ORDINANCE NO. C-512-A

AN ORDINANCE TO AMEND SECTION 24-148 OF CHAPTER 24, WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS, OF THE CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF WEST BLOOMFIELD, OAKLAND COUNTY, MICHIGAN, TO REVISE THE CLASSIFICATION OF FUNDS REGARDING THE ALLOCATION AND COLLECTION OF REVENUES FOR THE SYSTEM, AND TO REPEAL CONFLICTING ORDINANCES.

THE CHARTER TOWNSHIP OF WEST BLOOMFIELD ORDAINS:

Section 1. That Article IV, Section 24-148 of the Code of Ordinances, Charter Township of West Bloomfield, Michigan, is hereby amended to read as follows:

ARTICLE IV. ACQUISITION AND OPERATION

Sec. 24-148. Disposition of revenues.

The collected revenues of the system shall be set aside and deposited into the operation and maintenance fund and the capital improvement, replacement and financing fund and such other funds that may be established by the township board. The source of each item of revenue collected and deposited in any of the funds shall be documented, allocated and accounted for on books and records to be maintained by the township. Collected revenues of the system shall be deposited and may be transferred among the established funds as necessary for the administration and maintenance of the system consistent with this section.

(a) Operation and maintenance fund. There shall be deposited in the operation and maintenance fund sums sufficient to provide for payment for the next period of all current expenses of administration and operation of the system, together with such current expenses for the established period for maintenance as may be necessary to preserve the system in good repair and working order.

(b) Capital improvement, replacement and financing fund. There shall be deposited into the capital improvement, replacement and financing fund sums sufficient to provide for the timely payment of the township’s contractual obligations, which are secured by its full faith and credit, for the funded indebtedness of the system, including contractual payments to the county and the payment of principal and interest on any bonds which may be issued for the system which are payable out of revenues.

(c) Additional funds. Any revenues remaining after deposits to the operation and maintenance fund and the capital improvement, replacement and financing fund may be deemed surplus and may be deposited or transferred to one or more established funds or deposited in a designated surplus fund, which may be used for such purposes relating to the system as the township board may determine to be in the best interest of the township subject to the limitations provided in this chapter.
(d) **Tax levies.** Any revenues of the system raised by levy of taxes, without limitation as to rate or amount, in fulfillment of the pledge by the township of its full faith and credit, shall be appropriated only to the capital improvement, replacement and financing fund and used only to pay contractual and principal and interest bond payment obligations and other uses allowed for under this chapter and the law.

(e) **Accounts and depositories.** The funds of the system may be deposited with one or more banks, savings and loan associations or credit unions in one or more accounts to be held, invested and otherwise handled subject to applicable laws. If money from more than one fund is kept in one account, the money in that account shall be allocated and accounted for on the books and records of the township in relation to the respective funds.

(1) **Repeal.** All regulatory provisions contained in other Township ordinances, which are inconsistent with the provisions of this ordinance, are repealed.

(2) **Severability.** Should any section, subdivision, clause, or phrase of this Ordinance be declared by a Court of competent jurisdiction to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

(3) **Effective Date.** This ordinance shall become effective following publication.

**CERTIFICATION**

I CERTIFY THAT THIS ORDINANCE WAS ADOPTED BY THE CHARTER TOWNSHIP OF WEST BLOOMFIELD BOARD OF TRUSTEES AT A MEETING HELD 7-7-08.

[Signature]
Sharon A. Law, Township Clerk
Charter Township of West Bloomfield
CHARTER TOWNSHIP OF WEST BLOOMFIELD
RESOLUTION

Moved by Trustee Brickner, Seconded by Supervisor Flahiser.

To adopt Ordinance C-512-A to amend Chapter 24, Water Supply and Sewage Disposal Systems, Article IV, Section 24-148;

The Resolution being put to a vote, the Charter Township of West Bloomfield Board of Trustees voted as follows:

AYES: Brickner, Flahiser, Hammond, Macon, Sher, Spector

NAYS: None

ABSENT: Law

I certify that the foregoing is a true and compared copy of a resolution made and passed by the Charter Township of West Bloomfield Board of Trustees at a meeting held on July 21, 2008.

Sharon A. Law, Township Clerk
Charter Township of West Bloomfield