOOD PROCESSING: | NA | NA | NA |
| E. TOTAL GLASS: | 54 | 55 | 56 | K. TIRES: | 0 | 240 | 480 |
| F. PAVEMENT: | 37,235 | 37,235 | 37,235 | L. TOTAL METALS: | 2,362 | 2,410 | 2,460 |
| F1.___ | ___ | ___ | ___ | F3.___ | ___ | ___ | |
| F2___ | ___ | ___ | ___ | F4 ___ | ___ | | |

*These volumes represent City of Midland recorded yardages only.

SELECTED SYSTEM

MARKET AVAILABILITY FOR COLLECTED MATERIALS:

The following identifies how much volume that existing markets are able to utilize the recovered materials which were diverted from the County's solid waste stream.

| Collected Material: | Market in Tons | Collected Material | In-State Markets in Yds | Out-of-State Markets |
|---|---|---|---|---|
| A. TOTAL PLASTICS: | 450 | G. GRASS AND LEAVES: | 55,000* | |
| B. NEWSPAPER: | 1,477 | H. TOTAL WOOD WASTE: | 20,000* | |
| C. CORRUGATED CONTAINERS: | 1,479 | I. CONSTRUCTION AND DEMOLITION: | NA | |
| D. TOTAL OTHER PAPER: | 567 | J. FOOD AND FOOD PROCESSING | NA | |
| E. TOTAL GLASS: | 5474 | K. TIRES: | 480 | |
| F. OTHER MATERIALS: | | L. TOTAL METALS: | 2,362 | |
| F1.___ | ___ | F3.___ | ___ | |
| F2.___ | ___ | F4.___ | ___ | |

*These volumes represent City of Midland recorded yardages only.

**EDUCATIONAL AND INFORMATIONAL PROGRAMS:**

It is often necessary to provide educational and informational programs regarding the various components of a solid waste management system before and during its implementation. These programs are offered to avoid miscommunication which results in improper handling of solid waste and to provide assistance to the various entities who participate in such programs as waste reduction and waste recovery. Following is a listing of the programs offered or proposed to be offered in this County.

| Program Topic[1] | Delivery Medium[2] | Targeted Audience[3] | Program Provider[4] |
|---|---|---|---|
| 3 | n,f | p | HD |
| 1 | n,f | p | Governmental:City of Midland |
| 1 | n,f | p | O:Midland Volunteers for Recycling |
| 1,2,4,5 | w | p,s-All grades | Governmental: City of Midland: Tours |
| 1,2,4,5 | w | p,s-All grades | O:Midland Volunteers for Recycling Tours |

[1] Identified by 1 = recycling; 2 = composting; 3 = household hazardous waste; 4 = resource conservation; 5 = volume reduction; 6 = other which is explained.

[2] Identified by w = workshop; r = radio; t = television; n = newspaper; o = organizational newsletters; f = flyers; e = exhibits and locations listed; and ot = other which is explained.

[3] Identified by p = general public; b = business; i = industry; s = students with grade levels listed. In addition if the program is limited to a geographic area, then that county, city, village, etc. is listed.

[4] Identified by EX = MSU Extension; EG = Environmental Group (Identify name); OO = Private Owner/Operator (Identify name); HD = Health Department (Identify name); DPA = Designated Planning Agency; CU = College/University (Identify name); LS = Local School (Identify name); ISD = Intermediate School District (Identify name); O = Other which is explained.

☐ Additional efforts and the above information for those efforts are listed in Appendix E.

SELECTED SYSTEM

**TIMETABLE FOR SELECTED SYSTEM IMPLEMENTATION**

This timetable is a guideline to implement components of the Selected System. The Timeline gives a range of time in which the component will be implemented such as "1995-1999" or "On-going." Timelines may be adjusted later, if necessary.

TABLE III-7

| Management Components | Timeline |
|---|---|
| Household Hazardous Waste Collection Program Expansion | As deemed necessary |
| Expansion of drop-off recycling centers | As deemed necessary |
| Expansion of City of Midland Compost Program | Summer of 2000 |
| | |
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SELECTED SYSTEM

**SITING REVIEW PROCEDURES**

AUTHORIZED DISPOSAL AREA TYPES
Not Applicable to Selected Alternative.

SITING CRITERIA AND PROCESS
Not Applicable to Selected Alternative.

## SOLID WASTE MANAGEMENT COMPONENTS[38]

The following identifies the management responsibilities and institutional arrangements necessary for the implementation of the Selected Waste Management System. Also included is a description of the technical, administrative, financial and legal capabilities of each identified existing structure of persons, municipalities, counties and state and federal agencies responsible for solid waste management including planning, implementation, and enforcement.

In order to enforce the import/export authorizations, the City of Midland shall institute an enforcement plan consisting of:

First Offense: Verbal warning with documentation filed.
Second Offense: Written warning sent via certified mail and copied to the Saginaw-Bay Department of Environmental Quality Waste Management Division.
Third Offense: Treated legally as a violation of State of Michigan Law. Prosecution locally will occur.

[38] Components or subcomponents may be added to this table.

**IDENTIFICATION OF RESPONSIBLE PARTIES**

Document which entities within the County will have management responsibilities over the following areas of the Plan.

**Resource Conservation:**

Source or Waste Reduction - City of Midland

Product Reuse - City of Midland

Reduced Material Volume - City of Midland

Increased Product Lifetime - City of Midland

Decreased Consumption - City of Midland

**Resource Recovery Programs:**

Composting - City of Midland

Recycling - City of Midland

Energy Production - City of Midland

SELECTED SYSTEM

**Volume Reduction Techniques:**

City of Midland

**Collection Processes:**

City of Midland

**Transportation:**

City of Midland

**Disposal Areas:**

Processing Plants - City of Midland

Incineration - City of Midland

Transfer Stations - City of Midland

Sanitary Landfills - City of Midland

SELECTED SYSTEM

**Ultimate Disposal Area Uses:**

City of Midland

**Local Responsibility for Plan Update Monitoring & Enforcement:**

City of Midland

**Educational and Informational Programs:**

City of Midland

Documentation of acceptance of responsibilities is contained in Appendix D.

## LOCAL ORDINANCES AND REGULATIONS AFFECTING SOLID WASTE DISPOSAL

This Plan update's relationship to local ordinances and regulations within the County is described in the option(s) marked below:

☐ 1. Section 11538.(8) and rule 710 (3) of Part 115 prohibits enforcement of all County and local ordinances and regulations pertaining to solid waste disposal areas unless explicitly included in an approved Solid Waste Management Plan. Local regulations and ordinances intended to be part of this Plan must be specified below and the manner in which they will be applied described.

☐ 2. This Plan recognizes and incorporates as enforceable the following specific provisions based on existing zoning ordinances:

A. Geographic area/Unit of government:

Type of disposal area affected:

Ordinance or other legal basis:

Requirement/restriction:

B. Geographic area/Unit of government:

Type of disposal area affected:

Ordinance or other legal basis:

Requirement/restriction:

C. Geographic area/Unit of government:

Type of disposal area affected:

Ordinance or other legal basis:

Requirement/restriction:

D. Geographic area/Unit of government:

Type of disposal area affected:

Ordinance or other legal basis:

Requirement/restriction:

E. Geographic area/Unit of government:

Type of disposal area affected:

Ordinance or other legal basis:

Requirement/restriction:

■ 3. This Plan authorizes adoption and implementation of local regulations governing the following subjects by the indicated units of government without further authorization from or amendment to the Plan.

RETURN TO APPROVAL LETTER

1. City of Midland - Assesment of fees for disposal, violations of export/import regulations, special handling, etc.

☐ Additional listings are on attached pages.

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# Chapter 10 GARBAGE, REFUSE AND LITTER*

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***Cross reference(s)**--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 reference(s)**--Garbage disposal system authorized; annual tax levy for same, M.S.A., § 5.2681; littering, § 28.603(1) et seq.

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**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 reference(s)**--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 reference(s)**--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 reference(s)**--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 reference(s)**--Licenses and business regulations generally, Ch. 15.

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

**ARTICLE II. RESERVED***

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***Editor's 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 reference(s)**--City council, § 4.6 et seq.

**Cross reference(s)**--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)

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# 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**

## 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.**

(a) *Commercial container rental*. The quarterly charge for four-yard commercial refuse containers provided by the city shall be thirty dollars ($30.00).

(b) *Commercial container collection fees*. A charge of fifteen dollars ($15.00) shall be levied to the renter of a single four-yard commercial container each time it is emptied by the city. One (1) collection of refuse weekly up to one (1) four-cubic-yard commercial container shall be provided without charge.

(c) *Multifamily commercial container collection fees*. A charge of fifteen dollars ($15.00) shall be levied to the renter of a single four-yard commercial container each time it is emptied by the city. One (1) collection of refuse weekly up to one (1) four-cubic-yard commercial container shall be provided for each forty (40) dwelling units in the complex without charge.

(d) *Noncontainer collection fees*. A charge of fifteen dollars ($15.00) shall be levied for each collection of refuse from those not using commercial containers up to four (4) cubic yards. One (1) collection each week shall be provided without charge. Noncontainer collection service for commercial establishments and multifamily complexes will be provided only with the approval of the director of public services.

(e) *Refuse billing administration*. Billing for commercial container refuse service provided shall be done quarterly. A penalty of two (2) percent of the bill, with a minimum of five dollars ($5.00) and a maximum of two hundred dollars

($200.00), shall be added for bills not paid to the city treasurer within thirty (30) days of the date of billing. Service shall be discontinued if the bill remains unpaid for more than sixty (60) days of the date of billing.

(f) *High-volume commercial refuse customers*. Six-yard commercial containers may be available for use for customers requesting forty (40) or more dumps per week. These containers may only be used with the approval of the director of public services. The fees for container rental shall be thirty-five dollars ($35.00) per quarter and collection fees shall be twenty dollars ($20.00) per dump.

(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)

**Cross reference(s)**--Garbage, refuse and litter, Ch. 10.

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

(a) *Roll-out container*. An annual total fee of twenty-five dollars ($25.00) 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). 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 twenty-five cents ($0.25).

(c) *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 council.

(Ord. No. 1290, § 1, 4-25-94; Ord. No. 1329, § 1, 10-30-95)

**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 reference(s)**--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 reference(s)**--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 reference(s)**--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 one hundred fifty dollars ($150.00).

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

**Cross reference(s)**--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 reference(s)**--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 reference(s)**--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 reference(s)**--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 reference(s)**--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 reference(s)**--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 reference(s)**--Children's amusement ride license, § 15-56.

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

**Editor's 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 |

*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.**

**Editor's note**--Ord. No. 920, § 2, adopted Oct. 31, 1977, repealed §§ 21-19--21-24, pertaining to electrical fees for permits, wiring and a service change 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)

**Cross reference(s)**--Plumbing code, § 18-1 et seq.

**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)

**Editor's 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.**

**Editor's 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 25.2 of Ordinance No. 727 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 26.3 of Ordinance No. 727 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 34.2(c) of Ordinance No. 727 for a zoning board of appeals application shall be fifty dollars ($50.00).

(d) *Zoning amendment fee*. The fee required pursuant to the provisions of Section 35.1(a) of Ordinance No. 727 for purposes of obtaining a zoning amendment shall be three hundred twenty-five dollars ($325.00).

(e) *Special use permit fee*. The fee required pursuant to the provisions of Section 27.1(i) of Ordinance No. 727 for

purposes of obtaining a special use permit shall be two hundred twenty-five dollars ($225.00).

(f) *Sign permit fee.* The fee required pursuant to the provisions of Section 31.15 of Ordinance No. 727 for the purpose of obtaining a sign permit shall be:

For each wall sign . . . . $ 15.00

For each ground or pole sign . . . . 15.00

For each temporary sign, banner, or set of pennants, as authorized in Section 31.8(f) . . . . 15.00

For each sign, banner, or set of pennants erected, installed or emplaced prior to obtaining the permit and paying the fee required by this subsection, the permit fee shall be doubled.

(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)

**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 reference(s)**--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 reference(s)**--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 reference(s)**--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 the generating location of the refuse and pay the attendant a fee as follows:

| Type of Vehicle | | Tipping Fee Schedule | |
|---|---|---|---|
| | | City/County | *Nonresident |
| | | Resident | |
| (1) | Passenger car, furnished camper | $ 3.50 | $ 7.00 |
| (2) | Pickup, panel van, or trailer (under 3 yards), residential only | 3.50 | 7.00 |
| (3) | General refuse (per cubic yard) | 6.00 | 12.00 |

| | | | |
|---|---|---|---|
| (4) | Demolition material (per cubic yard) | 12.00 | 24.00 |
| (5) | Packer vehicles (per cubic yard) city/contractors | 9.00 | 18.00 |
| (6) | Used tires (per each): | | |
| | Passenger car | 5.00 | 10.00 |
| | Truck tire | 10.00 | 20.00 |
| | Heavy equipment tire | 15.00 | 30.00 |
| (7) | Yard waste (per cubic yard): | 3.00 | 6.00 |
| | Grass clippings, leaves, brush, garden wastes, trees and branches | | |
| | NOTE: City vehicles exempt from yard waste fees | | |
| (8) | Appliances (per each) | 10.00 | 20.00 |
| (9) | Contaminated soil/asbestos (per cubic yard) | 15.00 | 30.00 |
| (10) | Fee for sharps containers (per each) | 3.50 | 7.00 |

| | | | |
|---|---|---|---|
| (11) | Wastewater/water sludges (per cubic yard): | | |
| | Street dirt | 12.00 | 24.00 |

*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.

(b) *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 estimated by the landfill personnel.

(c) *Demolition material*. Demolition material is hereby defined as broken concrete, brick, masonry, pavement, roofing, used building materials and other materials designated by the utilities director or his agent.

(d) *Landfill disposal fee billing administration*. Regular landfill users 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) and a maximum of two hundred dollars ($200.00), 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.

(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)

**Sec. 21-35. Same--Exemption from landfill tipping fees.**

Upon approval by the director of public works, vehicles hauling separated materials that may be reused, recycled or composted may be exempt from landfill tipping fees.

(Ord. No. 1195, § 1, 8-6-90)

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

**Editor's 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 reference(s)--**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 reference(s)--**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 reference(s)--**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 reference(s)**--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 reference(s)**--Sewer connection charges, § 28-162 et seq.

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

**Editor's 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 reference(s)**--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 reference(s)**--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 reference(s)**--Taxicab license permit, § 27-19.

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

**Editor's 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:

(1) Individual ice skaters, $2.50 per session

(2) Skating pass (25 admissions), $50.00 per pass

(3) Skate rental, $1.50 per session

(4) Rink rental, $112.00 per hour

(5) Rink rental (M--F, 8:00 a.m.--2:00 p.m.), $80.00 per hour

(6) Summer rink rental, $129.00 per hour

(7) Non-ice rental (full building), $1,250.00 per day

(8) Non-ice rental (1/2 building), $625.00 per day

(9) Non-ice rental (1/4 building), $350.00 per day

(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)

DIVISION 2. GOLF COURSE

**Sec. 21-71. Golf course fees.**

The fees for golfing privileges at the Currie Municipal Golf Course are as follows:

(1) Regular: 9-hole, $9.50 per play

(2) Regular: 18-hole, $17.00 per play

(3) Senior: 9-hole (7:00 a.m.--3:00 p.m., M--F), $6.50 per play

(4) Senior: 18-hole (7:00 a.m.--3:00 p.m., M--F), $11.25 per play

(5) Twilight golf (after 7:00 p.m.), $6.50 per play

(6) Winter rate (November 1--March 31), $5.00 per day

(7) Regular: Par 3, $4.50 per play

(8) Senior and youth: Par 3, $3.00 per play

(9) 20-play pass, $180.00 per pass

(10) Regular: Single season pass, $450.00 per pass

(11) Regular: Double season pass, $720.00 per pass

(12) Senior: Limited and league single season pass, $350.00 per pass

(13) Senior: Limited and league double season pass, $530.00 per pass

(14) Senior: Limited single season pass, $300.00 per pass

(15) Senior: Limited double season pass, $480.00 per pass

(16) Trail fee (private carts, when owner or members of immediate family is present):

9-hole, $1.00 per play

18-hole, $2.00 per play

Season pass, $90.00 per pass

(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)

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, $1.75 per session

(2) Limited pass (15 admissions), $25.00 per pass

(3) Swimming lessons, $20.00 per lesson

(4) Individual swim pass (unlimited use), $55.00 per pass

(5) Family swim pass (2 members), $85.00 per pass

(6) Family swim pass (each additional member), $20.00 per additional member

(7) Family swim pass (maximum per family), $125.00 per family

(8) Competitive swim pool rental, $10.00 per hour

(Ord. No. 1343, § 1, 3-18-96; Ord. No. 1407, § 1, 3-9-98; Ord. No. 1472, § 1, 3-20-00)

DIVISION 4. GENERAL RECREATION

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

(1) Adult softball player, $18.00 per player

(2) Adult softball player (2nd team), $10.00 per player

(3) Each softball team in invitational tournaments, $20.00 per team

(4) Youth softball player, $4.00 per player

(5) Adult baseball player, $5.00 per player

(6) Adult soccer player, $5.00 per player

(7) Adult soccer team, $20.00 per team

(8) Youth soccer player, no charge, per player

(9) Rugby player, $6.00 per player

(10) Ski rental (each 2 hours or part thereof), $5.00 per 2 hours

(11) Toboggan rental (per hour--2 hour maximum), $3.00 per hour

(12) Chalet building rental (2 hour minimum), $25.00 per hour

After 2 hour minimum, $15.00 per hour

(13) Picnic kit deposit, $15.00 per kit

(14) Summer play program (entire 8-week program), no charge, per child

(15) Summer play program (per day charge), no charge, per child per day

(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)

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

**ARTICLE III. EMERGENCY RESPONSE FEES**

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

The fees for an emergency response by the police department pursuant to Chapter 33 of the Code of Ordinances of the City of Midland are as follows:

(1) Patrol officer, per officer, per hour . . . . $ 22.25

(2) Patrol sergeant, per sergeant, per hour . . . . 29.10

(3) Patrol lieutenant, straight time-per lieutenant, per hour . . . . 32.40

(4) Clerical, per person, per hour . . . . 15.55

(5) Patrol vehicle, each, per hour . . . . 8.00

(Ord. No. 1351, § 1, 6-24-96)

**Sec. 21-81. Fire department fees.**

The fees for an emergency response by the fire department pursuant to Chapter 33 of the Code of Ordinances of the City of Midland are as follows:

(1) Fire fighter personnel, per crew, per hour . . . . $ 55.00

(2) Vehicle/equipment, each, per hour . . . . 15.75

(Ord. No. 1351, § 1, 6-24-96)

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

**ARTICLE IV. LIBRARY FINES, FEES AND OTHER CHARGES***

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***Editor's 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.

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

The fines for library services are as follows:

(1) Overdue fines:

a. Adult materials, $0.15 per day, per item, up to a maximum of
$10.00 per item, or the cost of the item, whichever is less

b. Juvenile materials, $0.10 per day, per item, up to a maximum of $5.00 per item, or the cost of the item, whichever is less

c. Videos, $1.00 per day, per video up to the replacement cost of the video

d. Audiovisual equipment, $1.00 per hour

(2) Other fines:

a. Video rewind fine, $1.00 per item

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

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

The fees for library services are as follows:

(1) Use fees:

a. Videos: $1.25 per check-out period

b. Holds: $0.25

c. Temporary cards: $25.00 ($15.00 refundable)

d. Non-resident cards: $75.00 per year

e. Replacement cards: $2.00; damaged cards will be replaced free of charge

f. Tokens:

Audiovisual room: $0.50 per 1/2 hour, typewriter

(2) Audio/visual equipment use fees:

Cost to checkout: $5.00

Overdue fine: $1.00 per hour

(3) Meeting facilities use fees:

| | | Profit Groups | Not for Profit and 501(c) Groups |
|---|---|---|---|
| a. | Conference Rooms | $10.00/hr | No charge |
| | TV/VCR | 5.00/day | 5.00/day |
| | Slide projector | 5.00/day | 5.00/day |
| | Overhead projector | 5.00/day | 5.00/day |
| b. | Lounge | 50.00/2 hrs | 25.00/2 hrs |
| | Additional hours | 15.00/hr | 15.00/hr |
| | Slide projector | 5.00/day | 5.00/day |
| | Overhead projector | 5.00/day | 5.00/day |
| | Large screen TV and VCR | 10.00/day | 10.00/day |
| | Custodial overtime | | |
| | Monday--Saturday | 25.00/hr | 25.00/hr |
| | Sunday | 30.00/hr | 30.00/hr |

| | | | |
|---|---|---|---|
| c. | Auditorium | 100.00/4 hrs | 50.00/4 hrs |
| | Additional hours | 30.00/hr | 30.00/hr |
| | Piano | 20.00/day | 20.00/day |
| | Slide Projector | 5.00/day | 5.00/day |
| | Overhead Projector | 5.00/day | 5.00/day |
| | Video projection system | 20.00/day | 20.00/day |
| | Light booth technician | 35.00/4 hrs | 35.00/4 hrs |
| | Custodial overtime | | |
| | Monday--Saturday | 25.00/hr | 25.00/hr |
| | Sunday | 30.00/hr | 30.00/hr |

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

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

The other charges for library services are as follows:

(1) Lost and/or damaged materials charges:

a. Vertical file envelope: $2.00

b. Audiovisual bag: $1.50

c. Audiocassette cases:

1 tape: $3.00
2 tapes: $3.50
4 tapes: $5.50

6 or more tapes: $6.00

d. Videocassette box: $2.50

e. Jewel boxes:

Single: $1.50
Multi: $3.50

f. Lost items: Cost of item plus a $5.00 processing fee.

g. Damaged material: Charges depend on extent of damage. If an item is returned with missing parts, the entire item must be paid for plus a $5.00 processing fee.

h. Service charge of $1.00 for privilege of borrowing materials without having library card readily available. (All circulation policies apply.)

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

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

**ARTICLE V. MUNICIPAL CIVIL INFRACTION FINES***

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***Editor's 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***

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***Editor's 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***

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***Editor's 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 reference(s)**--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) Training fees:

a. Volunteer training course . . . . $10.00

(2) Videotape duplication fees:

a. Per 30 minutes of content . . . . 10.00

(3) Videotape duplication processing fee:

a. Processing fee . . . . 5.00

(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 . . . . $ 7.00

(2) Parking too far from curb . . . . 7.00

(3) Angle parking violations . . . . 7.00

(4) Obstructing traffic . . . . 15.00

(5) Prohibited parking (signs unnecessary):

a. On sidewalk . . . . 7.00

b. In front of a public or private driveway . . . . 7.00

c. Within an intersection . . . . 15.00

d. Within 15 feet of hydrant . . . . 15.00

e. On a crosswalk . . . . 7.00

f. Within 20 feet of a crosswalk or 15 feet of corner lot lines . . . . 7.00

g. Within 30 feet of traffic control signal or device . . . . 7.00

h. Safety zone . . . . 15.00

i. Within 50 feet of a railroad crossing . . . . 15.00

j. Within 20 feet of a fire station entrance . . . . 15.00

k. Within 75 feet of a fire station entrance . . . . 15.00

(on opposite side of street, signs required)

l. Beside street excavation when traffic obstructed . . . . 15.00

m. Double parking . . . . 7.00

n. On bridge or viaduct or within tunnel . . . . 15.00

o. Within 200 feet of accident where police in attendance . . . . 7.00

p. In front of any theater . . . . 7.00

q. Blocking emergency exit . . . . 15.00

r. Blocking fire escape . . . . 15.00

(6) Leaving vehicle unattended with the motor running or with keys in vehicle . . . . 7.00

(7) In prohibited zones (signs required) . . . . 7.00

(8) In an alley . . . . 7.00

(9) Parking on lawn extension . . . . 7.00

(10) Parking for prohibited purpose:

a. Displaying vehicle for sale . . . . 7.00

b. Working on or repairing vehicle . . . . 7.00

c. Displaying advertising . . . . 7.00

d. Selling merchandise . . . . 7.00

e. Storage over 48 hours . . . . 7.00

(11) Wrong side boulevard roadway . . . . 7.00

(12) Loading zone violation . . . . 7.00

(13) Bus, parking other than bus stop . . . . 7.00

(14) Taxicab, parking other than cab stand . . . . 7.00

(15) Bus, taxicab stand violations . . . . 7.00

(16) Meter violations . . . . 5.00

(17) Meters, not parked within space . . . . 7.00

(18) Violations of parking lot parking regulations . . . . 7.00

(19) Parking on footwalks, bridges, paths, sidewalks, grass plots or planted spaces of park or boulevard . . . . 7.00

(20) Parking on streets between 3:00 a.m. and 6:00 a.m. . . . . 7.00

(21) Failure to set brakes . . . . 7.00

(22) Parked on grade, wheels not turned to curb . . . . 7.00

(23) Bicycle parking violations . . . . 7.00

(24) Overtime parking violations . . . . 5.00

(25) Left wheel to curb (car must be parked in direction of lawful traffic movement) . . . . 7.00

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)

**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 METER RATES**

**Sec. 21-153. 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

(Ord. No. 1502, § 1, 4-9-01)

**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)

# CAPACITY CERTIFICATIONS

Every County with less than ten years of capacity identified in their Plan is required to annually prepare and submit to the DEQ an analysis and certification of solid waste disposal capacity validly available to the County. This certification is required to be prepared and approved by the County Board of Commissioners.

■ This County has more than ten years capacity identified in this Plan and an annual certification process is not included in this Plan.

☐ Ten years of disposal capacity has not been identified in this Plan. The County will annually submit capacity certifications to the DEQ by June 30 of each year on the form provided by DEQ. The County's process for determination of annual capacity and submission of the County's capacity certification is as follows:

# APPENDIX A

## ADDITIONAL INFORMATION

## REGARDING THE

## SELECTED

## SYSTEM

EVALUATION OF RECYCLING

The following provides additional information regarding implementation and evaluations of various components of the Selected System.

# TOTAL AMOUNT (BY WEIGHT) OF MATERIAL RECYCLED BY MVFR FROM 1987-1998

| tegory | 1987-92 Total | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | Total |
|---|---|---|---|---|---|---|---|---|
| Newspaper | 2,732,778 | 225,448 | 205,022 | 260,593 | 256,213 | 243,015 | 275,490 | 4,198,559 |
| Cardboard | 311101 | 406,510 | 548,092 | 530,628 | 571,809 | 674,705 | 987,660 | 4,030,505 |
| Glass | 63619 | 53,290 | 66,140 | 82,000 | 90,000 | 108,000 | 108,000 | 571,049 |
| Plastics | 90208 | 52,986 | 75,636 | 92,505 | 73,630 | 82,226 | 134,562 | 601,753 |
| Boxboard | 31000 | 68,202 | 50,426 | 54,719 | 22,353 | 14,400 | 25,500 | 266,600 |
| Metals | 18380 | 24,640 | 30,880 | 30,240 | 28,660 | 28,000 | 45,230 | 206,030 |
| Office Paper | 32480 | 167,000 | 208,000 | 186,000 | 116,000 | 151,610 | 146,557 | 1,007,647 |
| Phone Books | | 20,000 | 45,000 | 20,775 | * | * | | 85,775 |
| Magazines | | | | 101,060 | 106,455 | 111,855 | 162,036 | 481,406 |
| Total | 3,279,566 | 1,018,076 | 1,229,196 | 1,358,520 | 1,265,120 | 1,413,811 | 1,885,035 | 11,449,324 |

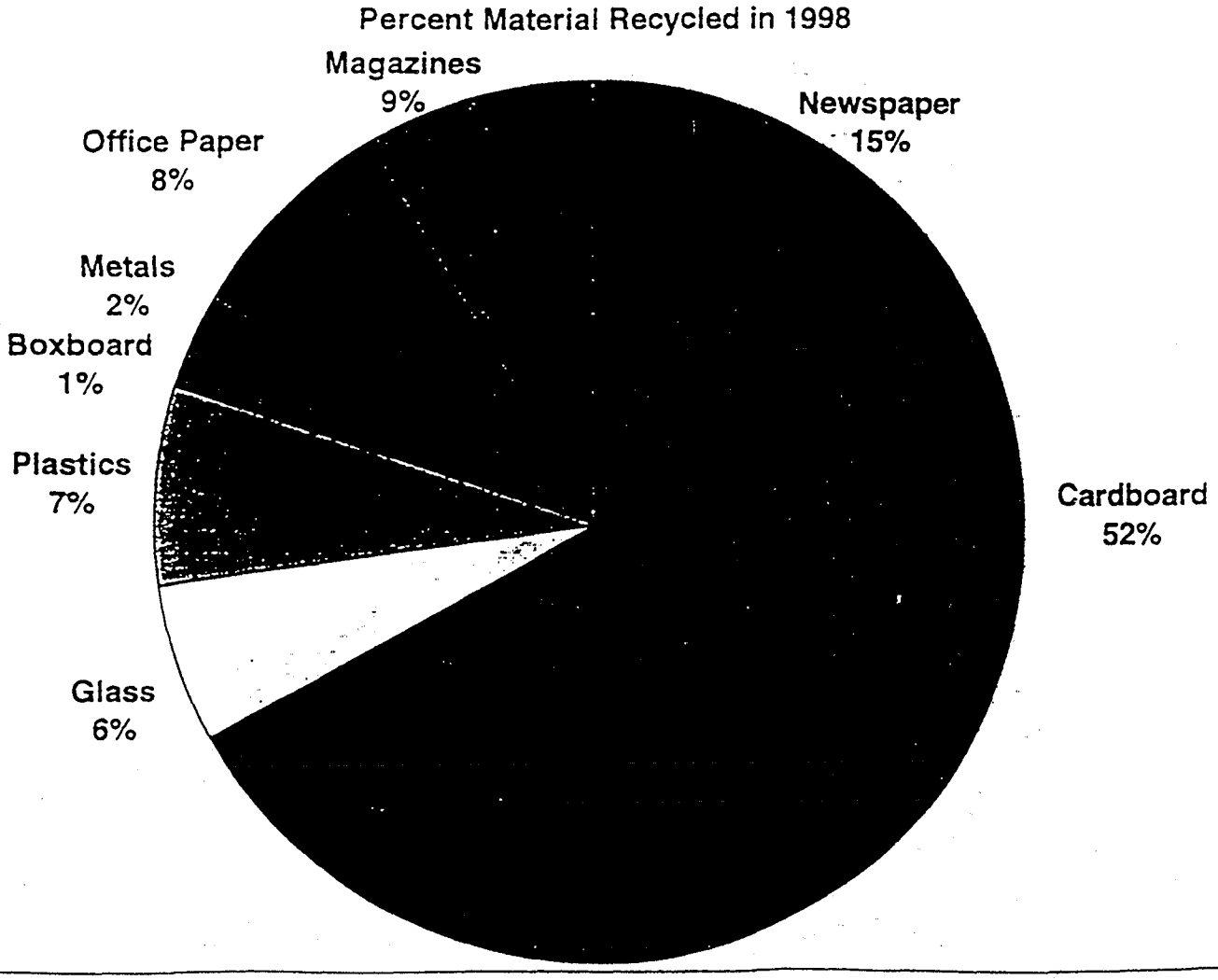
Notes:

The City of Midland began curbside collection in December 1991.

MVFR began operation of the Midland Area Recycling Center (MARC) in January 1992.

Ten curbside programs were active in Midland Co. by end of 1994.

*Phone books in 1996-8 included with newspaper



THE LINK

A United Way Agency
CARF Accredited

WINTER 1999 Arnold Center, Inc. and Gladwin County Industries

# HIGHLIGHTS 1997 – 1998

Once again, things have been very busy around the Arnold Center and Gladwin County Industries Our goal is to provide the best quality of service possible to customers whose needs are ever changing This serves as a catalyst for ongoing reformation and continuous quality improvement Some of the more significant events that occurred this year were:

- restructuring of services (Access Midland and Supported Employment) to provide increased flexibility, cost efficiency and optimal outcomes for customers,
- modifying supports services (record keeping and billing processes) to accommodate referral organizations and managed care requirements,
- serving over 1000 customers for the first time in the agency's history:

| | |
|---|---|
| Work Evaluations & Work Adjustments | 70 served |
| Gladwin County Connection | 79 served |
| Access Midland | 81 served |
| Vocational Exploration & Experience Services | 63 served |
| Placements (Supported Employment/Direct Placement) | 107 served |
| Vocational Development | 35 served |
| Michigan Works! | 565 served |

- providing assistance over 5,856 times to help individuals looking for employment through the Employment Services at the Michigan Works Service Center (498 acquired jobs or were supported in community based jobs this year),
- providing opportunities for 95% of our Access Midland caseload (112 people) to participate in structured, ongoing community based activities of their choosing,
- providing staff over 2,000 hours of inservice training,
- developing partnerships with fifteen new community employers bringing our total to 85,
- redesigning the agency's customer-driven Outcome Measurement and Management System to ensure service delivery is customer focused,
- modification and implementation of the following policies: Substance Abuse, Return to Work and Personal Protective Equipment,
- major renovation to the interior of the Arnold Center,
- expanding the Arnold Center to accommodate an additional 7,500 sq. ft. of storage space,
- expanding the Vocational Evaluation Department's assessment capabilities to include the Apticom and Career Scope assessment tools,
- recycling over 1,300,000 lbs. of plastic products and over 800,000 lbs. of paper products,
- over 325 consecutive injury free work days,
- being awarded the contract to provide all employment services for Midland

# WHAT'S NEW IN MANUFACTURING

The Arnold Center has expanded it's recycling operation to now include pallets that are generated at Saginaw Delphi Steering Systems. Four different employees work at Delphi collecting pallets for recycling We are collecting approximately 1,200 – 1,500 per week and providing a crew Monday through Friday.

The Arnold Center has also completed the first run of labeling for AllJack Celex of their K-Gro containers. The first order was for 50,000 containers and we look forward to a long term relationship with them.

*Dennis Boortz displaying the labeling job for the K-Gro bottles.*

## APPROXIMATE WEIGHT (IN POUNDS) OF BULK RECYCLABLE MATERIALS

| MATERIAL | APPROXIMATE WEIGHT OF 1 CUBIC YARD |
|---|---|
| Newsprint, loose | 513 |
| Corrugated cardboard, loose | 300 |
| Glass, whole bottles | 500 |
| Glass, broken | 810 |
| PET soda bottles, whole | 35 |
| HDPE milk bottles, whole | 24 |
| HDPE milk bottles, flattened | 35 |
| Aluminum cans, whole | 64 |
| Aluminum cans, flattened | 280 |
| Steel cans, whole | 149 |
| Steel cans, flattened | 850 |

Printed from the MSW Factbook, Ver. 4.0, Office of Solid Waste, USEPA, Washington, DC, 1997.

# *Curbside Recycling*

- Annual average of 10,425 cubic yards of material is diverted from the City of Midland landfill
- Annual average of $62,500 saved in landfill space diversion
  - 10,425 cubic yards x $6.00 landfill tip fee

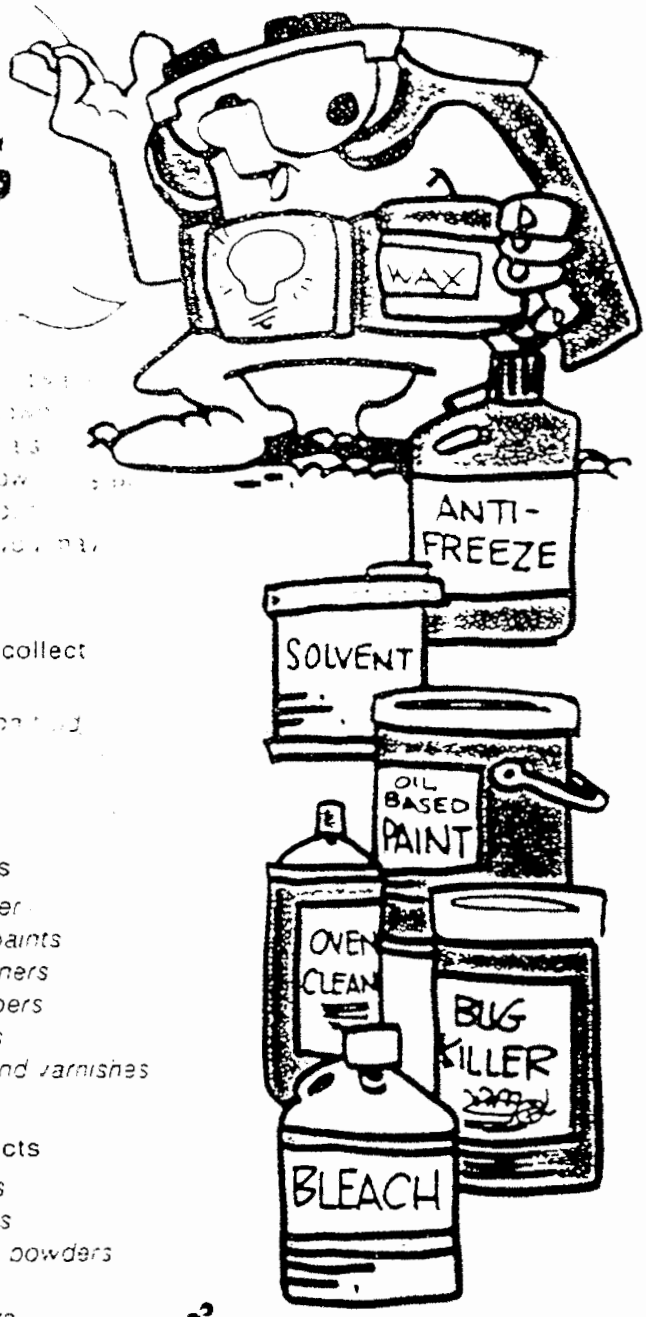
## *City of Midland Curbside Recycling*
## *Tons of Material Collected and Resident Participation*

| | Cardboard | Newspaper | Containers | Total | | Bins | Participation |
|---|---|---|---|---|---|---|---|
| | | | | | | | |
| Jan-98 | 28.62 | 99.02 | 36.97 | 164.61 | | 18,765 | 67% |
| Feb-98 | 19.42 | 90.14 | 31.24 | 140.8 | | 16,879 | 67% |
| Mar-98 | 22.37 | 97.8 | 30.69 | 150.86 | | 17,808 | 69% |
| Apr-98 | 25.3 | 118.88 | 31.39 | 175.57 | | 18,144 | 68% |
| May-98 | 26.92 | 118.52 | 29.9 | 175.34 | | 17,782 | 68% |
| Jun-98 | 23.68 | 114.09 | 29.26 | 167.03 | | 18,216 | 67% |
| Jul-98 | 26.55 | 103.57 | 30.42 | 160.54 | | 18,620 | 65% |
| Aug-98 | 22.31 | 99.56 | 26.64 | 148.51 | | 16,610 | 66% |
| Sep-98 | 0 | 0 | 0 | 0 | | - | 69% |
| Oct-98 | Contractor not updating information | | | | | - | 70% |
| Nov-98 | | | | | | - | 66% |
| Dec-98 | 0 | 0 | 0 | 0 | | - | 66% |

### Comparison 1992 - 1998

| | Cardboard | Newspaper | Containers | Total | % Change | | Yearly Average |
|---|---|---|---|---|---|---|---|
| | | | | | | | Participation |
| Total 98 | 195 | 842 | 247 | 1283 | | | 67% |
| Total 97 | 267 | 1339 | 382 | 1988 | -3% | | 66% |
| Total 96 | 173 | 1420 | 460 | 2053 | -7% | | 69% |
| Total 95 | 99 | 1539 | 575 | 2214 | -7% | | 72% |
| Total 94 | 107 | 1652 | 618 | 2377 | 11% | | 72% |

# 1998 HOUSEHOLD HAZARDOUS MATERIALS COLLECTION PROGRAM




[illegible] hazardous materials can lead to contamination [illegible] water sources when spilled on the ground or [illegible] trash containers. To prevent this, collected materials [illegible] safely treated in the Michigan Operations of The Dow [illegible] licensed hazardous waste incinerator. This is your [illegible] safely and properly dispose of most hazardous materials you may [illegible] including:

✓ Automotive Products
- spray paints
- auto polishes and waxes
- battery acid

✓ Valvoline will collect
- motor oil
- transmission fluid
- oil filters
- antifreeze

✓ Cleaning Products
- drain cleaners
- floor waxes
- furniture polishes
- bleach and ammonia products
- oven cleaners
- solvents and degreasers

✓ Paint Products
- paint thinner
- oil-based paints
- brush cleaners
- paint strippers
- spray cans
- lacquers and varnishes

✓ Personal and Health Care Products
- hair sprays
- dyes
- shoe polish
- aerosols
- nail polishes and removers
- outdated or unused medications

✓ Garden Products
- bug sprays
- ant poisons
- insecticide powders
- fertilizers
- weed killers
- poisoned baits

Responsible Care® A Public Commitment
® Service mark of Chemical Manufacturers Association

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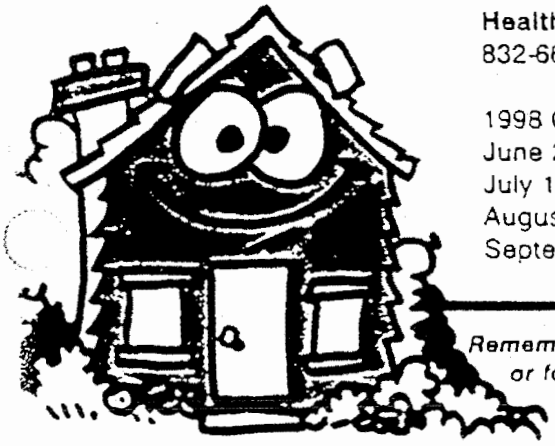
[illegible] your personal commitment to the environment by calling your County Health Department for an appointment [illegible] the nearest collection center. This will help ensure your safety and the safe handling of your household hazardous [illegible]rials.



Call:

**Midland County Health Dept.**
832-6679

1998 Collection Days
June 23
July 14
August 18
September 15

**Bay County Health Dept.**
895-4006

1998 Collection Days
June 11
September 12

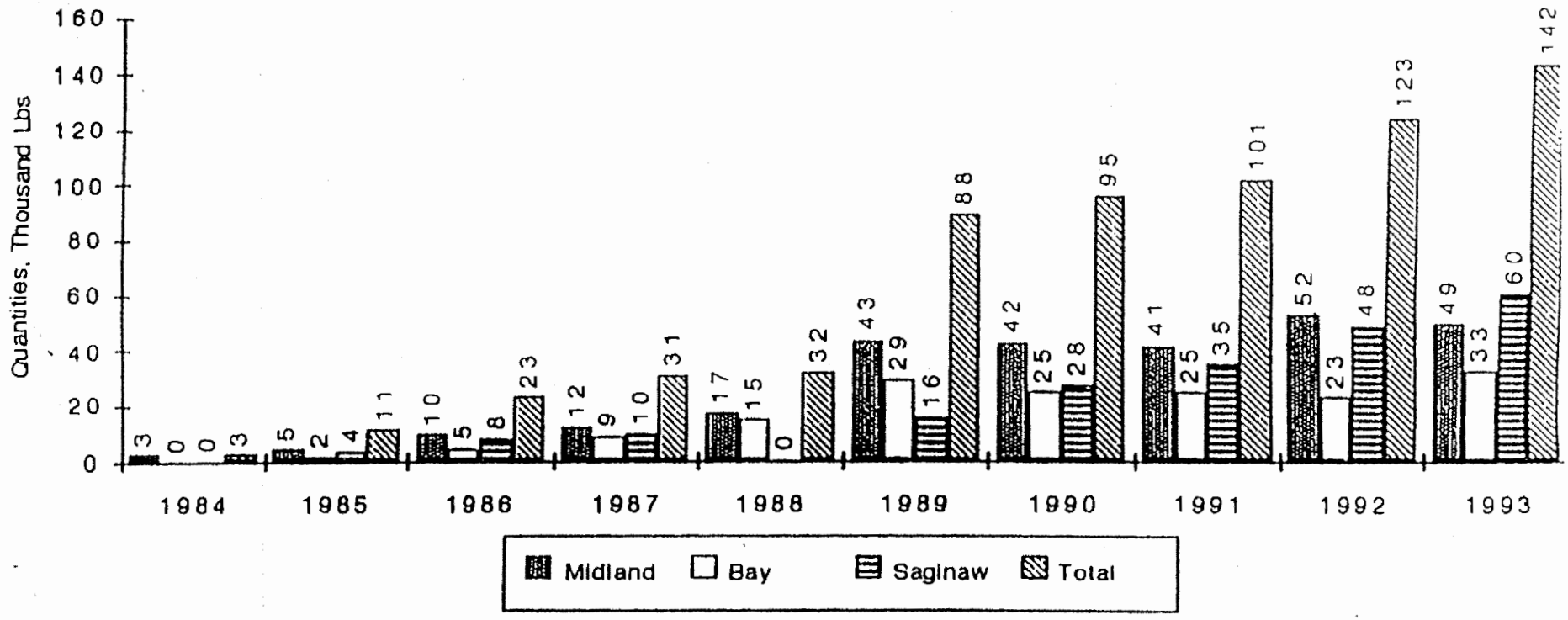
**Saginaw County Health Dept.**
758-3686

1998 Collection Days
June 18
September 19

*Remember to call your County Health Department to set up a collection appointment or for further information. These collection dates are subject to change.*

Printed on Recycled Paper

## Household Hazardous Waste Collections



## TRICOUNTY STATISTICS – 1984/1990

| County | 1985 | 1986 | 1987 | 1988 | 1989 | 19 |
|---|---|---|---|---|---|---|
| Collections | | | | | | |
| Midland | 2 | 1 | 1 | 5 | 6 | |
| Bay | 1 | 1 | 1 | 4 | 5 | |
| Saginaw | 1 | 1 | 1 | | 5 | |
| Tricounties | 4 | 3 | 3 | 9 | 16 | 1 |
| Households | | | | | | |
| Midland | 233 | 290 | 309 | 232 | 349 | 39 |
| Bay | 46 | 116 | 135 | 242 | 209 | 26 |
| Saginaw | 86 | 251 | 231 | | 140 | 14 |
| Tricounties | 365 | 657 | 675 | 474 | 698 | 80 |
| Quantities,ibs | | | | | | |
| Midland | 6151 | 9472 | 11760 | 16509 | 42,000 | 41.20 |
| Bay | 2409 | 4909 | 8970 | 14566 | 27,800 | 24,60 |
| Saginaw | 4625 | 8435 | 9460 | | 15,400 | 26,80 |
| Tricounties | 13185 | 22816 | 30190 | 31075 | 85200 | 9260 |

Note: one collection in 1984 for Midland Co, 89 HHs, 2964 lbs.

Midland County

| Household Hazardous Materials Collection Data | | | |
|---|---|---|---|
| | # of Households | Pounds of Waste | # of Collection Day |
| 1992 | 682 | 52,450 | 6 |
| 1993 | 478 | 49,100 | 6 |
| 1994 | 423 | 47,000 | 4 |
| 1995 | 542 | 49,500 | 4 |
| 1996 | 659 | 66,450 | 4 |
| 1997 | 379 | 54,460 | 4 |
| 1998 | 471 | 69,860 | 4 |

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hhmdata.99

**DETAILED FEATURES OF RECYCLING AND COMPOSTING PROGRAMS:**

List below the types and volumes of material available for recycling or composting.

All data is included in main portion of plan.

The following briefly describes the processes used or to be used to select the equipment and locations of the recycling and composting programs included in the Selected System. Difficulties encountered during past selection processes are also summarized along with how those problems were addressed:

**Equipment Selection**

Existing Programs: By individual owners.

Proposed Programs: By individual owners

**Site Availability & Selection**

Existing Programs: By individual owners.

Proposed Programs: By individual owners with approval by various governmental entities.

**Composting Operating Parameters:**

The following identifies some of the operating parameters, which are to be used or are planned to be used to monitor the composting programs.

**Existing Programs:**

| Program Name: | pH Range | Heat Range | Other Parameter | Measurement Unit |
|---|---|---|---|---|

By individual operators in accordance with Department of Environmental Quality Regulations.

Proposed Programs:

| Program Name | pH Range | Heat Range | Other Parameter | Measurement Unit |
|---|---|---|---|---|

By individual operators in accordance with Department of Environmental Quality Regulations.

**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 only. Emergency situations are only those instances in which, a counties landfills are closed or cannot handle increased landfill volumes due to regulatory closure, natural disasters such as floods, tornadoes, fires, and 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.[3]

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 classified as Type II wastes, that are generated within the importing county.[3]

Additionally, for those counties not having facilities available or willing to take special wastes such as asbestos and contaminated soils, the waste 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. All out-county waste will be charged per an out-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.

**COSTS & FUNDING:**

The following estimates the necessary management, capital, and operational and maintenance requirements for each applicable component of the solid waste management system. In addition, potential funding sources have been identified to support those components.

| System Component[1] | Estimated Costs | Potential Funding Sources |
|---|---|---|
| Resource Conservation Efforts | Not Available | Not Available |
| Resource Recovery Programs | Not Available | Not Available |
| Volume Reduction Techniques<br>Compost Program Expansion<br>- City of Midland | $250,000 | City of Midland Landfill Revenue |
| Collection Processes | Not Available | Not Available |
| Transportation | Not Available | Not Available |
| Disposal Areas | Not Available | Not Available |
| Future Disposal Area Uses | Not Available | Not Available |
| Management Arrangements | Not Available | Not Available |
| Educational & Informational Programs | Not Available | Not Available |

[1] These components and their sub-components may vary with each system.

**EVALUATION SUMMARY OF THE SELECTED SYSTEM:**
The solid waste management system has been evaluated for anticipated positive and negative impacts on the public health, economics, environmental conditions, siting considerations, existing disposal areas, and energy consumption and production which would occur as a result of implementing this Selected System. In addition, the Selected System was evaluated to determine if it would be technically and economically feasible, whether the public would accept this Selected System, and the effectiveness of the educational and informational programs. Impacts to the resource recovery programs created by the solid waste collection system, local support groups, institutional arrangements, and the population in the County in addition to market availability for the collected materials and the transportation network were also considered. Impediments to implementing the solid waste management system are identified and proposed activities, which will help overcome those problems, are also addressed to assure successful programs. The Selected System was also evaluated as to how it relates to the Michigan Solid Waste Policy's goals. The following summarizes the findings of this evaluation and the basis for selecting this system:

The selected system is basically maintenance of Midland County's current system. If need is exhibited by residents, expansion of the recycling collection will be evaluated and implemented. Currently, those areas that are most densely populated have access to either drop-off or curbside recycling areas. Those townships not providing such services are those in which the transportation of such materials is not feasible due to the sparse and dispersed population in that area. Lastly, the plan encourages the City of Midland to establish a tire recycling program at the landfill facility.

In addition, expansion of the household hazardous waste program will be evaluated based on exhibited need by residents. If historical records indicate a need for additional collection days, Midland County, the City of Midland, and Dow Chemical Company, will evaluate and propose changes as necessary if funding is available.

The City of Midland compost program will continue to expand to meet the needs of the community and provide adequate capacity to process the yard wastes generated in the county. The City of Midland will also continue to process Christmas trees in composting and will focus on educating the public as to how these items can be recycled in an efficient manner. In addition, the City of Midland will continue to complete pilot studies using non-typical compost materials such as bio-solids, water treatment residuals, and agricultural wastes in hopes of determining a beneficial reuse for such products.

These systems are all currently in place and therefore, the public has already exhibited acceptance of this system. Likewise, the programs are also supported through taxes, user fees, and volunteer time.

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.

## ADVANTAGES AND DISADVANTAGES OF THE SELECTED SYSTEM:

Each solid waste management system has pros and cons relating to its implementation within the County. Following is an outline of the major advantages and disadvantages for this Selected System.

**ADVANTAGES:**

1. Historically effective.
2. Integrated system developed through collaboration of many entities.
3. Collection infrastructure is established.
4. Gives individual governmental bodies individual choices and freedom to choose degrees of service and individual contractors.
5. Maintains economical options for county residents.
6. Public has already accepted this system.

**DISADVANTAGES:**

1. Recycling may not meet the 35% (currently 23%) at this time; however, with increased education the recycling rates may increase.
2. Townships are required to use the City of Midland Landfill, which could influence their negotiations with haulers since rates are fixed as a City of Midland Ordinance.

# APPENDIX B

# NON-SELECTED

# SYSTEMS

Before selecting the solid waste management system contained within this Plan update, the County developed and considered other alternative systems. The following section provides a brief description of these non-selected systems and an explanation why they were not selected. Complete one evaluation summary for each non-selected alternative system.

**SYSTEM COMPONENTS:**

The following briefly describes the various components of the non-selected system.

**RESOURCE CONSERVATION EFFORTS:**

**VOLUME REDUCTION TECHNIQUES:**

- Addition of supplemental drop-off centers in outlying regions of county.
- Construction and operation of a Municipal Recycling Facility within the county.
- Construction and operation of a construction and demolition recycling facility within the county.
- Construction and operation of compost facilities in outlying regions of county.
- Expansion of household hazardous waste collection program.

**RESOURCE RECOVERY PROGRAMS:**

**COLLECTION PROCESSES:**

**TRANSPORTATION:**

**DISPOSAL AREAS:**

- Construction and operation of a waste-to-energy facility within the county.
- Utilization of landfill gas through recovery.
- Bio-reactor landfill.

**INSTITUTIONAL ARRANGEMENTS:**

**EDUCATIONAL AND INFORMATIONAL PROGRAMS:**

**CAPITAL, OPERATIONAL, AND MAINTENANCE COSTS:**

**EVALUATION SUMMARY OF NON-SELECTED SYSTEM:**

The non-selected system was evaluated to determine its potential of impacting human health, economics, environmental, transportation, siting and energy resources of the County. In addition, it was reviewed for technical feasibility, and whether it would have public support. Following is a brief summary of that evaluation along with an explanation why this system was not chosen to be implemented.

All non-selected options were examined on a basis of cost, need, and feasibility to implement. In the case of the provision for dispersed recycling and compost facilities, it is viewed that the county is very close to and may exceed the State of Michigan goal of a 35% recycling rate if the missing data for wood recycling and concrete recycling were available. Most areas of the county have access to recycling facilities or collection, with only the sparsely populated outlying areas lacking these services. It is not economically feasible to provide a transportation intensive service such as curb-side collection in these areas; nor is it felt that a centrally located drop-off center would receive enough materials to warrant it's operation.

Likewise, most residents in the less populated areas of the county do not have a need to remove their yard waste from their property, but simply mulch their yard waste or practice on-site composting. Therefore, the cost to construct and operate countywide compost facilities would not be warranted.

Also, since our current recycling systems seem to be meeting the needs of the residents and providing excellent results, the construction and operation of a Municipal Recycling Facility is not warranted; however, if increased volumes are experienced, expansion of current facilities may be necessary.

Construction and demolition recycling facilities have proven to be both difficult and costly to operate. This alternative is not feasible at this time. However, if markets change, this may become a viable option in the future, but is not an option for Midland County at this time.

In terms of landfill operational changes, the options of waste-to-energy facilities, bio-reactor landfill design, and landfill gas utilization were analyzed. It was found that waste-to-energy facilities are both costly to construct and operate, but are also highly regulated entities; therefore it is not a viable alternative.

Bio-reactor design is a new technology being introduced into the waste industry. Although a viable alternative, this option is best left as a choice to individual landfill owners when considering expansion of landfill areas.

Lastly, landfill gas utilization, although a positive utilization of a by-product waste of landfills, is again an operational choice for individual landfill owners. The committee, although encouraging the use of landfill gas, understands the high cost to owners to implement a system and the lack of financial incentives available to construct electrical generation plants. It should be noted that the City of Midland Landfill currently does not generate enough methane gas to be required by the Department of Environmental Quality to either collect and flare-off or utilize the methane. However, as the landfill expands, the City of Midland will evaluate options for the use of such by-products.

**ADVANTAGES AND DISADVANTAGES OF THE NON-SELECTED SYSTEM:**

Each solid waste management system has pros and cons relating to its implementation within the County. Following is a summary of the major advantages and disadvantages for this non-selected system.

ADVANTAGES:

1. Increased opportunity for recycling, composting, and positive re-use of waste products.

DISADVANTAGES:

1. Some items are highly regulated.
2. High cost to construct and operate new facilities.
3. May have only limited need for such facilities.
4. New technology that may not be proven at this time.
5. Public may not support some options such as waste-to-energy facilities.

# APPENDIX C

# PUBLIC PARTICIPATION

# AND APPROVAL

The following summarizes the processes which were used in the development and local approval of the Plan including a summary of public participation in those processes, documentation of each of the required approval steps, and a description of the appointment of the solid waste management planning committee along with the members of that committee.

PUBLIC INVOLVEMENT PROCESS: A description of the process used, including dates of public meetings, copies of public notices, documentation of approval from solid waste planning committee, County board of commissioners, and municipalities.

Public planning meetings were held and public notices for such meetings were posted.
A mailing was established and mailings were performed in accordance with Department of Environmental regulations.

Public notice period and meetings were provided by Department of Environmental Regulations.
Approvals were met per Department of Environmental Regulations.

All documentation is attached including notices, minutes, etc.

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# MIDLAND COUNTY
# SOLID WASTE MANAGEMENT COMMITTEE

May 12, 1999, 7 PM
Conference Room B

1. Call to Order

2. Introduction
   - Purpose of Committee
   - Membership Introduction

3. Filling of Vacancies

4. Key Issues to be Addressed @ Future Meetings
   - Import/Export Requests
   - Future Waste Management Concerns
   - Selected Systems

5. Future Meeting Schedules

6. Adjourn

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# MIDLAND COUNTY
# SOLID WASTE MANAGEMENT COMMITTEE

Minutes – May 12, 1999, 7 p.m.
Conference Room B

Present: Gerald Nightlinger, Noel Bush, Esther Seaver, Jennifer Fosgitt, Linda Lewis, Jan Zender-Romick, William Mudget, Chuck Lichon, Rich Rausch, Wayne Bergstrom

- Noel Bush presented overview of Solid Waste Planning Process.
- Wayne Bergstrom was elected Chairperson of the committee.
- Esther Seaver was voted Vice-Chairperson of the committee.
- Noel Bush was elected Secretary of the committee.
- It was decided that meeting shall be held every other Wednesday at 7:30 am in Conference Room B of City Hall. The next meeting will be Wednesday, May 26, 1999 at 7:30 am in Conference Room B.
- Major issues such as import/export authorizations and considerations, composting, and recycling were briefly discussed.
- Meeting information and minutes will be filed in the Grace A. Dow Library, Landfill Office, and at City Hall. Minutes will also be sent to the DEQ for their review.
- The issues to be discussed at the next meeting include:
    - Work Program
    - Sections I and II of the Plan
- Items to be distributed prior to the next meeting include:
    - Work Program
    - List of Tasks to be Completed
    - State Regulations Governing the Solid Waste Planning Process
    - Landfill Statistics
    - Solid Waste Planning Process Guide
    - Executive Summary and Public Comment Sections of the Previous Midland County Solid Waste Plan
- Meeting Adjourned at approximately 9:00 p.m.

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# Memorandum

**To:** Midland County Solid Waste Management Plan Committee

**CC:**

**From:** Jennifer Fosgitt JBF

**Date:** 05/22/99

**Re:** Overview of Next Meeting and Enclosed Materials

---

Attached you will find a copy of the proposed agenda for the May 26, 1999 meeting. In addition to the agenda, the enclosed package contains the proposed work plan, a brief "To Do List", DEQ correspondence providing an overview of the planning process, the DEQ Rules and Regulations regarding the Solid Waste Planning Process, the City of Midland Landfill Statistics, the Solid Waste Management Plan Guide, and public comments and the executive summary from the previous solid waste management plan.

We are looking forward to seeing you all early Wednesday morning. If you should have any questions before Wednesday, feel free to contact me at (517) 839-6535. In addition, I am available on Tuesday if any of the membership is interested in a tour of the City of Midland Landfill.

Again, just as a reminder, the next meeting is Wednesday, May 26, 1999 at 7:30 am in Conference Room B of City Hall—See you there.

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# MIDLAND COUNTY
# SOLID WASTE MANAGEMENT COMMITTEE

May 26, 1999, 7:30 am
Conference Room B

1. Call to Order
2. Approval of Minutes (To be distributed)
3. Work Program Review
4. Governmental Units Input
5. Existing County Waste Plan
6. Review of Sections I and II of New Format
7. Brief Overview of Next Meeting's Review Section - III
8. Adjourn

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**MIDLAND COUNTY**
**SOLID WASTE MANAGEMENT COMMITTEE**
Minutes – May 26 1999, 7:30 a.m.
Conference Room B

Present: Gerald Nightlinger, Noel Bush, Jennifer Fosgitt, Linda Lewis, Jan Zender-Romick, William Mudget, Chuck Lichon, Wayne Bergstrom, Eldon Enger

- Meeting was called to order at 7:30 a.m.
- The timetable was discussed. A formal schedule will be distributed at the next meeting.
- The City of Midland will finalize the membership commitments of the hauling companies and will try to find a member from the public-at-large. The names will be presented at the next meeting. Also, the City will proceed with the formal appointment from the County Board of Commissioners.
- A township association meeting is to be held on June 3, 1999. It was agreed that draft copies of the plan should be distributed at this meeting along with a membership listing. City staff will provide the copies and Jerry Nightlinger will distribute at the meeting.
- Public comment periods will be provided at each meeting.
- Advertisement of the meetings will be accomplished through postings in City Hall and the County Building. Also, the City will make an effort to advertise the meetings in the classified of the Midland Daily News. Advertisement on the City electronic bulletin board will also take place.
- Additionally, it was requested that the plan be placed on the City's website for review. Staff will investigate this possibility.
- In the future, we will invite the MDEQ Liaison for the Solid Waste Planning Process to attend the meetings.
- An overview of sections I and II yielded the following comments and requests:
    - Suggested that all waste, recycling, composting opportunities be listed such as: Pat's Gradall, Putt's, Fisher Sand and Gravel, Janet Sand and Gravel, The Arnold Center, Dow Chemical, and Dow Corning.
    - Suggested that recycled asphalt quantities be included in the plan toward meeting recycling goals.
    - All changes and updates will be made by City staff and forwarded to the committee members.
- Meeting was adjourned at approximately 9:30 a.m.
- The next meeting will be June 9, 1999 at 7:30 am in Conference Room B of City Hall.

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**MIDLAND COUNTY**
**SOLID WASTE MANAGEMENT COMMITTEE**
June 9, 1999, 7:30 am
Conference Room B

1. Call to Order

2. Approval of Previous Minutes

3. Review of Section III
   - Import/Export
   - Facilities
   - Collection System
   - Resource Conservation Efforts
   - Waste Reduction, Recycling, & Composting
   - Resource Recovery
   - Recycling
   - Composting
   - Hazardous Materials Collection
   - Proposed Recycling, Composting, and Hazardous Materials Collection

4. Old Business
   - Corrections/Requested Information from Last Meeting/Updates
   - June 3, 1999 Township Meeting
   - Distribution of Draft Plan to City of Coleman
   - Distribution of Draft Plan to the Village of Sanford?

5. New Business

6. Public Comment

7. Adjourn

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**MIDLAND COUNTY**
**SOLID WASTE MANAGEMENT COMMITTEE**
Minutes – June 9, 1999, 7:30 a.m.
Conference Room B

Present: Gerald Nightlinger, Noel Bush, Jennifer Fosgitt, Linda Lewis, Jan Zender-Romick, William Mudget, Chuck Lichon, Wayne Bergstrom, Eldon Enger, Fred Still, Mike Beagle, Esther Seaver, Rich Rausch

- Meeting was called to order at 7:30 a.m.
- The May 12, 1999 minutes were approved as distributed.
- The May 26, 1999 minutes were approved with the following corrections: 1) Date and time corrected in heading, Eldon Enger added to those present, addition of request for information on recycled asphalt to be placed in the plan.
- A definitive deadline could not be found in the documentation provided by the DEQ. City of Midland will contact the DEQ to determine this date. The schedule will be discussed at the next meeting.
- City will place notice in paper of meetings and will try to get the Midland Daily News to run a story on the work this committee is completing.
    - The two names of the waste industry representatives will be sent to the Midland County Board of Commissioner. The City will also request that the Board of Commissioner appoint an community-at-large member.
- The committee review section III of the Solid Waste Plan.
- Import/Export authorization was discussed. A detailed memo on the pros and cons will be provided.
- It was recommended that import/export authorizations apply to all hauling companies and a means of enforcement identified.
- It was the consensus of the group to leave the import/export authorizations essentially as they are with the requirement that all Midland County waste be deposited within Midland County.
- The committee will decide which counties will have special contingency import/export agreements in order to handle emergency situations.
- Meeting was adjourned at approximately 9:30 a.m.
- The next meeting will be June 23, 1999 at 7:30 am in Conference Room B of City Hall.

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# MIDLAND COUNTY
# SOLID WASTE MANAGEMENT COMMITTEE

June 23, 1999, 7:30 am
Conference Room B

1. Call to Order
2. Approval of Minutes (To be distributed)
3. Schedule
4. Continued Reviewed of Plan
5. Schedule next meeting. Adjourn

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**MIDLAND COUNTY**
**SOLID WASTE MANAGEMENT COMMITTEE**
Minutes – June 23, 1999, 7:30 a.m.
Conference Room B

Present: Noel Bush, Esther Seaver, Jennifer Fosgitt, Linda Lewis, Jan Zender-Romick, William Mudget, Chuck Lichon, Wayne Bergstrom, Eldon Enger, Mike Beagle, Fred Still

- Meeting was called to order at 7:30 am.
- Jennifer Fosgitt discussed conversation with Department of Environmental Quality
  - No set deadline at this time for filing plan with the DEQ. The DEQ does not intend to set a new deadline; unless, they find counties to be delinquent in completing plan. Estimated that Midland County is ahead of most other counties in the planning process.
  - Coleman and Sanford are to be included in the voting process.
- City fielded input from committee members and will complete all unfinished portions of the plan.
- Items suggested as Solid Waste Management Options:
  - Establishment of a MRF
  - Satelite compost and recycling facilities.
  - Evaluate parts of county that are developable and projected populations.
  - Staffed transfer stations.
  - Waste – to – Energy
  - Hazardous Waste Collections
  - Reuse Centers
- Opened for Public Comment – None.
- Next Meeting July 28, 1999 @ 7:30 am.
- Adjourned at 9 am.

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# Memorandum

To: Midland County Solid Waste Management Plan Committee

CC:

From: Jennifer Fosgitt JBF

Date: 08/06/99

Re: Attachments and Meeting Reminder

---

Attached you will find a copy of the draft completed Solid Waste Management Plan. A few attachment items, such as meeting minutes, capacity certification letter, and maps are not included. I will have these for you on Wednesday morning. In addition, if you are still waiting for updates of your folders or a complete folder, it is my intention to have these for you at the meeting.

Again, the next scheduled meeting is August 11, 1999 at 7:30 am in City Council Chambers Overflow – Conference B. We are looking forward to seeing you early Wednesday morning, and if you should have any questions, please feel free to contact me at (517) 839-6535.

**PLANNING COMMITTEE APPOINTMENT PROCEDURE:**

The Midland County Board of Commissioners at one of its regularly scheduled public meetings appointed the members of the Solid Waste Management Planning Committee. There are fourteen members of the committee. The members represent the following groups and numbers:

| | |
|---|---|
| Solid Waste Industry | 4 |
| Environmental Interest Group | 2 |
| County Government | 1 |
| Industrial Waste Generator | 1 |
| Regional Planning | 1 |
| Township Government | 1 |
| City Government | 1 |
| General Public* | 3 |

*Note: One general public committee member resigned prior to first official meeting. The planning process continued through the absence of the general public member and the position remained unfilled.

## PLANNING COMMITTEE

Committee member names and the company, group, or governmental entity represented from throughout the County are listed below.

**4 MEMBERS REPRESENTING THE SOLID WASTE MANAGEMENT INDUSTRY -**

Fred Still - Superb Sanitation Service - 517-879-3792
Mike Beagle – Waste Management
Linda M. Lewis - City of Midland Sanitary Landfill - 839-9577 (Work)
Esther Seaver - Midland Volunteers for Recycling, Inc. - 631-1668 (MVFR)

**2 MEMBERS REPRESENTING ENVIRONMENTAL INTEREST GROUPS -**

Jan Zender Romick - 631-0755 (Home)
Bill Mudget - 835-3454 (Home)

**1 MEMBER REPRESENTING COUNTY GOVERNMENT -**

Chuck Lichon - 832-6656 (Work)

**1 MEMBER REPRESENTING CITY GOVERNMENT -**

Noel Bush - 837-3343 (Work)

**1 MEMBER REPRESENTING TOWNSHIP GOVERNMENT -**

Gerald Nightlinger - Lincoln Township Supervisor - 687-5644 (Home)

**1 MEMBER REPRESENTING REGIONAL SOLID WASTE PLANNING AGENCY -**

Sue Fortune - Executive Director of East Central Michigan Planning and Development Region - 517-797-0800 (Work)

**1 MEMBER REPRESENTING INDUSTRIAL WASTE GENERATORS -**

Rich Rausch - Dow Corning - 496-5122 (Work)

**3 MEMBERS REPRESENTING THE GENERAL PUBLIC -**

Wayne Bergstrom - 517 W. Meadowbrook Drive - 835-7742 (Work)
Eldon Enger - 3100 E. Gordonville Road - 835-7211 (Home)
General Public Representative - To be determined and named

# APPENDIX D

## PLAN IMPLEMENTATION STRATEGY

ATTACHMENTS

**Plan Implementation Strategy**

The following discusses how the County intends to implement the plan and provides documentation of acceptance of responsibilities from all entities that will be performing a role in the Plan.

Not Applicable - Midland County will be utilizing current system.

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August 10, 1999

To Whom It May Concern:

This letter serves as official notification that the City of Midland will accept responsibility for updating, modifying, interpreting, and enforcing the Midland County Solid Waste Management Plan.

If there are any questions or comments regarding this statement, please contact the undersigned at (517) 839-6535.

Sincerely,

Jennifer B. Fosgitt

Jennifer B. Fosgitt, P.E.
Landfill Superintendent
City of Midland Landfill

**Plan Implementation Strategy**

The following discusses how the County intends to implement the plan and provides documentation of acceptance of responsibilities from all entities that will be performing a role in the Plan.

Not Applicable - Midland County will be utilizing current system.

**Resolutions**

The following are resolutions from County Board of Commissioners approving municipality's request to be included in an adjacent County's Plan.

Not Applicable.

**Listed Capacity**

Documentation from landfills that the County has access to their listed capacity.
Attach letter documenting capacity.

ATTACHMENTS

**Listed Capacity**

Documentation from landfills that the County has access to their listed capacity.
Attach letter documenting capacity.

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August 10, 1999

To Whom It May Concern:

This letter serves as official notification that the City of Midland Landfill has in excess of 10 years capacity at current projected landfill generation rates.
If there are any questions or comments regarding this statement, please contact the undersigned at (517) 839-6535.

Sincerely,

Jennifer B. Fosgitt

Jennifer B. Fosgitt, P.E.
Landfill Superintendent
City of Midland Landfill

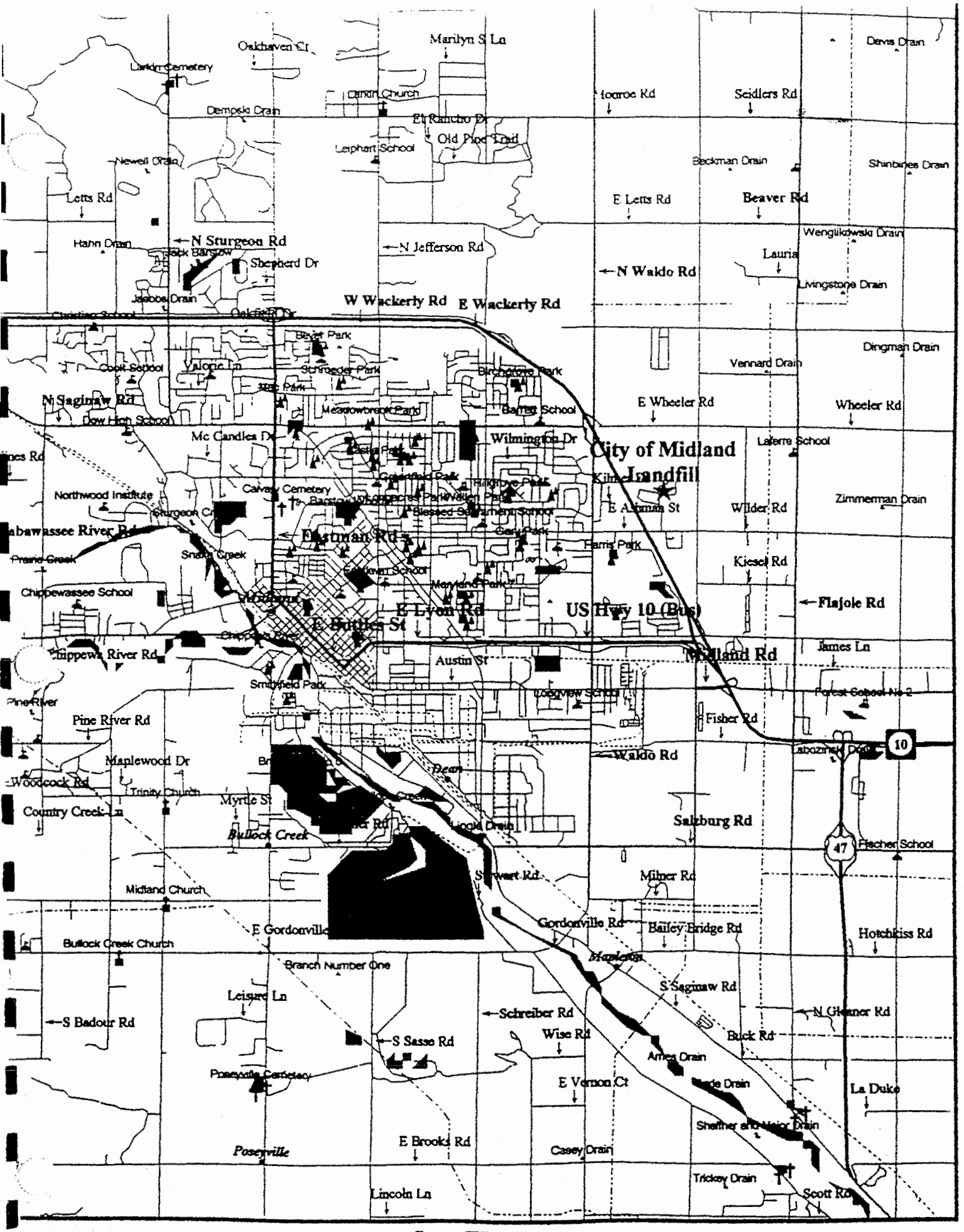
**Maps**

Maps showing locations of solid waste disposal facilities used by the County.

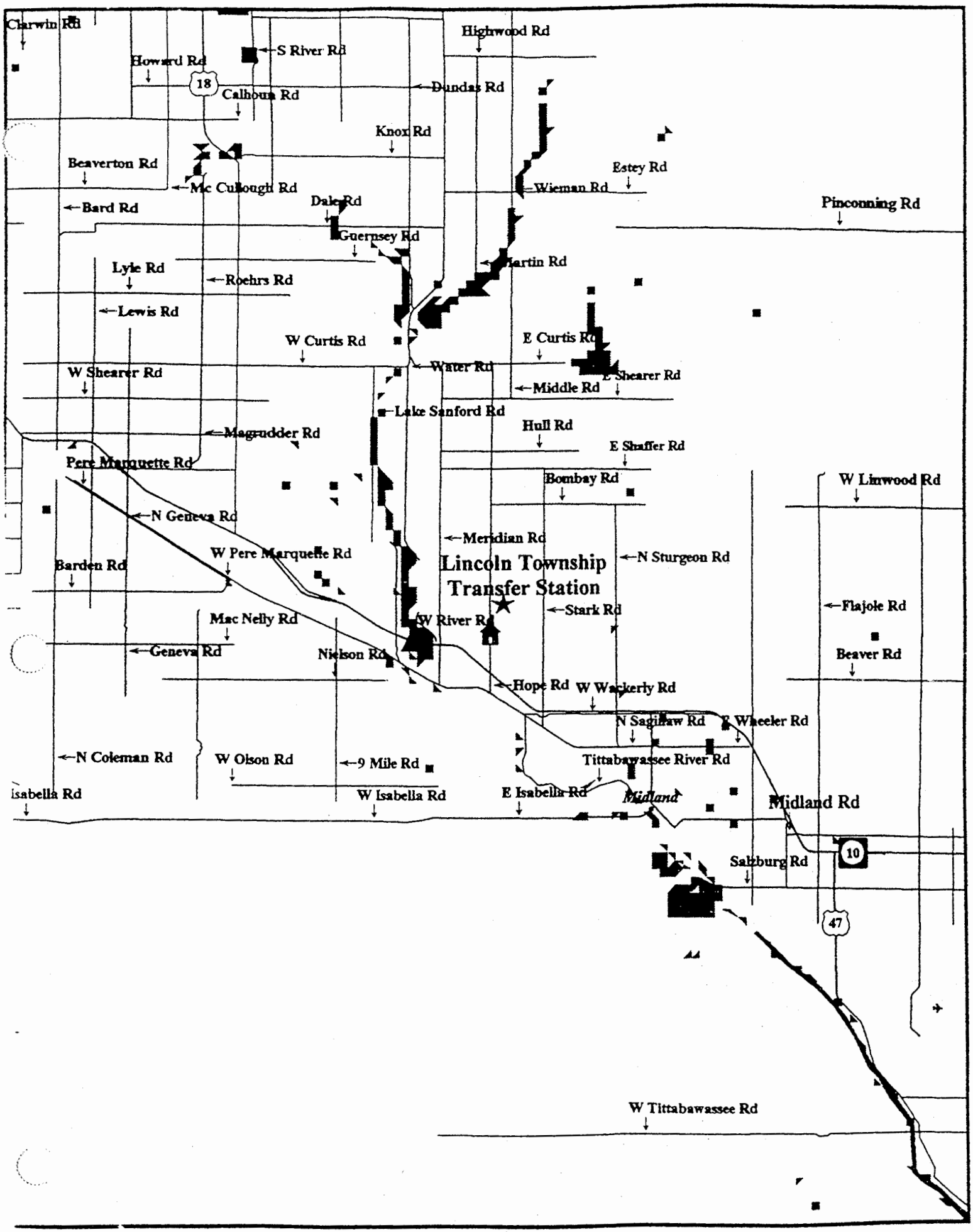
ATTACHMENTS

## Maps

Maps showing locations of solid waste disposal facilities used by the County




Street Wizard

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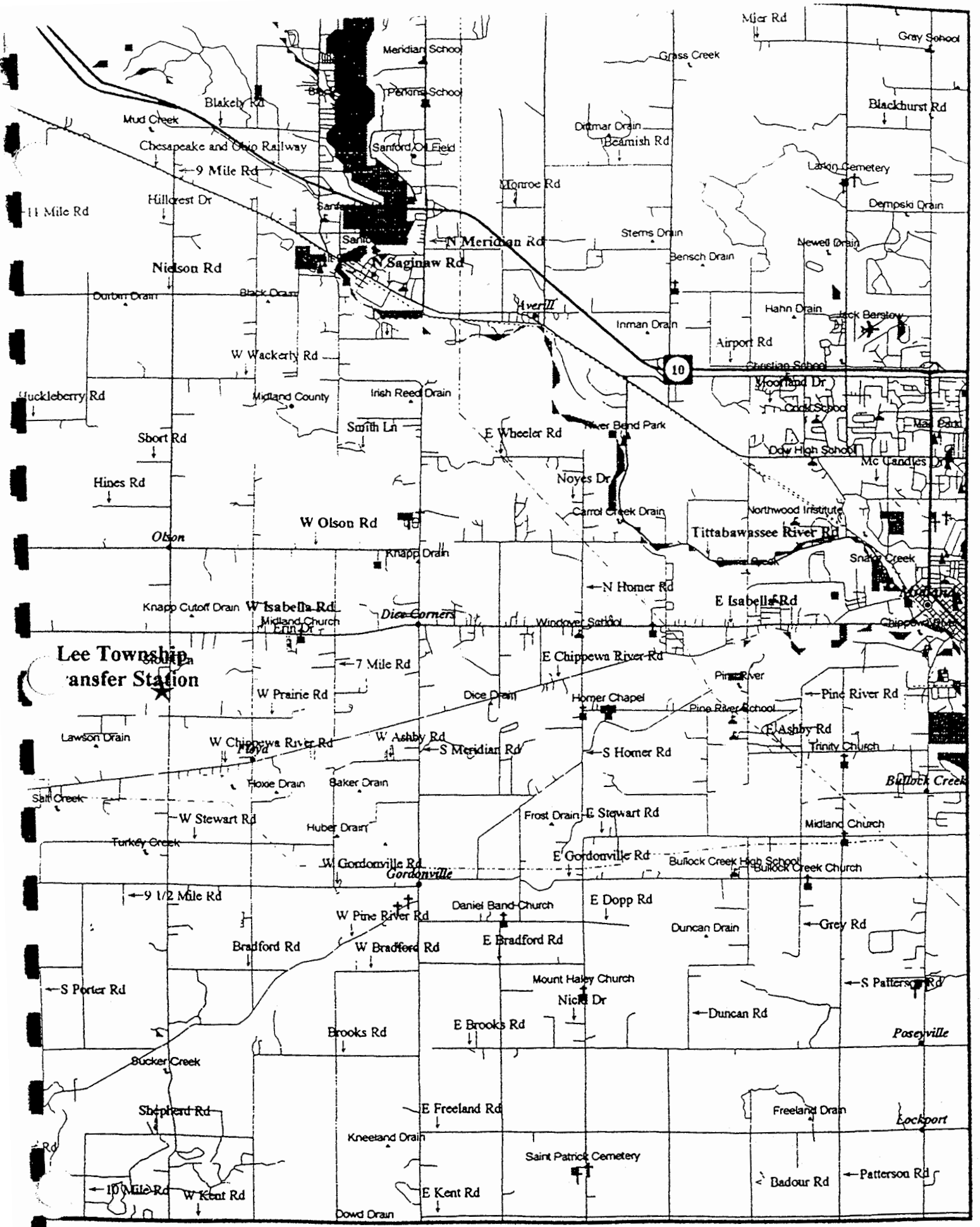
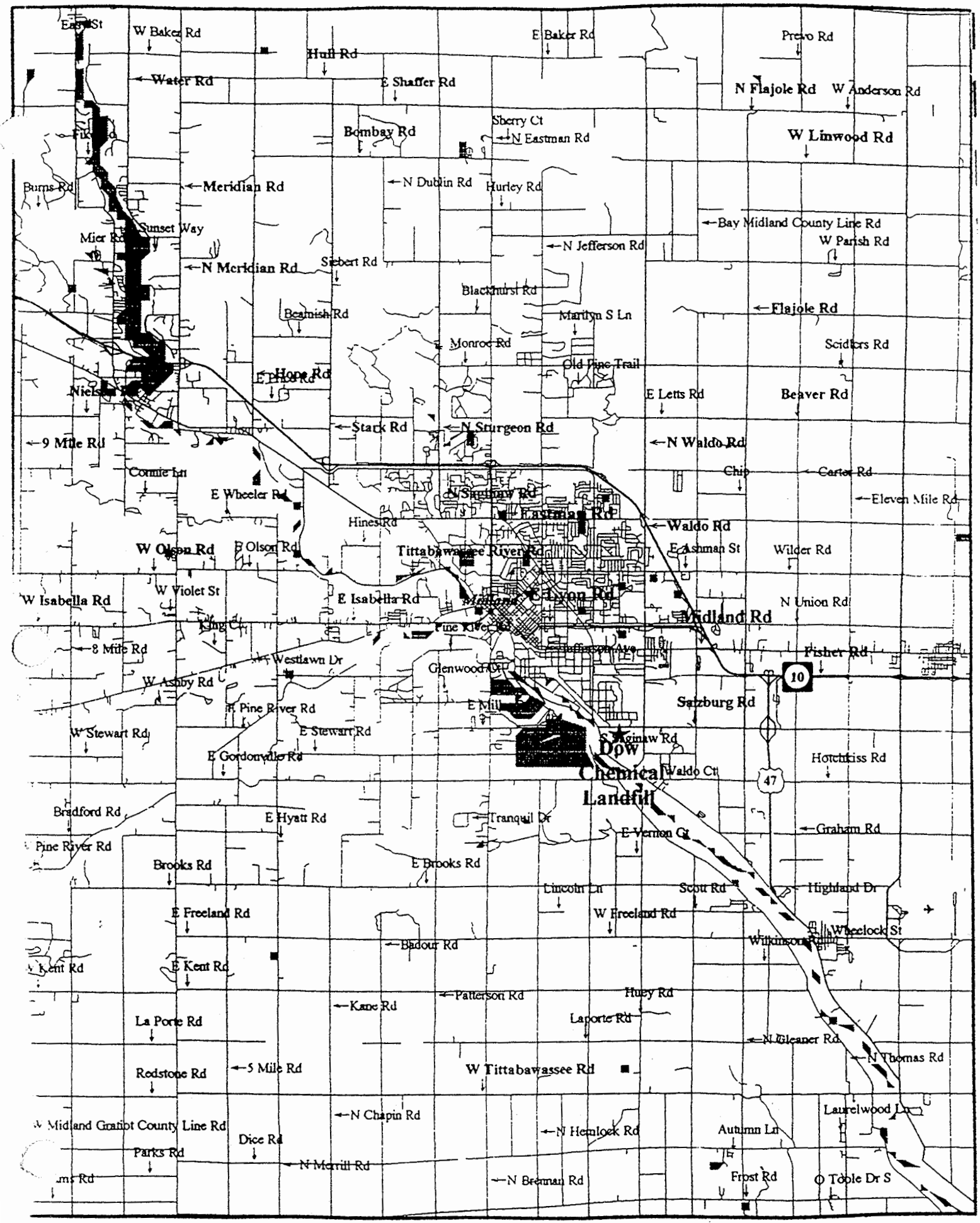
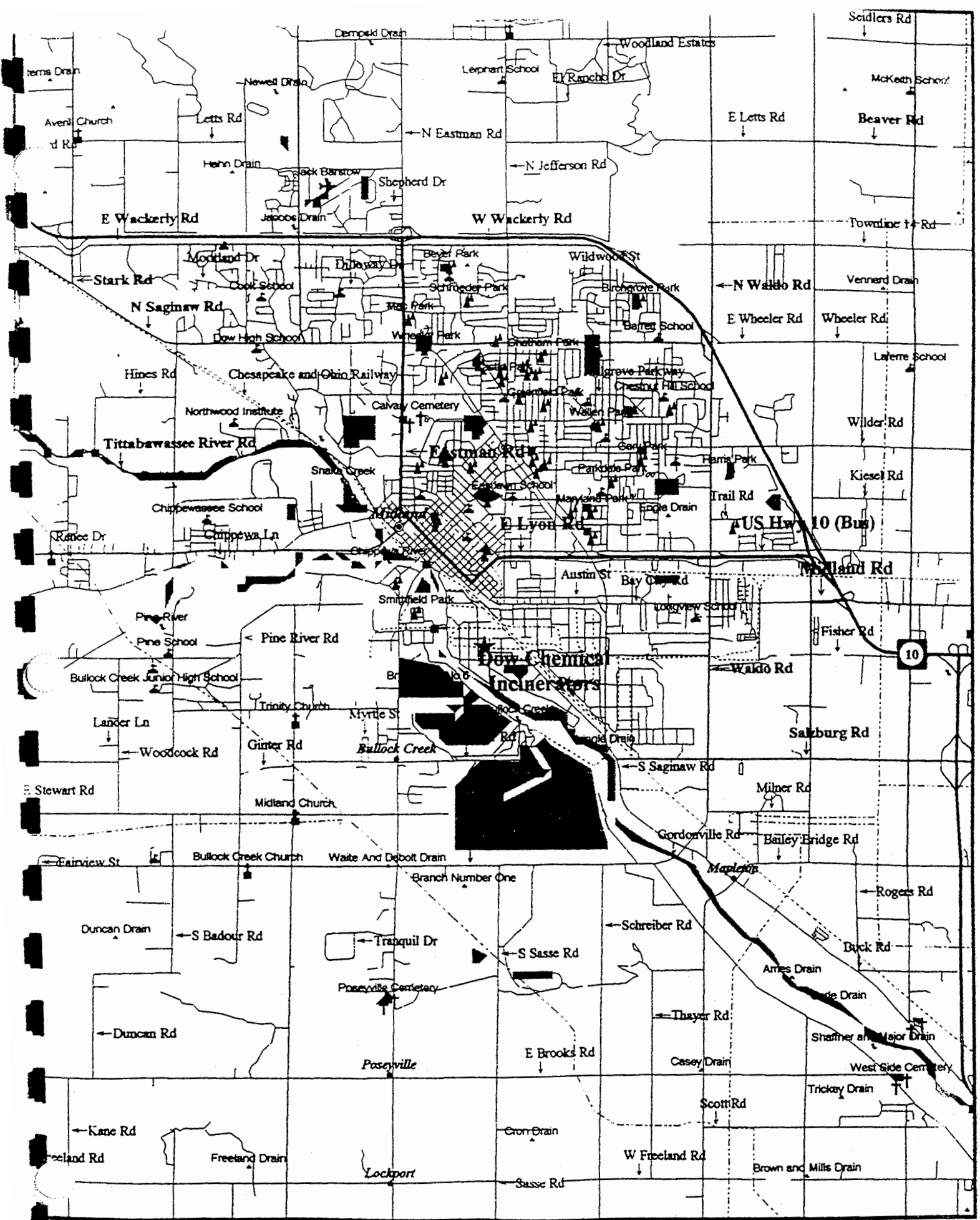


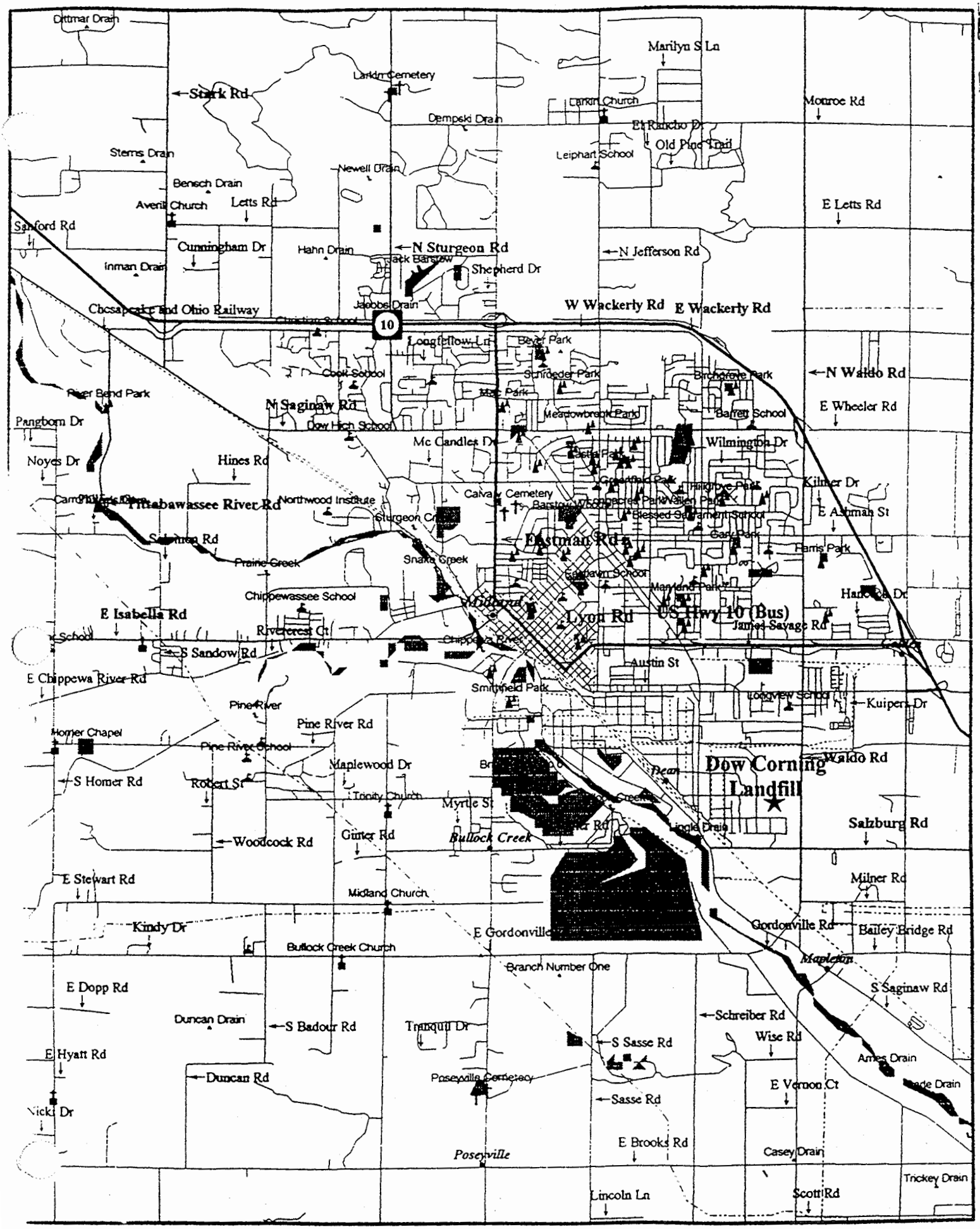

Street Wizard




Street Wizard




Street Wizard




Street Wizard

**Inter-County Agreements**

Copies of Inter-County agreements with other Counties (if any).

Agreements will be made in an emergency situation and will be added only at that time to the plan.

**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 only.

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.[3]

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 classified as Type II wastes, that are generated within the importing county.[3]

Additionally, for those counties not having facilities available or willing to take special wastes such as asbestos and contaminated soils, the waste 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. All out-county waste will be charged per an out-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.

# Notice of Public Hearing

## On the Proposed Midland County Solid Waste Plan Before the Midland County Board of Commissioners

The Midland County Board of Commissioners will hear public comments at its regular meeting in the County Services Building scheduled Tuesday, June 20, 2000 at 9:15 a.m., regarding the final draft of the Midland County Solid Waste Plan, as required by the Michigan Department of Environmental Quality.

Copies of the Midland County Solid Waste Plan are available for review at the City Clerk's office, Midland City Hall, 333 W. Ellsworth, Midland, Michigan, and at the Grace A. Dow Memorial Library, 1710 W. St. Andrews, Midland, Michigan.

Noel D. Bush
Utilities Director, City of Midland
517.837.3343

Date: May 16, 2000
Time: 3:00 P.m.

## AFFIDAVIT - PROOF OF PUBLICATION

**STATE OF MICHIGAN**
**COUNTY OF MIDLAND**

City of Midland
L-5154

L-5154

NOTICE OF PUBLIC HEARING

On the Proposed Midland County Solid Waste Plan before the Midland County Board of Commissioners.

The Midland County Board of Commissioners will hear public comments at its regular meeting in the County Services Building scheduled Tuesday, June 20, 2000 at 9:00 a.m., regarding the final draft of the Midland County Solid Waste Plan, as required by the Michigan Department of Environmental Quality.

Copies of the Midland County Solid Waste Plan are available for review at the City Clerk's office, Midland City Hall, 333 W. Ellsworth, Midland, Michigan, and at the Grace A. Dow Memorial Library, 1710 W. St Andrews, Midland, Michigan

Noel D. Bush
Utilities Director, City of Midland
517-837-3343.

PAULA C. ST. LOUIS, being duly sworn, disposes and says that I am a representative of Midland Daily News, a daily newspaper published and circulated in the County of Midland, and that a notice, of which the annexed printed notice is a true copy, has been published in said paper once in each week for 2 successive weeks 2 times and that the first publication thereof was on the 19th day of May 2000, and that the last publication thereof was on the 26th day of May 2000

Paula C St Louis

**PAULA C. ST.LOUIS**

Subscribed and sworn to before me this 5 day of June 2000

Joyce Dittenber

**Notary Public**

My commission expires June 16, 2000

Printers fee 45.28
Affidavit chg 7.00
Total Charges 52.28

Times 2

JOYCE DITTENBER
Notary Public, Midland County, MI
My Commission Expires June 16, 2000

CITY OF
Midland

City Hall • 333 West Ellsworth Street • Midland, Michigan 48640 • 517.835.7711 • 517.835.2717-Fax

October 17, 2000

Midland County
220 W. Ellsworth Street
Midland, MI 48640

Attn: Mr. David Benda
County Administrator/Controller

Re: Reciprocal Agreements

Dear Mr. Benda:

Attached you will find a copy of the proposed reciprocal agreements between Midland County and Bay and Saginaw Counties. Also attached is a proposed letter to each of the appropriate county representatives introducing the agreement and requesting formal action.

The agreement is a basic form used previously as an agreement between Bay County and Saginaw County; therefore, both counties are already familiar with the format. In order to fully proceed with such agreements, the City of Midland formally requests that the matter be brought forth before the Midland County Board of Commissioners and the agreement also be forwarded to each appropriate reciprocal county for their formal approval.

If you should have any further questions, need for additional information, or would like my presence for comments at the appropriate Midland County Board of Commissioners meeting, please feel free to contact me at (517) 839-6535.

Sincerely,

Jennifer B. Fosgitt

**Jennifer B. Fosgitt, P.E.**
**Landfill Superintendent**
**City of Midland**

**Enclosures:** **Reciprocal Agreements (2 ea.), Letters to Counties (2 ea.), Disk with Electronic Copy of Letters (1 ea.)**

**Cc:** **Karl Tomion, City Manager, City of Midland**
**Noel Bush, Director of Utilities, City of Midland**
**Wayne Bergstrom, Chairperson – Midland County Solid Waste Plan Committee**

**GENERAL SOILD WASTE**
**RECIPROCAL AGREEMENT**

This agreement is entered into this _____ day of _____, 19 ____, between the County of Midland, 220 West Ellsworth Street, Midland, MI 48640 and the County of Bay, 515 Center Avenue, Bay City, MI 48708.

WHEREAS, Act 641 of 1978, as amended (Act 641) requires that a county in the State of Michigan prepare a solid waste management plan to provide for the disposal of solid waste generated in that county; and

WHEREAS, Act 641 requires that a solid waste disposal area that is located within one county, but serves another county, be identified in the solid waste management plans of both counties; and

WHEREAS, the County of Midland and the County of Bay have approved solid waste management plans that provide for reciprocal agreements for waste generated in one county to be disposed of in the other county, and

NOW THEREFORE, the parties agree as follows:

**I.**
**AMOUNT OF SOLID WASTE**
**TO BE DISPOSED OF BY BAY COUNTY**

The amount of solid waste generated in Bay County that may be disposed of in Midland County disposal areas shall not exceed 2,000 gate yards per month. **Waste shall consist of foundry type sands only for the use as daily cover.** All waste must be generated within Bay County.

**II.**
**TERM**

The term of this agreement shall be from _____, through the duration of the approved updated solid waste management plans of both counties, and shall expire upon MDNR approval of a new solid waste management plan in either county.

**III.**
**CHANGES IN RULES, REGULATIONS OR STATUTES**

In the event there is a revision of Act 641, any rules or regulations promulgated under Act 641, or any federal or state statutes, rules or regulations which might make this agreement illegal or unenforceable, the parties will review the agreement and make a good faith effort to negotiate those terms necessary to bring the agreement into compliance with the new state or federal regulations, rules, or statutes. If the parties are unable to agree on the new terms, this agreement may be terminated at the option of either party.

## IV.
## ENTIRE AGREEMENT A REQUIREMENT BY WRITING

It is understood and agreed that this is the entire agreement of the parties and that this agreement supersedes all other agreements and negotiations between the parties relating to the subject matter as well as any previous agreements presently in effect between the parties. Any alterations, amendments, deletions, or waivers of the provisions of this agreement shall be valid only when expressed in writing and duly signed by the parties.

## V.
## ASSIGNMENT

Neither party to this agreement shall assign this agreement, or any interest arising from the agreement, without the written consent of the other.

## VI.
## DEFAULT AND REMEDY

The failure of any party to this agreement to abide by any of the terms, conditions, or requirements expressed in this agreement shall constitute a default if not promptly corrected upon receipt of notice of deficiency or noncompliance and a request for compliance from the other party. In the event of a default by a party, the other party may seek injunctive relief requiring enforcement of the provisions of this agreement or may terminate this agreement.

The rights and remedies provided a party in this paragraph shall not be exclusive and are in addition to any other rights and remedies provided by law or under this agreement requiring enforcement of the provisions of this agreement or may terminate this agreement.

The rights and remedies provided a party in this paragraph shall not be exclusive and are in addition to any other rights and remedies provided by law or under this agreement.

IT WITNESS WHEREOF the parties have hereunto set their hands as of the dates first above written.

WITNESSES:

COUNTY OF BAY

_____

_____
Its Chairperson

COUNTERSIGNED

_____

_____
Bay County Clerk

COUNTY OF MIDLAND

_____

_____
Its Chairperson

_____

_____
Midland County Clerk

**GENERAL SOILD WASTE**
**RECIPROCAL AGREEMENT**

This agreement is entered into this _____ day of _____, 19 ___, between the County of Midland, 220 West Ellsworth Street, Midland, MI 48640 and the County of Saginaw, 111 South Michigan Avenue, Saginaw, MI 48602.

WHEREAS, Act 641 of 1978, as amended (Act 641) requires that a county in the State of Michigan prepare a solid waste management plan to provide for the disposal of solid waste generated in that county; and

WHEREAS, Act 641 requires that a solid waste disposal area that is located within one county, but serves another county, be identified in the solid waste management plans of both counties; and

WHEREAS, the County of Midland and the County of Saginaw have approved solid waste management plans that provide for reciprocal agreements for waste generated in one county to be disposed of in the other county, and

NOW THEREFORE, the parties agree as follows:

**I.**
**AMOUNT OF SOLID WASTE**
**TO BE DISPOSED OF BY BAY COUNTY**

The amount of solid waste generated in Bay County that may be disposed of in Midland County disposal areas shall not exceed 5,000 gate yards per month. **Waste shall consist of foundry trype sands only for the use as daily cover.** All waste must be generated within Saginaw County.

**II.**
**TERM**

The term of this agreement shall be from _____, through the duration of the approved updated solid waste management plans of both counties, and shall expire upon MDNR approval of a new solid waste management plan in either county.

**III.**
**CHANGES IN RULES, REGULATIONS OR STATUTES**

In the event there is a revision of Act 641, any rules or regulations promulgated under Act 641, or any federal or state statutes, rules or regulations which might make this agreement illegal or unenforceable, the parties will review the agreement and make a good faith effort to negotiate those terms necessary to bring the agreement into compliance with the new state or federal regulations, rules, or statutes. If the parties are unable to agree on the new terms, this agreement may be terminated at the option of either party.

## IV.
## ENTIRE AGREEMENT A REQUIREMENT BY WRITING

It is understood and agreed that this is the entire agreement of the parties and that this agreement supersedes all other agreements and negotiations between the parties relating to the subject matter as well as any previous agreements presently in effect between the parties. Any alterations, amendments, deletions, or waivers of the provisions of this agreement shall be valid only when expressed in writing and duly signed by the parties.

## V.
## ASSIGNMENT

Neither party to this agreement shall assign this agreement, or any interest arising from the agreement, without the written consent of the other.

## VI.
## DEFAULT AND REMEDY

The failure of any party to this agreement to abide by any of the terms, conditions, or requirements expressed in this agreement shall constitute a default if not promptly corrected upon receipt of notice of deficiency or noncompliance and a request for compliance from the other party. In the event of a default by a party, the other party may seek injunctive relief requiring enforcement of the provisions of this agreement or may terminate this agreement.

The rights and remedies provided a party in this paragraph shall not be exclusive and are in addition to any other rights and remedies provided by law or under this agreement requiring enforcement of the provisions of this agreement or may terminate this agreement.

The rights and remedies provided a party in this paragraph shall not be exclusive and are in addition to any other rights and remedies provided by law or under this agreement.

IT WITNESS WHEREOF the parties have hereunto set their hands as of the dates first above written.

WITNESSES:

COUNTY OF SAGINAW

_____

_____
Its Chairperson

COUNTERSIGNED

_____

_____
Saginaw County Clerk

COUNTY OF MIDLAND

_____

_____
Its Chairperson

_____

_____
Midland County Clerk

**MIDLAND COUNTY**
**SOLID WASTE MANAGEMENT COMMITTEE**
Minutes– December 13, 7:30 AM
Conference Room B

Present: Noel Bush, Jennifer Fosgitt, Linda Lewis, William Mudget, Eldon Enger, Fred Still, Gerald Nightlinger

- Meeting was called to order at 7:30 AM.
- A short review of the planning process was conducted explaining that after formal approval of the plan (vote taken at this meeting), the plan will be submitted to the Midland County Board of Commissioners for approval. After which the plan will be forwarded to the county governmental units for approval, with 66% approval from the units required before the plan is approved and forwarded to the Michigan Department of Environmental Quality.
- A review of the public comments and consequent updates was conducted covering the follow items:
  - Midland County's request for further clarification of flow control in the plan.
  - Midland County's request for addition of implications of flow control in the advantages and disadvantage of selected system section.
  - Geneva County's request for congruency of City of Midland Landfill's lifespan in the plan.
  - Bay Cast and General Motor's request for reciprocal agreements to cover the acceptance of foundry sand only from Bay and Saginaw Counties for the use as daily cover. Examples of this proposed reciprocal agreement was included in this discussion.
- Discussion of the requirement by Midland County to submit an Annual County Solid Waste Disposal Capacity Certification. This form will predicate the formulation and presentation of a "user friendly" County Solid Waste Yearly Report.
  - Report may be in video form for use on MGTV.
- Meeting was opened for Questions or Comments, with none expressed.
- Meeting was opened for Public Comments, with none expressed.
- Final Committee Voting on Midland County Solid Waste Management Plan
  - Reviewed time period set for Townships
    - After approval by this committee and the Midland County Board of Commissioners
    - Plan forwarded to townships/governmental units for their approval
      - This approval process should take place by the end of March

    - City will send a letter including the updated plan, detail of process that needs to be taken, and a sample resolution for their use.
    - City will offer to appear at the township meetings to explain the plan and the process.
- Motion was made and seconded: To accept the plan as modified using a roll call vote and to contact all non-present members for a formal written vote and to forward the plan after this formal approval to the Midland County Board of Commissioners.
    - Roll call vote was as follows: Linda Lewis – Yes, Fred Stills – Yes, Gerald Nightlinger – Yes, William Mudget – Yes, Eldon Enger – Yes, Noel Bush – Yes
- Meeting was adjourned at approximately 8:30 a.m.

CITY OF

# Midland

# Memorandum

**To:** Midland County Solid Waste Management Plan Committee Members

**From:** Jennifer Fosgitt, PE – City of Midland Landfill Superintendent

**Date:** 1/3/01

**Re:** 12/13/00 Minutes and Approval Process

---

Attached is a copy of the December 13, 2000 meeting minutes. At this meeting, we took a final vote on the revised, with public comments, Midland County Solid Waste Management Plan. Since many members were absent at this meeting, I have also included a written ballot for your voting purposes. Those that voted in person, need not fill out a ballot. Those that have not voted should fill out the ballot form completely and return in the self-addressed stamped envelope as soon as possible. It is imperative that this voting process be completed as quickly as possible, since the plan cannot be forwarded to Midland County and the County governmental units until this committee has officially approved the plan.

If you should have any questions or comments, please feel free to contact me at (517) 839-6535

Thank you in advance for your prompt attention to this matter

Jennifer B. Fosgitt

Jennifer B. Fosgitt, PE

City of Midland Landfill Superintendent

Midland County Solid Waste Management Plan
Official Ballot

I, Chas. Lichon, an official member of the Midland County Solid Waste Management Planning Committee do hereby:

**approve** ✓ or **disapprove** _____

the modified Midland County Solid Waste Management Plan as presented at the December 13, 2000 meeting and also contained within the agenda mailing packets.

| | | |
|---|---|---|
| [signature] | CHARLES LICHON | 1/08/01 |
| Member Signature | Member Printed Name | Date |

Midland County Solid Waste Management Plan
Official Ballot

I, MIKE BEAGLE, an official member of the Midland County Solid Waste Management Planning Committee do hereby:

**approve** X or **disapprove** _____

the modified Midland County Solid Waste Management Plan as presented at the December 13, 2000 meeting and also contained within the agenda mailing packets.

| | | |
|---|---|---|
| Michael Beagle | MICHAEL BEAGLE | 2-1-01 |
| Member Signature | Member Printed Name | Date |

Midland County Solid Waste Management Plan
Official Ballot

I, Esther Seaver, an official member of the Midland County Solid Waste Management Planning Committee do hereby:

**approve** ✓ or **disapprove** _____

the modified Midland County Solid Waste Management Plan as presented at the December 13, 2000 meeting and also contained within the agenda mailing packets.

| Member Signature | Member Printed Name | Date |
|---|---|---|
| Esther Seaver | Esther Seaver | 1/12/01 |

Midland County Solid Waste Management Plan
Official Ballot

I, Wayne R Bergstrom, an official member of the Midland County Solid Waste Management Planning Committee do hereby:

**approve** ✓ or **disapprove** _____

the modified Midland County Solid Waste Management Plan as presented at the December 13, 2000 meeting and also contained within the agenda mailing packets.

| Wayne R Bergstrom | Wayne R Bergstrom | 1/10/01 |
|---|---|---|
| Member Signature | Member Printed Name | Date |

Midland County Solid Waste Management Plan
Official Ballot

I, Rick Rausch an official member of the Midland County Solid Waste Management Planning Committee do hereby:

**approve** X or **disapprove** _____

the modified Midland County Solid Waste Management Plan as presented at the December 13, 2000 meeting and also contained within the agenda mailing packets.

| Rick Rausch | Richard Rausch | 1/18/01 |
|---|---|---|
| Member Signature | Member Printed Name | Date |

Midland County Solid Waste Management Plan
Official Ballot

I, Jan Zender-Romick, an official member of the Midland County Solid Waste Management Planning Committee do hereby:

**approve** X _____ or **disapprove** _____

the modified Midland County Solid Waste Management Plan as presented at the December 13, 2000 meeting and also contained within the agenda mailing packets.

| | | |
|---|---|---|
| Jan Zender-Romick | Jan Zender-Romic | 1-28-01 |
| Member Signature | Member Printed Name | Date |

| Post-it® Fax Note 7671 | Date 1-25-01 | # of pages ▶ 1 |
|---|---|---|
| To Linda | From S. Fortune | |
| Co./Dept. | Co. | |
| Phone # | Phone # 797-0800 | |
| Fax # 1-517-832-6492 | Fax # (517) 797-0800 | |

# Midland County Solid Waste Management Plan
## Official Ballot

I, Sue Fortune, an official member of the Midland County Solid Waste Management Planning Committee do hereby:

approve ✓ or disapprove _____

the modified Midland County Solid Waste Management Plan as presented at the December 13, 2000 meeting and also contained within the agenda mailing packets.

Sue Fortune — Member Signature

SUE FORTUNE — Member Printed Name

1-24-01 — Date

MIDLAND COUNTY
SOLID WASTE MANAGEMENT COMMITTEE
Summery of vote

On December 13, 2000 the solid waste Management Committee met in session to review the comments presented at the public hearing before the County Commissioners of the County of Midland. The vote of the committee was as follows:

It was moved and seconded to accept the plan as modified: those voting by roll call:

Linda Lewis – Yes
Fred Stills – Yes
Gerald Nightlinger – Yes
William Mudget – Yes
Eldon Engler – Yes
Noel Bush – Yes

Those voting by ballot,

Charles Lichon – Yes
Mike Beagle – Yes
Ester Seaver – Yes
Wayne Bergstrom – Yes
Rich Rausch – Yes
Jan Zender-Romic – Yes
Sue Fortune – Yes

Yes 13 No 0 Absent 1

**RESOLUTION**

**Midland County Solid Waste Management Plan**

**WHEREAS**, the County of Midland desires to update its County Solid Waste Plan in compliance with Section 11533(2) of part 115, Solid Waste Management; and

**WHEREAS**, the County of Midland held the required public hearing on the proposed update on June 20, 2000 and returned the document to the Solid Waste Management Committee; and

**WHEREAS**, as the recommendation of the Midland County Board of Commission have been included in the final draft of the Solid Waste Management Plan; and

**NOW THEREFORE, BE IT RESOLVED**, that the Midland County Board of Commission of the County of Midland approves the Midland County Solid Waste Plan; and

**BE IT FURTHER RESOLVED**, that copies are to be forwarded to each Township, Village and City for ratification, and the State of Michigan Department of Environmental Quality.

Attested by:

Otis G. Wilson, Chair
Midland County Board of Commissioners

Karen A. Holcomb
Midland County Clerk

Dated: 2-19-02

2/22/02
xc: Jim Sygo - ltr only
orig: Joan Peck
Please handle as appropriate. L.D.L.

CITY OF
# Midland

City Hall • 333 West Ellsworth Street • Midland, Michigan 48640 • 517 837 3300 • 517 835 2717-Fax

WASTE MANAGEMENT DIVISION

FEB 22 2002

February 21, 2002

Jim Sygo, Chief
Waste Management Division
Michigan Department of Natural Resources
P.O. Box 30241
Lansing, Mi. 48909

Dear Jim:

Attached please find the final draft of the Midland County Solid Waste Management Plan. The County of Midland approved the plan, with revisions on February 19, 2002. All local governments now have the plan and are proposing to vote on the plan at their next meetings. The Townships, Village, and Cities are in support of the plan and we expect to have greater then 60% approval by March 28.

If I can be of any assistance in explaining the delays, please feel free to contact me.

Next time Ill pay a consultant to write and publish the plan.

Sincerely,

Noel Bush
Dir. Utilities

**RESOLUTION**

**Midland County Solid Waste Management Plan**

**WHEREAS**, the County of Midland desires to update its County Solid Waste Plan in compliance with Section 11533(2) of part 115, Solid Waste Management; and

**WHEREAS**, the County of Midland held the required public hearing on the proposed update on June 20, 2000 and returned the document to the Solid Waste Management Committee; and

**WHEREAS**, as the recommendation of the Midland County Board of Commission have been included in the final draft of the Solid Waste Management Plan; and

**NOW THEREFORE, BE IT RESOLVED**, that the Midland County Board of Commission of the County of Midland approves the Midland County Solid Waste Plan; and

**BE IT FURTHER RESOLVED**, that copies are to be forwarded to each Township, Village and City for ratification, and the State of Michigan Department of Environmental Quality.

Attested by:

Otis G. Wilson, Chair
Midland County Board of Commissioners

Karen A. Holcomb
Midland County Clerk

Dated: 2-19-02

WASTE MANAGEMENT DIVISION
JUN 10 2002

EDENVILLE TOWNSHIP
ALICE SHARON SUCH
P.O. BOX 24
DENVILLE, MI 48642

GENEVA TOWNSHIP
MARGARET J. SULLIVAN
3192 W. SAGINAW ROAD
COLEMAN, MI 48618

GREENDALE TOWNSHIP
R. JAMES LeVIERE
329 N. GENEVA ROAD
SHEPHERD, MI 48883

HOMER TOWNSHIP
BARBARA RADOSA
1308 S. HOMER ROAD
MIDLAND, MI 48640

HOPE TOWNSHIP
THEODORE M. WENDT
1487 E. HULL ROAD
HOPE, MI 48628

INGERSOLL TOWNSHIP
CURITS R. SHAFFNER
4400 E. BROOKS ROAD
MIDLAND, MI 48640

JASPER TOWNSHIP
DNAIEL N. SAGLE
5727 W. KENT ROAD
ST. LOUIS, MI 48880

JEROME TOWNSHIP
STUART D. BLOOMFIELD
279 W. BARDEN ROAD
SANFORD, MI 48657

LARKIN TOWNSHIP
LEONARD SERVINSKI
2674 N. EASTMAN ROAD
MIDLAND, MI 48642

LEE TOWNSHIP
WM. DAVID YOST
57 N. 11 MILE ROAD
MIDLAND, MI 48640

LINCOLN TOWNSHIP
GERALD T. NIGHTLINGER
1177 E BEAMISH ROAD
MIDLAND, MI 48642

MIDLAND TOWNSHIP
BRIAN JAMES AHEARN
1030 POSEYVILLE ROAD
MIDLAND, MI 48640

MILLS TOWNSHIP
DANIEL R. BLOOM
3179 E. SHERRY LANE
MIDLAND, MI 48642

MT. HALEY TOWNSHIP
~~RICHARD A DOUGHERTY~~
1129 E. KENT ROAD
MERRILL, MI 48637-9308
Harry R. CALKINS
2188 S. Five mile Rd
48640-9316

PORTER TOWNSHIP
ROBERT M. FLEMING
4103 S. NINE MILE ROAD
BRECKENRIDGE, MI 48615

WARREN TOWNSHIP
JAMES M. ACKER
117 N. 4TH, P.O. BOX 175
COLEMAN, MI 48618

COLEMAN CITY
~~HARVEY C. ROBINSON, MAYOR~~
P.O. BOX D
COLEMAN, MI 48618
(Katheen Lewis, Clerk)

VILLAGE OF SANFORD
RONALD LOWRY
70 W. CENTER
SANFORD, MI 48657
~~16~~ ~~15~~ ~~14~~ 89%
17 / 19
~~79%~~
12 / 18

City of Midland
Gary R
333 W. Ellsworth
City Hall

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan, and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee, and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002, and

WHEREAS, Mt. Haley Township believes that this plan 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

YEAS 4

NAYS 0

ABSENT 1

Dated May 13, 2002

Attested by

CLERK Harry R. Calkins

Harry R. Calkins

**Ratification of the**
**Midland County Solid Waste Management Plan**
As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desire to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan; and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Planning Committee; and

WHEREAS, recommendation of the County Commission have been included in the final draft of 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 by official action on February 19, 2002; and

WHEREAS, that Mills Township believes that this plan represents its' interest, and therefore support Midland County Solid Waste Management Plan; now therefore

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

Wendt Moved To Adopt, Seconded By Lehman
Roll call vote: Supervisor Bloom Yes, Clerk Brink Yes,
Treasurer Pitch Absent, Trustee Wendt Yes, Trustee Lehman Yes.

**Certification**

I, Maxine M. Brink, as township Clerk of Mills Township, Midland County, Michigan hereby certifies that the within resolution was duly adopted by the Mills Township Board at a regular meeting of said Board at which a quorum was present, held on March 12, 2002.

Maxine M. Brink, Clerk
Mills Township
Maxine M. Brink Clerk

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan; and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002; and

WHEREAS, Lincoln Township believes that this plan 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

YEAS 4

NAYS 0

ABSENT 1

Dated: 3-12-02

Attested by

CLERK Debra Anderson

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan, and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee, and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002, and

WHEREAS, Hope Township believes that this plan 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

YEAS 5

NAYS 0

ABSENT 0

Dated: 3/12/02

Attested by:

CLERK Jean Wiskie

CITY OF

# Midland

City Hall • [illegible] • [illegible] • [illegible] • [illegible] • [illegible]

BY COUNCIL MEMBER CURRIE

RESOLVED, that having reviewed the proposed Midland County Solid Waste Management Plan, dated February 2002, as drafted by the Solid Waste Management Planning Committee, and approved by the County Board of Commissioners, City Council does hereby approve and adopt this plan pursuant to the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and

RESOLVED FURTHER, that Council directs City Staff to forward this resolution to the County Board of Commissioners.

YEAS: Black, Currie, Griggs, McKeag

NAYS: None

ABSENT: Wazbinski

I, Penny K. Kovacevich, 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 Council members present at a regular meeting of the City Council held Monday, March 11, 2002.

Penny K. Kovacevich, City Clerk

File Landfill 020311 Solid Waste Plan

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

Jerome Township Resolution 031302

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan, and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee, and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002, and

WHEREAS, Jerome Township believes that this plan 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.

YEAS 5

NAYS 0

ABSENT —

Dated: 3-13-02

Attested by:

CLERK Carol Mettner

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan; and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee, and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002; and

WHEREAS, Larkin Charter Twp believes that this plan represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that Larkin Charter Twp ratifies the Midland County Solid Waste Management Plan.

YEAS 7

NAYS 0

ABSENT 0

Dated: March 12, 2002

Attested by:

CLERK: Lisa K Johnson

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan, and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee, and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002, and

WHEREAS, Geneva township believes that this plan 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

YEAS 5

NAYS 0

ABSENT 0

Dated 3-12-02

Attested by:

CLERK Shelby P. Ward

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan; and

WI-IEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002; and

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

RESOLVED, that Homer Township ratifies the Midland County Solid Waste Management Plan

YEAS 7
NAYS 0
ABSENT 0

Dated: 03-06-2002

Attested by:

CLERK Joe W. Lutzet

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan; and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002; and

WHEREAS, Porter Township believes that this plan 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.

YEAS 5

NAYS 0

ABSENT 0

Dated: 3/6/2002

Attested by

CLERK Marianne Corbett

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan; and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002; and

WHEREAS, Edenville Township believes that this plan 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.

YEAS 5

NAYS 0

ABSENT 0

Dated: 4/2/02

Attested by:

CLERK Suzanne G. Johnson

Suzanne G. Johnson

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan; and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002; and

WHEREAS, Lee Township believes that this plan 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

YEAS 5

NAYS 0

ABSENT 0

Dated: 3/11/02

Attested by:

CLERK Doris French

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan, and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee, and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002, and

WHEREAS, GREENDALE TOWNSHIP believes that this plan 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

YEAS 5

NAYS 0

ABSENT 0

Dated 5-14-02

Attested by

CLERK Ruth A. Knapp

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan; and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee, and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002; and

WHEREAS, Ingersoll Township believes that this plan 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.

YEAS 5

NAYS 0

ABSENT 0

Dated: May 13, 2002

Attested by:

CLERK Mary Ellen Keel

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan, and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee, and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002, and

WHEREAS, the City of Coleman believes that this plan represents its' interests, and therefore supports the Midland County Solid Waste Management Plan, now therefore

RESOLVED, that the City of Coleman ratifies the Midland County Solid Waste Management Plan.

YEAS Lewis, Rydman, D. Yeager, W. D. Yeager and Coon

NAYS None

ABSENT Key

Dated: May 28, 2002

Attested by:

CLERK Kathleen Lewis

# Ratification of the
# Midland County Solid Waste Management Plan

As approved by the County of Midland on 02-19-02

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan; and

WHEREAS, the County held the required public hearing on the proposed plan June 20, 2000 and returned the document to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations of the County Commission have been included in the final draft of 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 by official action on February 19, 2002; and

WHEREAS, Warren Twp believes that this plan represents its' interests, and therefore supports the Midland County Solid Waste Management Plan; now therefore

RESOLVED, that Warren Twp ratifies the Midland County Solid Waste Management Plan

YEAS 4

NAYS 0

ABSENT 1

Dated: 5-20-02

Attested by

CLERK Jane M. Cole
Supervisor

Village of Sanford
Sanford Village Council
May 13, 2002

# Resolution 2002-02
## Ratification of the Midland County Solid Waste Management Plan
As approved by the County of Midland on 02-19-02

The following resolution was presented by Councilperson Jim Huovinen who moved its adoption, and supported by Councilperson Ray Warmbier.

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in Compliance with Section 11533(2) of part 115, Solid Waste Management, State of Michigan; and

WHEREAS, the County held the required public hearing on the proposed plan June20, 2000 and returned the document to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations of the County Commission have been included in the final draft of the Midland County Solid Waste Management ; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan by official action on February 19, 2002; and

WHEREAS, the Village of Sanford believes that this plan represents its' interests, and therefore supports the Midland County Solid Waste Management Plan.

THEREFORE BE IT RESOLVED, that the Village of Sanford ratifies the Midland County Solid Waste Management Plan.

Yes: Huovinen, Warmbier, Donner, Hartshorn, Lowry
No: None
Absent: None

Resolution No. 2002-02 Adopted

I, Jennifer M. Marr, Clerk for the Village of Sanford, hereby certify that the foregoing is a true and accurate copy of Resolution 2002-02 adopted by the Village Council for the Village of Sanford at a regular meeting held on May 13, 2002, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being

Act No. 267 of the Public Acts of 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Jennifer M. Marr

Jennifer M. Marr, Clerk