

Ordinance 1979-2

Ordinance authorizing the issuance and sale of self-liquidating junior lien Water Supply System Revenue Bonds by the Township of Ely, County of Marquette, Michigan, for the purpose of constructing additions and improvements to its Water Supply System, prescribing the form of bonds providing for the collection of revenue from said system sufficient for the purpose of paying the costs of operation and maintenance thereof, providing and adequate reserve fund therefore, providing for the segregation and distribution of said revenues, creating a statutory lien on said revenues which will be junior to the statutory lien created in favor of the outstanding Water Supply System Revenue Bonds authorized by Ordinance No. 1979-2, as amended, and, providing for the rights of the holders of said bonds in enforcement thereof and providing for other matters relative to said bonds and said system.

The Township of Ely Ordains:

Section 1: Necessity; Description of Project. It is hereby determined to be necessary for the public health and welfare of the Township of Ely, County of Marquette, Michigan in accordance with detailed maps, plans and specification therefore prepared by Engineering Consultants, Inc., Consulting Engineers of Ishpeming, Michigan to proceed to acquire and construct the Project (as hereinafter defined).

Section 2. Cost; Useful Life. The cost of the Project has been estimated to be \$255,000, including the payment of incidental expenses as specified in Section 3 of this Ordinance which estimate of cost is hereby approved and confirmed, and the period of usefulness of is estimated to be not less than forty (40) years.

Section 3. Payment of Cost and Authorization of Bonds. To pay part of the cost of the Project including the payment of legal, engineering and financial expenses, and other expenses incident thereto and incident to the issuance and sale of bonds, it is hereby determined that the Township borrow the sum of \$109,000 and that the revenue bonds be issued therefore pursuant to the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

Section 4. Definitions. In addition to the words and terms elsewhere defined in this Ordinance, the following words and terms as used in this Ordinance shall have the following meanings unless the context or use indicates another or different meaning or intent:

Whenever the word “acquired” is used in Ordinance it shall be construed to include acquisition by purchase, construction or by any other method.

“Act 94” shall mean Act 94, Public Acts of Michigan, 1933, as amended.

“Bonds” shall mean the \$109,000 principal amount Township of Ely Water Supply System Revenue Bonds, series 11, authorized to be issued pursuant to Section 13 hereof.

“FmHA” shall mean the Farmers Home Administration, an agency of the United States Department of Agriculture.

“Government” shall mean the United States of America.

“Outstanding Bonds” shall mean the Water Supply System Revenue Bonds, dated November 18, 1965, authorized by Ordinance No. 1974-1, as amended, and any additional bonds which may hereinafter be issued on a parity therewith pursuant to the terms of Ordinance No. 1974-1, as amended.

“Project” shall mean the improvements to the System to be acquired and constructed under the provisions of this Ordinance consisting of water storage tank and distribution mains in the Diorite area of the Township together with appurtenances and attachments as described in the maps, plans and specification therefore prepared by the Engineers and on file with the Township Clerk.

“Revenues” and “Net Revenues” shall have the meanings as defined in Section 3, Act 94, Public Acts of Michigan, 1933, as amended.

“Township” shall mean the Township of Ely, County of Marquette, Michigan.

Section 5. Bond Data and Sale. The Bonds shall be designated Water Supply System Revenue Bonds, Series 11, shall be dated as of the date of delivery, shall be the denomination of \$1,000 each and shall be numbered in order of maturity from 1 upwards.

The Bonds will bear interest at 5% per annum, to be payable on the first day of January or July following the date of the Bonds, and semiannually thereafter. The Bonds shall mature on January 1st of each year as follows:

- \$5,000 1981 and 1982
- \$1,000 1983 to 1991, inclusive;
- \$2,000 1992 to 2001, inclusive;
- \$3,000 2002 to 2009, inclusive;
- \$4,000 2010 to 2013, inclusive;
- \$5,000 2014 to 2019, inclusive.

The Bonds shall be signed by the Supervisor and countersigned by the Township Clerk and shall have the corporate seal of the Township impressed thereon, and if attached interest coupons are required, said coupons shall bear the facsimile signatures of the Township Supervisor and Township Clerk. After execution, the Bonds shall be held by the Township Treasurer for delivery to the FmHA.

The Bonds shall be issued initially as fully-registered Bonds. The fully-registered Bonds shall be payable in lawful money of the United States of America at the address of the registered holder as shown on the registration books of the Township Treasurer who shall act as bond registrar.

Once registered, the Bonds may, at the holder's expense, be converted to bearer form or coupon Bond by the exchange of the Bonds for Bonds which may be registered as to principal with the appropriate coupons attached. In such case the Township will designate a bank or trust company situated in Marquette County to act as paying agent.

The sale of the Bonds to the FmHA at an interest of 5% per annum and at the par value thereof is hereby approved. The Township Treasurer is hereby authorized to deliver the Bonds after approval thereof by the Municipal Finance Commission, in accordance with the delivery instructions of the FmHA.

Bonds will be subject to redemption prior to maturity, in the manner and at the times set forth in the Bond form.

Section 6. Bond Form. The form and tenor of the fully-registered Bonds shall be substantially as follows:

United States of America
State of Michigan
Township of Ely
Water Supply System
Revenue Bond, Series 11

No. _____ \$1,000

The Township of Ely, County of Marquette, State of Michigan (the "City"), hereby promises to pay to the registered holder hereof, but only out of the hereinafter described net revenues of the Water Supply System of the Township, including all appurtenances, additions, extensions and improvements thereto (the "System"), the sum of

ONE THOUSAND DOLLARS

On the first day of January A.D., _____, with interest from the date this bond is first registered until paid at the rate of 5% per annum, payable on _____, 19__, and semiannually thereafter. Both principal of an interest on this bond are payable to the registered holder at the address shown on the registration books of the Township and for the prompt payment thereof, the gross revenues of the System after provision has been made for reasonable and necessary expenses of operation, administration and maintenance and for the requirements of the outstanding Water Supply System Revenue Bonds (the "Outstanding Bonds"), authorized by Ordinance 1974-1, as amended, are hereby irrevocably pledged and a statutory lien thereon is hereby created which is a second lien subject only to the prior lien in favor of Outstanding Bonds.

This Bond is one of a series of 109 bonds of even date and like tenor, except as to date of maturity, aggregating the principal sum of \$109,000, issued pursuant to Ordinance No. ____, duly adopted by the Township on _____, 1979, and under the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan, 1933, as amended, for the purpose of defraying part of the cost of acquiring and constructing improvements to the System. For a complete statement of the revenues from which, and the conditions under which this bond is payable, a statement of the conditions under which the additional bonds of equal and prior standing may hereafter be issued, and the general covenants and provisions pursuant to which this bond is issued, reference is made to the above-described Ordinances.

Bonds maturing in the years 1981 to 1989, inclusive, shall not be subject to redemption prior to maturity. Bonds maturing in the years 1990 to 2019, inclusive, will be subject to redemption prior to maturity, in inverse numerical order, at the option of the Township on any interest payment date on or after January 1, 1989, at par and accrued interest to the date fixed for redemption.

Thirty days' notice of the call of any bonds for redemption shall be given by publication in a paper circulated in the State of Michigan, which carries, as part of its regular services notices of sale of municipal bonds, and in case of registered bonds, thirty days' notice shall be given by mail to the registered holder at the registered address, Bonds so called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand to redeem said bonds.

This bond shall be registered as to principal and interest on the books kept by the Treasurer of the Township as registrar, after which it shall be transferable only upon presentation to such registrar with a written transfer by the registered holder or his attorney in fact. Such transfer shall be noted hereon and upon the books of the Township kept for that purpose. This bond is exchangeable at the request of the registered owner at his sole expense for a negotiable coupon bond payable to bearer or coupon bond registered as to principal upon surrender of this bond at the office of the Treasurer of the Township.

This bond is a self-liquidating bond, and is not a general obligation of the Township and does not constitute an indebtedness of the Township within any constitutional, statutory, or charter limitation, but if payable, both as to principal and interest, solely from the above-described net revenues of the System.

The Township hereby covenant and agrees to fix and maintain at all times while any of such bonds shall be outstanding, such rates for service furnished by the System as shall be sufficient to provide for the payment of the interest upon and the principal of all such bonds payable from the revenue of the System as and when the same become due and payable, and to create a bond and interest redemption fund (including a bond reserve account) therefore, to provide for the payment of expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the same in good repair and working order, and to provide

for such other expenditures and funds for the System as are required by the above-described Ordinances.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the series of bonds of which this is one have been done and performed in regular and due time and form as required by law.

IN WITNESS WHEREOF, the Township of Ely, County of Marquette, State of Michigan, by its Township Board, has caused this bond to be signed in the name of said Township by its Supervisor and to be countersigned by its Township Clerk and its corporate seal to be hereunto affixed all as of _____, 19__.

Township of Ely
Kenneth A. Tuominen

Countersigned:
Township Clerk

REGISTRATION
NOTHING TO BE WRITTEN HEREON EXCEPT
BY THE TOWNSHIP TREASURER

Date of Registration	Name of Registered Owner	Manner of Registration	Registrar
	United States of America		
	Farmers Home Administration		

Section 7. Security for Bonds. The Bonds are hereby authorized, together with interest thereon, shall not be a general obligation of the Township but shall be payable solely from the net revenues to be derived from the operation of the System after provision has been made for the Outstanding Bonds. To pay such principal and interest there is hereby created a statutory lien upon the net revenues of the System after provision for the requirements of the Outstanding Bonds, to continue until the payment in full of the principal of and interest on the Bonds.

Section 8. Custodian of Funds; Supervised Bank Accounts; Funds. The Township Treasurer shall be custodian of all funds belonging to and/or associated with the System and such funds shall be deposited in the Peninsula Bank, Ishpeming, Michigan, which bank is a member of the Federal Deposit Insurance Corporation (hereinafter referred to as "depository bank"). In the event that the government is a holder of any of the bonds herein authorized, all monies in excess of \$10,000 in the supervised bank account shall be secured by the depository bank in advance in accordance with United States Treasury Department Circular No. 176 and the Township Treasurer shall execute a fidelity bond in an amount not less than \$10,000 with a surety company approved by the government, and the government and the Township shall be named as co-obliges in such bond and the amount thereof shall not be reduced without the prior written consent of the government. The Township Treasurer is hereby directed to create the following

funds and account into which the bonds proceeds and the revenues and income from the System shall be deposited, which accounts shall be established and maintained, except as otherwise provided, so long as any of the bonds hereby authorized remain unpaid.

A. CONSTRUCTION ACCOUNT. The proceeds of the Bonds hereby authorized shall be deposited in the Construction Account in the depository Bank. Said account shall be established as a supervised bank account and such proceeds shall be withdrawn on the orders of the Township only on checks signed by the Township Treasurer and countersigned by the County Supervisor of the FmHA. Said monies shall be used solely for the purposes for which Bonds were issued.

Any unexpended balance of the proceeds of the sale of the Bonds remaining after completion of the Project herein authorized shall be paid immediately into the Junior Lien Bond and Interest Redemption Fund as hereinafter specified and shall be used only for the redemption, or purchase at not more than the fair market value, of Bonds.

After completion of the Project and disposition of remaining Bond proceeds the Construction Account shall be closed.

B. WATER SUPPLY SYSTEM RECEIVING FUND. Pursuant to Sections 8 and 12 of Ordinance No. 1974-1, as amended, the revenues of the System shall continue to be deposited in the Water Supply System Receiving Fund Account established by Ordinance No. 1974-1 (the "Receiving Fund"), and monies so deposited therein shall be expended and used only in the manner and order as follows:

1. Operation and Maintenance Fund. There shall first be withdrawn from the Receiving Fund quarterly and deposited in the Operation and Maintenance Fund established by Ordinance No. 1974-1, an amount sufficient to meet the requirements of Section 8 (B)(1) of Ordinance No. 1974-1, as amended, relative to the Operation and Maintenance Fund. Prior to the beginning of each fiscal year the Township will prepare an annual budget of said System for the ensuing fiscal year itemized on the basis of monthly requirements, a copy of such budget shall be mailed without request to the FmHA as long as the FmHA is holder of any said bonds prior to adoption for review and upon written request to any other Bond holders. There shall be set aside and deposited each quarter pursuant to the budget a sufficient portion of the income and revenue in the Operation and Maintenance Fund to pay the reasonable and necessary current expenses of administering, operating and maintaining said System for the ensuing quarter.

2. Outstanding Bonds Requirements. There shall next be withdrawn from the Receiving Fund each month and deposited in the Water Supply System Revenue Bond – Bond and Interest Redemption Fund established by Ordinance No. 1974-1; an amount sufficient to meet all requirements for said Fund as established in Ordinance No. 1974-1, and the funds so deposited shall be used as required by Ordinance No. 1974-1.

3. Junior Lien Revenue Bond – Bond and Interest Redemption Fund. There is hereby established a separate account known as the Junior Lien Revenue Bond – Bond and Interest Redemption Fund (the “Junior Lien Redemption Fund”). After the transfers required in (1) and (2) above, and after meeting all of the requirements for Outstanding Bonds as specified in Section 8 (B) of Ordinance No. 1974-1, there shall be transferred each quarter from the Receiving Fund, before any other expenditures or transfer therefrom, and deposited in the Junior Lien Redemption Fund for payment of the principal and interest on the Bonds, not otherwise provided in this Section, a sum equal to at least $\frac{1}{2}$ of the amount equal to the interest due on the next ensuing interest due date and not less than $\frac{1}{4}$ of the principal maturing on the next ensuing principal payment date. If for any reason there is a failure to make such quarterly deposit then an amount equal to the deficiency shall be set aside and deposited in the Junior Lien Redemption Fund of the net revenues in the ensuing quarter or quarters, which amount shall be in addition to the regular quarterly deposit then an amount equal to the deficiency shall be set aside and deposited in the Junior Lien Redemption Fund of the net revenues in the ensuing quarter or quarters, which amount shall be in addition to the regular quarterly deposit required during such succeeding quarter or quarters. There is hereby established within the Junior Lien Redemption Fund a separate account know as the Junior Lien Bond Reserve Account into which there shall be deposited after the above required deposit to the Junior Lien Redemption Fund the sum of at least \$160 per quarter until there is accumulated in such fund the sum of \$6,400. Except as hereinafter provided, no further deposits need be made into the Junior Lien Redemption Fund for the purposes of the Junior Lien Bond Reserve Account on the sum of \$6,400 has been deposited therein. The monies in the Junior Lien Bond Reserve Account shall be used solely for the payment of the principal of and interest on Bonds as to which there would otherwise be default.

If at any time is shall be necessary to use monies in the Junior Lien Bond Reserve Account for such payment, then the monies so used shall be replaced from the net revenues first received thereafter which are not required by this Ordinance to be used for operation and maintenance or for principal and interest requirements or bond reserve fund requirements on the Outstanding Bonds or for principal and interest requirements on the Bonds.

No further payments need be made into the Junior Lien Redemption Fund after enough of the Bonds have been retired so that the amount then held in said Fund (including the Junior Lien Bond Reserve Account), is equal to the entire amount of principal and interest which will be payable at the time of maturity of the Bonds then outstanding.

4. General Purpose Account. The balance of the income and revenues after the transfers required in Sections 8 (B)(1) and (2) of Ordinance No. 1974-1 and Sections 8 (B)(1), (2), and (3) of this Ordinance, to the extent of \$500 per quarter until the total sum of \$15,000 has been accumulated, shall be deposited in the General Purpose Account required to be established pursuant to Section 8 (B)(3) of Ordinance No. 1974-1 and used for the purposes specified in Ordinance No. 1974-1.

Section 9. Reverse Flow of Funds and Investment. In the event the monies in the Receiving Fund are insufficient to provide for the current requirements of the Operation and Maintenance Fund, the Bond and Interest Redemption Fund (including the Bond Reserve Account) and the General Purpose Account established by Ordinance 1974-1, or the Junior Lien Redemption Fund (including the Junior Lien Bond Reserve Account) established by this Ordinance, any monies and/or securities in the funds of the System established by this Ordinance shall be transferred, first, to the Operation and Maintenance Fund, and second, to the Bond and Interest Redemption Fund, and third, to the Junior Lien Redemption Fund (including the Junior Lien Bond Reserve Account), and fourth to the General Purpose Account.

Monies in each Fund and Account established by this Ordinance shall be invested in accordance with Act 94, and investment income received from such investments of funds in the Junior Lien Redemption Fund and Junior Lien Bond Reserve Account shall be credited to the Receiving Fund at the end of each operating year.

Section 10. Rates and Charges. Prior to the issuances of the Bonds, rates and charges for the services of the System will be fixed in an amount sufficient to pay the cost of operation and maintaining the System and to leave an amount of revenues adequate for the principal and interest requirements on the Bonds and Outstanding Bonds and all other requirements provided by Ordinance No. 1974-1 and herein. The rates and charges for all services and facilities rendered by the System shall be reasonable and just, taking into consideration the costs and value of said System and the cost of maintaining, repairing and operating the same and the amounts necessary for the retirement of all bonds payable therefrom, and there shall be charged such rates and charges as shall be adequate to meet the requirements of this and the preceding section. The charges for utility service which are, under the provision of Section 21, Act 94, Public Acts of Michigan, 1933, as amended, made a lien on all premises served thereby unless notice is given that a tenant is responsible are hereby recognized to constitute such lien and whenever any such charges against any piece of property shall be delinquent for six (6) months, the Township official or officials in charge of the collection thereof shall certify annually, on September 1st of each year to the Township tax assessing officer the fact of such delinquency, whereupon such delinquent charge shall be entered upon the next tax roll as a charge against such premises and the lien thereof enforced in the same manner a general Township taxes against such premises are responsible for such charges and service as provided by said Section 21, no further service shall be rendered such premises until a cash deposit of not less than one full year's service shall have been made as security for payment of such charges and service.

Section 11. No Free Service. No free service shall be furnished by said system to any individual, firm, or corporation, public or private or to any public agency or instrumentality.

Section 12. Covenants. The Township covenants and agrees that so long as any of the Bonds hereby authorized remain unpaid as follows:

- a) It will comply with applicable State laws and regulation and continually operate and maintain the System in good condition.
- b) It will comply with provisions and covenants of Ordinance No. 1974-1, as amended, and this Ordinance.
- c) (I) It will maintain complete books and records relating to the operation of the System and its' financial affairs and will cause such books and records to be audited annually at the end of each fiscal year and an audit report prepared, and as long as the government is the holder of any of the bonds, will furnish FmHA, without request, a copy of each audit report and will furnish any other holder of any Bonds a copy of such report upon written request. As long as the government is the holder of any of the Bonds the FmHA shall have the right to inspect the System and the records, accounts and data relating thereto at all reasonable times.

(II) It will file with the Municipal Finance Commission each year, as soon as possible, not later than ninety days after the close of the fiscal year, a report, on forms prepared by said Commission, made in accordance with the accounting method of the Township, completely setting forth the financial operation of such fiscal year for its own purposes. A copy of such report shall be concurrently furnished the FmHA as long as the government is a holder of any of the Bonds.

(III) The Township Board will also cause an annual audit of such books of record and account of the preceding operating year to be made each year by a recognized independent certified public accountant, and will cause such accountant to mail a copy of such audit to the FmHA if it is the holder of any Bonds. Such audit shall be completed and so made available not later than three (3) months after the close of each operating year, and said audit may, at the option of the Township Board be used in lieu of the statement on forms prepared by the Municipal Finance Commission and all purposes for which said forms are required to be used by this Ordinance.

d) The Township will maintain and carry, for the benefit of the holders of the Bonds insurance on all physical properties of the System, of the kids and in the amounts normally carried by municipalities engaged in the operation of similar systems. All monies received for losses under any such insurance policies shall be applied to the replacement and restoration of the property damaged or destroyed, and to the extent not used, shall be used for the purpose of calling bonds. As long as the government is a holder of any of the Bonds then said insurance shall be approved by the FmHA.

e) It will not borrow money from any source or enter into any contract of agreement to incur any other liabilities that may in any way be a lien upon the revenues or otherwise encumber the System so as to impair revenues therefrom, without obtaining the prior written consent of the FmHA if it is a holder of any of the Bonds nor shall it transfer or use any portion of the revenues derived in the operation of the System for any purpose not herein specifically authorized.

f) It will not voluntarily dispose of or transfer its' title to the System or any part thereof, including lands and interest in lands, by sale, mortgage, lease or other encumbrances, without obtaining the prior written consent of the FmHA if it is a holder of any of the Bonds.

g) Any extensions or improvements of the System shall be made according to sound engineering principals and plans and specifications shall be submitted to the government for prior review, only so long as it is holder of any of the Bonds.

Section 13. Additional Bonds. The Township may issue additional bonds of equal standing with the Bonds authorized herein for the following purposes and on the following conditions:

- a) To complete construction of the Project according to the plans set forth in Sec. 1.
- b) For the purpose of making reasonable repair, replacement, or extension of the System additional bonds of equal standing may be issued if:
 - I) The net revenues of the System for the fiscal year preceding the year in which such additional bonds are to be issued were 120% of the average annual debt service requirements on all bonds then outstanding and those proposed to be issued; or
 - II) The holders of at least 75% of the then outstanding Bonds consent to such issue in writing.

The funds herein established shall be applied to all additional bonds issued pursuant to this section as if said bonds were part of the Bonds and all revenues from any such extension or replacement constructed by the proceeds of the additional bonds shall be paid to the Receiving Fund Account mentioned in this Ordinance.

Except as otherwise specifically provided so long as any of such Bonds are outstanding, no additional bonds or obligations pledging any portion of the revenues of the System shall be incurred or issued by the Township unless the same shall be junior and subordinate in all respects to the Bonds.

Section 14. Ordinance Shall Constitute Contract. The provisions of the Ordinance shall constitute a contract between the Township and the Bondholder and after the issuance of the Bonds this Ordinance shall not be repealed or amended in any respect which will adversely affect the rights and interests of the Bondholders nor shall the Township adopt any law, Ordinance or resolution in any way adversely affecting the rights of the Bondholders so long as said Bonds or interest thereon remains unpaid.

Section 15. Refunding of Bonds. If at any time it shall appear that the government that the Township is able to refund, upon call for redemption or with consent of the government the then outstanding Bonds by obtaining a loan for such purposes from responsible cooperative or private credit sources, at reasonable rates and terms for loans for similar purposes and period of time, the Township will, upon request of the government, apply for and accept such loan in sufficient amount to repay the government, and will take all such actions as may be required in connection with such loans.

Section 16. Default of Township. If there shall be default in the Junior Lien Redemption Fund, provision of this Ordinance or in the payment of principal or interest of any of the Bonds, upon the filing of a suit by the holders of 20% of the Outstanding Bonds any court having jurisdiction of the action may appoint a receiver to administer the System on behalf of the Township with power to charge and collect rates at least sufficient to provide for the payment of the Bonds and for the payment of operation and maintenance expenses and the payment of the

Outstanding Bonds and to apply income and revenue in accordance with this Ordinance and the laws of Michigan.

The Township hereby agrees to transfer to any bona fide receiver or other subsequent operator of the System, pursuant to any valid court order in a proceeding brought to enforce collection or payment of Township obligation, all contracts and other rights of the Township conditionally, for such time only as such receiver or operation shall operate by authority of the court.

The holders of 20% of the Bonds in the event of default may require by mandatory injunction the raising of rates in a reasonable amount.

Section 17. Ordinance Subject to Michigan Law and FmHA Regulations. The provisions of this Ordinance are subject to the laws of the State of Michigan and to the present and future regulation of the FmHA not inconsistent with the express provisions hereof and Michigan Law.

Section 18. Township Subject to Loan Agreement. So long as the government is holder of any of the Bonds, the Township shall be subject to the loan agreement, for F.H.A. 442-47, with the FmHA.

Section 19. Municipal Finance Commission Approval. The Township Clerk is authorized and directed to make application to the Municipal Finance Commission for authority to issue and sell the Bonds.

Section 20. Conflict and Severability. All ordinances, resolutions and orders or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed, and each section of this Ordinance and each subdivision of any section thereof is hereby declared to be independent, and the finding or holding of any section or subdivision thereof to be invalid or void shall be deemed or held to affect the validity of any other section or subdivision of this Ordinance.

Section 21. Paragraph Headings. The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be a part of this Ordinance.

Section 22. Publication and Recordation. This Ordinance shall be published in full in The Mining Journal, a newspaper of general circulation in the Township, qualified under State law to publish legal notices, promptly after its adoption, and the same shall be recorded in the Ordinance Book of the Township and such recording authenticated by the signatures of the Township Supervisor and Township Clerk.

Section 23. Effective Date. This Ordinance is hereby determined by the Township Board to be immediately necessary for the preservation of the peace, health and safety of the Township and shall be in full force and effect from and after its passage and publication as required by law.

Passed and adopted by the Township of Ely, County of Marquette, State of Michigan, on May 3, 1979, and approved by me on May 3, 1979.

Kenneth A. Tuominen
Supervisor
Township of Ely, Michigan

Attest:

Township Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance, duly adopted by the Township Board of the Township of Ely, County of Marquette, State of Michigan, at a Board meeting held on May 3, 1979, 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 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Members were present at said meeting: Kenneth Tuominen, Elise Petro, Mary Kirker, Helen Junak, Robert Laakso and that the following members were absent: None.

I further certify that Member Mary Kirker moved adoption of said Ordinance and that Member Elise Petro supported said motion.

I further certify that the following Members voted for adoption of said Ordinance: Robert Laakso, Helen Junak, Mary Kirker, Elise Petro, Kenneth Tuominen and that the following Members voted against adoption of said Ordinance: None.

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

Township Clerk