

BAY CITY CITY COMMISSION

Synopsis of Regular Meeting

November 7, 2022

The meeting was called to order by Commission President Christopher Girard at 5:30 PM.

Commissioners Present: Jesse Dockett, Kristen Rivet, Trey Pinkstock, Brentt Brunner, Rachelle Hilliker, Christopher Girard, Kerice Basmadjian, Ed Clements, Cordal Morris, 9.

Excused: Mayor Kathleen L. Newsham.

Absent: None.

A Closed Session Closed Session with Warner Norcross & Judd Attorney's Kurt Brauer, William Lentine and David MacDonald regarding the lease of Real Property was held.

A proclamation proclaiming Small Business, Saturday, November 26, 2022, was presented.

The following items were approved:

- City Commission Minutes (11/7/22)
- Accounts and Claims in the amount of \$1,171,516.81 and Investments and Wire Transfers in the amount of \$2,060,999.64 (10/24/22), Accounts and Claims in the amount of \$1,192,899.14 and Investments and Wire Transfers in the amount of \$1,328,595.24 (10/31/22), and Accounts and Claims in the amount of \$ and Investments and Wire Transfers in the amount of \$ (11/7/22)
- Payroll in the amount of \$1,086,568.62 (10/27/22).
- Appointment of Alan Hugo, Essexville, MI, David Powers and Cory Cripps, both of Bay City, to the Building Code Board of Appeals, terms to expire August 1, 2024
- Budget amendments in the amount of \$0 for the Fiscal Year 2022/2023 budget
- Purchase to Upfit four 2022 Chevrolet Tahoe units from Front Line Services, Inc., Freeland, MI, in the amount of \$92,695, for the Public Safety Department
- Adoption and signing of the Lake Huron Forever Pledge
- Resolution establishing the 2023 City Commission meeting dates
- Resolution ratifying support of Operation Green Light for Veterans
- Resolution regarding application from Golden Industrial, LLC, for the creation of an Obsolete Property Rehabilitation District located at 1311 Jefferson Street
- Bridge leases, memoranda of understanding, special maintenance agreements and terminations

Ordinance amendment to the Code of Ordinances, Chapter 58 - Fire Prevention and Protection, Article II - Fire Prevention Code, Section 58-26, and Sections 58-41 through 58-56, as they pertain to the City of Bay City governing fire code was received for first reading and referred to next meeting for second reading and possible adoption

Water System Advisory Council Minutes (6/2/22, 7/7/22, 8/4/22 & 9/1/22) were received.

Andrea Burney and Alex Dewitt spoke during public input.

Public hearing was held on application from Golden Industrial, LLC, for the creation of an Obsolete Property Rehabilitation District located at 1311 Jefferson. No one came forward.

Public hearing was held on Ordinance amendment to the Code of Ordinances, Chapter 2 - Administration, Article II - Commission, Section 2-26 - Rules of Commission, Rule (2), regarding rules of Commission. No one came forward.

Public hearing was held on Ordinance amendment to the Code of Ordinances, Chapter 22 - Aviation, Article I - In general, Section 22-29 - Airport committee, Section 22-30 - General duties of city manager relative to airport, and Section 22-35 - Purchasing agent. No one came forward.

Public hearing was held on Ordinance amendment to the Code of Ordinances, Chapter 26 - Buildings and Building Regulations, Article XV - Vacant Buildings, Section 26-583(a) - Registration of vacant building, Section 26-584 - Inspections, Section 26-587 - Certificate of occupancy and Section 25-591 - Violation penalties. No one came forward.

Public hearing was held on Ordinance amendment to the Code of Ordinances, Chapter 86 - Solid Waste, Article III - refuse, Section 86-61, Section 86-63 through Section 86-69, Section 86-71, and Article IV - Recyclable material, Section 86-131 - Recyclable materials. No one came forward.

SPECIAL ORDER

Ordinance No. 2022-11

Be it Ordained by the City of Bay City that the Code of Ordinances of the City of Bay City, Chapter 2 - Administration, Article II - Commission, Section 2-26 - Rules of Commission, Rule (2), be amended to read as follows:

Sec. 2-26. Rules of commission.

(2) Rule 2. The commission shall elect a president, vice president and sergeant-at-arms during the first meeting in January of each year. These roles are defined as:

President - assumes mayoral duties in the event of the mayor's absence.

Vice-President - assumes the president's duties in the absence of the president, or if the president vacates the role.

Sergeant-at-Arms - maintains order and serves as the official timekeeper.

All other rules remain unchanged.

A motion was made by Commissioner Brunner, seconded by Commissioner Dockett to adopt Ordinance No. 2022-11.

Motion approved by the following vote:

Yes, Commissioners Dockett, Rivet, Pinkstock, Brunner, Hilliker, Girard, Basmadjian, Clements, Morris, 9.

No, None.

Ordinance No. 2022-12

Be it Ordained by the City of Bay City:

1. That the Code of Ordinances of the City of Bay City, Chapter 22, Aviation, Section 22-29, be amended to read as follows:

Sec. 22-29. Airport committee.

(a) Composition of membership. An airport committee consisting of ten members shall

be appointed by the mayor, subject to the approval of the city commission. One of the members shall be a member of the city commission who shall serve as a non-voting member and as a liaison between the airport committee and the city commission.

(b) Advisory capacity. The committee shall work solely in an advisory capacity to the city commission.

(c) Appointment. The airport committee shall be appointed effective January 1, 2020. Members, other than the city commission member, shall be appointed for a term of three years, except the initial appointment of three members for a term of two years and three members for a term of one year. Subsequent appointments shall be for three-year terms. Members shall be eligible for reappointment. The member who is also a member of the city commission shall be appointed on a yearly basis.

(d) Meetings; appointment of chairman. The committee shall meet at such times and places as are deemed advisable by the chairman, who shall be appointed by the committee.

(e) Recommendations to city manager. Recommendations to the city manager by the airport committee are advisory in nature. Implementation of advisory board recommendations are at the discretion of the city manager as provided in section 22-36.

2. That the Code of Ordinances of the City of Bay City, Chapter 22, Aviation, Section 22-30, be amended to read as follows:

Sec. 22-30. General duties of the city manager relative to airport.

The airport shall be managed and supervised by the city manager or the city manager's designee. The city manager or designee shall be charge with the care and preservation of all property and equipment belonging to the airport, whether located within or without the limits of the city, and shall cause the airport to be inspected on a regular basis relative to the storage of equipment and planes, fire hazards, conditions of grounds, and such other matters as may be deemed advisable. The municipal airport shall be operated, and the business of the airport conducted, in conformity with applicable state and federal laws, rules and regulations.

3. That the Code of Ordinances of the City of Bay City, Chapter 22, Aviation, Section 22-31, be amended to read as follows:

Sec. 22-31. Employment and discharge of personnel generally.

The city manager shall have the power to employ and discharge all persons as the city manager may deem necessary for operating, managing and regulating the airport.

4. That the Code of Ordinances of the City of Bay City, Chapter 22, Aviation, Section 22-32, be amended to read as follows:

Sec. 22-32. Appointment, duties and bond of airport director.

The city manager shall appoint the airport director who shall perform such duties as may be assigned to the airport director by the city manager. The airport director shall file a bond with the city clerk as set forth in section 30-58.

5. That the Code of Ordinances of the City of Bay City, Chapter 22, Aviation, Section 22-35, be amended to read as follows:

Sec. 22-35. Purchasing agent.

Unless contrary to federal or state requirements, the purchasing agent of the city shall be the purchasing agent for the airport and, in the performance of duties, shall be governed by the provisions of article VI of chapter 2 of this Code.

6. That the Code of Ordinances of the City of Bay City, Chapter 22, Aviation, Section 22-36, be amended to read as follows:

Sec. 22-36. Regulations of the city manager.

(a) Subject to the approval of the city commission, the city manager shall make such regulations relative to the general control, supervision and use of the airport as the city manager shall deem necessary or advisable. Such regulations shall comply with all rules and regulations made by the state aeronautics commission and the United States Department of Transportation relative to air traffic and airports. Such regulations shall not become effective until published.

(b) It shall be unlawful to violate or refuse to obey any regulations promulgated pursuant to this section. In addition to the penalty prescribed by section 1-15 of this Code, any person operating or handling any aircraft or any airport property in violation of such regulations, or refusing to comply therewith may be promptly removed from the airport property, or temporarily "grounded" upon the order of the airport director or city manager and may be deprived of further use of the airport and its facilities for such time as may be required to ensure the safeguarding of the same and of the public.

A motion was made by Commissioner Dockett, seconded by Commissioner Pinkstock to adopt Ordinance No. 2022-12.

Motion approved by the following vote:

Yes, Commissioners Dockett, Rivet, Pinkstock, Brunner, Hilliker, Girard, Basmadjian, Clements, Morris, 9.

No, None.

Ordinance No. 2022-13

Be it Ordained by the City of Bay City: that the Code of Ordinances of the City of Bay City, Chapter 26 - Buildings and Building Regulations, Article XV – Vacant Buildings, Section 26-583(a) – Registration of vacant building, Section 26-584 - Inspections, Section 26-587 - Certificate of occupancy and Section 25-591 - Violation penalties, be amended to read as follows:

Sec. 26-583. Registration of vacant buildings.

(a) All persons owning a vacant building, or agents acting on behalf of such owners, shall register with the code enforcement department of the city any and all vacant buildings owned within the city and provide all information required by this ordinance and any such information deemed appropriate by the city. Vacant buildings must be registered separately as vacant buildings even if already registered as a rental dwelling unit or in some other status as required by ordinance or other law. Each registration shall be required to contain, at least, the following information:

- (1) Name and street address of owner(s).
- (2) Agent name and address, if applicable.
- (3) Telephone number of owner and agent.
- (4) Address of each vacant property within the city owned by that owner, including:

- a. The number of units at each address;
- b. The use for each property; and
- c. When each property was last occupied.

Sec. 26-584. Inspections.

Vacant buildings, including the surrounding real property, required to be registered in accordance with this article shall be subject to an initial exterior inspection by the building code enforcement department.

(a) Following the initial inspection, in order to ensure that the vacant properties are safe, secured and well maintained all vacant properties, including the surrounding real property, shall be subject to additional exterior inspections on a yearly basis and/or by one or more of the following bases:

(1) By area, such as an entire block, neighborhood or historic district such that all vacant properties in a predetermined geographical area will be inspected simultaneously or within a short period of time.

(2) By complaint, such that the complaints of property maintenance violations or violations of the requirements of this article shall be inspected within a reasonable time.

(3) By recurrent violations, such that any property which is found to have a high incidence of recurrent or uncorrected violations may be inspected more frequently.

(4) Whenever reasonable cause exists to believe that there is a violation of the property maintenance code or this article on any vacant property or other conditions which makes the structure or premises unsafe, dangerous or hazardous.

(5) For the purpose of re-inspection to ensure the correction of any violation in exist-

ence of a previous inspection.

Any violation of the city code or this article which are detected upon any of the inspections by the building code enforcement department shall be fully repaired and/or remedied within 30 days of notice to the owner or within such additional time as permitted by the department.

Sec. 26-587. Fees.

(a) The fees for registration, inspection, administration and all other actions authorized under this article shall be those fees on file with the city clerk which have been approved and filed by the city manager and of which the city commission has been notified for at least 30 days in compliance with section 2-1 of the Bay City Code of Ordinances.

(b) Each owner or agent of a vacant building registered under this ordinance shall be required to pay a registration fee for each such building or structure. Each owner or agent of a vacant building registered under this ordinance shall be required to pay a quarterly monitoring fee for each such building or structure.

(c) Each owner or agent who fails to register a vacant building or structure in a timely manner shall pay a late fee. An owner or agent of a vacant building or structure who fails to pay a registration fee at the time that it is due or in the amount that is owed shall be assessed an administrative fee in addition to the actual fee owed.

Sec. 26-588. Liens and abatement.

(a) If the owner or agent fails to pay the registration fee, late fee or administrative fee as required by this article the city shall have, as security for collection, a lien upon the premises.

(b) If the owner or agent shall fail or refuse to carry out any order served upon him pursuant to this article within the time fixed by the order, the officer issuing the order shall proceed to remove or abate the condition and the cost of removal or abatement shall constitute a lien against the premises.

(c) If the registration fee, late fee or administrative fee referred to in subsection (a), or the cost of removal or abatement referred to in subsection (b) remains delinquent for three months or more the costs may be certified annually to be entered on the next tax roll to be a lien against the premises. The fiscal service director or other appropriate member of city staff shall, annually, on April 1, certify to the city assessor all unpaid charges for such services furnished to any premises which, on March 30 preceding, have remained unpaid for a period in excess of three months, and place the same on the next tax roll of the city. Such charges so assessed shall be collected and any such liens shall be enforced in the same manner in all respects as provided by law for collection of taxes by the city.

Sec. 26-589. Disclaimer of liability.

An enforcement action, inspection or other activity taken by the city under this ordinance in the execution of its duties is not a warranty or guarantee that there are no defects in the dwelling or structure nor does the city assume any responsibility or liability for the property or its owner. The enforcement action, inspection or other activity taken by the city is made for the benefit of the city only, the city shall not be held responsible to any party based upon their reliance on any enforcement action, inspection or other activity taken by the city.

Sec. 26-590. Violation penalties.

Any person who shall violate a section of this article shall be responsible for a municipal civil infraction punishable by a fine as a Class F violation.

All other sections remain unchanged.

A motion was made by Commissioner Morris, seconded by Commissioner Basmadjian to adopt Ordinance No. 2022-13.

Motion approved by the following vote:

Yes, Commissioners Dockett, Rivet, Pinkstock, Brunner, Hilliker, Girard, Basmadjian, Clements, Morris, 9.

No, None.

Ordinance No. 2022-14

Be it Ordained by the City of Bay City:

1. That the Code of Ordinances of the City of Bay City, Chapter 86, Section 86-61, Solid Waste and Material Recovery, be amended to read as follows:

Sec. 86-61. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Bulk item means any large item which cannot be placed in a city provided refuse container such as a mattress, box springs, furniture, or other large items such as dishwashers and small appliances.

Garbage means rejected food waste, and includes refuse accumulation of animal, fruit or vegetable matter, used or intended for food, or that attends the preparation, use, cooking dealing in, or storage of meat, fish, fowl, fruit or vegetables.

Recyclable material means items specifically designated by the city as recyclable materials, currently paper, glass containers, metal, plastic, newspaper, aluminum, paste board and corrugated cardboard. The city reserves the right to designate the quantity and quality of each recyclable material and to add or delete items based upon market demands.

Recyclable overflow means any recyclable items on the exterior of the city supplied recycling cart with the lid closed.

Refuse means all types of material to be discarded, such as wrappings, cartons, crates, packing material, rags, broken glass, crockery, waste paper and sweepings.

Refuse overflow means any items or additional bags of trash on the exterior of the city supplied refuse cart that would fit inside an additional refuse cart, except as provided in section 86-71(h).

Residence means one or more dwelling units in a building and the lot or parcel of land on which the building is located, a city lot or property eligible for city collection and disposal of refuse.

Residential dwelling means any residence containing a single-family dwelling unit or multi-family dwelling units.

White goods means all types of large household appliances, such as stoves, refrigerators, air conditioners, washers, clothes dryers, hot water tanks and similar items.

Yard waste means all materials which grow on the property, which materials are to be disposed of, such as weeds, plants, garden trimmings, grass, hedge and shrub clippings, dead foliage, small branches and leaves.

2. That the Code of Ordinances of the City of Bay City, Chapter 86, Section 86-63, Solid Waste and Material Recovery, be amended to read as follows:

Sec. 86-63. Refuse container collection.

(a) It shall be the responsibility of the owner, occupant, or person in charge of a residence to place or cause to be placed all refuse and garbage accumulated on the premises in the refuse container supplied by the city for collection by the city.

(b) Materials shall be bagged and loosely placed in the container with the lid completely shut so that the container may be easily dumped.

(c) Bulk items may be picked up from any residential dwelling on the same day as the refuse container is emptied or may be scheduled for pick up at an alternative time, in the city's discretion.

3. That the Code of Ordinances of the City of Bay City, Chapter 86, Section 86-64, Solid Waste and Material Recovery, be amended to read as follows:

Sec. 86-64. Container specifications.

(a) The city shall supply refuse containers (wheeled curb carts). Refuse containers shall be a distinctive color with appropriate words which will readily indicate to city collec-

tors that the refuse containers are intended for the weekly citywide refuse collection. City refuse containers are RFID tagged and must not be removed from the assigned property.

(b) The city recommends the use of compostable paper leaf bags for yard waste collection.

(c) The city shall supply recycling carts to residential customers (wheeled curb carts). Recycling carts shall be of a distinctive color with appropriate markings which will readily indicate to city collectors that the recycling carts are intended for the by-weekly city-wide recycling collection. City recycling carts are R.F.I.D. tagged and must not be removed from the assigned property.

4. That the Code of Ordinances of the City of Bay City, Chapter 86, Section 86-65, Solid Waste and Material Recovery, be amended to read as follows:

Sec. 86-65. Replacement of defective containers.

(a) The city shall replace city owned/assigned refuse and recycling carts which have become defective by normal wear and tear or as a result of damage caused by city collection efforts. The resident shall replace any refuse cart or recycling cart which becomes defective by misuse or neglect by the resident at the then existing fee. Missing carts shall be replaced at the cost of the property owner.

(b) The city is not responsible for damaged, missing or stolen private containers.

5. That the Code of Ordinances of the City of Bay City, Chapter 86, Section 86-66, Solid Waste and Material Recovery, be amended to read as follows:

Sec. 86-66. Collection of yard waste and recyclable materials.

(a) Yard waste collection shall coincide with regular weekly refuse collection from the first Monday in April through the first Friday in December. Yard Waste must be bagged, tied in bundles or placed in 32-gallon or smaller containers. Loose yard waste will not be accepted.

(b) Yard waste bags and containers shall not weigh more than 40 pounds.

(c) Yard waste must be placed in compostable paper leaf bags or in a 32-gallon or smaller container with handles that is labeled with Yard Waste Only stickers provided by the city.

(d) Yard waste materials placed in plastic bags, cardboard boxes, grocery bags or other unapproved containers will not be collected.

(e) Recyclables will be collected on a bi-weekly basis. (Starting January 1, 2023.)

(f) Brush will be collected without a fee during the months of April and November. Brush pick up will occur on the Eastside from the 1st to the 15th of the month, and on the Westside from the 16th to the last day of the month. Brush piles shall be no larger than an area of 4' wide, 8' long and 4' high.

(g) Between May 1st and October 31st a fee shall be charged for brush collection. Brush collection shall be scheduled by appointment. Brush must be set out not more than 48 hours prior to the scheduled pick up. A brush collection fee shall be charged pursuant to Section 86-78.

(h) Maximum branch diameter for brush collection is five (5) inches.

(i) Brush must be free of root balls. Stumps will not be collected.

(j) Any brush generated from the removal of a tree or a substantial portion of a tree, either by a resident or a hired tree service, will not be chipped or removed by the city.

(k) Any brush placed for collection that is outside the scope of the above guidelines shall be deemed a nuisance and handled accordingly.

6. That the Code of Ordinances of the City of Bay City, Chapter 86, Section 86-67, Solid Waste and Material Recovery, be amended to read as follows:

Sec. 86-67. Placement for collection; removal of empty containers.

(a) Except as otherwise provided, refuse, yard waste and recyclable materials to be collected by the city shall be placed on the property side of the curb on paved streets or in the area between the sidewalk and the edge of the roadway on unpaved streets no earlier than 4:00 p.m. on the day preceding the collection and not later than 7:00 a.m. on the day of collection. No person other than the owner, occupant or person in charge of a residence shall place refuse, yard waste or recyclable materials on the premises of the residence or adjacent thereto for collection. Emptied containers shall be removed before 8:00 a.m. following the day of collection.

(b) Refuse containers and recycling containers will not be serviced if they are not spaced a minimum of 3 feet away from other containers, trees, vehicles, utility poles, bulk items or other obstructions.

7. That the Code of Ordinances of the City of Bay City, Chapter 86, Section 86-68, Solid Waste and Material Recovery, be amended to read as follows:

Sec. 86-68. Responsibility when placed for collection.

(a) The owner, occupant or person in charge of a residence shall clean up and remove any scattered refuse resulting from the breakage or opening of any refuse container intended for collection from the residence within 24 hours after the same has been scattered.

(b) The owner, occupant or person in charge of the residence shall, in accordance with this article, properly dispose of any scattered refuse and any container and the contents thereof intended for collection which is either broken or otherwise unacceptable.

(c) Unacceptable containers, scattered refuse and prohibited items located on public property are subject to removal by the city, and the cost thereof shall be charged back to the abutting property owner pursuant to section 86-69.

(d) Any container which is blocked by a vehicle owned or operated by the owner, occupant or person in charge of a residence is not eligible for call back service.

(e) A container that is confirmed as missed during collection or only partially emptied is eligible for a call back for service provided the city is notified by noon of the next business day.

(f) The owner, occupant and person in charge of the property are jointly and severally responsible for all conditions observed on the property and charges that may result from the conditions.

8. That the Code of Ordinances of the City of Bay City, Chapter 86, Section 86-69, Solid Waste and Material Recovery, be amended to read as follows:

Sec. 86-69. Nuisances.

(a) *Generally.* Any scattered refuse, scattered recyclable materials, any refuse bag, can

or other container, and the contents thereof, which is unacceptable, any container intended for collection which contains unacceptable materials contrary to Section 86-74 or any container intended for collection placed in front of or adjacent to a residence contrary to any collection procedure referred in to Sections 86-67 and 86-68 or any item placed in front of a residence contrary to the collection procedures referred to in Sections 86-75 and 86-76 is hereby declared a public nuisance and is subject to removal or abatement by the city.

(b) *Expenses.*

(1) All actual expenses incurred by the city and the removal or abatement of the nuisance, or a minimum labor, equipment, and disposal fee (whichever shall be greater) plus an additional administrative fee, shall be the responsibility of the owner, occupant or person in charge of the property on which, in front of or adjacent to which the condition existed and shall be paid by the owner, occupant or person in charge of the property in whose name the property appears on the current city tax assessment records. The minimum labor, equipment and disposal fee and the administrative fee shall be those fees on file with the city clerk which have been approved of and filed by the city manager and of which the city commission has been notified for at least 30 days in compliance with Section 2-1 of this code.

(2) The expenses incurred shall be a lien against the real property and shall be reported to the city assessor who shall assess the same against the property on which, in front or adjacent to which the nuisance was located.

(3) The owner, occupant or person in charge of the property in whose name the property appears upon the current assessment records shall be notified of the amount of such costs by first-class mail at the address shown on the records. If the owner, occupant or person in charge of the property fails to pay the same within 30 days after mailing by the city assessor of the notice of the amount thereof, the city assessor shall add the name to the next roll of the city; and the amount shall be collected in the same manner in all respects as provided by law for the collection of taxes by the city.

9. That the Code of Ordinances of the City of Bay City, Chapter 86, Section 86-71, Solid Waste and Material Recovery, be amended to read as follows:

Sec. 86-71. Services and fees.

(a) Every dwelling or property receiving refuse collection services shall be required to use a container supplied by the city. It is the responsibility of both the city and the property owner or tenant to ensure that collection services are properly billed. Billing adjustments will be limited to the six (6) months previous to the discovery of any billing error.

(b) Refuse and recycling collection services shall be provided to the following locations:

(1) A single-family dwelling.

(2) A multiple-family dwelling having ten (10) dwelling units or less.

(3) A commercial property which utilizes designated refuse containers (wheeled curb carts).

(4) All other residential, commercial and industrial properties which specifically contract for city refuse collection services.

(C) A collection fee shall be assessed to each residential dwelling unit and each commercial or industrial property regardless of collection status. For purposes of this subsection, a condominium unit shall be considered a residential dwelling unit. For purposes of this section, a multiple-family dwelling having eleven (11) or more units shall be considered a single property or dwelling unit.

(d) The fees for refuse collection services shall be those fees on file with the city clerk which have been approved and filed by the city manager and which the city commission has been notified of for at least 30 days in compliance with section 2-1.

(e) The fee to be charged for the removal and handling of refuse as provided in this article shall be billed not less frequently than monthly to each dwelling unit, commercial or industrial property.

(f) Unpaid fees for the removal and handling of refuse which have been charged pursuant to this section shall be a lien against the property for which the service has been provided and amounts delinquent for three months or more may be certified annually to be entered on the next tax roll to be a lien against the premises. The fiscal services director shall, annually, on April 1, certify to the city assessor all unpaid charges for such services furnished to any premises which, on March 30 preceding, have remained unpaid for a period in excess of three months, and place the same on the next tax roll of the city. Such charges so assessed shall be collected and any such liens shall be enforced in the same manner in all respects as provided by law for collection of taxes by the city.

(g) Refuse collection services furnished by the city to any other department of the city shall be charged to the department receiving such service at the same rate(s) and in the same manner as established in this section herein; as specifically applied to a commercial or industrial property contracting for collection services.

(h) City residents may set out for collection one bulk item or two additional kitchen-size (13 gallon) trash bags per week.

(i) Commercial properties shall be charged for services as provided in Section 86-78.

10. That the Code of Ordinances of the City of Bay City, Chapter 86, Section 86-131, Recyclable materials, be amended to read as follows:

Sec. 86-131. Recyclable materials.

(a) All residential dwellings meeting the criteria set forth in Section 86-71 will have access to the city's recycling program. An opt-in recycling program is available for commercial properties if they choose to participate. Those who participate in the recycling program may place recyclable materials in the city provided carts for collection by the city on the property side of the curb on paved streets or in the area between the sidewalk and the edge of the roadway on unpaved streets on their designated collection day during their designated collection week.

(b) All recyclable materials to be collected by the city under this section shall be placed in carts designated for recycling by the city.

A motion was made by Commissioner Brunner, seconded by Commissioner Dockett to adopt Ordinance No. 2022-14.

Motion approved by the following vote:

Yes, Commissioners Dockett, Rivet, Pinkstock, Brunner, Hilliker, Girard, Basmadjian, Clements, Morris, 9.

No, None.

The meeting adjourned at 8:06 PM.

Christopher Girard, Commission President
Tema J. Lucero, City Clerk