

EATON COUNTY BOARD OF COMMISSIONERS

OCTOBER 21, 2009

The Eaton County Board of Commissioners met in regular session at the County Facilities, in the City of Charlotte, Wednesday, October 21, 2009.

Chairman Brehler called the meeting to order at 7:00 PM.

The Pledge of Allegiance to the Flag was given by all.

Commissioner Clarke gave the invocation.

Roll call. Commissioners present; Mike Hosey, Blake Mulder, Theresa Abed, Carol Strachan, Jeanne Pearl-Wright, Leo Farhat, Glenn Freeman, Linda Keefe, Art Luna, Daryl Baker, Dale Barr, Denise Clarke, Roger Harris, Joseph Brehler. Commissioners absent; John Forell.

Commissioner Keefe removed items 5 & 6 from the agenda and added Indigent Defender Hiring Pilot Project resolution under the Ways and Means Committee report. Commissioner Luna added item #3, Planning Commission appointment to the Public Works & Planning Committee report.

Commissioner Freeman moved the agenda be approved as amended. Seconded by Commissioner Barr. Carried.

Commissioner Baker moved the minutes of September 8th and 16th, 2009 be approved as presented. Seconded by Commissioner Luna. Carried. Commissioner Strachan noted she was in attendance at the September 16th meeting however her name is missing from the roll call. Clerk Fuller will correct the minutes from September 16th to reflect Commissioner Strachan was present.

Communications.

1/ Invitation to the October 26th meeting of MTA at the Bellevue Elementary School at 7:30 PM.

Public Comment. Mona Ellard, Eaton County MSU Extension Director introduced Dr. George Silva, who will acting as interim director for MSU Extension when Mona retires the end of October. MSU is preparing to restructure the services offered by MSU Extension and Dr. Silva will be reporting to the Public Works and Planning Committee to keep them informed of the changes. Dr. Silva informed the Board he is privileged to be serving as the interim director of Eaton County MSU Extension.

Chairman Brehler moved the approval of Resolution #09-10-102 in Appreciation of Eaton County MSU Extension Director Mona Ellard as she retires. Seconded by Commissioner Barr. Carried unanimously.

Mona thanked the Board for the opportunity and privilege to serve Eaton County.

Commissioner Pearl-Wright moved the approval of Resolution #09-10-103, In Support of Hunger and Homeless Awareness Week, November 15-21, 2009 in Eaton County and to encourage residents to continue to support helping agencies through direct contributions, volunteerism, and advocacy for long-range solutions to hunger and homelessness in our community. Seconded by Commissioner Mulder. Carried.

Commissioner Freeman moved the approval of Resolution #09-10-104, To Approve the 2009/2010 Weighmaster Contract from October 1, 2009 through September 30, 2010. Seconded by Commissioner Barr. Carried.

Commissioner Freeman moved the approval of Resolution #09-10-105, To Approve the Treasury Law Enforcement Agreement between the Sheriff's Office and the Criminal Investigation, Internal Revenue Service. Seconded by Commissioner Farhat. Carried.

Commissioner Freeman moved the approval of Resolution #09-10-106, To Authorize Proceeding with the Development of an Intergovernmental Agreement with Ingham, Clinton and Livingston Counties to Share in the Cost of New Phone Technology and to Develop Virtual Backup Capabilities. Seconded by Commissioner Baker. Carried.

Commissioner Freeman moved the approval of Resolution #09-10-107, To Amend Section 3 of the Eaton County Animal Control Ordinance, Licensing and Regulations. Seconded by Commissioner Baker. Carried.

Commissioner Abed reported the County will again offer a Citizen's University. An alternative format to offer a one day program is being considered, in addition to the 3-day format previously offered. Date to be determined.

Commissioner Abed also provided an update on a county film initiative and an upcoming movie production in the County.

Chairman Brehler reported on the attempt to bring Broadband to rural areas of the county. The Governor has endorsed the county's application for federal funds.

Commissioner Luna moved the approval of Resolution #09-10-108, To Amend the Construction Code Department Fee Schedule effective November 1, 2009. Seconded by Commissioner Harris. Carried.

Commissioner Luna moved the approval of Resolution #09-10-109, To Approve an Application for an Energy Efficiency and Conservation Block Grant for the purpose of implementing energy efficiency and conservation strategies and creating and/or retaining jobs at the Eaton County Governmental Complex. Seconded by Commissioner Clarke. Carried.

Commissioner Luna moved Christopher Tennes be appointed to an unexpired term on the Planning Commission. Term to expire December 31, 2009. Seconded by Commissioner Pearl-Wright. Carried.

Commissioner Keefe moved the approval of Resolution #09-10-110, To Adopt the 2009 Apportionment Report. Seconded by Commissioner Freeman. Carried.

Commissioner Keefe moved the approval of Resolution #09-10-111, To Approve Amendment Number One to the ASU Group Risk Management Services Agreement. Seconded by Commissioner Freeman. Carried.

Commissioner Keefe moved the approval of Resolution #09-10-112, To Approve the firm of Municipal Financial Consultants, Inc. as the County Bond Financial Consultant for a 2 year period ending December 31, 2011. Seconded by Commissioner Hosey. Carried.

Commissioner Keefe moved the approval of Resolution #09-10-113, Pledging Limited Tax Full Faith and Credit for Watson & Watson and Branches Drain Drainage District Series 2009 Drainage District Bonds. Seconded by Commissioner Baker. Carried.

Commissioner Keefe moved the approval of Resolution #09-10-114, To Approve Educational Services With Charlotte Public Schools for the Eaton County Jail. Seconded by Commissioner Luna. Carried.

Commissioner Keefe moved the approval of Resolution #09-10-115, Recognizing Chosen Vision of Grand Ledge as a Non-Profit Organization for the Purpose of Obtaining a Charitable Gaming License. Seconded by Commissioner Freeman. Carried.

Commissioner Keefe moved the approval of Document #09-10-116, 2010 Holiday Schedule. Seconded by Commissioner Freeman. Carried.

Commissioner Keefe moved the approval of Resolution #09-10-117, To Approve 2008/2009 General Fund Budget Amendments. Seconded by Commissioner Strachan. Carried.

Commissioner Keefe moved the approval of Resolution #09-10-118, To Approve 2009/2010 Special Revenue Fund Budget Amendments. Seconded by Commissioner Clarke. Carried.

Commissioner Keefe moved the approval of claims as audited by the Ways and Means Committee in the amount of \$509,681.54. Seconded by Commissioner Luna. Carried.

Commissioner Keefe moved the approval of Resolution #09-10-119, To Accept Indigent Defender Hiring Pilot Project Grant Funds in the amount of \$150,000. Seconded by Commissioner Barr. Carried. Nays; Mulder. Carried.

Chairman Brehler indicated the adoption of the resolution accepts the funds. The proposed staffing operation and fiscal sustainability of a Public Defender Office will be reviewed by the Ways and Means Committee, prior to the commitment of any grant funds.

Commissioner Clarke moved to accept the immediate payment of claims as audited by the Ways and Means Committee in the amount of \$3,982,277.09. Seconded by Commissioner Freeman. Carried.

There was no Public Comment.

Commissioner Comment. Commissioner Pearl-Wright thanked the Board for their support during the passing of her Father. Commissioner Keefe thanked the board for their support during her husband's open heart surgery. Commissioners Luna and Keefe thanked Mona for her many years of service to the County and her enthusiasm for MSU Extension and Eaton County.

Unfinished Business. Chairman Brehler noted donations are needed for the flower fund.

There was no Old Business or New Business.

Chairman Brehler adjourned the meeting to Wednesday, November 18, 2009 at 7:00 PM.

Joseph C. Brehler /MFF
Chairman of the Board of Commissioners

M. Frances Fuller
Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

OCTOBER 21, 2009

RESOLUTION OF APPRECIATION FOR MONA ELLARD

Introduced by Commissioner Joseph Brehler

WHEREAS, Mona Ellard has served Eaton County MSU Extension for 27 years, including the past 12 years as its Director from 1997 to 2009; and

WHEREAS, Mona served as Vice President and Board member of the Human Services Collaborative Council from 2004 to 2009; and

WHEREAS, Mona was the Eaton County Community Foundation Co-Founder and Board member from 1996 to 2005 in which she mentored the Youth Advisory Council, educating young people about philanthropy and community service; and

WHEREAS, Mona helped create and run the Eaton County SMILE program from 1992 to 2009, which requires all divorcing parents to attend an education seminar on how to assist their children through the trauma of the divorce, during the seventeen years Mona never missed a program and her teachings have immeasurably helped countless children; and

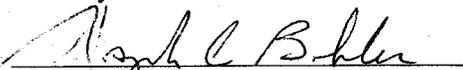
WHEREAS, Mona served for 7 years on the Eaton County Child Abuse and Neglect Prevention Executive Council; and

WHEREAS, Mona has received many honors and awards during her career for leadership, excellence, distinguished service, outstanding supervisor and many more and has left a legacy of leadership and community service in Eaton County; and

WHEREAS, Mona can now share more time with her family, reading, fishing, canning and golfing, as well as being able to help teach/work in the areas of financial management, strategic planning, community development and help communities and people identify resources to build better lives; and

WHEREAS, the Eaton County Board of Commissioners and the people of Eaton County greatly appreciate the many years of Public Service Mona has tirelessly given to her community; and

NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners, meeting in regular session the 21st day of October, 2009 do commend Mona Ellard for a job well done. We wish her well in her new endeavors and thank her for her years of dedicated service to the County. Carried unanimously.


Chairman of the Board of Commissioners


Clerk of the Board of Commissioners

EATON COUNTY BOARD OF COMMISSIONERS

OCTOBER 21, 2009

**RESOLUTION IN SUPPORT OF
HUNGER AND HOMELESS AWARENESS WEEK,
NOVEMBER 15-21 IN EATON COUNTY**

Introduced by the Health and Human Services Committee

Commissioner Pearl-Wright moved the approval of the following resolution.
Seconded by Commissioner Mulder.

WHEREAS, the week of November 15-21, 2009 has been designated as *National Hunger and Homelessness Awareness Week*; and

WHEREAS, the National Coalition for the Homeless and the National Student Campaign Against Hunger and Homelessness co-sponsor *National Hunger and Homelessness Awareness Week* each year; and

WHEREAS, during this week, many schools, counties, and cities take part in a nationwide effort to bring greater awareness to the problems of hunger and homelessness; and

WHEREAS, hundreds of men, women, and children in Eaton County experience hunger and homelessness each year, despite the dedicated efforts of human service agencies, food pantries, church groups, and the Eaton County residents who support them.

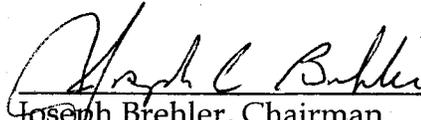
NOW, THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners designates the week of November 15-21, 2009 as *Hunger and Homelessness Awareness Week in Eaton County* and encourages residents to continue to support helping agencies through direct contributions, volunteerism, and advocacy for long-range solutions to hunger and homelessness in our community. Carried.

WEIGHMASTER AGREEMENT
BETWEEN
THE COUNTY OF EATON, THE EATON COUNTY SHERIFF DEPARTMENT AND
THE EATON COUNTY ROAD COMMISSION
2009/2010

- I. TERM: This Agreement will remain in effect from October 1, 2009, through September 30, 2010. By July 1, the parties must advise each other in writing whether they desire the Agreement to continue beyond the current term.
- II. CONTRACT PRICE: The Eaton County Road Commission shall pay to the County of Eaton the actual costs incurred by the Eaton County Sheriff Department for Weighmaster services to be performed pursuant to this Agreement. The Eaton County Sheriff Department calculates its actual costs for providing such services during the time period specified in 2009/2010 as \$42.12 per hour. Services may be increased or decreased by written agreement of the parties during the term of this Agreement, with adjustments to the contract price based upon the change in the actual cost to Eaton County Sheriff Department.
- III. PAYMENT: The parties agree to the following schedule of payments:
 1. The County will bill the Road Commission for the actual hours of personnel assigned to Weighmaster duties on a monthly basis.
- IV. SERVICES TO BE PROVIDED BY THE EATON COUNTY SHERIFF DEPARTMENT: The County of Eaton and the Eaton County Sheriff Department agree to furnish Weighmaster services to the Eaton County Road Commission as outlined below:
 1. Two (2) Deputies are to be assigned to this program full time during the period of time when weight restrictions are in effect based on a maximum of 240 hours per deputy.
- V. OWNERSHIP OF EQUIPMENT: It is agreed that the equipment purchased under this contract will become the property of the Eaton County Road Commission upon termination of this contract.
- VI. LIABILITY: The County of Eaton agrees to provide insurance against any liability from the performance of the Deputies under this Agreement. The County of Eaton and the Eaton County Road Commission agree to hold the other harmless from any expenses not recited in this Agreement and from any liabilities, which arise from providing such Weighmaster services.
- VII. STANDARDS OF PERFORMANCE: The standards of performance, the discipline of Deputies and other matters incident to the performance of services provided by this Agreement shall remain with the County.

VIII. EXAMINATION OF RECORDS: The Eaton County Road Commission officials shall have the right to review, under reasonable circumstances, the logs or records of the Eaton County Sheriff Department, as they shall relate to Weighmaster duties.


Witness DENISE M. DYSON


Joseph Brehler, Chairman
Eaton County Board of Commissioners
Date: November 2, 2009

Witness

Sheriff Mike Raines
Eaton County Sheriff's Office
Date: _____

Witness

Blair Ballou
Eaton County Road Commission
Date: _____


Witness DENISE M. DYSON


Fran Fuller
Eaton County Clerk
Date: 10-30-09

EATON COUNTY BOARD OF COMMISSIONERS

OCTOBER 21, 2009

**RESOLUTION TO APPROVE
TREASURY LAW ENFORCEMENT AGREEMENT**

Introduced by the Public Safety Committee

Commissioner Freeman moved the approval of the following resolution.
Seconded by Commissioner Farhat.

WHEREAS, the Sheriff's Office through its participation in the Tri-County METRO Narcotics Squad may incur expenditures eligible for reimbursement through the Criminal Investigation, Internal Revenue Service as part of joint task force investigations; and

WHEREAS, in order to become eligible for reimbursement it is necessary for an agreement be entered into on behalf of the Sheriff's Office; and

WHEREAS, the Public Safety Committee and Sheriff have reviewed the attached agreement and are recommending its approval.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the agreement between the Sheriff's Office and the Criminal Investigation, Internal Revenue Service, as presented. Carried.

**AGREEMENT BETWEEN TREASURY LAW ENFORCEMENT AGENCIES
and
LOCAL, COUNTY AND STATE LAW ENFORCEMENT AGENCIES
FOR THE REIMBURSEMENT OF EXPENSES**

This agreement is entered into by the Eaton County Sherriff's Office and Internal Revenue Service, Criminal Investigation, for the purpose of receiving reimbursable costs incurred by the Eaton County Sherriff's Office in providing resources to joint operations/task forces.

Payments may be made to the extent they are included in the Treasury law enforcement agency's Fiscal Year Plan, and the monies are available within the Treasury Forfeiture Fund to satisfy the request(s) for reimbursable overtime expenses.

I. LIFE OF THIS AGREEMENT

This agreement is effective on the date it is signed by both parties and terminates on the last day of the current Fiscal Year. Agreements are required on a Fiscal Year basis and must be renewed, if appropriate, by September 30th of each Fiscal Year for the following Fiscal Year.

II. AUTHORITY

This agreement is established pursuant to the provisions of 31 U.S.C. 9703, the Treasury Forfeiture Fund Act of 1992, which provides for the reimbursement of certain expenses of local, county, and state law enforcement agencies incurred as participants in joint operations/task forces with a Department of the Treasury law enforcement agency.

III. PURPOSE OF THIS AGREEMENT

This agreement establishes the procedures and responsibilities of both the Eaton County Sherriff's Office and the Criminal Investigation, Internal Revenue Service, for the reimbursement of certain overtime and other expenses pursuant to 31 U.S.C. 9703.

IV. NAME OF TASK FORCE/JOINT OPERATION (If Applicable)

The Name of this Task Force is Operation Snake Trap #GL MIW 0117.

Projected Dates of Remaining Operation: 10/01/2009 to 09/30/2010.

V. CONDITIONS AND PROCEDURES

A. Assignment of Eaton County Sherriff's Office Officers

To the maximum extent possible, Eaton County Sherriff's Office shall assign dedicated officer(s) to the Task Force/Joint Operations.

The Eaton County Sherriff's Office shall provide the Criminal Investigation, Internal Revenue Service, with the names, titles, badge or ID numbers of the officer(s) assigned to the Task Force/joint Operation in an attachment to this agreement.

B. Requests for Reimbursement of Overtime Expenses

1. The Eaton County Sherriff's Office may request reimbursement for payment of overtime expenses directly related to work performed by its officer(s) assigned as members of a Joint Task Force/Operation with the Criminal Investigation, Internal Revenue Service, for the purpose of conducting official Treasury investigations.
2. The Eaton County Sherriff's Office shall provide the Criminal Investigation, Internal Revenue Service, within 10 days of the signing of this agreement, a mandatory ACH Vendor Payment Enrollment Form for Electronic Funds Transfer.
3. Invoices submitted for the payment of overtime to Eaton County Sherriff's Office officer(s) shall be submitted on the agency's letterhead. The invoice shall be signed by an authorized representative of that agency.
4. The Eaton County Sherriff's Office will submit all requests for reimbursable payments together with appropriate documentation to the Criminal Investigation, Internal Revenue Service, , ATTN: Special Agent Beth Wells, 3100 West Road, Bldg B, Ste 201, East Lansing, MI 48823 (517) 324-7938.

The Eaton County Sherriff's Office shall certify that the request is for overtime expenses incurred by the Eaton County Sherriff's Office for Participation with a joint operation conducted with the Criminal Investigation, Internal Revenue Service. The Eaton County Sherriff's Office shall also certify that requests for reimbursement of overtime expenses have not been made to other Federal law enforcement agencies who may also be participating with the task force/joint operation.

The Eaton County Sherriff's Office acknowledges that they remain fully responsible for their obligations as the employer of the officer(s) assigned to the task force/joint operation and are responsible for the payment of overtime earnings, withholdings, insurance coverage and all other requirements by law, regulation, ordinance or contract regardless of the reimbursable overtime charges incurred.

5. All requests for reimbursement of costs incurred by the Eaton County Sherriff's Office must be approved and certified by the Criminal Investigation, Internal Revenue Service. The Treasury law enforcement agency shall countersign the invoices for payment.
6. All requests for reimbursement of costs are to be received by Criminal Investigation, Internal revenue Service no later than 15 days after the previous month end. These requests for reimbursement are to be for a full month time period, from the first day to the last day of the month. *There should not be invoices covering only part of the month, as in 1/10/04 – 1/25/04.*
7. The Eaton County Sherriff's Office is limited to a maximum reimbursement for all overtime expenses in connection with this operation of \$17,000 per year under this agreement. By statute, no single officer may earn more than \$15,000.00 per fiscal year in overtime regardless of the number of agreements he/she is authorized on. Travel and related expenses should not exceed a maximum of \$6,000 for this task force/joint operation for the Fiscal Year period.
8. The total dollar value of this agreement may be adjusted at anytime by Criminal Investigation, Internal Revenue Service based upon the following:
 - A) The Criminal Investigation, Internal Revenue Service may modify the total dollar obligation, resulting in an increase or decrease, if they determine that the original obligated amount is not commensurate with the rate of reimbursable requests, based on their analysis of submitted reimbursement requests.
 - B) The adjustments to the total dollar value of this agreement may result in a partial and/or total reduction of reimbursement funds requested. Any modification made to an authorized agreement will be documented in writing and immediately provided to the impacted state and local agency.

C. PROGRAM AUDIT

This agreement and its procedures are subject to audit by the Criminal Investigation, Internal Revenue Service, Department of the Treasury, Office of Inspector General, the General Accounting Office, and other government designated auditors. The Eaton County Sherriff's Office agrees to permit such audits and agrees to maintain all records relating to these transactions for a period of not less than three years; and in the event of an on-going audit, until the audit is completed.

These audits may include reviews of any and all records, documents, reports, accounts, invoices, receipts or expenditures relating to this agreement; as well as the interview of any and all personnel involved in these transactions.

EATON COUNTY BOARD OF COMMISSIONERS

OCTOBER 21, 2009

**RESOLUTION TO AUTHORIZE PROCEEDING WITH THE
DEVELOPMENT OF AN INTERGOVERNMENTAL AGREEMENT TO
SHARE IN THE COST OF NEW PHONE TECHNOLOGY AND
TO DEVELOP VIRTUAL BACKUP CAPABILITES**

Introduced by the Public Safety Committee

Commissioner Freeman moved the approval of the following resolution.
Seconded by Commissioner Baker.

WHEREAS, the counties of Clinton, Eaton, Ingham and Livingston all need to upgrade their 911 phone systems in order to take advantage of internet protocol technology; and

WHEREAS, each county also needs to develop emergency backup E-9-1-1 capabilities in the event of primary system failure; and

WHEREAS, each county wishes to work collaboratively in order to reduce costs and provide for interconnectivity between counties; and

WHEREAS, working together each county has the opportunity to not only save in the purchase and maintenance costs of a new phone system, but also forgo the capital costs of building a physical E-911 backup center in each county; and

NOW, THEREFORE BE IT RESOLVED, the Eaton County Board of Commissioners, by this Resolution, does hereby authorize the County Controller to pursue an intergovernmental agreement with Ingham, Clinton and Livingston counties in order to share in the cost of new phone technology and to develop virtual backup capabilities; and

BE IT FURTHER RESOLVED, that preliminary cost and feasibility information will be required in order to proceed, and by the adoption of this resolution each county agrees to share equally in the cost of acquiring this information. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

OCTOBER 21, 2009

**RESOLUTION TO AMEND THE
EATON COUNTY ANIMAL CONTROL ORDINANCE**

Introduced by Public Safety Committee

Commissioner Freeman moved the approval of the following resolution.
Seconded by Commissioner Baker.

WHEREAS, the Board of Commissioners previously adopted the Eaton County Animal Control Ordinance on May 21, 2003; and

WHEREAS, the County Treasurer has recommended an amendment to the licensing deadlines contained in the ordinance; and

WHEREAS, the Public Safety Committee has reviewed the recommended amendments to the Eaton County Animal Control Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the amendments to the Eaton County Animal Control Ordinance, as presented; and

BE IT FURTHER RESOLVED, that amendments shall take effect upon completion of the necessary public notification requirements by the County Clerk.
Carried.

STATE of MICHIGAN, COUNTY of EATON
FILED

OCT 23 2009

M. FRANCES FULLER
EATON COUNTY CLERK

Adopted May 21, 2003
Amended June 21, 2006
Amended October 21, 2009

Eaton County Animal Control Ordinance

An ordinance, providing for general animal control, within Eaton County, prescribing the licensing and regulation of animals and kennels, setting standards and conditions of animal care, prohibiting animal cruelty, establishing powers and duties of Animal Control Officers, prescribing the County Treasurer's duties with regard to animal control, providing for the impoundment, adoption, redemption and humane destruction of animals, providing special controls for keeping vicious and exotic animals, authorizing an annual dog census to be taken, establishing penalties for violations, declaring certain offenses as municipal civil infractions, establishing a municipal civil infraction violations bureau and repealing other inconsistent ordinances.

SECTION 1. PREAMBLE.

1.1. Purpose, Findings and Policy. The County of Eaton deems that the ownership of an animal carries with it responsibilities to the County and its residents with regard to care and control of the animal. In interpretation and application, the provisions of this Ordinance shall be construed to impose a primary responsibility for compliance of this Ordinance on the owner of an animal. The County of Eaton concludes it advisable to adopt a revised Animal Control Ordinance in the interest of protecting public health and safety, promoting the welfare of animals within Eaton County and providing for the orderly and uniform administration of the provisions of Act 339 of the Public Acts of 1919 as amended. The Board of Commissioners finds that the presence of dangerous animals, as defined in this Ordinance, within Eaton County creates an increased danger to public health and safety and to the welfare of other animals and people. The Board of Commissioners, in recognition of the reallocation of governmental functions brought about by Act 139 of the Public Acts of 1973, as amended, assigns the Animals Control Division, under the direction of the Animal Control Officer, to the Eaton County Sheriff Department. It is the policy of the Board of Commissioners that this Ordinance shall be vigorously enforced, to the extent that financial means permit such enforcement, whenever the activities of animals and their owners within Eaton County directly endanger human life and whenever animals subject to protection by state law or this Ordinance are cruelly or inhumanely treated.

Section 1.2. This Ordinance shall be known as the Eaton County Animal Control Ordinance.

SECTION 2. DEFINITIONS.

2.1. "Abandonment" means leaving an animal unattended for more than 24 hours, releasing the animal upon public highways or public or private lands, or failure to provide proper or adequate food, water, exercise, shelter or medical care.

2.2. "Animal" means a mammal, bird, fish, reptile, ferret, snake, turtle, horse, mollusk, crustacean, or any other vertebrate other than a human being.

2.3. "Animal Control Officer" means any person employed by Eaton County for the purpose of enforcing this Ordinance or state statutes pertaining to animals, and all persons and deputies employed by the County to act in the same or a similar manner.

2.4. "Animal Control Shelter" means a facility designated or recognized by Eaton County or State of Michigan for the purpose of impounding and/or caring for animals, including a contract service provider, such as a local animal protection shelter, which may include a humane society.

2.5. "**At Large**" means, except when hunting, an animal which is not on the premises of the owner and not under the control of a person either by leash, cord, chain, or otherwise.

2.6. "**Cat**" means any member of the species "*Felis Catus*."

2.7. "**County**" means the County of Eaton of the State of Michigan.

Section 2. Definitions. (Cont.)

2.8. "**Dangerous Animal**" means any animal, which bites or attacks a person or an animal but does not include the following:

- (a) An animal that bites or attacks a person or animal that is trespassing on the property of the animal's owner;
- (b) An animal that bites or attacks a person or animal that provokes, torments, tortures, or treats an animal cruelly; or
- (c) An animal that is responding in a manner that an ordinary and reasonable person would conclude was designed to protect a person if that person is engaged in lawful activity or is the subject of an assault or battery, or to protect itself or another animal; or
- (d) An Exotic Animal, as defined by this Ordinance.

2.9. "**Dog**" means any member of the species "*Canis Familiaries*."

2.10. "**Domesticated Companion Animal**" means an animal that has traditionally, through a long association with humans, lived in a state of dependence upon humans or has been traditionally kept as a household pet, including but not limited to: dogs, cats, hamsters, gerbils, ferrets, mice, rabbits, parakeets, parrots, cockatiels, cockatoos, canaries, love birds, finches and tropical fish.

2.11. "**Exotic Animal**" means any of the following described animals:

- (a) All animals, including snakes and spiders, whose bite or venom is poisonous or deadly to humans.
- (b) Apes: Chimpanzees (*Pan*); gibbons (*Hylobates*); gorillas (*Gorilla*); orangutans (*Pongo*); and siamangs (*Symphalangus*).
- (c) Baboons (*Papoi*, *Mandrillus*).
- (d) Bears (*Ursidae*).
- (e) Cheetahs (*Acinonyx jubatus*).
- (f) Crocodilians (*Crocodylii*), and alligators.
- (g) Constrictor snakes, or other poisonous reptiles.
- (h) Coyotes (*Canis latrans*).
- (i) Elephants (*Elephas* and *Loxodonta*).
- (j) Gamecocks and other fighting birds.
- (k) Hyenas (*Hyaenidae*).
- (l) Jaguars (*Panthera onca*).
- (m) Leopards (*Panthera pardus*).
- (n) Lions (*Panthera Leo*).
- (o) Lynx (*Lynx*).
- (p) Ostriches (*Sruthio*).
- (q) Pumas (*Felis concolor*); also known as mountain lions, and panthers.
- (r) Wolves (*Canis lupus*).
- (s) Wolf hybrids.
- (t) Raccoons (*Procyon lotor*).
- (u) Skunks (*Genus Mephitis*).
- (v) Tigers (*Felis Tigris*).

2.12. "**Ferret**" means any member of the species "*Mustela Furo*."

2.13. "Hunting" means allowing a dog to range freely within the sight or sound of its owner while in the course of pursuing legal game.

2.14. "Kennel" means any establishment, except a pet shop, animal protection shelter, or pound licensed pursuant to Act 287 of the Public Acts of 1969, as amended, being sections 287.331, *et. seq.* of the Michigan Compiled Laws, wherein or whereon animals are kept for sale, boarding, breeding, training, or sporting purposes for remuneration.

2.15. "Livestock" means horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids, swine, and any other fur-bearing animals being raised in captivity, including those other animals recognized by the Department of Agriculture as being within the jurisdiction of its Department.

2.16. "Neglect" means failure to comply with the minimum requirements for animal care set forth in Section 8 of this Ordinance.

2.17. "Owner" means every person having a right of property in the animal; an authorized agent of the person having a right of property in the animal; every person who keeps or harbors the animal or has it in his care, custody or control; every person who has the apparent authority to have a right of property in the animal. An owner shall include every person who resides at the same address or permits an animal to remain on the premises in which that person resides, if such person is of legal age and capacity and has knowledge that the animal is a Dangerous Animal.

2.18. "Person" means any individual, corporation, society, co-partnership, limited partnership, limited liability company, association, or any other legal or business entity.

2.19. "Pet" means any Domesticated Companion Animal, excluding livestock, poultry, or wild animals, which is owned by any person.

2.20. "Poultry" means any domestic fowl, ornamental birds, and game birds possessed or being reared under the authority of a breeder's license pursuant to part 427 (breeders and dealers) of the Natural Resources and Environmental Protection act, Act No. 451 of the Public Acts of 1994, being sections 324.42701 to 324.42714 of the Michigan Compiled Laws.

2.21. "Provoke" means to perform an act or omission that an ordinary and reasonable person would conclude is likely to precipitate the bite or attack by an animal.

2.22. "Rabies Suspect Animal" means any animal which has bitten, scratched, or broken the skin of a human being; been in contact with or been bitten, scratched or has had its skin broken by a rabid animal; or any animal which shows symptoms suggestive of rabies.

2.23. "Torment" means an act or omission, including abandonment or neglect, that causes unjustifiable pain, suffering, or distress to an animal, including mental or emotional distress as evidenced by the animal's altered behavior.

2.24. "Treasurer" means either the duly elected (or appointed) Treasurer of the County of Eaton, or the duly elected or appointed Treasurer of a local governmental unit (LGU) who performs the requirements of this Ordinance by appointment and authority from the Treasurer of Eaton County.

2.25. "Veterinarian" means any person in good standing licensed by the State of Michigan to practice veterinary medicine.

2.26. "Veterinary Hospital" means any establishment operated by a veterinarian for surgery, diagnosis, and treatment of diseases, illnesses, and injuries of animals.

2.27. (a) "Vicious Animal" means any animal that has:

(i) previously been declared a "Dangerous Animal" under this section or under Public Act 426 of 1988, as amended, being sections 287.321, *et. seq.* of the Michigan Compiled Laws;

(ii) a propensity, tendency, or disposition to attack, cause injury, or otherwise endanger the safety of persons or Domesticated Companion Animals; or

(iii) behaved in such a manner that the owner knows or should have known that the animal had tendencies to bite or attack persons or other Domestic Companion Animals.

(b) A Vicious Animal does not include the following:

(i) An animal that bites or attacks a person or animal that is trespassing on the property of the animal's owner;

(ii) An animal that bites or attacks a person or animal that provokes, torments, tortures, or treats an animal cruelly; or

(iii) An animal that is responding in a manner that an ordinary and reasonable person would conclude was designed to protect a person if that person is engaged in lawful activity or is the subject of an assault or battery, or to protect itself or another animal; or

(iv) An Exotic Animal, as defined in this Ordinance.

2.28. "Wild Animal" means any Animal, which is not a Domesticated Companion Animal, or any crossbreeds of these animals with domestic animals, or any descendant of any crossbreed. Such animals include, but are not limited to: any venomous snake, python or constrictor snakes, owls, porcupines, monkeys, raccoons, skunks, leopards, lions, tigers, lynx, bobcats, badgers, fox, coyote, wolves, wolf-hybrids, wolverines, squirrels, bears, deer, chipmunks, moose, elk, rabbits, opossum, beavers, ground hogs, moles, gophers, mice/rodents, bats, birds, and any related fur or feathered non-Domesticated Companion Animals.

SECTION 3. LICENSING AND REGULATION

Section 3.1 License Requirements. It shall be unlawful for any person:

(a) To own any dog four (4) months old or older, unless the dog is licensed;

(b) To own any dog four (4) months old or older that does not at all times wear a collar with an identifying tag approved by the Director of the Michigan Department of Agriculture (see exception below), attached as provided, except when engaged in lawful hunting accompanied by its owner; or

(c) To remove any collar and license tag from a dog, except the owner.

3.2 License Application. On or before June 1 of each year, the owner of any dog four (4) months old or older shall apply to the Animal Control Officer or Treasurer in writing for a license for each dog owned or kept by the owner. The application for a license shall be accompanied by proof of vaccination of the dog for rabies by a valid certificate of vaccination for rabies, with a vaccine licensed by the United States Department of Agriculture, signed by an accredited veterinarian. Dogs attaining the age of four (4) months shall have thirty (30) days after attaining four (4) months in which to obtain a license. The application for a license shall contain the breed, sex, age, color, markings, and the address of the previous owner of the dog.

3.3 License Fees. The license fee for dogs shall be as follows:

(a) For all dogs of the age of four (4) to six (6) months old older on or before June 1st of each year, Fifteen Dollars (\$15.00) if the license is obtained before June 1st.

(b) For all dogs of the age of six (6) months old or older after July 1st of each year, Seven Dollars and fifty cents (\$7.50) if the license is obtained as provided in Section 2 of this Ordinance;

- (c) For all spayed/neutered dogs, so certified by an accredited veterinarian, of the age of six (6) months old or older on or before July 1st of each year, Ten Dollars (\$10.00) if the license is obtained before June 1st;
- (d) For all spayed/neutered dogs who attain the age of four (4) to six (6) months after July 1st of each year, Five Dollars (\$5.00) if the license is obtained as provided in Section 2 of this Ordinance;
- (e) For all dogs not licensed within the time period set forth in (a) through (d) above, the licenses will be considered delinquent and the fee shall be Thirty Dollars (\$30.00);
- (f) Fees for leader dogs or dogs in service training are hereby waived;
- (g) For any dog that has been adjudicated a Dangerous Animal pursuant to Act 426 of the Public Acts of 1988, as amended (MCL 287.321), the license fees scheduled above shall be increased by \$25.00.
- (h) The license fees may be amended by Motion or Resolution of the Board of Commissioners; and
- (i) Current licenses issued by other Michigan counties and by other governmental agencies shall be honored until the expiration of the license.

3.4. Transfer of License. No license or license tag issued for one dog shall be transferable to another dog, cat or ferret. Whenever the ownership or possession of any dog is permanently transferred from one person to another within the same county, the license of the dog may be likewise transferred by the last registered owner upon proper notice in writing to the Treasurer who shall note the transfer upon his records. This Ordinance does not require the procurement of a new license, or the transfer of a license already secured, where the possession of the dog is temporarily transferred for the purpose of boarding, hunting game, breeding, trial or show.

3.5. Loss of License Tag. If any license tag is lost, it shall be replaced without cost by the Treasurer upon application by the owner and upon production of a license receipt and a sworn statement of the facts regarding the loss of the tag.

3.6. License Revocation. The Animal Control Officer may revoke any permit or license if the owner refuses or fails to comply with this Ordinance, or any laws or regulations governing the protection of animals. The Animal Control Officer shall be permitted to inspect all animals and the premises where they are kept and, if permission for inspection is denied, may revoke the permit or license. No person who has been convicted of cruelty to animals shall be issued a permit or license to operate a commercial animal establishment, pet shop, kennel, or to own a dog. Any person having been denied a license or permit may not reapply for 30 days. Each re-application will require a \$10 fee.

SECTION 4. TREASURER'S RECORDS AND DUTIES; EVIDENCE.

4.1 Comparison of Records. On April 1st of each year the Treasurer shall make a comparison of the records of the dogs actually licensed in Eaton County with the report of the Animal Control Officer to determine and locate all unlicensed dogs, as provided in Act 390 of Public Acts of 1998 (MCL 287.275 and MCL 287.277).

4.2. Record of Licenses. The Treasurer shall keep a record of all dog licenses and all kennel licenses issued during the year in each city and township in Eaton County. Such records shall contain the name and address of the person to whom each license is issued. In the case of all individual licenses, the record shall also state the breed, sex, age, color and markings of the dog; and in the case of a kennel license, it shall state the place where the business is conducted. The record shall be a public record and open to inspection during business hours. The Treasurer shall keep an accurate record of all license fees collected by the owner or paid over to the owner by any city or township Treasurer.

4.3. Prima Facie Evidence of Ownership. In all prosecutions for violation of this Ordinance, the records of the Treasurer's Office, or the lack of such records, showing the name of the owner and the license number to which any license has been issued, and the license tag affixed to the collar or harness of the dog showing a corresponding number shall be prima facie evidence of ownership or non-ownership of any dog and of issuance or non-issuance of a dog license or tag.

4.4. Annual Dog Census. It shall be the duty of the Animal Control Officer and those other persons identified in Public Act 390 of 1998 annually to make a census of the number of dogs owned by all persons in Eaton County. During this census, a person who owns or harbors a dog shall produce proof of a valid license upon request of any person who is authorized to enforce this Ordinance. The Animal Control Officer is empowered to employ whatever personnel he/she reasonably believes necessary to conduct this census within the budget limitations provided by the Board of Commissioners; the personnel shall receive for their services the amount as set from time to time by the Board of Commissioners.

4.3. Delegation of Duties. The duties and obligations imposed by this Ordinance upon the respective designated officials may be delegated when permitted by law to some other person or persons with like force and effect.

SECTION 5.0. ANIMAL CONTROL OFFICER DUTIES, AUTHORITY AND RESPONSIBILITIES.

5.1. Appointment; minimum requirements. An Animal Control Officer shall be appointed by the Eaton County Board of Commissioners and shall serve as the head of the Animal Control Division; provided, however, that the Animal Control Officer(s) shall have and meet the minimum requirements contained in MCLA 287.289b; MSA 12.540(2).

5.2. Salary. In lieu of all fees and other remuneration under the statutes of this state, the Animal Control Officer or his deputies, assistants and census takers shall be paid a salary or wages as established and determined by the Board of Commissioners. For employees represented by a bargaining unit wages will be determined by contract negotiations.

5.3. Duties. The Animal Control Officer shall fulfill the following duties:

(a) The Animal Control Officer shall promptly seize, take up and place in the animal protection shelter, or contracted services provider, including a state licensed humane society, all animals being kept or harbored or found running at large any place within Eaton County contrary to the provisions of this Ordinance or the statutes of the State. As to any cat found roaming or wandering on public property or private property other than that of its owner, that is unrestrained, without its owner immediately and visibly present in such area, the animal control officer after reasonable investigation shall be vested with discretion to conclude that such cat is feral or abandoned by its owner and may seize and impound the cat in accordance with the provisions of this Ordinance.

(b) The Animal Control Officer shall be properly deputized as a peace or police officer for the purpose of this Ordinance. He or she shall have the legal authority and duty to issue appearance tickets, citations or summonses to those persons owning, keeping or harboring animals contrary to the provisions of this Ordinance.

(c) The Animal Control Officer or a duly recognized service provider under contract with Eaton County, subject to the limitations contained in this Ordinance, shall dispose of impounded animals which are not claimed and released within seven (7) days by one of the following methods:

(i) adoption by an individual person who meets adoption criteria for the animal; or

(ii) humane euthanasia under MCL 287.279(a); or

(iii) release to a duly recognized service provider to Eaton County, such as a licensed humane society or animal protection shelter.

(iv) The Animal Control Officer may sell, give or make available any live or dead animals of any species or any animal body parts or organs to be used for research, experimental or any other purposes by any person, firm, corporation or institution, to the extent necessary to comply with health laws and regulations concerning rabies. The Animal Control Officer shall be responsible for disposition of the bodies of animals destroyed at the animal protection shelter in accordance with State law and regulations.

However, if a dog has a collar, license, or other evidence of ownership, the Animal Control officer shall notify the owner in writing by first class mail of the impoundment. Disposition of the animal shall then not be made until after ten (10) days from the date of mailing the notice. The Animal Control Division shall maintain a record of when the animal was acquired and under what circumstances. This record shall also indicate the date of notice sent to the owner of an animal and any subsequent disposition of the animal. This section does not apply to animals that are sick or injured to the extent that the holding period would cause the animal to suffer. If, in his or her judgment, the

Animal Control Officer deems that an animal is valuable or otherwise desirable for keeping, the Animal Control Officer may release the animal to a duly recognized service provider under contract with Eaton County, such as a licensed humane society, upon payment of the proper charge for the care and treatment of the animal while kept in the Animal Control Shelter. Provided, if the licensed humane society provided the animal its care and shelter, then no additional fees shall be paid for the release of the animal to the licensed humane society. Regulations regarding the sale of animals from the animal protection shelter and boarding and other charges shall be posted in a conspicuous place at the Animal Control Shelter. The bodies of all animals destroyed at the Animal Control Shelter or elsewhere in Eaton County shall be disposed of by the Animal Control Officer in a manner approved by the Eaton County Health Department and the Board of Commissioners. Any animals voluntarily relinquished to the Animal Control Shelter by their owners for disposition (not boarding), need not be kept for the minimum period of seven (7) or ten (10) days before release or disposal of the animal by the Animal Control Officer.

(d) The Animal Control Officer shall promptly investigate all animal bite cases involving human injury and shall search out and attempt to discover the animal involved. If the Animal Control Officer finds the animal responsible for the bite, he or she shall either impound or quarantine the animal for examination for disease in accordance with the applicable provisions of this Ordinance and the statutes of the State. The Animal Control Officer shall also be obliged to seize and impound any rabies-suspected animal and cause the Animal to be either impounded or quarantined for examination for disease in accordance with the provisions of this Ordinance.

(e) The Animal Control Officer shall make efforts to locate and determine the number of all unlicensed dogs in Eaton County. The Animal Control Officer shall compile a list of the unlicensed dogs and deliver the list to the Prosecuting Attorney for the necessary proceedings as provided by this Ordinance and the statutes of the State.

(f) The Animal Control Officer is authorized and empowered in accordance with the provisions of this Ordinance to enter upon private premises (excepting entry into the private areas of buildings, unless in possession of a Search Warrant) for the purpose of inspecting those premises to determine if the owners of dogs, cats or animals harbored, kept or possessed on the premises have complied with the provisions of this Ordinance. The Animal Control Officer is authorized and empowered to seize and impound any dogs for which no license has been procured in accordance with this Ordinance or for any other violation of this Ordinance. The provisions of this subsection shall include, but not be limited to, investigation of or seizure for cruelty to animals, investigating and seizing Dangerous Animals, and determining whether Exotic Animals are on the premises.

(g) The Animal Control Officer shall have the duty to inspect any kennel, a license for which has been issued by Eaton County or its authorized agents pursuant to this Ordinance and the statutes of the State, and shall have the duty to suspend the license if conditions exist which are unhealthy or inhumane to the animals kept in the kennel, pending correction of such conditions; and further shall have the duty to revoke the license if such conditions are not corrected within a reasonable period of time.

(h) The Animal Control Officer shall have the duty to investigate complaints of animals alleged to be Dangerous Animals or Vicious Animals, and shall have the right to seize, take up and impound such animals pending disposition pursuant to this Ordinance.

(i) The Animal Control Officer shall have the duty to investigate complaints of cruelty to or abandonment or neglect of animals and shall have the duty to seize, take up and impound any animal that has been subject to such cruelty, abandonment or neglect. The Animal Control Officer shall, when the evidence of such cruelty, abandonment or neglect is compelling, seek a warrant charging the owner of the animals with a criminal violation.

(j) The Animal Control Officer shall be responsible for coordinating with the Treasurer the sale of licenses and the keeping of appropriate records and related books of account.

(k) The Animal Control Officer shall have such other duties relating to the enforcement of this Ordinance as the Board of Commissioners or Eaton County Executive may from time to time provide.

5.4. Enforcing of Ordinance. The Animal Control Officer in enforcing the provisions of this Ordinance and the statutes of the State pertaining to animals may make complaint to the Eaton County Prosecuting Attorney and to the District Court in regard to any violations of this Ordinance.

5.5. Suspension or revocation of license; seizure of animals. All suspensions and revocations of licenses and all seizures and impoundment's of animals shall be in accordance with this Ordinance and with such rules and regulations as are adopted from time to time by the Board of Commissioners.

5.6. Issuing Dog Licenses; Record of Receipt. The Animal Control Officer shall maintain a record of receipts, properly numbered in sequence for accounting purposes and the issuing of dog licenses and shall issue such dog in accordance with the terms of this Ordinance.

5.7. Fees and Monies Collected. All fees and monies collected by the Animal Control Officer shall be accounted for and turned over to the Treasurer on or before the first of each and every month, or more often if reasonably necessary, under the standard practices of the Treasurer's accounting system. Funds received by the Treasurer as forfeitures from the sterilization fund provided for in MCL 287.338(a) shall be maintained in a separate account to be disbursed for use by the animal control or protection shelter to finance alterations (sterilization clinics) for public education regarding the value of having dogs sterilized, or otherwise to meet the requirements of MCL 287.389(a).

SECTION 6 – INVESTIGATIONS

6.1. Licensing. For the purpose of discharging the duties imposed by this Ordinance and to enforce its provisions, any agent (of the Animal Control Officer or any Police Officer) is empowered to enter upon any premises on which an animal is kept or harbored to demand the exhibition of the license by the owner or caretaker of an animal.

6.2. Cruelty. The Animal Control Officer may enter premises where an animal is kept upon reported information and belief in a cruel or inhumane manner and demand to examine the animal and seize and impound the animal when, in his or her opinion, the animal is subjected to cruel or inhumane treatment, abandonment or neglect.

SECTION 7 OBSTRUCTION

7.1. Animals Used in Law Enforcement. No person shall hinder, harass, injure, or interfere with a dog or other animal being used for law enforcement purposes by a law enforcement official.

SECTION 8 - ANIMAL CARE

8.1. Standard of Care. Every owner or caregiver of an animal shall be required to provide the animal with the minimum standard of care set forth in this Ordinance. Any failure to comply with the provisions of this Ordinance shall constitute a violation of law and subject the owner or caregiver of an animal to the Penalty provisions of this Ordinance and shall be deemed to be prima facie evidence of criminal negligence under State law. [MCL§ 750.50.].

8.2. Applicability. This Section applies to all persons who are owners, care for, or are custodians of animals, whether as individual persons or as any other legal entity.

8.3. Ownership. Any person who allows an animal habitually to remain and be lodged within his house, store, building, enclosure or premises shall be considered an Owner for purposes of this Ordinance.

8.4. Food and Water. Every owner or caregiver of an animal shall provide the animal with sufficient good and wholesome food and water, the minimum standards of which are as follows:

(a) Sufficient food: Provisions not exceeding 24 hours of a quantity of wholesome foodstuff suitable for the animal's specific species and age and which maintains a reasonable level of nutrition.

(b) Sufficient water: Constant access to a supply of clean, fresh potable water provided at intervals not to exceed 24 hours.

8.5. Cleanliness. Every owner or caregiver of animals shall keep all animals in a clean, sanitary and healthy manner and not confined so as to be forced to stand, sit or lie in their own excrement.

8.6. Shelter. Every owner or caregiver of animals shall provide all animals with a shelter that shall be a structure that is ventilated and protected from excessive heat and cold and of sufficient size to permit the animals to exercise and move about freely.

8.7. Exercise. Every owner or caregiver of animals shall provide all animals with an exercise enclosure which shall be a minimum of 24 square feet in area; any owner or caregiver of an animal shall not tether the animal by use of a choke collar or leash less than 12 feet long or of such unreasonable weight or design as to prevent the animal from moving about freely.

8.8. Veterinary Care. The owner or caregiver of a diseased or injured animal shall provide the animal with appropriate veterinary care and shall segregate the diseased animal from other animals to prevent transmittal of disease.

8.9. Abuse. No person shall beat, cruelly treat, improperly tether, torment, overload, overwork or otherwise abuse an animal or cause, instigate, participate in or permit any dogfight, cockfight or other combat between animals or between animals and humans. No person shall provide or use animals as bait or in training for dogfights, cockfights or other combat between animals or between animals and humans or otherwise violate any provision of MCL 750.49 and 750.50.

8.10. Abandonment and Neglect. No owner or caregiver of an animal shall abandon or neglect any animal. An animal is deemed abandoned and/or neglected if the owner or caregiver fails to properly maintain the animal under the minimal standards of care set forth in this Ordinance and State law.

8.11. Poison. No person shall expose any known poisonous substance, whether mixed with food or not, so that the poisonous substance may be eaten by any animal, provided that it shall not be unlawful for a person to expose on his or her property common rat poison mixed only with vegetable substances.

8.12. Disfigurement. No person, except a licensed veterinarian, shall crop an animal's ears or dock an animal's tail.

8.13. Disposal. Animals shall be disposed of in a humane manner. Under no circumstances shall an animal be killed by the Animal Control Officer or a Police Officer when away from the Animal Control Shelter, except in emergency cases or when medical help for an injured or suffering animal cannot be obtained within a reasonable period of time. This section does not apply to wild animals.

8.14. Housing Conditions for Multi-Animal Housing.

(a) Housing facilities for animals shall be structurally sound and shall be maintained in good repair, to protect the animals from illness or injury, to contain the animals, and to restrict the entrance of other animals.

(b) Every building or enclosure where animals are maintained shall be constructed of material that can be easily cleaned and shall be kept in a clean and sanitary condition. The building shall be properly ventilated to prevent drafts and to remove odors. Heating and cooling shall be provided as required, according to the physical needs of the animals, with sufficient light to allow observation of animals and sanitation.

(c) All animal rooms, cages, kennels, and runs shall be of sufficient size to provide all animals with adequate room for exercise and general proper accommodations.

(d) All animal rooms, cages, kennels, and runs shall provide all animals with proper shelter and protection from the weather at all times, including, but not limited to, a minimum of a roofed, three-sided structure of suitable size. All animals must be provided with an area protected from the elements so as to provide a dry, clean area for the animals to rest.

(e) No person shall fail to provide an animal with adequate shelter any time an animal is confined in such a manner that it is unable to seek shelter, regardless of the length of time the animal is out in the weather.

8.15. Other Conditions. No animal shall be left without proper attention and care for more than 24 consecutive hours. Whenever an animal is left unattended at a commercial animal facility, the name, address and telephone number of the responsible person shall be posted in a conspicuous place at the front of the property.

(a) No condition shall be maintained or permitted that is or could be injurious to the animals.

(b) All reasonable precautions shall be taken to protect the public from the animals and animals from the public.

(c) No person shall give an animal any alcoholic beverage or prescription drug, unless prescribed by a veterinarian.

(d) No person shall knowingly allow animals that are natural enemies, temperamentally unsuited, or otherwise incompatible, to be quartered together or so near each other as to cause injury, fear or torment. If two or more animals are so trained that they can be placed together and do not attack each other or perform or attempt any hostile act to each other, the animals shall be deemed not to be natural enemies.

(e) Working animals shall be given adequate rest periods. Confined or restrained animals shall be given exercise proper for the individual animal under the particular conditions.

(f) No person shall work, use, or rent any animal which is malnourished, undernourished, overheated, weakened, exhausted, sick, injured, diseased, lame, or otherwise unfit. This shall mean that if an animal is not shod, it must be provided with footing (i.e., grass, hay, wood shavings or dirt). At a minimum, working animals shall be given adequate rest breaks, with water and shade provided. No animal shall be used if it appears to be lame or in distress.

(g) No person shall allow any animal that the Animal Control Shelter has suspended from use, to be worked or used until released by the Animal Control Officer.

(h) All animals shall be kept under humane restraint.

(i) All dogs shall be kept under restraint and shall not be permitted to be at large.

(ii) No owner shall permit a dog to leave the owner's premises unless such animal is wearing a leash and is under the positive control of a person of suitable age and discretion. The leash shall be of sufficient strength to restrain the particular animal.

(iii) While restrained by a leash, no animal shall be permitted to enter upon private property other than the animal owner's without the permission of the private property owner.

8.16 Barking Dogs. No person shall own any dog which, by loud and frequent barking, howling, or yelping, is a nuisance in the neighborhood in which said dog is kept, possessed or harbored.

8.17. Gifts of Animals. No person shall, in a manner inconsistent with Department of Agriculture regulations, offer as a prize or give away any live animal/fowl in any contest, raffle, promotional event, lottery, or as enticement for fund raising, or for entry into any place of business.

8.18. Animals in Motor Vehicles.

(a) No person shall transport or carry any dog or other animal in a motor vehicle unless the animal is safely enclosed within the vehicle. If a person is transporting or carrying an animal in an unenclosed or partially enclosed vehicle (including, but not limited to convertibles, pick-up and flat-bed trucks), the person shall confine the animal in a container case, or other device that is of proper and adequate size to prevent the animal from falling from or jumping from the motor vehicle.

(b) No person shall leave any animal in any standing or parked vehicle in such a way as to endanger the animal's health, safety or welfare. An Animal Control Officer, a law enforcement officer and their agents are authorized to use reasonable force to remove an animal from any vehicle whenever it appears that the animal's health, safety, or welfare is, or may be, endangered.

(c) No person shall permit an animal to be within or on a motor vehicle at any location under such conditions as may endanger the health or well being of the animal, including, but not limited to dangerous temperatures, lack of air, food, water or proper care.

(d) No person shall carry or cause to be carried in or upon any vehicle or otherwise, any live animals having the feet or legs tied together or in any other cruel or inhumane manner or without providing suitable and humane facilities including racks, crates or cages in which such animal may stand up or lie down during transportation or while awaiting slaughter or sale.

8.19. Dangerous Animal and Vicious Animal Care. Every Dangerous or Vicious Animal shall be confined by its owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.

8.20. Ferret Owners Responsibilities.

(a) A person who owns or harbors a ferret that has bitten, scratched, caused abrasions or contaminated with saliva or other infectious material an open wound or mucous membrane of a human being shall report the incident within 48 hours to Animal Control or Eaton County Health Department.

(b) A person who owns or harbors a ferret that has potentially exposed a person or other animal to rabies by biting, scratching, causing abrasions or contaminating open wounds or mucous membranes with saliva or other infectious material, shall handle the ferret in accordance with current published guidelines of the Centers of Disease Control and Prevention and State law.

(c) No person owning, possessing or having charge of any ferret shall permit a ferret to leave the owner's property unless the ferret is confined or leashed and under the direct control of the owner or a responsible person designated by the owner.

(d) No person shall release a ferret into the wild or abandon a ferret.

8.21. Dead Animals. It shall be unlawful for an owner or caregiver, or person possessing an animal to do any of the following:

(a) To put any dead animal or part of the carcass of any dead animal, into any lake, river, creek, pond, road, street, alley, lane, lot, field, meadow or common, unless the carcass or part(s) of the carcass is/are buried at least four (4) feet underground. Or where applicable, to a depth prescribed by township ordinance.

(b) To allow the carcass of a dead animal to be left unattended and not properly disposed of for more than 24 hours of receiving a "Notice to Bury."

SECTION 9. WILD/EXOTIC ANIMALS.

9.1. Statutory Requirements. Anyone in possession of a Wild Animal, Exotic Animal or a crossbreed of a Wild Animal or Exotic Animal with a Domestic Animal, shall meet the requirements prescribed by Michigan Law in MCL.287.1001 *et seq.*, the Wolf-Dog Cross Act, or in MCL 287.1101 *et seq.*, the Large Carnivore Act.

SECTION 10. CONFINEMENT OF ANIMAL AFTER BITING.

10.1. Domesticated Companion Animal. The owner of any Domesticated Companion Animal that bites a Person or other Animal shall securely confine the biting Animal inside an appropriate building or enclosure for a minimum of ten (10) days immediately following the bite. If the Owner of the biting Animal fails to do so, or if the Owner of the biting Animal cannot be identified or found, then the Animal Control Officer may take possession of the Domesticated Companion Animal and humanely confine it at the Animal Control Shelter or Animal Protection Shelter until the expiration of the ten (10) day period. In this event, The Owner shall be responsible for all expenses incurred by the Animal Control Officer in gaining possession of and confining the pet for the ten (10) day period. At the expiration of the ten (10) day period, if the Owner shows satisfactory evidence that the Domesticated Companion Animal is not suffering from rabies, and pays the requisite expenses, the Animal Control Officer shall release the Domesticated Companion Animal to its Owner.

The Animal Control Officer may humanely destroy the Domesticated Companion Animal only if the Domesticated Companion Animal is determined to be suffering from rabies as evidenced by the written opinion of a licensed veterinarian. In such a case, following the humane destruction of the Domesticated Companion Animal, the Animal Control Officer shall immediately send a sample specimen to the Michigan Department of Public Virology Laboratory in Lansing, Michigan. The Animal Control Officer shall also immediately notify the victim of the bite, or in the case of a bitten Animal, the Owner of the bitten Animal, of the veterinarian's opinion.

10.2. Animals That Are Not Domesticated. The Animal Control Officer shall securely and humanely confine in the Animal Control Shelter or its contracted agency any animal that is not kept as a Domesticated

Companion Animal that bites a human or animal for the requisite ten (10) day period. If, at the expiration of this period, the animal does not display any indication that it is suffering from rabies or other sickness, the Animal Control Officer may (a) in the case of a wild animal; release it in a suitable habitat; or (b) in the case of an Exotic Animal or stray Domesticated Companion Animal, retain possession of the animal at the Animal Control Shelter where policies regarding adoption and humane destruction as set forth in this Ordinance shall apply. If, during the ten (10) day holding period, the animal displays symptoms of rabies, then the Animal Control Officer shall humanely destroy the animal and immediately send the animal or sample specimen to the Michigan Department of Public Health Virology Lab in Lansing, Michigan.

SECTION 11. ANIMAL IMPOUNDMENT; ADOPTION OR HUMANE DESTRUCTION.

11.1. Impoundment by Animal Control Officer. The Animal Control Officer may humanely seize and impound at the Animal Control Shelter, any Domesticated Companion Animal found running at large and not in control of its owner. If an Animal control Officer finds a non-vicious or non-dangerous Domesticated Companion Animal running at large, and the owner of the Domesticated Companion Animal can be ascertained and is available, the Animal Control Officer may not seize and impound the Domesticated Companion Animal, but rather, may return the Domesticated Companion Animal to its owner, and may cite the owner with a violation of this Ordinance. The Animal Control Officer shall humanely seize and impound at the Animal Control Shelter any Animal that is, within the reasonable discretion of the Animal Control Officer, subject to abuse, cruelty, abandonment or neglect, and shall cite the owner with a violation of this Ordinance and/or applicable state laws.

11.2. Impoundment by Citizens. Any citizen shall be empowered to temporarily take and hold any animal within plain view that, according to a reasonable person, poses an imminent danger of causing serious bodily injury or death to a Person or another animal. Any such citizen shall immediately contact an Animal Control Officer and turn over the animal to the Animal Control Officer's custody. Any citizen acting reasonably and in good faith under this Section shall not be liable for civil claims or criminal charges resulting from such actions.

11.3. Notification of Owner. Immediately after impounding an animal, if the owner of the animal can be identified by collar, license, tag or by other means, the Animal Control Officer shall immediately notify the owner about the animal's impoundment by telephone and by first class mail. The Animal Control Officer shall inform the owner of the steps necessary to regain custody of the animal, as set forth in Section 11.5 of this Ordinance.

11.4. Impoundment at Animal Control Shelter. Any animal seized and impounded under this Article shall be humanely confined for a minimum of seven (7) days at the Animal Control Shelter. An animal of an identified owner shall be held for a minimum of ten (10) days following the notification of the owner. If the owner of the animal cannot be ascertained or if the animal is otherwise not redeemed under subsection 11.5 of this Ordinance or adopted under subsection 11.6 of this Ordinance, then, at the expiration of the seven (7) day period for animals without an identifiable owner, or ten (10) days for animals with an identified owner, the Animal Control Officer may continue to humanely confine the animal or may humanely destroy the animal in accordance with the standards of humane euthanasia set forth in Section 5 of this Ordinance and as provided in MCL 287.279a.

Any animal voluntarily turned in to the Animal Control Shelter for the purpose of euthanasia, or any animal that is sick, injured or otherwise suffering, need not be held for the requisite time periods set forth in this Section. In such case, the Animal Control Officer may immediately humanely destroy the animal in accordance with the standards of humane euthanasia set forth in this Ordinance. The bodies of animals destroyed at the Animal Control Shelter shall be disposed of by the Animal Control Officer in accordance with State law.

The Animal Control Division shall maintain a record of when, where and under what circumstances each animal was seized. The record must also include the dates of notices sent to owners, the disposition of each animal.

11.5. Redeeming Impounded Animals. Any owner may redeem an animal from impoundment by executing a sworn statement of ownership, furnishing a license and tag, as required by this Ordinance and State laws and paying all expenses associated with the seizure and impoundment of the animal. The Animal Control Officer shall not release any impounded animal to an owner who has been convicted with animal cruelty, abandonment or neglect or other violations of State law or of this Ordinance without a Court Order following a show cause hearing

in which the owner establishes that he or she can and will own and keep the animal in a humane fashion, and in accordance with State laws and this Ordinance.

11.6. Adoption of Impounded Animals. Any person who wishes to adopt an impounded animal must sign a sworn statement that he or she will own and keep the animal in accordance with the terms of this Ordinance and State laws, including compliance with licensing and vaccination requirements and sterilization requirements. If the animal has not been sterilized, the sworn statement must also provide that the adopted animal will be immediately sterilized or, in the case of a puppy, kitten, sick or injured animal, will be sterilized immediately after a licensed veterinarian determines that the animal is of sufficient age and health to undergo sterilization. The sworn statement must also provide that the animal will not be used for fighting or other illegal activity and will not be subjected to, sold, or otherwise used for medical or other testing or experimentation. Any person adopting an impounded animal must pay shelter, boarding and other charges associated with the seizure and impoundment of the animal prior to the release of the animal. Such charges shall be posted conspicuously at the Animal Control Shelter.

SECTION 12. KENNELS.

12.1. Licensing. Any person who owns, keeps or operates a kennel shall obtain a kennel license from the Animal Control Office. The Animal Control Officer shall inspect all kennels annually in accordance with State of Michigan Animal Control laws. Kennels must also comply with applicable Building Code and Zoning Ordinances. The Animal Control Officer shall suspend licenses for kennels and impound animals kept in kennels whose conditions are unhealthy or inhumane or otherwise in violation of this Ordinance or State laws. At inspections, or at any other time, the Animal Control Officer may cite kennel owners for violations of this Ordinance.

12.2. Exemption from Requirement for Individual Animal Licenses. Any person who owns, keeps or operates a kennel may, in lieu of obtaining individual licenses for animals required under this Ordinance, apply to the Animal Control Officer for a kennel license to own, keep or operate the kennel in accordance with applicable State laws, including MCL 287.270.

12.3. Licensing Fees. The fees for a kennel license shall be:

- (a) Ten dollars (\$10:00) for fewer than ten (10) dogs; Plus a twenty-dollar (\$20.00) inspection fee.
- (b) Twenty-five dollars (\$25:00) for more than ten (10) dogs; Plus a twenty-five (\$25.00) dollar inspection fee.

12.4. Compliance with Statutes, Regulations and Ordinances. The Animal Control Officer shall not issue to any person a kennel license unless that person is in full compliance with this Ordinance and the laws of the State of Michigan, including, but not limited to, Michigan Department of Agriculture Regulation 129 governing dog kennels, MCLA 287.261 to 287.293. The Animal Control Officer shall not issue a kennel license to any person who has, at any time, been convicted of animal cruelty, abuse or neglect, except upon a Court Order following a show cause hearing wherein the person seeking the kennel license has shown that he or she can and will run, keep and operate the kennel in a safe and humane fashion and in accordance with State laws and this Ordinance.

12.5. Humane Treatment. All kennels must be kept sanitary and provide adequate housing and humane treatment of the animals in the kennel including, but not limited to, fresh food and water daily, sufficient room and opportunity for daily exercise, protection from the elements, adequate ventilation, vaccinations against diseases and adequate veterinarian care. Any person who owns, keeps or operates a kennel is subject to the minimum standards of care and all provisions of this Ordinance in its entirety for each of the animals kept in the kennel.

12.6. Penalties. Any person who owns, keeps or operates a kennel and who fails to obtain and maintain a current kennel license shall be subject to citation for violation of this Ordinance and shall be subject to the penalty provisions of this Ordinance.

SECTION 13. SPECIAL PROVISIONS REGARDING VICIOUS ANIMALS.

13.1. Standards for Keeping Vicious Animals. The keeping of Vicious Animals shall be subject to the following standards.

(a) **Leash and Muzzle.** No person shall permit a Vicious Animal to go outside of its kennel, pen or the owner's residence unless such animal is securely leashed with a leash no longer than four (4) feet in length. No person shall permit such an animal to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such animals may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all such animals on a leash outside of the animals kennel, pen or the owner's residence must be muzzled by a muzzling device sufficient to prevent the animal from biting persons or other animals.

(b) **Confinement.** All Vicious Animals shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as provided in paragraph (a) above. Such pen, kennel or structure must have secure sides and a secure top attached to its sides. A fenced-in yard by itself is insufficient to meet this standard. All structures used to confine such animals must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground to a depth of no less than two (2) feet. All structures erected to house such animals must comply with all zoning and building regulations of the City or Township where located. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition. The house or shelter for said animal shall be totally enclosed within the confinement structure.

(c) **Confinement Indoors.** No Vicious Animal may be kept on a porch, patio or in any part of a house or structure that would allow the animal to exit such building on its own volition. In addition, no such animal may be kept in a house or structure where window screens or screen doors are the only obstacles preventing the animal from exiting the structure.

(d) **Signs.** All owners, keepers or harborers of Vicious Animals within the County of Eaton shall within ten (10) days of the effective date of this Ordinance, display in a prominent place on their premises a sign, easily readable by the public from adjoining public roads or streets, using such words as "*Beware of Vicious Animal*" or other appropriate warning language. In addition, a similar sign must be posted on the kennel or pen of such animal.

13.2. Insurance Identification and Reporting Requirements.

(a) **Insurance.** All owners, keepers or harborers of Vicious Animals must, within ten (10) days of the effective date of this Ordinance, provide proof to the County of Eaton at its Animal Control Division at the Animal Control Office, liability insurance in an amount of five hundred thousand dollars (\$500,000.00) for each occurrence for bodily injury to or death of any person or persons which may result from ownership, keeping or maintenance of such animal. The insurance policy shall provide that no cancellation of the policy will be effective unless ten (10) days written notice is first given to the Animal Control Officer at his or her business address.

(b) **Identification photographs.** All owners, keepers or harborers of Vicious Animals must, within ten (10) days of the effective date of this Ordinance, provide the Animal Control Officer with two (2) color photographs of the registered animal clearly showing the color and approximate size of the animal.

(c) **Reporting requirements.** All owners, keepers or harborers of Vicious Animals must, within three (3) days of the following incidents, report the following in writing to the Animal Control Officer:

- (i) The removal from Eaton County or death of a Vicious Animal.
- (ii) The birth of offspring of a Vicious Animal.
- (iii) The new address of a Vicious Animal if the owner moves within Eaton County limits.
- (iv) The animal is on the loose, has been stolen or has attacked a person.

13.3. Failure to Comply. If the owner, keeper or harbinger of a Vicious Animal resident within the County of Eaton fails to comply with the requirements and conditions set forth in this Section and this entire Ordinance, the animal shall be subject to immediate seizure and impoundment and further disposition in accordance with this Ordinance.

SECTION 14. PENALTIES AND ENFORCEMENT PROCEDURES

14.1. Misdemeanor. Except as otherwise provided herein, any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars and incarceration of up to 90 days in jail.

14.2. Municipal Civil Infractions. The offenses set forth in Section 3.1 (License Requirements) and Section 8.16 (Barking Dogs) of this Ordinance shall be municipal civil infractions. The sanction for a violation of Section 3.1 or Section 8.16, which are municipal civil infractions, shall be a civil fine as provided herein, plus any cost, damages, expenses and other sanctions, as authorized under Chapter 87 of 1961 PA 236, as amended, being MCL 600.8701 *et seq.*, and other applicable laws.

14.3. Authorized Enforcement Officials. The Animal Control Officer, his deputies, and deputies of the Eaton County Sheriff, are the County officials authorized to issue municipal civil infraction citations and municipal civil infraction violation notices for violations of this Ordinance.

14.4. Adoption of a Schedule of Fines for Municipal Civil Infraction Violations. The County Board of Commissioners shall by Resolution adopt a schedule of fines for violations of this Ordinance which are municipal civil infractions, which schedule of fines may be amended by subsequent Resolution. For purposes of establishing an initial schedule of fines, the following schedule is adopted:

(a) ***Fines for Municipal Civil Infraction Citations.*** A person, corporation or firm who violates any provision of his Ordinance which has been designated as a municipal civil infraction, and is found responsible at the district court for a municipal civil infraction citation, shall pay a civil fine of not less than \$75 not more than \$500, plus costs and other sanctions, for each infraction.

Repeat offenses shall be subject to increased fines as set forth below. As used in this subsection, "repeat offense," means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision of this Ordinance, committed by a corporation, person or firm within any 24-month period, and for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense shall be as follows:

- (i) The fine for any offense that is a repeat offense shall be no less than \$200 plus costs and other sanctions.
- (ii) The fine for any offense that is a second repeat offense shall be no less than \$300 plus costs and other sanctions.
- (iii) The fine for any offense that is a third or subsequent repeat offense shall be no less than \$500 plus costs and other sanctions.

(b) ***Fines for Municipal Civil Infraction Violation Notices.*** A person, corporation or firm who, as a result of violating any provision of this Ordinance designated as a municipal civil infraction, receives a municipal civil infraction violation notice, upon a determination of responsibility thereon, shall pay an initial civil fine at the Eaton County Municipal Civil Infractions Violations Bureau of \$50.

- (i) In the case of another offense within one year of the date of the initial infraction, the civil fine shall be \$75. (This shall be known as the second offense).
- (ii) In the case of another offense within one year of the date of the second offense, the civil fine shall be \$150. (This shall be known as the third offense).

- (iii) In the case of another offense within one year of the date of the third offense, the civil fine shall be \$500. (This shall be known as the fourth offense). All subsequent offenses shall be subject to a civil fine of \$500.

14.5. Establishment of Municipal Civil Infractions Violations Bureau. The Municipal Civil Infraction Violations Bureau, for disposition of municipal civil infractions violation notices issued under the Eaton County Animal Control Ordinance, shall be located at the Eaton County Animal Control Section of the Eaton County Sheriff's Department, 756 Courthouse Drive, Charlotte, MI 48813.

14.6. Enforcement in Civil Actions. In addition to enforcement of violations of this Ordinance as misdemeanors and municipal civil infractions, enforcement of violations of this Ordinance may be accomplished by civil action, along with any other remedies provided by law. Violation of this Ordinance is hereby declared a nuisance, per se, and adjudication of guilt for a misdemeanor or of responsibility for a municipal civil infraction violation shall not preclude other civil proceedings to abate such nuisance.

14.7. Each Violation is a Separate Offense. A violation of this Ordinance as to each animal in the care, custody or control of a person constitutes a separate offense, each separate offense being subject to the penalties provided in this Ordinance. In all situations where penalties are provided for any act of omission, they shall be held to apply to each and every act or omission. When any act or omission is of a continuing character, each and every day's continuance of the act or omission constitutes a separate offense and a presumption of continuing harm and violation of this Ordinance, which may be separately charged and punished according to the provisions of this Ordinance.

14.8. State Law Offenses. A violation of State law with respect to the matters covered by this Ordinance may be prosecuted under either State law or this Ordinance.

SECTION 15. MISCELLANEOUS.

15.1. Rules of Construction. When not inconsistent with the context, words used in the present tense include the future and past tenses. Words in the singular include the plural and words in the plural include the singular. Masculine includes the feminine and neuter. Words or terms not defined in this Ordinance shall be interpreted in accordance with their common meaning. The words "shall" and "will" are mandatory and not merely directive. Headings are inserted for convenience and shall not limit or increase the scope of any provision or Section of this Ordinance.

15.2. Severability. If any part of this Ordinance shall be held unconstitutional or void, such part shall be deemed severable and its invalidity shall not affect the remaining parts of this Ordinance.

15.3. Safety Clause. Eaton County hereby finds, determines, and declares that this Ordinance is necessary for the immediate preservation of the public health, safety, and welfare of the cities of the County, the County, and the inhabitants.

SECTION 16. REPEAL AND SAVINGS CLAUSE.

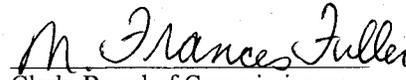
16.1. Repealer. All Ordinances or parts of Ordinances inconsistent with this Ordinance are repealed to the extent they are in conflict with this Ordinance. However, any and all civil and criminal actions arising out of any Ordinance repealed by this Ordinance which are pending in a court of this State, or otherwise vested on the effective date of this Ordinance shall not abate and shall be saved and may proceed to conclusion pursuant to the terms of the repealed Ordinance.

SECTION 17. ADOPTION OF ORDINANCE.

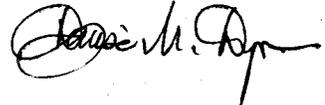
17.1 Adoption; Effective Date. This Ordinance shall be adopted only after a majority of the Commissioners elected and serving shall vote in favor of its adoption. The Clerk of the Board of Commissioners shall then endorse this Ordinance and the Chairperson of the County Board of Commissioners shall sign this Ordinance, which shall then be certified by the Clerk before it is considered adopted. This Ordinance shall then take effect seven (7) days after the date that it is published in a newspaper of general circulation in Eaton County. The County Clerk shall certify the publication.

Effective (date) 10/2/09


Chairman, Board of Commissioners


Clerk, Board of Commissioners

I, M. Frances Fuller, Clerk of the Circuit Court for said County of Eaton do hereby certify that the foregoing is a true copy of a record now remaining in the Office of the Clerk of said County and Court. IN testimony whereof, I have hereunto set my hand, and affixed the seal of said Court and County, at the City of Charlotte, this 2 day of November AD, 2009.

BY
DENISE M. DYSON, DEPUTY  Clerk

NOTICE OF ADOPTION

At their regularly scheduled October 21, 2009 meeting the Eaton County Board of Commissioners adopted amendments to the following ordinance:

An ordinance to amend the Eaton County Animal Ordinance, to allow for changes to the application deadlines and fines in Section 3. Licensing and Regulation, and Sections 3.2 and 3.3.

Copies of this Ordinance are available for viewing, and may be obtained from the Eaton County Clerk, Eaton County Courthouse, 1045 Independence Boulevard, Charlotte, MI 48813.

Or on the County Clerk's webpage at: http://www.eatoncounty.org/Departments/Eaton_County_Clerk_s_Office/County_Ordinances.htm

This Ordinance takes effect upon publication of this Notice of Adoption. Challenges to the adoption of this ordinance, in the form of petitions signed by not less than twenty percent (20%) of the electors of the County, must be filed with the Eaton County Clerk within fifty days of the adoption.

M. Frances Fuller,
Clerk/Register
Eaton County

EATON COUNTY BOARD OF COMMISSIONERS

OCTOBER 21, 2009

**RESOLUTION TO AMEND THE
CONSTRUCTION CODE DEPARTMENT FEE SCHEDULES**

Introduced to the Public Works and Planning Committee

Commissioner Luna moved the approval of the following resolution.
Seconded by Commissioner Harris.

WHEREAS, The Eaton County Board of Commissioners has directed the Construction Code Department to collect fees to cover those costs associated with the operation of the department; and,

WHEREAS, the Eaton County Construction Code Department recommends certain fee amendments based on the cost associated with code administration; and,

WHEREAS, the Eaton County Construction Code Department has established Building, Electrical, Plumbing and Mechanical Permit base fees on the State of Michigan fee schedule; and

WHEREAS, the Public Works and Planning Committee has reviewed the attached amendments and is recommending their approval.

NOW, THEREFORE BE IT RESOLVED that the Eaton County Board of Commissioners hereby approves the amendments to the Construction Code Department fee schedules as recommended; and

BE IT FURTHER RESOLVED, that the amendments to the Construction Code Department fee schedule take effect on November 1, 2009. Carried.

**Eaton County
Department of Construction Codes**

1045 INDEPENDENCE BOULEVARD
CHARLOTTE, MICHIGAN 48813
TELEPHONE: (517) 543-3004 FAX: (517) 543-9924

"OUR GOAL IS TO PROVIDE A SAFER PLACE TO LIVE, PLAY AND WORK"

**REVISIONS OF THE
BUILDING PERMIT AND PLAN REVIEW
FEE SCHEDULE**

Effective November 1, 2009

PERMIT FEES:

	Old	New
1. Site Evaluation Fee.....	\$ 30.00	36.00
2. Base Fee (non-refundable).....	\$ 50.00	50.00
3. Construction Code Board of Appeals (appeal).....	\$ 350.00	420.00
4. Removal of a Building or Structure:		
A. Site Built Dwelling.....	\$ 100.00	120.00
B. Mobile home and mobile offices.....	\$ 50.00	60.00
C. Garages, sheds and barns (one story) up to 576 square feet.....	\$ 50.00	60.00
D. Accessory buildings 577 square feet to 1,140 square feet.....	\$ 50.00	60.00
E. Accessory buildings over 1,140 square feet.....	\$ 70.00	84.00
5. Relocation of a Building or Structure:		
A. Temporary Mobile Office (6-months maximum - includes foundation).....	\$ 75.00	90.00
B. Site built dwelling (does not include the foundation).....	\$ 150.00	180.00
C. Garages, sheds and barns (one story) up to 576 square feet.....	\$ 30.00	36.00
D. Accessory buildings 577 square feet to 1,140 square feet.....	\$ 50.00	60.00
E. Accessory buildings over 1,141 square feet.....	\$ 70.00	84.00
6. Demolition and Wrecking:		
A. Residential buildings.....	\$ 100.00	120.00
B. Garages, sheds, and barns.....	\$ 50.00	60.00
C. Other buildings or structures (commercial, industrial, etc.).....	\$ 150.00	180.00
7. Miscellaneous Permits and Inspection Fees:		
A. Owner requested inspection and report.....	\$ 100.00	120.00
B. Above-grade swimming pool:		
a) Above grade swimming pool under 14 feet in any dimension.....	\$ 50.00	60.00
b) Above grade swimming pool over 14 feet in any dimension.....	\$ 60.00	72.00
C. Below grade swimming pool.....	\$ 100.00	120.00
D. Late application fee.....	\$ 100.00	120.00
E. Signs under 50 square feet.....	\$ 50.00	60.00
F. Masonry Chimneys (per flue).....	\$ 45.00	54.00
G. Document Scanning (each sheet over 11 inch X 17 inch.....)	\$ 3.00	3.00
There is no scanning fee for legible plans submitted on 11 inch X 17 inch or smaller plans submitted on an acceptable electronic format.		
H. Conversion of a pole barn to a dwelling shall be charged at a per square foot and coded equivalent to a new home for statistical purposes.....	\$ 97.00	116.00
I. Piers for manufactured home.....	\$ 50.00	60.00
J. Change of Use and/or Occupancy (no building or trade permits).....	\$ 100.00	120.00
K. Special and Safety Inspections.....	\$ 70.00	84.00

L.	Residential Towers (Utility Electric-Wind, etc.).....	\$ 00.00	300.00
M.	Non-residential Communication Towers (Cell, Private 2-way, etc.).....	\$ 00.00	300.00
N.	Final inspection for voided/canceled permits if applied for within 60 days of the original permit cancellation by the original permit holder.....	\$ 50.00	60.00
O.	Additional inspections or re-inspections.....	\$ 50.00	60.00

8. Mobile Home Installation within a licensed Mobile Home Park (does not include Electrical, Mechanical, or Plumbing Permits).
- | | | | |
|----|------------------|-----------|--------|
| A. | Single wide..... | \$ 150.00 | 180.00 |
| B. | Double Wide..... | \$ 190.00 | 228.00 |

9. Investigation fee.....\$ 100.00 120.00
- An Investigation Fee shall be charged to any person who commences construction or placement of a structure requiring a construction permit prior to obtaining said permit and fails to obtain the required permits on or before the specified date for compliance contained in a formal notice of violation. Failure to pay the investigation fee on or before the specified date, will result in the county pursuing legal action.

10. Construction Permits:

- A. Residential (One and Two Family) Permit fee.....~~\$5.00~~ \$5.50
- The Residential permit fee is charged at a rate of ~~\$5.00~~ \$5.50 per \$1,000.00 of estimated construction cost based upon the following schedule:
- | | | |
|----|---|--|
| a) | All Finished Floors (new houses and additions)..... | \$ 97.00 per square foot |
| b) | Manufactured Houses..... | \$ 50.00 per square foot |
| c) | Crawl Spaces..... | \$ 10.00 per square foot |
| d) | Below Grade Basements (un-finished)..... | \$ 18.00 per square foot |
| e) | Walk-out Basements (un-finished)..... | \$ 18.00 per square foot |
| f) | Decks (open)..... | \$ 30.00 per square foot |
| g) | Decks (covered)..... | \$ 38.00 per square foot |
| h) | Attached Garages..... | \$ 42.00 per square foot |
| i) | Detached Garages..... | \$ 40.00 per square foot |
| j) | Pole Buildings..... | \$ 40.00 per square foot |
| k) | Car Ports (attached and detached)..... | \$ 38.00 per square foot |
| l) | Alterations (based on written contract cost)..... | 5.00 8.00 per \$1,000.00 cost |
- B. Non-Residential (commercial, industrial, etc.) Permit Fee.....~~\$4.50~~ \$5.00
- The non-residential permit fee is charged at a rate of ~~\$4.50~~ \$5.00 per \$1,000.00 of estimated construction cost based on the current I.C.C. valuation data report. Signs and Billboards will be charged based on the contract cost.
- C. Permits are required for repairs to, or the replacement of, all, or any part of a building damaged by a Fire or Natural Disaster. Permit fees will be charged at a rate of ~~\$5.00~~ \$5.50 per \$1,000.00 based on written contract cost.

11. The following activities are not required to have construction permits:

- A. Replacement of roof shingles, or re-surfacing of roof (if a change in roofing materials are made or structural repairs to the roof are made a permit would be required).
- B. Replacement of non-bearing siding or exterior wall covering.
- C. Replacement of doors and windows when the same size and configuration of window is used.
- D. Construction of one story, on grade, detached residential accessory buildings for storage, playhouse, or similar use, provided, the floor area does not exceed 200 square feet.
- E. Fences that are not more than 6 feet high measured from the ground immediately below, to the top most part of the fence.
- F. Retaining walls that are not more than 4 feet in height measured from the bottom of the footing

- to the top of the wall unless supporting a surcharge.
- G. Patios, decks, and porches on residential dwellings which do not support a roof and are not more than 30 inches above grade.
 - H. Window awnings when supported by an exterior wall.
 - I. Painting, papering, tiling, carpeting, cabinets, counter tops and the installation of non-load bearing partitions (except when creating and enclosed room).
 - J. Oil derricks, gas wells, public communication towers (police/fire/public works), works of heavy civil construction such as roads, drains, bridges, and dams.
 - K. Public utility plants and accessory structures such as substations, electric transmission lines, or structures.
 - L. Buildings or structures used for "Agricultural Purposes" as defined in Public Act 245 of 1999. The building must be located on the land used for the agricultural purposes and may not be used in the business of retail trade.
 - M. Installation of septic tanks, drain field, beds, and well drilling.
 - N. Water tanks supported directly upon grade if the capacity is not more than 5,000 gallons (18,927 L) and the ratio of height to diameter or width is not greater than 2 to 1.
 - O. Sidewalks and/or driveways that are not more than 30 inches (762 mm) above adjacent grade and is not over any basement or story below.
 - P. Prefabricated swimming pool that are not capable of holding water 24 inches (610 mm) deep.
 - Q. Swings and other playground equipment accessory to a single family dwelling.

PLAN REVIEW FEES

Plan reviews will be charged as follows:

- A. Plan review fees must be paid when making application for the plan review.
- B. Plan review fees are not refundable.
- C. Plan review approvals are good for 90 days from the date of the plan review approval letter.
- D. A minimum plan review fee of ~~\$50.00~~ \$60.00 will be charged for each required trade.
 - a) The base fee of ~~\$50.00~~ \$60.00 includes the first 1,000 square feet.
 - b) All square footage over 1,000 will be charged @ ~~\$00.010~~ \$00.02 per square foot.
- E. The above fees do not include any archive fees.
- F. A plan review is required for a change in use or occupancy of an existing building or structure.

COMPANY NAME

Eaton County Department of Construction Codes

1045 INDEPENDENCE BOULEVARD
CHARLOTTE, MICHIGAN 48813
TELEPHONE: (517) 543-3004 FAX: (517) 543-9924

"OUR GOAL IS TO PROVIDE A SAFER PLACE TO LIVE, WORK AND PLAY"

CONTRACTOR ELECTRICAL PERMIT APPLICATION

Effective November 1, 2009

Inspector use only

DATE OF APPLICATION: _____

ELECTRICAL PERMIT #: _____

THIS IS AN ADDENDUM TO AN OUTSTANDING ELECTRICAL PERMIT ISSUED TO ME.

AUTHORITY: P.A. 230 OF 1972, AS AMENDED
COMPLETION: MANDATORY TO OBTAIN A PERMIT
PENALTY: PERMIT WILL NOT BE ISSUED

EATON COUNTY WILL NOT DISCRIMINATE AGAINST ANY INDIVIDUAL OR GROUP
BECAUSE OF RACE, SEX, RELIGION, AGE, NATIONAL ORIGIN, MARITAL STATUS,
DISABILITY, OR POLITICAL BELIEFS.

Areas marked with a / must be completed

IF THIS FORM IS NOT PROPERLY & COMPLETELY FILLED OUT IT WILL DELAY THE ISSUANCE OF THE PERMIT.

/ A: OTHER PERMITS

HAS A BUILDING PERMIT BEEN ISSUED FOR THIS PROJECT?

YES NO NOT REQUIRED OTHER JURISDICTION

BUILDING PERMIT #:

/ B: LOCATION OF JOB

NAME OF OWNER:

ADDRESS OF PROJECT / JOB SITE:

CITY OR VILLAGE:

TOWNSHIP & SECTION:

/ C: CONTRACTOR INFORMATION

APPLICANT:

COMPANY NAME:

EATON COUNTY REGISTRATION NUMBER:

EXPIRATION DATE:

ADDRESS:

CITY/STATE/ZIP:

TELEPHONE NUMBER
(WITH AREA CODE):

FEDERAL EMPLOYER ID NUMBER
OR REASON FOR EXEMPTION:

WORKERS COMPENSATION INSURANCE
CARRIER OR REASON FOR EXEMPTION:

MESC EMPLOYER NUMBER
OR REASON FOR EXEMPTION:

/ D: TYPE OF JOB

THIS WORK WILL BE PERFORMED ON: (PLEASE CHECK ALL THAT APPLY)

RESIDENTIAL COMMERCIAL INDUSTRIAL
 MANUFACTURED HOME RENTAL PROPERTY CONDOMINIUM
 UNDERGROUND SERVICE OVERHEAD SERVICE PERMANENT SERVICE
 TEMPORARY SERVICE NEW BUILDING ACCESSORY BUILDING
 REMODEL ADDITION REPLACEMENT EQUIPMENT

/ UTILITY COMPANY:

/ ENERGY REQUEST NUMBER:

/ DESCRIPTION OF WORK:

/ E: APPLICANTS SIGNATURE [PLEASE SIGN IN SPACE PROVIDED BELOW]

ALL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE MICHIGAN RESIDENTIAL CODE AND/OR THE MICHIGAN ELECTRIC CODE, WILL NOT BE COVERED, ENCLOSED OR PUT INTO SERVICE UNTIL IT HAS BEEN INSPECTED AND APPROVED BY AN EATON COUNTY ELECTRICAL INSPECTOR. I WILL COOPERATE WITH THE EATON COUNTY ELECTRICAL INSPECTOR AND ASSUME ALL RESPONSIBILITY TO ARRANGE FOR AND OBTAIN ALL NECESSARY INSPECTIONS. SECTION 23a OF THE STATE CONSTRUCTION CODE ACT OF 1972, 1972 PA 230, MCL 125.1523A, PROHIBITS A PERSON FROM CONSPIRING TO CIRCUMVENT THE LICENSING REQUIREMENTS OF THIS STATE RELATING TO PERSONS WHO ARE TO PERFORM WORK ON A RESIDENTIAL BUILDING OR A RESIDENTIAL STRUCTURE. VIOLATORS OF SECTION 23a ARE SUBJECT TO CIVIL FINES.

/ SIGNED: _____

F: EXPIRATION OF PERMIT

A PERMIT REMAINS VALID ONLY AS LONG AS WORK IS PROGRESSING AND ALL REQUIRED INSPECTIONS ARE CONDUCTED. A PERMIT WILL BE VOIDED IF THE AUTHORIZED WORK HAS NOT BEEN STARTED WITHIN 6 (SIX) MONTHS FROM THE DATE OF ISSUANCE OF THE PERMIT OR IF THE AUTHORIZED WORK IS SUSPENDED OR ABANDONED FOR ANY REASON FOR A PERIOD OF 6 (SIX) MONTHS AFTER THE TIME THE WORK WAS STARTED. A PERMIT MAY BE CANCELED WHEN NO INSPECTIONS ARE REQUESTED AND CONDUCTED WITHIN 6 (SIX) MONTHS OF THE DATE THE PERMIT WAS ISSUED OR THE DATE OF THE PREVIOUS INSPECTION.

CANCELED PERMITS CANNOT BE REINSTATED



Dial: (517) 543-3004 (8 A.M. to 5 P.M.) to speak with our office staff or, (8 A.M. to 9 A.M.) to speak with an inspector.
Dial: (517) 543-9924 (24 Hours a day) to send us information or schedule an inspection by fax.



G: PLAN REVIEW REQUIREMENTS

PLANS AND SPECIFICATIONS FOR NEW CONSTRUCTION WORK, ALTERATIONS, REPAIR, EXPANSION, ADDITION, OR MODIFICATION WORK SHALL BE PREPARED BY OR UNDER THE DIRECT SUPERVISION OF AN ARCHITECT OR ENGINEER LICENSED PURSUANT TO ACT # 299 OF THE PUBLIC ACTS OF 1980, AS AMENDED, AND SHALL BEAR THAT ARCHITECT'S OR ENGINEER'S SIGNATURE AND SEAL. **A PLAN REVIEW IS REQUIRED BEFORE A PERMIT CAN BE ISSUED.**

- EXEMPTION 1: ALTERATIONS AND REPAIR WORK THAT THE BUILDING AND ELECTRICAL OFFICIALS CONSIDER TO BE OF A MINOR NATURE.
- EXEMPTION 2: WORK COMPLETED BY A GOVERNMENTAL SUBDIVISION OR STATE AGENCY COSTING LESS THAN \$15,000.00.
- EXEMPTION 3: WHEN THE ELECTRICAL SYSTEM DOES NOT EXCEED 400 AMPS AND THE BUILDING IS NOT OVER 3,500 SQUARE FEET IN AREA.

H: FEE TABLE

TYPE OF WORK	COST	#	NEW
1. BASE FEE [INCLUDES ONE INSPECTION]	\$ 50.00		\$ 50.00
2. SERVICES AND SUB PANELS	SERVICES REQUIRE AN ENERGY REQUEST NUMBER		
EACH PANEL UP TO AND INCLUDING 100 AMPERES	\$ 10.00		\$ 12.00
EACH PANEL 101 THROUGH 200 AMPERES	\$ 15.00		\$ 18.00
EACH PANEL 201 THROUGH 600 AMPERES	\$ 20.00		\$ 24.00
EACH PANEL 601 THROUGH 800 AMPERES	\$ 25.00		\$ 30.00
EACH PANEL OVER 800 AMPERES [INCLUDING GFI]	\$ 50.00		\$ 60.00
3. EACH CIRCUIT	\$ 6.00		\$ 7.00
4. EACH SET OF 20 OR LESS LIGHTING FIXTURES	\$ 6.00		\$ 7.00
5. EACH DISHWASHER AND/OR GARBAGE DISPOSAL	\$ 6.00		\$ 7.00
6. EACH FURNACE AND/OR UNIT HEATER	\$ 10.00		\$ 12.00
7. EACH ELECTRIC HEATING UNIT	\$ 5.00		\$ 6.00
8. EACH 50 FEET OF FEEDERS	\$ 10.00		\$ 12.00
9. EACH 50 FEET OF BUS DUCT	\$ 15.00		\$ 18.00
10. EACH POWER UNIT	INCLUDES GENERATORS AND AIR CONDITIONERS		
UP TO AND INCLUDING 20 KVA. OR HP.	\$ 10.00		\$ 12.00
21 TO 50 KVA. OR HP.	\$ 20.00		\$ 24.00
OVER 50 KVA. OR HP.	\$ 30.00		\$ 36.00
11. EACH MOBILE HOME SITE	\$ 20.00		\$ 24.00
12. EACH RESIDENTIAL IN GROUND SWIMMING POOL	\$ 35.00		\$ 42.00

TYPE OF WORK	COST	#	NEW
13. SIGNS			
EACH STAND ALONE SIGN	\$ 10.00		\$ 12.00
EACH SEPARATE ILLUMINATED LETTER	\$ 10.00		\$ 12.00
EACH NEON SIGN	\$ 20.00		\$ 24.00
14. FIRE ALARM SYSTEMS			
PANEL AND FIRST 10 ALARM DEVICES	\$100.00		\$ 120.00
EACH ALARM DEVICE FROM 11 THROUGH 20	\$ 10.00		\$ 12.00
EACH ALARM DEVICE OVER 20	\$ 5.00		\$ 6.00
15. EACH POWER OUTLET FOR: RANGE, DRYER, ETC.	\$ 10.00		\$ 12.00
16. SPECIAL AND SAFETY INSPECTIONS	\$ 70.00		\$ 84.00
17. RE-INSPECTIONS	\$ 50.00		\$ 60.00
18. FINAL AND ADDITIONAL INSPECTIONS	\$ 40.00		\$ 48.00
19. EACH RESIDENTIAL SEWAGE LIFT STATION	\$ 20.00		\$ 24.00
20. ARCHIVE FEE - PER PAGE	\$ 3.00		\$ 3.00
21. EACH ABOVE GROUND SWIMMING POOL	\$ 5.00		\$ 6.00
24. DATA/TELECOMMUNICATIONS			
EACH NETWORK INTERFACE UNIT (DISTRIBUTION UNIT)	\$ 50.00		\$ 60.00
COMMERCIAL OUTLETS \$ 6.00 EACH (MINIMUM OF \$ 60.00)	\$ 5.00		\$ 6.00
RESIDENTIAL OUTLETS \$ 6.00 EACH (MAXIMUM OF \$ 60.00)	\$ 5.00		\$ 6.00
25. ENERGY RETROFIT - TEMPERATURE CONTROLS	\$ 50.00		\$ 60.00
TOTAL FEE TO BE PAID			\$

**Eaton County
Department of Construction Codes**

1045 INDEPENDENCE BOULEVARD
CHARLOTTE, MICHIGAN 48813
TELEPHONE: (517) 543-3004 FAX: (517) 543-9924

"OUR GOAL IS TO PROVIDE A SAFER PLACE TO LIVE, WORK AND PLAY"

**CONTRACTOR MECHANICAL
PERMIT APPLICATION**

Effective November 01, 2009

Inspector use only

DATE OF APPLICATION: _____

MECHANICAL PERMIT #: _____

THIS IS AN ADDENDUM TO AN OUTSTANDING MECHANICAL PERMIT ISSUED TO ME.

AUTHORITY: P.A. 230 OF 1972, AS AMENDED
COMPLETION: MANDATORY TO OBTAIN A PERMIT
PENALTY: PERMIT WILL NOT BE ISSUED

EATON COUNTY WILL NOT DISCRIMINATE AGAINST ANY INDIVIDUAL OR GROUP BECAUSE OF RACE, SEX, RELIGION, AGE, NATIONAL ORIGIN, MARITAL STATUS, DISABILITY, OR POLITICAL BELIEFS.

Areas marked with a **!** must be completed

IF THIS FORM IS NOT PROPERLY & COMPLETELY FILLED OUT IT WILL DELAY THE ISSUANCE OF THE PERMIT.

! A: OTHER PERMITS

HAS A BUILDING PERMIT BEEN ISSUED FOR THIS PROJECT?

YES NO NOT REQUIRED OTHER JURISDICTION

BUILDING PERMIT #:

! B: LOCATION OF JOB

NAME OF OWNER:

ADDRESS OF PROJECT / JOB SITE:

CITY OR VILLAGE:

TOWNSHIP & SECTION:

! C: CONTRACTOR INFORMATION

APPLICANT:

COMPANY NAME:

EATON COUNTY REGISTRATION NUMBER:

EXPIRATION DATE:

ADDRESS:

CITY/STATE/ZIP:

TELEPHONE NUMBER:

FEDERAL EMPLOYER ID NUMBER
OR REASON FOR EXEMPTION:

WORKERS COMPENSATION INSURANCE
CARRIER OR REASON FOR EXEMPTION:

MESC EMPLOYER NUMBER
OR REASON FOR EXEMPTION:

! D: TYPE OF JOB

THIS WORK WILL BE PERFORMED ON: (PLEASE CHECK ALL THAT APPLY)

RESIDENTIAL COMMERCIAL INDUSTRIAL
 OIL GEO THERMAL L.P. OR NATURAL GAS
 NEW HOME MANUFACTURED HOME ALTERATIONS
 ADDITION REPLACEMENT EQUIPMENT ACCESSORY BUILDING

! B.T.U. INPUT RATING OF HEATING EQUIPMENT:

! DESCRIPTION OF WORK:

! E: APPLICANTS SIGNATURE [PLEASE SIGN IN SPACE PROVIDED BELOW]

All work shall be installed in accordance with the Michigan Residential Code and/or the Michigan Mechanical code, will not be covered, enclosed or put into service until it has been inspected and approved by an Eaton County Mechanical Inspector. I will cooperate with the Eaton County Mechanical Inspector and assume all responsibility to arrange for and obtain all necessary inspections. Section 23a of the State Construction Code Act of 1972, 1972 PA 230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this State relating to persons who are to perform work on a residential building or a residential structure. Violators of section 23a are subject to civil fines.

! SIGNED: _____

F: EXPIRATION OF PERMIT

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CANCELED PERMITS CANNOT BE REINSTATED.



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Dial: (517) 543-9924 (24 Hours a day) to send us information or schedule an inspection by fax.



G: PLAN REVIEW REQUIREMENTS

PLANS AND SPECIFICATIONS FOR NEW CONSTRUCTION WORK, ALTERATIONS, REPAIR, EXPANSION, ADDITION, OR MODIFICATION WORK SHALL BE PREPARED BY OR UNDER THE DIRECT SUPERVISION OF AN ARCHITECT OR ENGINEER LICENSED PURSUANT TO ACT # 299 OF THE PUBLIC ACTS OF 1980, AS AMENDED, AND SHALL BEAR THAT ARCHITECT'S OR ENGINEER'S SIGNATURE AND SEAL. **A PLAN REVIEW IS REQUIRED BEFORE A PERMIT CAN BE ISSUED.**

- EXEMPTION 1: ALTERATIONS AND REPAIR WORK THAT THE BUILDING AND MECHANICAL OFFICIALS CONSIDER TO BE OF A MINOR NATURE.
- EXEMPTION 2: ONE AND TWO FAMILY DWELLINGS WHEN THE TOTAL BUILDING HEATING SYSTEMS INPUT RATING DOES NOT EXCEED 375,000 B.T.U.'S.
- EXEMPTION 3: WORK COMPLETED BY A GOVERNMENTAL SUBDIVISION OR STATE AGENCY COSTING LESS THAN \$15,000.00.
- EXEMPTION 4: BUSINESS, MERCANTILE AND STORAGE BUILDINGS HAVING H.V.A.C. EQUIPMENT ONLY, WITH ONE FIRE AREA AND NOT OVER 3,500 SQUARE FEET IN AREA.

H: FEE TABLE

	TYPE OF WORK	COST	#	NEW
1.	BASE FEE [INCLUDES ONE INSPECTION]	\$ 50.00	1	\$ 50.00
2.	EACH NEW RESIDENTIAL TYPE HEATING SYSTEM	\$ 60.00		\$ 72.00
3.	EACH PIECE OR REPLACEMENT HEATING EQUIPMENT	\$ 30.00		\$ 36.00
4.	WATER HEATERS UP TO 199,000 B.T.U.	\$ 15.00		\$ 18.00
5.	EACH SET OF GAS LOGS FOR AN EXISTING FIREPLACE	\$ 30.00		\$ 36.00
6.	EACH SOLID FUEL OR GAS FIREPLACE [INCLUDES #7]	\$ 30.00		\$ 36.00
7.	EACH FACTORY BUILT CHIMNEY, B, BW OR L TYPE VENT	\$ 30.00		\$ 36.00
9.	EACH RESIDENTIAL TYPE CLOTHES DRYER VENT	\$ 10.00		\$ 12.00
10.	EACH OPENING IN A GAS OR OIL PIPING SYSTEM	\$ 5.00		\$ 6.00
11.	EACH RESIDENTIAL TYPE AIR CONDITIONER	\$ 30.00		\$ 36.00
12.	EACH RESIDENTIAL HEAT PUMP OR GEO THERMAL SYSTEM	\$ 60.00		\$ 72.00
13.	EACH KITCHEN, BATH OR TOILET ROOM EXHAUST FAN	\$ 10.00		\$ 12.00
14.	GAS PIPING FROM THE L.P. TANK TO THE BUILDING	\$ 10.00		\$ 12.00
15.	EACH RESIDENTIAL HEATING OIL STORAGE TANK	\$ 20.00		\$ 24.00
16.	EACH HUMIDIFIER	\$ 10.00		\$ 12.00
17.	HEATING DUCTS AND/OR PIPING [\$30.00 MINIMUM]	\$ 0.10/FT.		\$ 0.12/FT.
18.	EACH COMMERCIAL HEAT PUMP OR GEO THERMAL SYSTEM	\$ 60.00		\$ 72.00

	TYPE OF WORK	COST	#	NEW
19.	EACH AIR HANDLER AND/OR HEAT WHEEL			
19A.	UNDER 10,000 C.F.M.	\$ 20.00		\$ 24.00
19B.	OVER 10,000 C.F.M.	\$ 60.00		\$ 72.00
20A.	EACH COMMERCIAL COOKING HOOD [WITH SMOKE TEST]	\$125.00		\$ 150.00
20B.	EACH COMMERCIAL COOKING HOOD [SMOKE TEST ONLY]	\$ 40.00		\$ 48.00
20C.	EACH KITCHEN HOOD SUPPRESSION SYSTEM	\$125.00		\$ 150.00
20D.	TYPE 1 HOOD DUCT LEAKAGE TEST [PER TRIP TO SITE]	\$ 40.00		\$ 48.00
21.	EACH HEAT RECOVERY UNIT	\$ 10.00		\$ 12.00
22.	EACH V.A.V. BOX	\$ 10.00		\$ 12.00
23.	EACH UNIT VENTILATOR	\$ 10.00		\$ 12.00
24.	EACH MISCELLANEOUS WOOD, GAS OR OIL FIRED EQUIPMENT	\$ 30.00		\$ 36.00
25.	FIRE SUPPRESSION AND/OR PROTECTION SYSTEM	\$ 2.00/HD		\$ 3.00/HD
26.	EACH EVAPORATOR COIL AND/OR CHILLER	\$ 30.00		\$ 36.00
27.	EACH COMPRESSOR	\$ 30.00		\$ 36.00
28.	EACH REFRIGERATION SPLIT SYSTEM	\$ 30.00		\$ 36.00
29.	SPECIAL AND SAFETY INSPECTIONS	\$ 70.00		\$ 84.00
30.	RE-INSPECTIONS	\$ 50.00		\$ 60.00
32.	FINAL AND ADDITIONAL INSPECTIONS	\$ 40.00		\$ 48.00
33.	ARCHIVE FEE - PER PAGE	\$ 3.00		\$ 3.00
TOTAL FEE TO BE PAID				\$

Eaton County
Department of Construction Codes

1045 INDEPENDENCE BOULEVARD
 CHARLOTTE, MICHIGAN 48813
 TELEPHONE: (517) 543-3004 FAX: (517) 543-9924

"OUR GOAL IS TO PROVIDE A SAFER PLACE TO LIVE, WORK AND PLAY"

**CONTRACTOR PLUMBING
 PERMIT APPLICATION**

Effective November 01, 2009

Inspector use only

DATE OF APPLICATION: _____

PLUMBING PERMIT #: _____

THIS IS AN ADDENDUM TO AN OUTSTANDING PLUMBING PERMIT ISSUED TO ME.

AUTHORITY: P.A. 230 OF 1972, AS AMENDED COMPLETION: MANDATORY TO OBTAIN A PERMIT PENALTY: PERMIT WILL NOT BE ISSUED	EATON COUNTY WILL NOT DISCRIMINATE AGAINST ANY INDIVIDUAL OR GROUP BECAUSE OF RACE, SEX, RELIGION, AGE, NATIONAL ORIGIN, MARITAL STATUS, DISABILITY, OR POLITICAL BELIEFS.
---	--

Areas marked with a ✕ must be completed

IF THIS FORM IS NOT PROPERLY & COMPLETELY FILLED OUT IT WILL DELAY THE ISSUANCE OF THE PERMIT.

✕ A: OTHER PERMITS

HAS A BUILDING PERMIT BEEN ISSUED FOR THIS PROJECT? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT REQUIRED <input type="checkbox"/> OTHER JURISDICTION	BUILDING PERMIT #:
---	--------------------

✕ B: LOCATION OF JOB

NAME OF OWNER:	ADDRESS OF PROJECT / JOB SITE:
CITY OR VILLAGE:	TOWNSHIP & SECTION:

✕ C: CONTRACTOR INFORMATION

APPLICANT:	COMPANY NAME:
EATON COUNTY REGISTRATION NUMBER:	EXPIRATION DATE:
ADDRESS:	CITY/STATE/ZIP:
TELEPHONE NUMBER [WITH AREA CODE]:	FEDERAL EMPLOYER ID NUMBER OR REASON FOR EXEMPTION:
WORKERS COMPENSATION INSURANCE CARRIER OR REASON FOR EXEMPTION:	MESC EMPLOYER NUMBER OR REASON FOR EXEMPTION:

✕ D: TYPE OF JOB

THIS WORK WILL BE PERFORMED ON: (PLEASE CHECK ALL THAT APPLY)	✕ DESCRIPTION OF WORK:
<input type="checkbox"/> PUBLIC WATER <input type="checkbox"/> WELL <input type="checkbox"/> WATER SERVICE	
<input type="checkbox"/> SEWER SERVICE <input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL	
<input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> NEW HOME <input type="checkbox"/> MANUFACTURED HOME	
<input type="checkbox"/> MULTIPLE FAMILY <input type="checkbox"/> ADDITION <input type="checkbox"/> REMODEL	
<input type="checkbox"/> SEPTIC SYSTEM <input type="checkbox"/> PUBLIC SEWER <input type="checkbox"/> REPLACEMENT EQUIPMENT	

✕ E: APPLICANTS SIGNATURE [PLEASE SIGN IN SPACE PROVIDED BELOW]

All work shall be installed in accordance with the Michigan Residential Code and/or the Michigan Plumbing Code, will not be covered, enclosed or put into service until it has been inspected and approved by an Eaton County Plumbing Inspector. I will cooperate with the Eaton County Plumbing Inspector and assume all responsibility to arrange for and obtain all necessary inspections. Section 23a of the State Construction Code Act of 1972, 1972 PA 230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this State relating to persons who are to perform work on a residential building or a residential structure. Violators of section 23a are subject to civil fines.

✕ SIGNED: _____

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 Dial: (517) 543-9924 (24 Hours a day) to send us information or schedule an inspection by fax.



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- EXEMPTION 1: ALTERATIONS AND REPAIR WORK THAT THE BUILDING AND PLUMBING OFFICIALS CONSIDER TO BE OF A MINOR NATURE.
- EXEMPTION 2: ONE AND TWO FAMILY DWELLINGS, WHEN THE BUILDING IS NOT OVER 3,500 SQUARE FEET OF BUILDING AREA.
- EXEMPTION 3: BUILDINGS WITH A REQUIRED PLUMBING FIXTURE COUNT LESS THAN 12.
- EXEMPTION 4: WORK COMPLETED BY A GOVERNMENTAL SUBDIVISION OR STATE AGENCY COSTING LESS THAN \$15,000.00.

H: FEE TABLE

TYPE OF WORK	COST	#	NEW
1. BASE FEE [INCLUDES ONE INSPECTION]	\$ 50.00	1	\$ 50.00
2. EACH BUILDING SEWER AND/OR BUILDING DRAIN			
LESS THAN 6 INCHES IN DIAMETER	\$ 20.00		\$ 24.00
6 INCHES OR LARGER IN DIAMETER	\$ 40.00		\$ 48.00
3. EACH SUB-SOIL DRAIN SYSTEM	\$ 10.00		\$ 12.00
4. FOR EACH DRAIN OR TRAP NOT OTHERWISE LISTED	\$ 10.00		\$ 12.00
5. EACH FIXTURE			
EQUIPMENT AND DEVICES	\$ 5.00		\$ 6.00
APPLIANCES	\$ 5.00		\$ 6.00
WATER HEATERS UP TO 199,000 B.T.U.	\$ 15.00		\$ 18.00
NOT USED			
6. EACH SEWAGE EJECTOR AND/OR SUMP	\$ 10.00		\$ 12.00
7. ONE VENT, PLUS EACH ADDITIONAL VENT THROUGH THE ROOF	\$ 10.00		\$ 12.00
8. EACH WATER SERVICE			
1 INCH AND SMALLER	\$ 20.00		\$ 24.00
OVER 1 INCH	\$ 50.00		\$ 60.00
9. EACH WATER DISTRIBUTION PIPING SYSTEM			
1 INCH AND SMALLER	\$ 10.00		\$ 12.00
LARGER THAN 1 INCH	\$ 25.00		\$ 30.00

TYPE OF WORK	COST	#	NEW
10. EACH BACKFLOW PREVENTER 1 INCH AND SMALLER	\$ 10.00		\$ 12.00
EACH BACKFLOW PREVENTER OVER 1 INCH	\$ 25.00		\$ 30.00
11. EACH WATER SOFTENER UNIT	\$ 15.00		\$ 18.00
12. EACH MOBILE HOME PARK DEVELOPMENT PHASE			
BASE FEE	\$ 200.00		\$ 240.00
EACH MANHOLE	\$ 20.00		\$ 24.00
EACH SEWER LEAD	\$ 10.00		\$ 12.00
EACH HYDRANT AND/OR SEWER PIT	\$ 10.00		\$ 12.00
EACH WATER SERVICE LINE	\$ 20.00		\$ 24.00
13. EACH MEDICAL GAS AND/OR VACUUM SYSTEM			
BASE FEE	\$ 100.00		\$ 120.00
EACH OUTLET	\$ 5.00		\$ 6.00
14. EACH REPLACEMENT WATER HEATER UP TO 199,000 B.T.U.	\$ 15.00		\$ 18.00
NOT USED			
21. SPECIAL AND SAFETY INSPECTIONS	\$ 70.00		\$ 84.00
22. RE-INSPECTIONS	\$ 50.00		\$ 60.00
23. FINAL AND ADDITIONAL INSPECTIONS	\$ 40.00		\$ 48.00
24. ARCHIVE FEE - PER PAGE	\$ 3.00		\$ 3.00
TOTAL FEE TO BE PAID			\$

**EATON COUNTY BOARD OF COMMISSIONERS
RESOLUTION TO APPLY FOR THE ENERGY EFFICIENCY
AND CONSERVATION BLOCK GRANT**

MOVED by Commissioner Luna, SUPPORTED by Commissioner Clarke to adopt the following resolution.

WHEREAS, the Michigan Department of Energy, Labor and Economic Growth (DELEG) has made available grant funding under the Michigan Recovery and Reinvestment Plan; and

WHEREAS, on September 25, 2009, DELEG announced the Energy Efficiency and Conservation Block Grant (EECBG) program, funded by the American Recovery and Reinvestment Act of 2009 (ARRA), for the purpose of implementing energy efficiency and conservation strategies and creating and/or retaining jobs; and

WHEREAS, the Eaton County Department of Resource Recovery has prepared a grant proposal for this program; and

WHEREAS, Eaton County Department of Resource Recovery has determined multiple uses for the funding to implement proposed goals immediately, as stated by the ARRA; and

WHEREAS, the grant application up to a maximum of \$420,000 would be utilized to reduce energy consumption within the Eaton County Governmental Complex by installing solar panels, optimizing existing building automation systems, reducing energy loss, installing light-emitting diode outdoor lighting, improving heating, cooling and ventilation and by implementing multiple inexpensive energy efficiency strategies as recommended by an energy auditor, to be completed as part of the grant; and

WHEREAS, applying these strategies promotes energy savings, reduces greenhouse gas emissions, creates and/or retains jobs, and provides an opportunity to educate Eaton County residents on methods to improve energy efficiency in the home.

NOW, THEREFORE, BE IT RESOLVED, that Eaton County Department of Resource Recovery is authorized to prepare and submit the grant application for funding through DELEG; and

BE IT FURTHER RESOLVED, that this program, upon completion of the grant period, will be reviewed for its effectiveness, efficiency, and progress by the Eaton County Department of Resource Recovery; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee is authorized to sign any necessary documents or contracts.

AYES: Hosey, Mulder, Abed, Strachan, Pearl-Wright, Farhat, Freeman, Keefe,
Luna, Baker, Barr, Clarke, Harris, Brehler.

NAYS: None.

ABSENT: Forell.

ABSTENTIONS: None.

RESOLUTION ADOPTED

I, Fran Fuller, Clerk of the Eaton County Board of Commissioners, hereby certify that the foregoing Resolution was adopted at a regular meeting of the Eaton County Board of Commissioners held on October 21, 2009, a quorum being present.

Fran Fuller
Fran Fuller, Clerk

10-21-09
Date

Eaton County Governmental Complex Energy Efficiency Project Budget
 Eaton County Department of Resource Recovery
 DELEG 10-22-09

#	LINE ITEM	DELEG	APPLICANT	OTHER	TOTAL
1 PERSONNEL					
2 Salary					
3	Lisa Lafferty, Resource Recovery Coordinator	0	5,303	0	5,303
4	Steve Barnett, Physical Plant Director	0	6,259	0	6,259
5	Intern, Resource Recovery	0	400	0	400
6	Eric Daley, GIS Mapping Coordinator	0	155	0	155
7	<i>Total Salary</i>	0	12,117	0	12,117
8 Fringe Benefits					
9	Lisa Lafferty, Resource Recovery Coordinator	0	1323	0	1323
10	Steve Barnett, Physical Plant Director	0	1565	0	1565
11	Intern, Resource Recovery	0	0	0	0
12	<i>Total Fringe Benefits</i>	0	2888	0	2888
13	Total Personnel	0	15,005	0	15,005
14 CONTRACTUAL SERVICES					
15	Solar Panels	201500	0	0	201500
16	Energy Upgrades to 4 Buildings in Complex	140000	0	0	140000
17	Energy Audit and Modeling	60000	0	0	60000
18	Total Contractual Services	401500	0	0	401500
19 SUPPLIES, MATERIALS, & EQUIPMENT					
20	Smart Strips Power Strips (500)	11,000	0	0	11,000
21	Magnets (2,500)	1000	0	0	1000
22	Flyers (2,000)	1000	0	0	1000
23	Brochures (2,000)	1000	0	0	1000
24	Energy Vampire Keychains (500)	500	0	0	500
25	Postage	1000	0	0	1000
26	Total SM&E	15,500	0	0	15,500
27 TRAVEL					
28	500 miles @\$0.55/mile				
	Total Travel	0	275	0	275
29 OTHER EXPENSES					
30	TV Advertising with Comcast Cable	0	2500	0	2500
31	Community News Advertising	3000	800	0	3800
32	Photocopies	0	250	0	250
33	Total Other Expenses	3000	3550	0	6550
34	Total Direct Costs	420,000	18,830	0	438,830
35	Indirect Costs (0)	0	0	0	0
36	Total Project Cost				
37	Percentages	95.71%	4.29%	0.00%	100.00%

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Freeman.

Eaton County Board of Commissioners

October 21, 2009

Resolution to adopt the 2009
Apportionment Report

Introduced by the Ways & Means Committee

WHEREAS, The Michigan Compiled Laws, Section 211.37, as amended, requires the Eaton County Board of Commissioners to approve the Apportionment Report at their annual session in October; and

WHEREAS, The Apportionment Report contains the 2009 Certified Millage Rates authorizing monies to be raised for the county, townships, cities, villages, schools, and authorities; and

WHEREAS, all copies of statements and certificates have been filed and certificates have been regarding monies to be raised, which are authorized by law.

NOW, THEREFORE, BE IT RESOLVED, that the attached list of millage rates, are presented for adoption as the levies to be apportioned to the various taxing units in Eaton County for 2009.

Carried.

M. Frances Fuller

M. Frances Fuller

Clerk of the Board of Commissioners

PORTLAND				18.0000	7.3500	6.0000
POTTERVILLE			17.9480	8.3500	5.9480	
SPRINGPORT			18.0000	5.9592	6.0000	
WAVERLY		4.2248	13.7752	4.8600	6.0000	
23036 TR-CHAR				0.0000		
23064 TR-GL/CHAR			18.0000	8.8900		
23091 TR-POT				0.0000		
23094 TR-POT/				0.0000		
23095 TR-POTT/CHAR				0.0000		
23097 TR-POT/CHAR			17.9480	9.0880		
33077 TR-HOLT/ER			17.3171	8.6000		
33078 TR-HOLT/ER			17.3171	6.4700		
33080 TR-HOLT/ER			17.3171	9.8700		
33081 TR-HOLT/ER				0.0000		
33082 TR-HOLT/ER			17.3171	3.4000		
34098 TR-LKWD/GL			18.0000	10.8300		
23045 TR-CHAR/LOUK			18.0000	5.0000		
23164 TR-GL/LAKE			18.0000	5.7330		
23166 TR-GL/LOUK			18.0000	5.0000		
23098 TR-POTT/CHAR			17.9480	9.0880		
23165 TR-GL/CHAR			18.0000	2.2830		
23034 TR-CHAR/BELL			18.0000	9.6200		
23037 TR-CHAR/BELL			18.0000	15.8200		
13084 TR-OIL/VER			18.0000	9.9100		

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Freeman.

**AMENDMENT NUMBER ONE TO THE ASU GROUP
RISK MANAGEMENT SERVICES AGREEMENT**

WHEREAS the ASU GROUP (ASU), a Michigan Corporation, with corporate offices at 2120 University Park Drive, Okemos, Michigan 48864 has entered into an agreement to provide Risk Management Services with Eaton County (Client), with corporate offices located at 1045 Independence Boulevard, Charlotte, Michigan 48813:

WHEREAS on July 1, 2009, in accordance with law, liability insurance, including self insurance, no-fault insurance and workers compensation plans, must report claims involving a Medicare beneficiary to the Medicare Administration when the claim is resolved or partially resolved through a settlement, judgment, award or other payment;

WHEREAS Client, in accordance with law, is required to report the above stated claims when resolved to the Medicare Administration since Client is enumerated by law as the Responsibility Reporting Entity (RRE);

WHEREAS, the purpose of this Amendment Number One (Amendment) is to specify and clarify the obligations of ASU and Client relative to the reporting responsibility of Client to the Medicare Administration.

NOW, THEREFORE, in consideration for the mutual obligations and undertakings contained here, ASU and Client agree as follows:

1. Client will register with Medicare Coordination of Benefits Office as a RRE between May 1, 2009 and September 30, 2009.
2. While not limiting its reporting responsibility, Client, by this Amendment, contracts with ASU as its agent to report claims to the Medicare Administration on Client's behalf.
3. The Client remains solely responsible and liable for complying with any and all instructions from the Medicare Administration for implementing the recording of all claims required by the Medicare Secondary Payer Act and also for the accuracy of all data so submitted.
4. Client and ASU agree that any dispute that arises relative to the additional reporting obligations undertaken through this Amendment, including any controversy or claim relating to this Amendment which also would include the construction or application of the Amendment, will be settled by binding arbitration under the rules of the American Arbitration Association, and any judgment granted by the arbitrator(s) may be enforced in any court of proper jurisdiction. Client and ASU agree that the cost of arbitration shall be borne between the parties equally.

5. ASU specifically agrees to indemnify and hold harmless Client, its agents, directors, officers and employees for any and all damages, liabilities, claims and causes of action which arises out of ASU's negligence with respect to ASU's reporting obligations required by this Amendment.

Client specifically agrees to indemnify and hold harmless ASU, its agents, directors, officers and employees for any and all damages, liabilities, claims and causes of action which arise out of any aspect of the reporting obligations required by this Amendment. This indemnification and hold harmless aspect of this Amendment is in addition to and does not detract from the general indemnification that Client agrees to in the Risk Management Services Agreement

6. All other terms of the original agreement not modified by this Amendment shall remain in full force and effect.

Carried.

AGREED AND ACCEPTED

The ASU Group

By: _____

Its: _____

Date: _____

Client

By: _____

Its: _____

Date: _____

EATON COUNTY BOARD OF COMMISSIONERS

OCTOBER 21, 2009

**RESOLUTION TO APPROVE
COUNTY BOND FINANCIAL CONSULTANT**

Introduced by the Ways & Means Committee

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Hosey.

WHEREAS, the Board of Commissioners approved a Full Faith and Credit Policy on February 16, 2005; and

WHEREAS, that Policy provides for the services of a County Financial Consultant; and

WHEREAS, the County Treasurer has prepared and distributed bid packages for this service; and

WHEREAS, the Ways and Means Committee has reviewed the proposals received.

NOW, THEREFORE, BE IT RESOLVED, that the firm of Municipal Financial Consultants Inc. (MFCI) Group be awarded the designation of County Financial Consultant for the two year period ending December 31, 2011; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee be authorized to sign the necessary Agreement. Carried.

FINANCIAL ADVISOR R.F.P. RESULTS
2008-2009

BOND ISSUE	ISSUE DATE	AMOUNT	MFCI	STAUER BARCH	BENDZINSKI	OCTOBER 2, 2009	PFM GROUP
JAIL MILLAGE EXPANSION	6/1/2007	\$15,000,000	\$14,525.00	\$13,400.00	\$15,000.00		\$15,250.00
MCF EXPANSION	12/16/2008	\$5,700,000	\$4,256.75	\$7,990.00	\$11,350.00		\$8,775.00
SHERWOOD FOREST	8/20/2009	\$595,000	\$2,168.75	\$4,000.00	\$4,500.00		\$4,797.50
FOREST GLEN	9/2/2009	\$1,395,000	\$3,030.50	\$4,976.50	\$5,685.00		\$5,546.25
HETRICK DRAIN	8/12/2009	\$940,000	\$2,600.00	\$4,000.00	\$4,500.00		\$4,975.00
2008 DELINQUENT TAX NOTES	5/29/2009	\$5,500,000	\$3,175.00	\$5,750.00	\$11,250.00		\$5,750.00
		TOTAL	\$29,756.00	\$40,116.50	\$52,285.00		\$45,093.75
EXPENSES PER ISSUE				\$0.00			\$0.00
MUNICIPAL ADVISORY COUNCIL FEE (\$200 PER ISSUE)				\$250.00	N/A		\$1,200.00
ANNUAL DISCLOSURE FILING			\$700.00				
OUT OF POCKET FEE (PER ISSUE)			\$2,700.00	\$0.00	\$5,700.00		
TOTAL COST			\$33,156.00	\$40,366.50	\$57,985.00		\$46,293.75
NUMBER OF ISSUES PREVIOUS 12 MONTHS			36	141	59		

RESOLUTION NO. #09-10-113

EATON COUNTY BOARD OF COMMISSIONERS

At a regular meeting of the Board of Commissioners of Eaton County held in Charlotte, Michigan, on the 21 day of October, 2009, there were:

PRESENT: Commissioners; Hosey, Mulder, Abed, Strachan, Pearl-Wright,
Farhat, Freeman, Keefe, Luna, Baker, Barr, Clarke, Harris, Brehler

ABSENT: Commissioner Forell

The following preambles and resolutions were offered by Commissioner Keefe and seconded by Commissioner Baker:

Resolution Pledging Limited Tax Full Faith and Credit for Watson and Watson and Branches Drain Drainage District Series 2009 Drainage District Bonds

WHEREAS, the Eaton County Drain Commissioner (the "Drain Commissioner") has undertaken proceedings for the improvement of the Watson and Watson and Branches Drain under the provisions of the Drain Code of 1956, as amended, being Act 40 of the Public Acts of Michigan of 1956, as amended ("Act 40"); and

WHEREAS, the Drain Commissioner intends to authorize and provide, by order, for the issuance by the Watson and Watson and Branches Drain Drainage District (the "Drainage District") of bonds in the aggregate principal amount of not to exceed \$2,900,000 (the "Bonds"), in anticipation of the collection of an equal amount of special assessments against property and public corporations in the Drainage District, such special assessments having been duly confirmed as provided in Act 40; and

WHEREAS, the proposed Bonds of the Drainage District are to be designated "Series 2009 Drainage District Bonds" and will bear interest at a rate not exceeding 6.0% per annum; and

WHEREAS, the Drain Commissioner deems it advisable and necessary to obtain from this Board a resolution pledging the full faith and credit of the County on the Bonds; and

WHEREAS, the improvements to the Drainage District are necessary to protect and preserve the public health and therefore it is in the best interest of the County of Eaton that the Bonds be sold and that the Bonds be secured by a pledge of the full faith and credit of the County of Eaton as authorized by Section 276 of Act 40.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF EATON COUNTY AS FOLLOWS:

1. Pledge of Full Faith and Credit. Pursuant to the authorization provided in Section 276 of Act 40, and in accordance with the Eaton County Board of Commissioners Full Faith and Credit Policy, the County Board of Commissioners does hereby irrevocably pledge the full faith and credit of the County of Eaton for the prompt payment of the principal of and interest on the Bonds, and does agree that in the event that the property owners or public corporations in the County of Eaton shall fail or neglect to account to the County Treasurer of the County of Eaton for the amount of any special assessment installment and interest (in anticipation of which the Bonds are issued), when due, then the amount thereof shall be immediately advanced from County funds, and the County Treasurer is directed to immediately make such advancement to the extent necessary.

2. Reimbursement of Funds Advanced. In the event that, pursuant to said pledge of full faith and credit, the County of Eaton advances out of County funds, all or any part of such installments and interest, it shall be the duty of the County Treasurer and the County Drain Commissioner, for and on behalf of the County of Eaton, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.

3. Approvals or Exceptions. The County Controller and the County Drain Commissioner are each hereby separately authorized and directed to execute and file on behalf of the County and/or the Drainage District any necessary application or request for exceptions, necessary or required by Act 40 or the Revised Municipal Finance Act, Act 34 of the Public Acts of Michigan of 2001, as amended, for the issuance of the Bonds.

4. Continuing Disclosure Undertaking. The County of Eaton hereby agrees to enter into a Continuing Disclosure Undertaking in order to enable the underwriters of the Bonds to comply with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission. In the Continuing Disclosure Undertaking, the County of Eaton shall agree to provide or cause to be provided, (i) certain annual financial information and operating data, including audited financial statements for the preceding fiscal year, (ii) timely notice of the occurrence of certain material events with respect to the Bonds, and (iii) timely notice of a failure by the County of Eaton to provide the required annual financial information on or before the date required in the Continuing Disclosure Undertaking. The Controller, Deputy Controller and Treasurer are each hereby authorized to execute the Continuing Disclosure Undertaking of the County of Eaton.

5. Inconsistent Resolutions. All prior resolutions that are inconsistent with this resolution are hereby rescinded.

A ROLL CALL VOTE WAS TAKEN ON THE RESOLUTION AS FOLLOWS:

YES 14

NO: None

ABSTAIN: None

THE RESOLUTION WAS DECLARED ADOPTED. Carried.

I certify that the foregoing is a true and accurate copy of a resolution adopted at a regular meeting of the Board of Commissioners of the County of Eaton held on the 21st day of October, 2009, and that notice of the meeting was given as required by Act No. 267, Public Acts of Michigan, 1976, as amended.

Fran Fuller

Eaton County Clerk

LAN01\205553.4
IDJPK - 019956/0999

EATON COUNTY BOARD OF COMMISSIONERS

OCTOBER 21, 2009

**RESOLUTION TO APPROVE
EDUCATIONAL SERVICES WITH
CHARLOTTE PUBLIC SCHOOLS FOR THE
EATON COUNTY JAIL**

Introduced by the Ways and Means Committee

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Luna.

WHEREAS, the Charlotte Public Schools have provided educational services for the Jail for several years; and

WHEREAS, the Ways and Means Committee and Sheriff have reviewed and approved funding for this year's programs.

NOW, THEREFORE, BE IT RESOLVED, that the Chairperson be authorized to sign the necessary Agreements. Carried.



Charitable Gaming Division
 Box 30023, Lansing, MI 48909
 OVERNIGHT DELIVERY:
 101 E. Hillsdale, Lansing MI 48933
 (517) 335-5780
 www.michigan.gov/cg

#09-10-115

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL.432.103(K)(ii))

At a Regular meeting of the Eaton County Board of Commissioners
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by Chairman Joseph Brehler on October 21, 2009
DATE

at 7:30 p.m. a.m./p.m. the following resolution was offered:
TIME

Moved by Commissioner Keefe and supported by Commissioner Freeman

that the request from Chosen Vision of Grand Ledge
NAME OF ORGANIZATION CITY

county of Eaton, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for Approval
APPROVAL/DISAPPROVAL

APPROVAL		DISAPPROVAL	
Yeas:	<u>14</u>	Yeas:	<u>None</u>
Nays:	<u>None</u>	Nays:	<u>None</u>
Absent:	<u>1</u>	Absent:	<u>1</u>

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the Eaton County Board at a Regular
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on October 21, 2009
DATE

SIGNED: Fran Fuller
TOWNSHIP, CITY, OR VILLAGE CLERK

Fran Fuller, County Clerk/Register
PRINTED NAME AND TITLE

1045 Independence Blvd., Charlotte Michigan 48813
ADDRESS

COMPLETION: Required.
 PENALTY: Possible denial of application.
 BSL-CG-1153(R6/09)

Commissioner Keefe moved the approval of the following document.
Seconded by Commissioner Freeman.

GENERAL EMPLOYEES

2010 HOLIDAY SCHEDULE

New Year's Day	Friday, January 1, 2010
Martin Luther King Day	Monday, January 18, 2010
President's Day	Monday, February 15, 2010
Memorial Day	Monday, May 31, 2010
Independence Day	Monday, July 5, 2010
Labor Day	Monday, September 6, 2010
Veteran's Day	Thursday, November 11, 2010
Thanksgiving Day	Thursday, November 25, 2010
Day After Thanksgiving	Friday, November 26, 2010
Christmas Eve	Thursday, December 23, 2010
Christmas Day	Friday, December 24, 2010
New Year's Eve	Thursday, December 30, 2010

Carried.

EATON COUNTY BOARD OF COMMISSIONERS

OCTOBER 21, 2009

**RESOLUTION TO APPROVE
2008/2009 GENERAL FUND BUDGET AMENDMENTS**

Introduced by the Ways and Means Committee

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Strachan.

WHEREAS, the Eaton County 2008/2009 Appropriations Act of September 17, 2008 states that any amendment to increase a salary and/or a Capital Outlay line-item in excess of \$2,500.00 or any amendment to increase the total budget of any fund or department in excess of \$2,500.00 shall be amended by the Board of Commissioners, except that any amendment to decrease the General Fund Contingency shall be approved by the Board of Commissioners; and

WHEREAS, such amendments are needed in order to comply with the Uniform Budgeting and Accounting Act of 1978, P.A. 621.

NOW, THEREFORE BE IT RESOLVED, that the following budget amendments be approved and added to the 2008/2009 Eaton County Budget:

MEDICAL EXAMINER - 648

Increase	Medical Examiner Expenses	\$ 15,000
Decrease	Contingency	\$ 15,000

To increase Medical Examiner budget based on final close out expenditures. Carried.

GENERAL FUND
2008/2009 CONTINGENCY UPDATE

BEGINNING BALANCE		\$	519,162
	BALANCE 10/31/08	\$	519,162
Elections	Printing	\$	(6,000)
	BALANCE 11/30/08	\$	513,162
	BALANCE 12/31/08	\$	513,162
Drain Commissioner	Salaries-Regular	\$	(13,800)
	BALANCE 1/31/09	\$	499,362
Controller	Salaries-Regular	\$	(5,254)
Controller	Contractual	\$	(4,375)
Agency Grants	Contractual - SIREN Grant	\$	(25,000)
Agency Grants	Contractual - GLHC	\$	(5,000)
	BALANCE 2/29/09	\$	459,733
	BALANCE 3/31/09	\$	459,733
	BALANCE 4/30/09	\$	459,733
	BALANCE 5/31/09	\$	459,733
	BALANCE 6/30/09	\$	459,733
Agency Grants	Contractual - CAMW Grant	\$	(5,000)
	BALANCE 7/31/09	\$	454,733
Transfers-Out	Construction Code	\$	(200,000)
Transfers-Out	Health Department	\$	(100,000)
	BALANCE 8/31/09	\$	154,733
Transfers-Out	CDBG Housing Grant Revenue	\$	(65,000)
Treasurer	Bank Service Charges	\$	(10,500)
Medical Examiner	Medical Examiner Expenses	\$	(15,000)
	BALANCE 9/30/09	\$	64,233

APPROVAL

DIGITAL APPROVAL

Year: _____

EATON COUNTY BOARD OF COMMISSIONERS

OCTOBER 21, 2009

**RESOLUTION TO APPROVE
2009/2010 SPECIAL REVENUE FUND BUDGET AMENDMENTS**

Introduced by the Ways and Means Committee

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Clarke.

WHEREAS, the Eaton County 2009/2010 Appropriations Act of September 16, 2009 states that any amendment to increase a salary and/or a Capital Outlay line-item in excess of \$2,500.00 or any amendment to increase the total budget of any fund or department in excess of \$2,500.00 shall be amended by the Board of Commissioners, except that any amendment to decrease the General Fund Contingency shall be approved by the Board of Commissioners; and

WHEREAS, such amendments are needed in order to comply with the Uniform Budgeting and Accounting Act of 1978, P.A. 621.

NOW, THEREFORE BE IT RESOLVED, that the following budget amendments be approved and added to the 2009/2010 Eaton County Budget:

DPW BROOKFIELD DEBT- 381

Increase	Local Unit Contributions	\$ 169,631
Increase	Principal	\$ 130,000
Increase	Interest	\$ 39,406
Increase	Fiscal Fees	\$ 225

To adopt budget for 2009/2010 Brookfield Debt Service Funds.

Carried.

EATON COUNTY BOARD OF COMMISSIONERS

OCTOBER 21, 2009

**RESOLUTION TO ACCEPT
INDIGENT DEFENDER HIRING PILOT PROJECT
GRANT FUNDS**

Introduced by the Ways and Means Committee

Commissioner Keefe moved the approval of the following resolution.
Seconded by Commissioner Barr. Nays; Mulder.

WHEREAS, the United States Department of Justice, Bureau of Justice Assistance has awarded grant funds available under the National Initiatives: Adjudication Program; and

WHEREAS, the Eaton County Circuit Court has developed a plan to utilize these funds to address the indigent caseload needs and the Public Defender Office that may better serve the indigent defendants; and

WHEREAS, the grant will provide \$150,000 for the hiring of public defenders to provide efficient and quality indigent defense representation.

NOW, THEREFORE, BE IT RESOLVED, that the Indigent Defender Hiring Pilot Project Grant be accepted in the amount of \$150,000; and

BE IT FURTHER RESOLVED, that usage of these grant funds requires the review of the feasibility of establishing a Public Defender Office based on the long term budgetary impact and fiscal sustainability of said office once federal funding ends; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners or his designee is authorized to sign all necessary documents. Carried.