

ORDINANCE #63

ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF SELF-LIQUIDATING JUNIOR LIEN WATER SUPPLY SYSTEM REVENUE BONDS BY THE VILALGE OF SPRINGPORT, COUNTY OF JACKSON, MICHIGAN, FOR THE PURPOSE OF CONSTRUCTING ADDITIONS AND IMPROVEMENTS TO ITS WATER SUPPLY SYSTEM, PRESCRIBING THE FORM OF BONDS, PROVIDING FOR THE COLLECTION OF REVENUE FROM SAID SYSTEM SUFFICIENT FOR THE PURPOSE OF PAYING THE COSTS OF OPERATION AND MAINTENANCE THEREOF, PROVIDING AN ADEQUATE RESERVE FUND THEREFORE, PROVIDING FOR THE PAYMENT OF SAID BONDS AND FURTHER PROVIDING FOR THE SEGREGATION AND DISTRIBUTION OF SAID REVENUES, CREATING A STATUATORY LIEN ON SAID REVENUES WHICH WILL BE JUNIOR TO THE STATUTORY LIEN CREATED IN FAVOR OF THE OUTSTANDING WATER SUPPLY SYSTEM REVENUE BONDS AUTHORIZED BY ORDINANCE NO. 29, AS AMENDED, AND PROVIDING FOR THE RIGHTS OF THE HOLDERS OF SAID BONDS IN ENFORCEMENT THEREOF AND PROVIDING FOR OTHER MATTERS RELATIVE TO SAID BONDS AND SAID SYSTEM.

THE VILLAGE OF SPRINGPORT ORDAINS:

Section 1. **Necessity; Description of Project:**

It is hereby determined to be necessary for the public health and welfare of the Village of Springport, County of Jackson, Michigan, in accordance with plans and specifications therefore prepared by Kurzy Engineers, Consulting Civil Engineers & Surveyors of Jackson, Michigan, to proceed to acquire and construct the Project (as hereinafter defined).

Section 2. **Cost; Useful Life:**

The cost of the Project has been estimated to be \$45,000 including the payment of incidental expenses as specified in Section 3 of this Ordinance which estimate of cost is hereby approved and confirmed, and the period of usefulness of is estimated to be not less than thirty (30) years.

Section 3. **Payment of Cost and Authorization of Bonds:**

To pay the cost of the Project including the payment of legal, engineering and financial expenses, and other expenses incident thereto and incident to the issuance and sale of the bonds, it is hereby determined that the Village borrow the sum of \$45,000 and that revenue bonds be issued therefore pursuant to the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

Section 4. **Definitions:**

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

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

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

“Bonds” shall mean the \$45,000 principal amount Village of Springport Water Supply System Revenue Bonds, Series II, authorized to be issued under Section 3 of this Ordinance and any additional bonds authorized to be issued pursuant to Section 13 hereof.

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

“Government” shall mean the government of the United States of America.

“Outstanding Bonds” shall mean the Water Supply System Revenue Bonds, dated January 1, 1954, authorized by Ordinance No. 29, as amended, and any additional bonds which may hereinafter be issued on a parity therewith pursuant to the terms of Ordinance No. 29, as amended.

“Project” shall mean the improvements to the System to be acquired and constructed under the provisions of this Ordinance consisting of repair and rehabilitation of the existing water storage tank in the Village as described in the plans and specification therefore prepared by the Engineers and on file with the Village Clerk.

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

“Village” shall mean the Village of Springport, County of Jackson, Michigan.

Section 5. **Bond Data and Sale:**

The Bonds shall be designated WATER SUPPLY SYSTEM REVENUE BONDS, SERIES II, shall be dated as of the date of delivery, shall be in the form of a single fully-registered bond in the denomination of \$45,000, numbered R-1.

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

\$1,000	1981 to 1995, inclusive;
\$2,000	1996 to 2010, inclusive;

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

The Bonds shall be issued initially as a fully-registered Bond. The fully-registered Bond shall be payable in lawful money of the United States of America at the address of the registered holder as shown on the registration books of the Village Treasurer who shall act as bond registrar. The fully-registered Bond for coupon Bonds which may be registered as to principal with the appropriate coupons attached. In such case the Village will designate a bank or trust company situated in Jackson County to act as paying agent.

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

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

Section 6. **Bond Form:**

The form and tenor of the fully-registered Bond shall be substantially as follows:

UNITED STATE OF AMERICA
STATE OF MICHIGAN
VILLAGE OF SPRINGPORT
WATER SUPPLY SYSTEM
REVENUE BOND, SERIES II

No. R-1

\$45,000

The Village of Springport, County of Jackson, State of Michigan (the "Village"), hereby promises to pay to the United States of America, Farmers Home Administration, or registered assigns, but only out of the hereinafter described net revenues of the Water Supply System of the Village, including all appurtenances, additions extensions and improvements thereto (the "System"), the principal sum of

FORTY-FIVE THOUSAND DOLLARS

in installments of principal in the amounts and on the first day of January of the years as follows:

<u>Principal Amount</u>	<u>Years</u>
\$1,000	1981 to 1995, inclusive;
\$2,000	1996 to 2010, inclusive;

and to pay interest on the balance of the principal sum from time to time remaining unpaid from the date hereof until paid at the rate of five percent (5%) per annum, payable on _____, 19____, and semiannually thereafter. Both principal of and interest on this bond are payable to the registered holder at the address shown on the registration books of the Village and for the prompt payment thereof, the gross revenues of the System after provision has been made for reasonable and necessary expenses of operation, administration and maintenance and for the requirements of the outstanding Water Supply System Revenue Bonds (the "Outstanding Bonds"), authorized by Ordinance No. 29, as amended, are hereby irrevocably pledged and a statutory lien thereon is hereby

created which is a second lien subject only to the prior lien in favor of Outstanding Bonds.

This bond represents a series of bonds aggregating the principal sum of \$45,000, issued pursuant to Ordinance No. 63, duly adopted by the Village on October 20, 1979, as amended by Ordinance No. ____, duly adopted by the Village on _____, 1980, and under the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan, 1933, as amended, for the purpose of defraying part of the cost of acquiring and constructing improvements to the System. For a complete statement of the revenues from which, and the conditions under which this bond is payable, a statement of the conditions under which the additional bonds of equal and prior standing may hereafter be issued, and the general covenants and provisions pursuant to which this bond is issued, reference is made to the above-described Ordinances.

Principal installments of this bond maturing in the years 1981 to 1990, inclusive, shall not be subject to prepayment prior to maturity. Principal installments of this bond maturing in the years 1991 to 2010, inclusive, will be subject to prepayment prior to maturity, in inverse chronological order thereof, at the option of the Village on any interest payment date on or after January 1, 1990, at par and accrued interest to the date fixed for prepayment.

Thirty days notice of the call of any principal installments of this bond for prepayment shall be given by mail to the registered holder at the registered address. Principal installments of the bond so called for prepayment shall not bear interest after the date fixed for prepayment, provided funds are on hand to prepay said installments.

This bond shall be registered as to principal and interest on the books kept by the Treasurer of the Village as registrar, after which it shall be transferable only upon presentation to such registrar with a written transfer by the registered holder or his attorney in fact. Such transfer shall be noted hereon and upon the books of the Village kept for that purpose. This bond is exchangeable at the request of the registered owner and at his sole expense for negotiable coupon bonds in the denomination of \$1,000 each, payable to bearer, or coupon bonds in the denomination of \$1,000 each, registered as to principal upon surrender of this bond at the office of the Treasurer of the Village.

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

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

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

IN WITNESS WHEREOF, the Village of Springport, County of Jackson, State of Michigan, by its Village Council, has caused this bond to be signed in the name of said Village by its Village President and to be countersigned by its Village Clerk and its corporate seal to be hereunto affixed all as of _____, 19_____.

VILLAGE OF SPRINGPORT

Village President

(SEAL)

Countersigned:

Village Clerk

Section 7. **Security for Bonds:**

The Bonds hereby authorized, together with interest thereon, shall not be a general obligation of the Village but shall be payable solely from the net revenues to be derived from the operation of the System after provision has been made for the Outstanding Bonds. To pay such principal and

interest there is hereby created a statutory lien upon the net revenues of the System after provision for the requirements of the Outstanding Bonds, to continue until the payment in full of the principal of and interest on the Bonds.

Section 8. **Custodian of Funds; Supervised Bank Accounts; Funds:**

The Village Treasurer shall be custodian of all funds belonging to and/or associated with the System and such funds shall be deposited in the City Bank & Trust Co., Michigan, which bank is a member of the Federal Deposit Insurance Corporation (hereinafter referred to as “depository bank”). In the event that the government is a holder of any of the bonds herein authorized, all monies in excess of \$10,000 in the supervised bank account shall be secured by the depository bank in advance in accordance with United States Treasury Department Circular No. 176 and the Village Treasurer shall execute a fidelity bond in an amount not less than \$10,000 with a surety company approved by the government, and the government and the Village shall be named as co-obligees in such bond and the amount thereof shall not be reduced without the prior written consent of the government. The Village Treasurer is hereby directed to create the following funds and accounts into which the bond proceeds and the revenues and income from the System shall be deposited, which accounts shall be established and maintained, except as otherwise provided, so long as any of the bonds hereby authorized remain unpaid.

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

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

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

- B. **WATER SUPPLY SYSTEM RECEIVING FUND.** Pursuant to Section 12 of Ordinance No. 29, as amended, the revenues of the

System shall continue to be deposited in the Water Supply System Receiving Fund Account established by Ordinance No. 29, as amended (the "Receiving Fund"), and moneys so deposited therein shall be expended and used only in the manner and order as follows:

1) Operation and Maintenance Fund. There shall first be withdrawn from the Receiving Fund quarterly and deposited in the Operation and Maintenance Fund established by Ordinance No. 29, as amended, an amount sufficient to meet the requirements of Section 12(A) of Ordinance No. 29, as amended, relative to the Operation and Maintenance Fund. Prior to the beginning of each fiscal year the Village will prepare an annual budget for the System for the ensuing fiscal year itemized on the basis of Monthly requirements, a copy of such budget shall be mailed without request to the FmHA as long as the FmHA is holder of any of said bonds prior to adoption for review and upon written request to any other Bond holders. There shall be set aside and deposited each quarter pursuant to the budget a sufficient portion of the income and revenue in the Operation and Maintenance Fund to pay reasonable and necessary current expenses of administering, operating and maintaining said System for the ensuing quarter.

2) Outstanding Bonds Requirements. There shall next be withdrawn from the Receiving Fund each month and deposited in the Water Supply System Revenue Bond – Bond and Interest Redemption Fund established by Ordinance No. 29, as amended, an amount sufficient to meet all requirements for said Fund as established in Ordinance No. 29, as amended, and the funds so deposited shall be used as required by Ordinance No. 29, as amended.

3) Junior Lien Revenue Bond – Bond and Interest Redemption Fund. There is hereby established a separate account known as the Junior Lien Revenue Bond – Bond and Interest Redemption Fund (the "Junior Lien Redemption Fund"). After the transfers required in (1) and (2) above, and after meeting all of the requirements for Outstanding Bonds as specified in Section 12(B) of Ordinance No. 29, as amended, there shall be transferred each quarter from the Receiving Fund, before any other expenditures or transfer therefrom, and deposited in the Junior Lien Redemption Fund for payment of principal and interest on the Bonds, not otherwise provided for in this Section, a sum equal to at least ½ of the amount equal to

the interest due on the next ensuing interest due date and not less than $\frac{1}{4}$ of the principal maturing on the next ensuing principal payment date. If for any reason there is a failure to make such quarterly deposit then an amount equal to the deficiency shall be set aside and deposited in the Junior Lien Redemption Fund of the net revenues in the ensuing quarter or quarters, which amount shall be in addition to the regular quarterly deposit required during such succeeding quarter or quarters. There is hereby established within the Junior Lien Redemption Fund a separate account known as the Junior Lien Bond Reserve Account into which there shall be deposited after the above required deposit to the Junior Lien Redemption Fund the sum of at least \$87.50 per quarter until there is accumulated in such fund the sum of \$3,500. Except as hereinafter provided, no further deposits need be made into the Junior Lien Redemption Fund for the purposes of the Junior Lien Bond Reserve Account once the sum of \$3,500 has been deposited therein. The moneys in the Junior Lien Bond Reserve Account shall be used solely for the payment of the principal of and interest on Bonds as to which there would otherwise be default.

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

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

4) Replacement Fund. The balance of the income and revenues after the transfers required in Sections 12(A) and

(B) of Ordinance No. 29, as amended, and Sections 8(B)(1), (2) and (3) of this Ordinance, to the extent of \$100 per quarter until the total sum of \$5,000 has been accumulated, shall be deposited in the Replacement Fund required to be established pursuant to Section 12(C) of Ordinance No. 29, as amended, and used for the purposes specified in Ordinance No. 29, as amended.

Section 9. **Reverse flow of funds and Investment.**

In the event the moneys in the Receiving Fund are insufficient to provide for the current requirements of the Operation and Maintenance Fund, the Bond and Interest Redemption Fund (including the Bond Reserve Account) and the Replacement established by Ordinance no. 29, as amended, or the Junior Lien Redemption Fund (including the Junior Lien Bond Reserve Account) established by this ordinance, any moneys and/or securities in the funds of the System established by this Ordinance shall be transferred, first, to the Operation and maintenance Fund, and second, to the Bond and interest redemption Fund, and third, to the Junior lien Redemption fund, (including the junior Lien Bond Reserve Account), and fourth to the Replacement Fund.

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

Section 10. **Rates and Charges.**

Prior to the issuance of the Bonds, rates and charges for the services of the System will be fixed in an amount sufficient to pay the cost of operation and maintaining the System and to leave an amount of revenues adequate for the principal and interest requirements on the Bonds and Outstanding Bonds and all other requirements provided by Ordinance No. 29, as amended, and herein. The rates and charges for all services and facilities rendered by the System shall be reasonable and just, taking into consideration the costs and value of said System and the cost of maintaining, repairing, and operating the same and the amounts necessary for the retirement of all bonds payable therefrom, and there shall be charged such rates and charges as shall be adequate to meet the requirements of this and the preceding section. The charges for utility service which are, under the provisions of Section 21, Act 94, Public Acts of Michigan, 1933, as amended, made a lien on all premises served thereby unless notice is given that a tenant is responsible are hereby recognized to constitute such lien and whenever any such charges against

any piece of property shall be delinquent for six (6) months, the Village official or officials in charge of the collection thereof shall certify annually, on July 1st of each year to the Village tax assessing officer the fact of such delinquency, whereupon such delinquent charge shall be entered upon the next tax roll as a charge against such premises and the lien thereof enforced in the same manner as general Village taxes against such premises are collected and the lien thereof enforced: Provided, however, where notice is given that a tenant is responsible for such charges and service as provided by said Section 21, no further service shall be rendered such premises until a cash deposit of not less than three months service shall have been made as security for payment of such charges and service.

Section 11. **No Free Service.**

No free service shall be furnished by said System to any individual, firm or corporation, public or private or to any public agency or instrumentality.

Section 12. **Covenants.**

The Village covenants and agrees that so long as any of the Bonds hereby authorized remain unpaid as follows:

- a) It will comply with applicable State laws and regulations and continually operate and maintain the System in good condition.
- b) It will comply with provisions and covenants of Ordinance No. 29, as amended, and this Ordinance.
- c) (i) It will maintain complete books and records relating to the operation of the system and its financial affairs and will cause such books and records to be audited annually at the end of each fiscal year and an audit report prepared, and as long as the government is the holder of any of the bonds, will furnish FmHA, without request, a copy of each audit report and will furnish any other holder of any Bonds a copy of such report upon written request. As long as the government is the holder of any of the Bonds the FmHA shall have the right to inspect the System and the records, accounts, and data relating thereto at all reasonable times.
- (ii) It will files with the Municipal Finance Commission each year, as soon as is possible, not later than ninety days after the close of the fiscal year, a report, on forms prepared by said Commission, made in accordance with the accounting method of the Village, completely setting forth the financial operation of such fiscal year for its own purposes. A copy of such report shall

be concurrently furnished the FmHA as long as the government is a holder of any of the Bonds.

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

- d) The Village will maintain and carry, for the benefit of the holders of the Bonds, insurance on all physical properties of the System, of the kinds and in the amounts normally carried by municipalities engaged in the operation of similar systems. All moneys received for losses under any such insurance policies shall be applied to the replacement and restoration of the property damaged or destroyed, and to the extent not so used, shall be used for the purpose of calling bonds. As long as the government is a holder of any of the Bonds then said insurance shall be approved by the FmHA.
- e) It will not borrow any money from any source or enter into any contract or agreement to incur any other liabilities that may in any way be a lien upon revenue therefrom, without obtaining the prior written consent of the FmHA if it is a holder of any of the Bonds, nor shall it transfer or use any portion of the revenues derived in the operation of the system for any purpose not herein specifically authorized.
- f) It will not voluntarily dispose of or transfer its title to the system or any part thereof, including lands and interest in lands, by sale, mortgage, lease or other encumbrances, without obtaining the prior written consent of the FmHA if it is a holder of any of the Bonds.
- g) Any extensions or improvements of the System shall be made according to sound engineering principals and plans and specifications shall be submitted to the government for prior review, only so long as it is holder of any of the Bonds.

The Village may issue additional bonds of equal standing with the Bonds authorized herein for the following purposes and on the following conditions:

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

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

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

Section 14. **Ordinance Shall Constitute Contract.**

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

Section 15. **Refunding of Bonds.**

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

Section 16. **Default of Village.**

If there shall be default in the Junior Lien Redemption Fund, provisions of this Ordinance or in the payment or interest of any of the Bonds, upon the filing of a suit by the holders of twenty percent (20%) of the Outstanding Bonds and for the payment of operation and maintenance expenses and the payment of the Outstanding Bonds and to apply income and revenue in accordance with this Ordinance and the laws of Michigan.

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

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

Section 17. **Ordinance Subject to Michigan Law and FmHA Regulations.**

The provisions of this Ordinance are subject to the laws of the State of Michigan and to the present and future regulations of the FmHA not inconsistent with the express provisions hereof and Michigan Law.

Section 18. **Village Subject to Loan Agreement.**

So long as the government is holder of any of the Bonds, the Village shall be subject to the loan agreement, form F.H.A. 442-47, with the FmHA.

Section 19. **Municipal Finance Commission Approval.**

The Village Clerk is authorized and directed to make application to the Municipal Finance Commission for authority to issue and sell the Bonds.

Section 20. **Conflict and Severability.**

All ordinances, resolutions and orders or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed, and each section of this Ordinance and each subdivision of any section thereof is hereby declared to independent, and the finding or holding of any section or subdivision, thereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of this Ordinance.

Section 21. **Paragraph Headings.**

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

Section 22. **Publication and Recordation.**

This Ordinance shall be published in full in Springport signal, a newspaper of general circulation in the Village, qualified under State law to publish legal notice, promptly after its adoption, and the same shall be recorded in the Ordinance Book of the Village and such recording authenticated by the signatures of the Village President and Village Clerk.

Section 23. **Effective Date.**

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

Passed and adopted by the Village of Springport, County of Jackson, State of Michigan, on October 20, 1979, and approved by me on October 20, 1979.

Adolph Ecklund
President
Village of Springport, Michigan

(SEAL)

Attest:
Althea Mercer
Village Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance, duly adopted by the Village Council of the Village of Springport, County of Jackson, State of Michigan, at a Special meeting held on October 20, 1979, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Members were present at said meeting Roland Yahnka, Richard Hisler, Donna Leightner, Roland-Yahnka, Jeff Mc Cormick, Lester Sykes and that the following Members were absent: none.

I further certify that said Ordinance #63 has been recorded in the Ordinance Book of the Village of Springport, and that such recording has been authenticated by the Signatures of the Village President and Village Clerk.

Althea Mercer
Village Clerk

AMENDED: SECTIONS 5,6, 8(B)(3) and 8(B)(4) on the 7th day of February 1980.