

October 10, 2022

A regular meeting of the City Council was held on Monday, October 10, 2022, at 7:00 p.m. in the Council Chambers of City Hall. Mayor Donker presided. The Pledge of Allegiance to the Flag was recited in unison.

Councilmen present: Steve Arnosky, Diane Brown Wilhelm, Maureen Donker, Pamela Hall, Marty Wazbinski

Councilmen absent: None

### **MINUTES**

Approval of the minutes of the special meeting of September 26, 2022 and the regular meeting of September 26, 2022 were offered by Councilman Wazbinski and seconded by Councilman Hall. (Motion ADOPTED)

### **CONDITIONAL USE PERMIT NO. 77**

Director of Planning and Community Development Jacob Kain presented information on Conditional Use Permit No. 77. A public hearing opened at 7:06 p.m., hearing no public comments, the public hearing closed at 7:07 p.m. The following resolution was then offered by Councilman Brown Wilhelm and seconded by Councilman Hall.

WHEREAS, The Legacy Center for Community Success submitted a request for a conditional land use to permit a non-profit social service agency located at 2417 Abbott Road; and WHEREAS, City Planning Department staff notified property owners and occupants within three hundred (300) feet of the proposed area by transmitting notice on August 5, 2022 and publishing said notice on August 6, 2022 of the proposed public hearing on August 23, 2022; and

WHEREAS, the City Planning Commission has conducted a public hearing in accord with Section 28.02(A) of the Zoning Ordinance of the City of Midland on said conditional use; and WHEREAS, the Planning Commission has submitted its recommendation to approve the permit, in accord with Section 28.02(B) of the Zoning Ordinance of the City of Midland; now therefore RESOLVED, that the City Council finds the request for the conditional use to be in accord with Section 28.03 of the Zoning Ordinance of the City of Midland, and hereby approves Conditional Use Permit No. 77, in accord with documents provided and submitted at the meeting of October 10, 2022. (Motion ADOPTED.)

### **PUBLIC COMMENT**

No public comments were made.

### **RATES, CHARGES, AND FEES FOR SERVICES ORDINANCE**

Director of Planning and Community Development Jacob Kain presented information on an ordinance to amend Chapter 21 of the Code of Ordinances to update rates, charges, and fees for services provided by the Building, Engineering, Fire, and Planning & Community Development Departments. The following resolution was then offered by Councilman Wazbinski and seconded by Councilman Arnosky.

RESOLVED, that in accordance with Section 6.2 of the Charter of the City of Midland, the attached ordinance amending Article I, Article IX and Article XIII of Chapter 21 of the Midland Code of Ordinances to set rates, charges and fees for development-related services is given introduction and first reading; and

RESOLVED FURTHER, that the ordinance shall be placed on the agenda for second reading and proposed adoption at the regular City Council meeting scheduled for Monday, October 24, 2022 at 7:00 p.m., in the Council Chambers of City Hall.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF MIDLAND, MICHIGAN, BY ADDING AMENDING ARTICLE I, ARTICLE IX AND ARTICLE XIII OF CHAPTER 21 THEREOF.

The City of Midland Ordains:

Section 1. Article I of Chapter 21 is hereby amended to read as follows:

## **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.**

### **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.

### **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.

**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~~ FIVE HUNDRED dollars (\$~~75.00~~ 500.00).

**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~~ FIVE HUNDRED dollars (\$~~20.00~~ 500.00) which shall be in addition to any other fee required.

**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~~ SIX hundred dollars (\$~~400.00~~ 600.00).

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

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

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

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

**Sec. 21-13. Amusement ride, circus, carnival, show or exhibition license application fee.**

At the time of filing an application for a permit under division 2 of article 2 of chapter 15, a nonrefundable fee of two hundred fifty dollars (\$250.00) shall be paid.

**Sec. 21-14. Amusement ride, circus, carnival, show or exhibition license fee.**

The fee for any amusement ride, circus, carnival, show or exhibition license, either outdoors or under canvas, shall be one hundred dollars (\$100.00) per day, paid in advance.

**Sec. 21-15 – 21-17. Reserved.**

**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~~ 50.00
- 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~~ 0.05

*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 5.00
- Over 1 and not over 10, each . . . . . 6.00 7.00
- Over 10 and not over 50, each . . . . . 10.00 12.00
- Over 50 and not over 100, each . . . . . 20.00 25.00
- Over 100, each . . . . . 30.00 35.00

*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 OR LESS in rating, each . . . . . 25.00 30.00

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 10.00

For service move or repair . . . . . 8.00 10.00

*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 . . . . . 30.00 100.00

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

(3) (2) Inspections for which no fee is specifically indicated (minimum charge--one-half (1/2) hour), per hour . . . . . 30.00 50.00

(4) Additional plan review required by changes, additions or revisions to approved plans (minimum charge--one-half (1/2) hour), per hour . . . . . 30.00-50.00

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 . . . . . 40.00 20.00

For mechanically driven rides and walk through attractions or displays having electric lighting, each . . . . . 5.00 10.00

For a system of area and booth lighting, each . . . . . 5.00 10.00

*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 20.00

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 20.00

*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 . . . . . 40.00 15.00

Additional fixtures, each . . . . . 0.50 0.75

~~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

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

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

VALUATION SHALL BE BASED UPON THE FOLLOWING FORMULA:

LIVING AREA ... \$95.34 PER SQUARE FOOT

UNFINISHED BASEMENT ... 19.07 PER SQUARE FOOT

FINISHED BASEMENT ... 47.67 PER SQUARE FOOT

ACCESSORY BUILDING ... 35.85 PER SQUARE FOOT

RE-ROOFING AND RE-SIDING ... 300.00 PER SQUARE FOOT

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 1,000.00	\$20.00 75.00

\$1.00 1,001.00 to 2,000.00 25,000.00	\$20.00 75.00 for the first \$500.00 1,000.00, plus \$2.00 9.50 for each additional \$100.00 1,000.00 or fraction thereof, to and including \$2,000.00 25,000.00
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 50,000.00 100,000.00	\$199.50 303.00 for the first \$25,000.00, plus \$4.50 5.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00 100,000.00
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	\$462.00 678.00 for the first \$1,000.00, plus \$2.50 4.00 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
500,000.01 and up TO 1,000,000.00	\$1,462.00 2,278.00 for the first \$500,000.00, plus \$2.00-3.00 for each additional \$1,000.00 or fraction thereof
1,000,000.01 AND ABOVE	\$3778.00 FOR THE FIRST \$1,000,000.00 PLUS \$2.50 FOR EACH 41,000.00 OR FRACTION THEREOF

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

VALUATION SHALL BE BASED UPON ACTUAL PROJECT COSTS.

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 1,000.00	\$45.00 75.000
<del>\$2,000.00</del> 1,000.00 to \$25,000.00	\$45.00 75.00 for the first \$2,000.00 1,000.00 plus \$9.00 9.50 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,000.01 to <del>\$50,000.00</del> 100,000.00	\$252.00 303.00 for the first \$25,000.00 plus \$6.50 5.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00 100,000.00
\$50,000.01 to- <del>\$100,000.00</del>	\$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	\$639.50 678.00 for the first \$100,000.00 plus \$3.50 4.00 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 2,278.00 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 3,778.00 for the first \$1,000,000.00 plus \$2.00 2.50 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\* . . . . . \$30.00 100.00
- B. Reinspection fee assessed under provisions of Section 305(g), each\* . . . . . 30.00

- GB. Inspections for which no fee is specifically indicated (minimum charge: one-half (1/2) hour), per half-hour\* . . . . . ~~20.00~~ 50.00
- 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~~
- EC. Plan review including changes, additions or revisions to approved plans (minimum charge: one-half (1/2) hour), per half-hour\* . . . . . ~~20.00~~ 50.00
- F.D. Complex plan review as determined by building official . . . . . Actual city cost incurred
- G. ~~Annual industrial building permit, per year . . . . . 2,400.00~~
- E. CONSTRUCTION BOARD OF APPEALS...125.00
- H.F. 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.

**Secs. 21-20--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~~ 50.00
- (2) ~~For issuing each supplemental permit . . . . . 10.00~~

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

- (1) For each plumbing fixture AND PIPING or trap or set of fixtures on one trap (including water, drainage piping, and backflow protection therefor) . . . . . ~~5.00~~ 24.00
- (2) ~~For each building sewer and each trailer park sewer . . . . . 15.00~~
- (3)(2) Rainwater systems, per drain (inside building) . . . . . ~~5.00~~ 10.00
- (4) ~~For each cesspool (where permitted) . . . . . 20.00~~
- (5)(3) For each private sewage disposal system . . . . . ~~40.00~~ 80.00
- (6)(4) For each NEW water heater and/or vent . . . . . ~~10.00~~ 20.00
- (7)(5) FOR EACH REPLACEMENT OF AN EXISTING WATER HEATER 0.00 For each gas piping system of 1 to 5 outlets . . . . . ~~6.00~~
- (8)(6) For each ADDITIONAL CODE REGULATED PLUMBING FIXTURE NOT OTHERWISE LISTED gas piping system over 5 outlets, per outlet . . . . . ~~1.00~~ 12.00
- (9)(7) For each industrial waste pretreatment interceptor (COMMERCIAL), including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps . . . . . ~~8.00~~ 16.00
- (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)(8) For each lawn sprinkler system on any one meter, including backflow protection devices therefor . . . . . ~~7.00~~ 14.00
- (13)(9) For atmospheric-type EACH vacuum breakers not included in item 2: . . . . . 14.00  
1 to 5 . . . . . 7.00  
Over 5, each . . . . . 1.00
- (14)(10) For each backflow protective device other than atmospheric-type vacuum breakers:  
2 inches and smaller . . . . . ~~7.00~~ 14.00  
Over 2 inches . . . . . ~~15.00~~ 30.00

~~(15)~~(11) 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~~ 100.00

~~(2)~~ Reinspection fee assessed under provisions of Section 305(h), each reinspection . . . . . ~~30.00~~

~~(3)~~(2) Inspections for which no fee is specifically indicated (minimum charge--one-half hour), per hour . . . . . ~~30.00~~ 100.00

~~(4)~~(3) Additional plan review required by changes, additions or revisions to approved plans (minimum charge--one-half hour), per hour . . . . . ~~30.00~~ 50.00

~~(5)~~ (4) Annual registration fee of plumbing contractor's license . . . . . 15.00

**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~~ 250.00

THIS SHALL INCLUDE CURB CUTS FOR RESIDENTIAL DRIVEWAYS, CURB CUTS FOR COMMERCIAL DRIVEWAYS, AND ANY PAVED DRIVEWAY APPROACHES.

~~Driveway approach and curb cut permit:~~

Commercial driveways . . . . . 100.00

All others . . . . . 10.00

RIGHT-OF-WAY PERMIT:

GENERAL OR MISCELLANEOUS ACTIVITY ... 100.00

THIS SHALL INCLUDE ANY SIDEWALK WORK ON CITY'S RIGHT-OF-WAY

RIGHT-OF-WAY DEPOSIT \$2,500.00 REFUNDABLE UPON COMPLETION OF WORK AND SATISFACTORY REPAIR OF RIGHT-OF-WAY

Annual public utility permit . . . . . ~~2,000.00~~ 3,000.00

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.

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

**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~~ FOUR hundred ~~fifty~~ dollars (~~\$150.00~~ 400.00) FOR APPLICATIONS REVIEWED AND APPROVED BY THE PLANNING COMMISSION AND TWO HUNDRED AND FIFTY DOLLARS (\$250.00) FOR APPLICATIONS REVIEWED AND APPROVED ADMINISTRATIVELY.

(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~~ SEVEN hundred ~~twenty-five~~ AND FIFTY dollars (~~\$225.00~~ 750.00).

(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~~ FOUR hundred ~~twenty-five~~ dollars (~~\$125.00~~ 400.00).

(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~~ SIX hundred ~~twenty-five~~ dollars (~~\$325.00~~ 600.00).

(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~~ FIVE hundred ~~twenty-five~~ dollars (~~\$225.00~~ 500.00).





OVER 15 – 30 HP / 500,000 – 1,000,000 BTU . . . . .40.00  
 OVER 30 – 50 HP / 1,000,000 – 1,750,000 BTU . . . . .50.00  
 UP TO 3 HP / LESS THAN 1,000,000 BTU . . . . .18.00  
 AHU < 10,000 CU FT PER MINUTE . . . . .12.00  
 AHU > 10,000 CU FT PER MINUTE . . . . .10.00

—————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) APPLIANCE VENT, CHIMNEY OR VENT DAMPER For the installation or relocation of each forced-air or gravity-type furnace or burner, appliance over 100,000 Btu/h . . . . . 11.00 30.00
- (3) EVAPORATIVE COOLER, OTHER THAN PORTABLE For the installation, or relocation of each floor furnace, including vent . . . . . 9.00 12.00
- (4) EXHAUST FAN DUCTS For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater . . . . . 9.00 10.00
- (5) FIRE SUPPRESSION 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 12.00
- (6) FURNACE < 100,000 BTU 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 20.00
- (7) FURNACE > 100,000 BTU 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 22.00
- (8) GAS WATER HEATER 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 10.00
- (9) GAS PIPING, UP TO 5 OUTLETS 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 12.00
- (10) GAS LOG FIREPLACE/ LOG LIGHTER 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 12.00
- (11) MECHANICAL OTHER (ANY CODE REGULATED ITEM NOT LISTED) 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 12.00
- (12) AIR CONDITIONING For each air-handling unit to and including 10,000 cubic feet per minute . . . . . 6.00 18.00  
*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) SOLID FUEL BURNING APPLIANCE For each air-handling unit over 10,000 cubic feet, per minute . . . . . 40.00 18.00
- (14) SUSPENDED, WALL, FLOOR – HEATER For each evaporative cooler other than portable type . . . . . 6.00 18.00
- (15) RESIDENTIAL HEATING SYSTEM INCLUDING DUCT, VENT, AND GAS PIPING (INCLUDING ONE FURNACE) For each ventilation fan connected to a single-duct . . . . . 5.00 108.00

- ~~(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 . . . . . 0.04~~
  - ~~(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)(16) 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~~ 100.00
  - (2) INSPECTIONS FOR WHICH NO FEE IS SPECIFICALLY INDICATED (MINIMUM CHARGE—ONE-HALF HOUR), PER HOUR REINSPECTION FEE ASSESSED UNDER PROVISIONS OF SECTION 305(F), EACH . . . . . 30.00 100.00
  - (3) ADDITIONAL PLAN REVIEW REQUIRED BY CHANGES, ADDITIONS OR REVISIONS TO APPROVED PLANS (MINIMUM CHARGE—ONE-HALF HOUR), PER HOUR . . . . . 100.00
  - ~~(3)(4) Annual registration fee of mechanical contractor's license . . . . . 15.00~~

**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 gatehouse attendant indicating that the refuse was generated within the City of Midland or Midland County and pay the attendant a fee as follows:

<b>Type of Refuse</b>	<b>Disposal Fee</b>
(1) Refuse (except tires) – Self-haul from personal residence. Residential only. *Midland County residents hauling from their personal residence get one load per month per address of three cubic yards or less of household rubbish, demolition debris (excludes renters), tires if cut in half, and yard waste may be disposed at no charge to the resident, which shall be compensated by the city's general fund. One Freon appliance and one approved sharps container may be included as part of the three free yards. Additional loads and refuse in excess of	No Charge

three yards, and whole tires, shall be charged according to the disposal fee schedule.

(2)	Midland County residence self-haul material after first monthly visit and/or above three cubic yards; added fee for each tire, Freon appliance and sharps container	\$ 12.00	per cubic yard
(3)	Construction and Demolition material	\$ 12.00	per cubic yard
(4)	Compacted waste – residential/commercial	\$ 9.75	per cubic yard
(5)	Tires		
	Passenger vehicle tire	\$ 10.00	per each
	Heavy equipment/commercial tire	\$ 30.00	per each
(6)	Yard waste	\$ 4.00	per cubic yard
(7)	Freon Appliances	\$ 15.00	per each
(8)	Contaminated soil	\$ 16.00	per cubic yard
(9)	Asbestos	\$ 18.00	per cubic yard
(10)	Foundry sand	\$ 13.00	per cubic yard
(11)	Grit and rags	\$ 13.00	per cubic yard
(12)	Industrial waste – includes compacted	\$ 13.00	per cubic yard
(13)	Main break soils	\$ 11.00	per cubic yard
(14)	Sanitary sewer debris	\$ 13.00	per cubic yard
(15)	Stormwater catch basin debris	\$ 13.00	per cubic yard
(16)	Street dirt	\$ 11.00	per cubic yard
(17)	Medical waste sharps container	\$ 10.00	per each
(18)	Wastewater and Water plant sludge	\$ 13.00	per cubic yard
(19)	Bulk medical waste - includes compacted	\$ 12.00	per cubic yard
(20)	Scrap metal - excludes Freon appliances	\$ 3.00	per cubic yard
(21)	Service Fees		
	Dependent on availability of staff and equipment. Requires signed waiver of liability form.	\$ 20.00	
	Battery pack service	\$ 40.00	
	Pull off service		
	Scrape out service	2.0	
	Minimum fee for asbestos, contaminated soils, industrial waste		Cubic yards
	Minimum fee for demolition, commercial waste	1.0	
	No minimum fee for self-haul Midland County residents		Cubic yards

- (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, carpet/pad, furniture and other materials designated by the director of public services or his/her 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) Special handling fees for bulky item disposal: landfill superintendent or his/her agent shall determine fee to accept RV trailer, boat, or mobile home based on volume of unit and number of tires based on demolition disposal rate. Must call ahead to schedule drop off and to determine pricing. Proof of ownership, title or registration is required if applicable.
- (g) Landfill disposal fee billing administration. Regular landfill users with an account in good standing may be issued a charge account 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, credit card or money order for each load.

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

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

**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.

**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.

**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.

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

~~The fee for a sidewalk construction permit shall be twenty-five dollars (\$25.00).~~

**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).

**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 TWO hundred twenty dollars (\$120.00)~~ ~~200.00~~. FOR A RESIDENTIAL LOCATION AND FOUR HUNDRED DOLLARS (\$400.00) FOR A COMMERCIAL LOCATION.

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 TWO hundred twenty dollars (\$120.00)~~ ~~200.00~~. FOR A RESIDENTIAL LOCATION AND FOUR HUNDRED DOLLARS (\$400.00) FOR A COMMERCIAL LOCATION.

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 TWO hundred twenty dollars (\$120.00)~~ ~~200.00~~. FOR A RESIDENTIAL LOCATION AND FOUR HUNDRED DOLLARS (\$400.00) FOR A COMMERCIAL LOCATION.

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~~ TWO hundred ~~twenty~~ dollars (~~\$120.00~~ 200.00): FOR A RESIDENTIAL LOCATION AND FOUR HUNDRED DOLLARS (\$400.00) FOR A COMMERCIAL LOCATION.
  - 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~~ THREE hundred ~~sixty-five~~ dollars (~~\$165.00~~ 300.00): FOR A RESIDENTIAL LOCATION AND SEVEN HUNDRED DOLLARS (\$700.00 FOR A COMMERCIAL LOCATION.

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

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

A fee for a trailer coach parking, use and occupancy permit shall be ~~two~~ SEVENTY-FIVE dollars (~~\$2.00~~75.00).

**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).

**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.

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

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

The fee for a solicitor's license shall be twenty dollars (\$20.00) per year.

**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, THE FOLLOWING a NONREFUNDABLE FEE SHALL BE CHARGED FOR PLAN REVIEW AND SITE INSPECTIONS: ~~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.~~

- (1) 1-2 FAMILY RESIDENTIAL UP TO 1 ACRE 150.00 FOR FIRST ACRE, 75.00 FOR EACH ADDITIONAL ACRE OR FRACTION THEREOF
- (2) ALL OTHER USES UP TO 1 ACRE 250.00 FOR FIRST ACRE, 75.00 FOR EACH ADDITIONAL ACRE OR FRACTION THEREOF
- (3) PERMIT EXTENSION BEYOND ONE YEAR, FOR EACH ADDITIONAL YEAR OR FRACTION THEREOF, SHALL BE HALF THE BASE FEE DESCRIBED ABOVE

FAILURE TO SECURE A PERMIT PRIOR TO COMMENCEMENT OF EARTH DISTURBANCE SHALL RESULT IN AN ADDITIONAL FEE EQUAL TO BASE PERMIT FEE DESCRIBED ABOVE.

FAILURE TO REMOVE TEMPORARY SOIL EROSION AND SEDIMENTATION CONTROL MEASURES WITHIN THIRTY (30) DAYS OF SITE STABILIZATION SHALL RESULT IN AN ADDITIONAL FEE OF ONE-HALF (0.5) TIMES THE BASE FEE DESCRIBED ABOVE, PLUS THE ACTUAL CITY COSTS TO REMOVE THE CONTROL MEASURES.

**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  
ROOMING HOUSES . . . . \$100.00  
ALL OTHER RENTAL UNITS . . . . .75.00 FOR THE FIRST UNIT AND  
\$35.00 FOR EACH ADDITIONAL UNIT  
FOR THE FIRST REINSPECTION PER UNIT AS PROVIDED IN  
SECTION 12-31(A) NO CHARGE  
For each ADDITIONAL reinspection per unit as provided in Section 12-  
31(a) . . . . .20.00 75.00 FOR THE FIRST UNIT AND 35.00 FOR EACH  
ADDITIONAL UNIT, OR 100.00 FOR ROOMING HOUSES  
For each delinquent certification, per unit . . . . .20.00 35.00  
For each delinquency over thirty (30) days, per unit . . . . . 40.00 75.00  
FOR THE FIRST UNIT AND 35.00 FOR EACH ADDITIONAL UNIT  
For each delinquency over sixty (60) days, per unit . . . . . 60.00 35.00 for  
each additional unit

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

For reinstating a suspended certificate ~~.....~~ 20.00  
ROOMING HOUSES . . . . . 100.00  
ALL OTHER RENTAL UNITS . . . . . 75.00 FOR THE FIRST UNIT AND  
35.00 FOR EACH ADDITIONAL UNIT

For issuing a temporary certificate ~~.....~~ 20.00

Housing board of appeals . . . . . ~~25.00~~ 125.00

**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.

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

Section 2. Article IX of Chapter 21 is hereby amended to read as follows:

**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 . . . . . \$150.00 250.00
- (b) Developments greater than five acres in size, per acre . . . . . 30.00 250.00 PLUS  
AN ADDITIONAL 50.00 PER ACRE ABOVE FIVE (5) ACRES.

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 ONE HUNDRED fifty dollars (~~\$50.00~~ 100.00) 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 FIFTY ~~thirty~~ dollars (~~\$30.00~~ 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.

**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~~ 100.00

(2) Developments greater than five acres in size, per acre . . . . . ~~45.00~~ 100.00 PLUS 25.00 FOR EACH ADDITIONAL ACRE

**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).

Section 3. Article XIII of Chapter 21 is hereby amended to read as follows:

**ARTICLE XIII.**

**FIRE DEPARTMENT SERVICE FEES**

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

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

~~1. Annual and semi-annual fire safety inspections will be performed at no charge.~~

~~2. 1st re-inspection — \$50.00~~

~~3. 2<sup>nd</sup> and all subsequent re-inspections — \$100.00 each~~

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

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

**SEC.EC. 21-167. FIRE SAFETY AND 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

**FIRE SAFETY INSPECTIONS:**

- (1) FIRE SAFETY INSPECTION, ONE HOUR MINIMUM, PER HOUR 75.00
- (2) CERTIFICATE OF OCCUPANCY INSPECTION, ONE HOUR MINIMUM, PER HOUR 75.00
- (3) CHANGE OF OCCUPANCY INSPECTION, ONE HOUR MINIMUM, PER HOUR 75.00
- (4) ALL SUBSEQUENT REINSPECTIONS, ONE HOUR MINIMUM, PER HOUR 75.00
- (5) AFTER NORMAL BUSINESS HOURS INSPECTION, ONE HOUR MINIMUM, PER HOUR 125.00
- (6) FOOD TRUCK ANNUAL INSPECTION, ONE HOUR MINIMUM, PER HOUR 75.00

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

1. An additional flat fee of \$50.00 will be charged for all requested after hour.

(a) Acceptance testing/inspections OF FIRE SAFETY SYSTEMS.

- 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. (1) Sprinkler system testing \$150.00 175 PER TEST PLUS 100.00 PER ADDITIONAL FLOOR
- G. (2) Fire pump testing . . . . . \$150.00 175.00 PER TEST
- H. (3) Fire alarm testing . . . . . \$150.00 175.00 PER TEST PLUS 100.00 PER ADDITIONAL FLOOR
- I. (4) Commercial range hood suppression systems (acceptance testing) . . . . . \$400.00 125.00 PER TEST
- J. (5) Clean agent system, CARBON DIOXIDE OR SIMILAR SYSTEM (acceptance testing) . . . . . \$400.00 125.00 per unit and per test
- K. (6) Smoke control systems (acceptance testing) . . . . . \$400.00 150.00 per system and per test
- A. Kiosk displays/booths/concession stands . . . . . \$50.00
- B. Mall displays . . . . . \$65.00
- C. Tents and other temporary membrane structures over 200 square feet . . . . . \$125.00 (includes permit)
- D. Places of assembly (event) . . . . . \$50.00
- E. Exhibits and trade shows . . . . . \$50.00
- F. Open flame . . . . . \$50.00

(B) TEMPORARY OPERATIONAL PERMITS

TEMPORARY OPERATIONAL PERMITS SHALL INCLUDE ONE (1) INSPECTION. RE-INSPECTIONS SHALL BE CHARGED AT THE RATE OF A FIRE SAFETY INSPECTION AS NOTED IN SEC. 21-167. TEMPORARY PERMITS SHALL EXPIRE AT THE END OF THE EVENT.

- (1) TENTS OR INFLATABLE TEMPORARY MEMBRANE STRUCTURES OVER 400 SQUARE FEET, INCLUDING PERMIT, PER STRUCTURE . . . . . 125.00
- (2) FIREWORKS; AERIAL DISPLAYS, PER EVENT . . . . . 150.00
- (3) FIREWORKS; INDOOR PYROTECHNICS/DISPLAYS, PER EVENT . . . . . 150.00
- (4) EXHIBIT AND TRADE SHOWS, PER SHOW . . . . . 100.00

(C) ANNUAL OPERATIONAL PERMITS

ANNUAL OPERATIONAL PERMITS SHALL INCLUDE ONE (1) INSPECTION. RE-INSPECTIONS SHALL BE CHARGED AT THE RATE OF A FIRE SAFETY INSPECTION AS NOTED IN SEC. 21-167. ANNUAL OPERATIONAL PERMITS SHALL BE VALID FROM APRIL 1ST TO MARCH 31ST OF THE FOLLOWING YEAR.

- (1) FOOD TRUCK PERMIT . . . . . 25.00
- (2) CARNIVAL OR FAIR – INCLUDES TENTS, RIDES, AND VENDORS, PER EVENT. . . . . 250.00
- (3) KIOSK DISPLAYS, BOOTHS, AND CONCESSIONS STANDS, PER INSPECTION . . . . . 50.00

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

- A. Sprinkler systems (including foam systems) . . . . . \$275.00 UP TO 100 HEADS; 1.00 PER HEAD OVER 100 ~~0.08 per square foot of building area with \$250.00 minimum~~
- B. Fire pumps, PER PUMP . . . . . ~~\$200~~ 225.00 (not included in sprinkler plan review fee)
- C. Stand pipe SYSTEMS . . . . . ~~\$200.00~~ 100.00 PLUS 25.00 PER OUTLET (~~combination stand pipe and riser plans shall be reviewed under the sprinkler system schedule~~)
- D. Commercial range hood systems . . . . . ~~\$150.00~~ 175.00 PER SYSTEM; additional systems reviewed at the same time and for the same building . . . . . ~~\$100.00~~ 125.00
- E. Clean agent, carbon dioxide or other similar systems, PER SYSTEM . . . . . ~~\$150.00~~ 175.00
- F. Fire alarm/detection systems . . . . . ~~\$90.00 per hour, one (1) hour minimum~~ 100.00 UP TO 20 INITIATING DEVICES; 1.00 PER ADDITIONAL DEVICE OVER 20
- G. ~~Building life safety~~ NEW CONSTRUCTION OR REMODEL FIRE CODE REVIEW PER SQUARE FOOT OF BUILDING AREA 0.01 . . . . . ~~\$90.00~~ (100.00 ~~per hour, one (1) hour~~ MINIMUM)
- H. Flammable, combustible liquids and compressed gas storage . . . . . ~~\$90.00~~ 100.00 per hour, one (1) hour minimum
- I. Spectator seating review . . . . . 1 to 1,000 seats ~~\$200.00~~ 225.00; over 1,000 seats shall be ~~\$200.00~~ 225.00 plus \$20.00 for each additional 20 seats

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

RECOVERY OF EXPENSES FOR CERTAIN EMERGENCY RESPONSES OR REQUESTED STAND-BY. STAND-BY COSTS ARE CALCULATED USING THE APPROPRIATE AMOUNT OF FIREFIGHTERS NEEDED TO PROPERLY STAFF THE VEHICLE:

~~Hourly unit operating rate of equipment, materials and personnel as established by the Fire~~

Chief, including but not limited to:

(1) (A) SPECIAL EVENTS SERVICES:-

(1) MEDICAL CREW STANDBY FOR EVENTS, ONE HOUR MINIMUM, PER HOUR . . . . . 100.00

(2) FIRE CREW STANDBY FOR EVENTS, ONE HOUR MINIMUM, PER HOUR . . . . . 400.00

(B) FIRE SERVICE FEES

(1) HAZARDOUS MATERIAL RESPONSE, ONE HOUR MINIMUM, PER HOUR . . . . . 400.00

(2) WIRE(S) DOWN, PER HOUR, WHEN RESPONSE EXCEEDS ONE HOUR . . . . . 400.00

(3) SPECIALIZED PROFESSIONAL SERVICES FOR EMERGENCY RESPONSE NEEDS AS DEEMED REQUIRED BY THE FIRE CHIEF OR THEIR DESIGNEE, ONE HOUR MINIMUM, PER HOUR . . . . . 400.00

(C) AUTOMATIC FIRE ALARMS

(1) CONTRACTOR, SERVICE, OR MAINTENANCE GENERATED . . . . . 250.00

(2) DURING CONSTRUCTION, DEMOLITION, OR RENOVATION . . . . . 250.00

~~(2) Specialized professional services for emergency response needs as deemed required by the Fire Chief or its designee.~~

~~(3) Training provided.~~

**Secs. 21-171—21-174. Reserved.**

Section 4. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 5. This Ordinance shall take effect January 1, 2023.

Introduced and given first reading October 10, 2022 (Motion ADOPTED. Considered first reading.)

**CITY MODERN MASTER PLAN UPDATE**

Director of Planning and Community Development Jacob Kain presented information on the Midland City Modern master plan process. The following resolution was then offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski.

WHEREAS, a comprehensive master plan provides a long-range guide to managing growth, development, redevelopment, and public investments in the community for the next 30 years; and

WHEREAS, the City of Midland has embarked on a comprehensive master planning project known as City Modern; and

WHEREAS, the Planning Commission has established a work plan for the remaining phases of the planning process; and

WHEREAS, a report on this work plan has been provided to City Council for their review and consideration; now therefore

RESOLVED, that the report is hereby received. (Motion ADOPTED.)

**CHLORINE PURCHASE**

The following resolution was offered by Councilman Wazbinski and seconded by Councilman Hall.

WHEREAS, chlorine is necessary for the safe treatment of our water supply; and  
WHEREAS, significant increases and volatility in chlorine raw material costs have forced suppliers to frequently increase chlorine costs for their customers; and  
WHEREAS, no suitable alternative chlorine supply is available; now therefore  
RESOLVED, that approval is granted for the purchase and delivery of chlorine at a cost of \$1,767 per ton through December 31, 2022; and  
RESOLVED FURTHER, that JCI Jones Chemicals, Inc is designated as the exclusive supplier of chlorine for the City of Midland through FY 2022-23, and a blanket purchase order to JCI Jones Chemicals, Inc. for \$80,000, is authorized in accord with Section 2-18 of the Code of Ordinances; and  
RESOLVED FURTHER, that the City Manager is authorized to evaluate and execute price agreements based on industry changing conditions and to approve changes to the purchase orders in an aggregate amount not to exceed \$5,000.00. (Motion ADOPTED.)

### **SET PUBLIC HEARING TO ESTABLISH AN OBSOLETE PROPERTY REHABILITATION DISTRICT**

The following resolution was offered by Councilman Wazbinski and seconded by Councilman Hall.

WHEREAS, pursuant to PA 146 of 2000, the City of Midland has the authority to establish "Obsolete Property Rehabilitation Districts" within the City of Midland; and  
WHEREAS, a written request filed by the owner of property comprising 100% of all taxable value of the property located within the proposed Obsolete Property Rehabilitation District has been made with the clerk of the City of Midland requesting the establishment of the Obsolete Property Rehabilitation District for the property described as  
NW 40 FT OF LOT 5 BLK 25 ORIGINAL PLAT OF MIDLAND  
located at 116 Rodd Street, located in the City of Midland, Midland County, and State of Michigan; and  
WHEREAS, written notice must be given by certified mail to all owners of real property located within the proposed district and to the public by public posting of the hearing on the establishment of the proposed district; now therefore  
RESOLVED, that the Midland City Council deems it advisable to consider establishment of the Obsolete Property Rehabilitation District; and  
RESOLVED FURTHER, that October 24, 2022, at 7:00 p.m., is hereby appointed as the date and time the Midland City Council shall meet in the Council Chambers of City Hall in the City of Midland the creation of said district, and that the City Clerk shall give notice of such hearing by causing a notice thereof, with a copy of this resolution, to be published in the Midland Daily News on October 14, 2022; and  
RESOLVED FURTHER, that the City Clerk shall cause a copy of such notice and resolution to be sent by certified mail to all owners of real property located within the proposed district. (Motion ADOPTED.)

### **SET PUBLIC HEARING TO APPROVE ZONING PETITION NO. 644**

The following resolution was offered by Councilman Wazbinski and seconded by Councilman Hall.

WHEREAS, a public hearing was held by the Planning Commission on Tuesday, September 13, 2022, for property located at 6917 N. Perrine Road for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning Ordinance of the City of Midland, to apply RA-1 Single Family Residential zoning where township zoning presently exists; now therefore

RESOLVED, that notice is hereby given that a public hearing will be held by the City Council on Monday, November 14, 2022, at 7:00 p.m. in the Council Chambers, City Hall for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning Ordinance of the City of Midland, as set forth in the following proposed Ordinance, which is hereby introduced and given first reading; and

RESOLVED FURTHER, that the City Clerk is hereby directed to notify property owners within three hundred (300) feet of the area proposed to be rezoned by transmitting notice on or before October 14, 2022, and to publish said notice on October 14, 2022.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE NO. 1585, BEING AN ORDINANCE TO REGULATE AND RESTRICT THE LOCATION OF TRADES AND INDUSTRIES AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIC USES, TO REGULATE AND LIMIT THE HEIGHT AND BULK OF BUILDINGS HEREAFTER ERECTED OR ALTERED, TO REGULATE AND DETERMINE THE AREA OF YARDS, COURTS, AND OTHER OPEN SPACES SURROUNDING BUILDINGS, TO REGULATE AND LIMIT THE DENSITY OF POPULATION, AND FOR SAID PURPOSES, TO DIVIDE THE CITY INTO DISTRICTS AND PRESCRIBE PENALTIES FOR THE VIOLATION OF ITS PROVISIONS BY AMENDING THE ZONING MAP TO PROVIDE RA-1 SINGLE FAMILY RESIDENTIAL WHERE TOWNSHIP ZONING PRESENTLY EXIST.

The City of Midland Ordains:

Section 1. That the Zoning Map of Ordinance No. 1585, being the Zoning Ordinance of the City of Midland, is hereby amended as follows:

THE NORTH 28 FEET OF THE FOLLOWING DESCRIBED PARCEL: A PART OF THE SOUTHWEST 1/4 OF SECTION 31, T15N, R2E, DESCRIBED AS: BEGINNING SOUTH 00°00'00" WEST ALONG THE NORTH-SOUTH 1/4 LINE, 968.20 FEET AND NORTH 89°11'59" WEST 320 FEET FROM THE INTERIOR 1/4 CORNER OF SAID SECTION 31; THENCE NORTH 89°11'59" WEST 98 FEET; THENCE NORTH 00°00'00" EAST 200.2 FEET; THENCE SOUTH 89°11'59" EAST 98 FEET; THENCE SOUTH 00°00'00" WEST 200.2 FEET BACK TO THE PLACE OF BEGINNING.

CONTAINING 0.06 ACRES, MORE OR LESS, AND BEING SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS, RIGHT-OF-WAYS, ZONING, GOVERNMENT REGULATIONS, AND MATTERS VISIBLE, IF ANY, UPON AFFECTING SAID LANDS AND

PART OF THE SOUTHWEST 1/4 OF SECTION 31, T15N, R2E, DESCRIBED AS: BEGINNING SOUTH 00°00'00" WEST, ALONG THE NORTH-SOUTH 1/4 LINE, 318.00 FEET FROM THE INTERIOR 1/4 CORNER OF SAID SECTION 31; THENCE CONTINUING SOUTH 00°00'00" WEST, ALONG SAID NORTH-SOUTH 1/4 LINE, 28.00 FEET; THENCE NORTH 89°11'59" WEST, PARALLEL TO THE SOUTH 1/8 LINE, 250.00 FEET; THENCE NORTH 00°00'00" EAST, PARALLEL TO SAID NORTH-SOUTH 1/4 LINE, 28.00 FEET; THENCE SOUTH 89°11'59" EAST PARALLEL TO SAID SOUTH 1/8 LINE, 250.00 FEET BACK TO THE PLACE OF BEGINNING.

CONTAINING 0.16 ACRES, MORE OR LESS, AND BEING SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS, RIGHT-OF-WAYS, ZONING, GOVERNMENT REGULATIONS, AND MATTERS VISIBLE, IF ANY, UPON AFFECTING SAID LANDS.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. This Ordinance shall take effect upon publication. (Motion ADOPTED.)

### **[SET PUBLIC HEARING TO APPROVE CONDITIONAL USE PERMIT NO. 79](#)**

The following resolution was offered by Councilman Wazbinski and seconded by Councilman Hall.

WHEREAS, Elaine Zielinski submitted a request for a conditional land use to permit a single family dwelling addition located at 4215 Stonegate Drive; and  
WHEREAS, City Planning Department staff notified property owners and occupants within three hundred (300) feet of the subject property by transmitting notice on September 9, 2022 and publishing said notice on September 10, 2022 of the public hearing on September 27, 2022; and  
WHEREAS, the City Planning Commission has conducted a public hearing in accord with Section 28.02(A) of the Zoning Ordinance of the City of Midland on said conditional use; and  
WHEREAS, the Planning Commission has submitted its recommendation to approve the permit, in accord with Section 28.02(B) of the Zoning Ordinance of the City of Midland; now therefore  
RESOLVED, that a public hearing will be held by the City Council on November 14, 2022, at 7:00 p.m. in the Council Chambers, City Hall, for the purpose of considering the request for a Conditional Use Permit; and  
RESOLVED FURTHER, that the City Clerk is hereby directed to notify property owners and occupants within three hundred (300) feet of the proposed area by transmitting notice on or before October 14, 2022 and to publish said notice by October 14, 2022. (Motion ADOPTED.)

Being no further business the meeting adjourned at 7:28 p.m.

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Lacey Todd, City Clerk