

ORDINANCE ENFORCEMENT OFFICER

Ord. No. 345

Adopted: November 18, 1985

An ordinance to establish the office of Ordinance Enforcement Officer; to prescribe the duties of said office; to authorize the Township Board to appoint any person or persons to said office; and to amend any ordinance of Fenton Township which conflicts with the provisions hereof.

THE TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN ORDAINS:

SECTION 1. Ordinance Enforcement Officer.

There is hereby established the office of Ordinance Enforcement Officer within the Charter Township of Fenton, Genesee County, Michigan.

SECTION 2. Appointment.

The Township Board of Fenton Township is hereby authorized by resolution, at any regular meeting of said Board, to appoint any person or persons to the office of Ordinance Enforcement Officer for such term or terms as may be designated in said resolution. Said Board may further, by resolution, remove any person from said office, in the discretion of said Board.

SECTION 3. Duties.

The Ordinance Enforcement Officer is hereby authorized to enforce all ordinances of the Township of Fenton, whether heretofore or hereafter enacted, and whether such ordinances specifically designate a different official to enforce the same or do not designate any particular enforcing officer. Where a particular officer is so designated in any such ordinance, the authority of the Ordinance Enforcement Officer to enforce the same shall be in addition and supplementary to the authority granted to such other specific officer. The authority of such Ordinance Enforcement Officer shall also be in addition and supplementary to the authority vested in the Township Supervisor by state statute. The ordinance enforcing authority of the Township Supervisor and the other officers specifically designated in any Township ordinance shall continue in full force and effect and shall in no way be diminished or impaired by the terms of the within ordinance.

SECTION 4. Definitions.

The ordinance enforcement duties herein authorized shall include, among others, the following: Investigation of ordinance violations; serving notice of violations; serving appearance tickets as authorized under Public Act 147 of 1968, as amended; appearance in court or other judicial proceedings to assist in the prosecution of ordinance violators, and such other ordinance-enforcing duties as may be delegated by the Township supervisor or assigned by the Township attorney.

SECTION 5. (Deleted: Ord. No. 454, 1-23-95)

SECTION 6. Saving clause.

The provisions of the within ordinance are hereby declared to be severable and the invalidation of any one or more of the same by any judicial determination or statutory or constitutional provision shall not invalidate the remainder of said provisions or ordinance.

SECTION 7. Effective date.

This ordinance shall take immediate effect. All ordinances of the Township heretofore or hereafter adopted shall hereafter be supplemented by the terms of the within ordinance.

INSUFFICIENT FUNDS CHECK FEE

Ord. No. 413

Adopted: February 3, 1992

An ordinance to require payment of a fee to the Township for delivering an insufficient funds check to the Township which is returned by the financial institution upon which it is drawn.

THE TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN, ORDAINS

SECTION 1

The delivery of a check for payment of money to the Township, when at the time of delivery of said check and order for the payment of money the maker thereof had not sufficient funds in nor credit with the financial institution upon which said check was drawn for payment in full of said check and order for the payment of money upon presentation which results in a charge by the financial institution in which such check is deposited by the Township, shall make the person who delivers such insufficient funds check to the Township liable to the Township for a "Returned Check" fee which is twice the fee charged the Township by the financial institution.

SECTION 2

Fenton Township shall charge such a "Returned Check" fee whenever an insufficient funds check is returned to the Township without payment by a financial institution into which it has been deposited because of insufficient funds.

SECTION 3

This Ordinance shall be published as required by law and shall become effective on the 31st day after its approval and publication.

**FISCAL YEAR
Ord. No. 414
Adopted February 3, 1992**

An ordinance to establish the fiscal year of the Township of Fenton and to repeal Ordinance No. 292 of Fenton Township

THE TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN ORDAINS:

SECTION 1

Fenton Township Ordinance No. 292 effective February 19, 1979, is hereby repealed.

SECTION 2

The fiscal year of Fenton Township shall extend from January 1 until December 31 of each year.

SECTION 3

This Ordinance shall be published as required by law and become effective on the 31st day after its publication.

GROUP HEALTH CARE INSURANCE COVERAGE

Ord. No. 461

Adopted May 15, 1995

An ordinance to create and establish a township group insurance plan covering health, hospitalization, medical and surgical service and expense, dental care insurance and vision care insurance for certain classes of township employees and their dependents and to authorize the Township Supervisor and the Township Clerk to contract, in the name of the township, for such plan; to define those classes of employees who shall be covered by such group insurance plan; to set forth the respective per centum shares which the Charter Township of Fenton and the employees shall contribute to the premium or charges arising under such group insurance plan and further provide for the deduction of contributions from employees' compensation; to provide a method for non-coverage of an employee of the group insurance plan; and to ratify and confirm the validity of any group insurance plan in existence on the effective date of this ordinance.

Section 1. Short Title.

This ordinance shall be known as the "Charter Township of Fenton Group Health Care Insurance Plan Ordinance".

Section 2. Statutory Authorization.

Pursuant to Public Act 77 of 1989, the Charter Township of Fenton hereby creates and establishes a group insurance plan covering health, hospitalization, medical and surgical service and expense, dental care insurance and vision care insurance of its employees enumerated herein, and their dependents, and for such purposes, also hereby authorizes the Township Supervisor and the Township Clerk to contract, in the name of the township board, subject to approval of the township board, with any company authorized to transact such business within the State of Michigan for such group insurance policies.

Section 3. Coverage Eligibility.

The group insurance plan created, established and contracted for under this ordinance shall cover each person within the following classes of employees and shall also cover the spouse and dependents of such person:

1. The Township Supervisor.
2. All township employees who are employed for thirty (30) or more hours per week on a regular basis.
3. The Township Fire Chief.
4. All retirees of the township who meet the eligibility requirements established by the Township Board.

(Amended: Ord. No. 586, 12-3-01; Ord. No. 591, 2-4-02)

Section 4. Cost Allocation.

Each covered employee shall be responsible for a portion of the cost of the Health Care Insurance as required by Public Act 152 of 2011. The method of compliance with the provisions of Public Act 152 of 2011 shall be determined by the Township annually.

The township contribution for medical insurance coverage for the position of Fire Chief shall be secured from the Fire Fund of the Township. All other township contributions shall be secured from the General Fund of the Township. Each person within such class

shall be responsible for the remainder of the premium or charges not paid for the by the township and the township treasurer is hereby authorized to deduct the same from each person's pay, salary or compensation, and/or invoice the individual for the appropriate amount on a monthly basis, and to apply the amounts deducted and/or collected to such person's responsibility. Failure to pay amounts billed shall be an election by the employee to terminate the insurance coverage. The Township shall give the employee thirty (30) days notice of intent to cancel the insurance. The employee shall remain liable for all amounts unpaid. Any person desiring not to be so covered shall give written notice to the Township Clerk that he/she desires not to be insured or covered, and if the notice is received before the person has become insured or covered under the contract, he/she shall not be covered there under. If the notice is received after the individual has become insured or covered, his/her coverage under the contract shall cease as provided for in the contract.

(Amended: Ord. No. 484, 1-22-96; Ord. No. 586, 12-3-01; Ord. No. 635, 3-21-05; Ord No. 757, 8-5-13)

Section 5. Retiree Health Insurance Eligibility.

Township employees are eligible to receive post-retirement single coverage health care insurance to be partially paid by the Township subject to the terms, conditions and restrictions established in this section. A retiring employee shall be initially eligible to receive post-retirement single coverage health care insurance to be partially paid by the Township only if:

1. The employee retires from full-time employment with the Township at age **62** or older, with **twenty (20)** or more years of service to the Township; and
2. The employee was eligible for health care insurance provided by the Township at the time of retirement or was eligible for such coverage for at least **fifteen (15) years** during his/her employment with the Township.

A. Form and Content of Retirement Policy. If any retiring employee is initially eligible to receive post-retirement single coverage health care insurance to be paid by the Township as provided above, then in such event, the form and content of the health care insurance policy to be provided by the Township shall be equivalent to the form and content of the health care insurance policy then being provided by the Township to current, active employees, as it may be modified from time to time, subject to any and all limitations established by applicable law or the relevant health care provider. The retired eligible employee shall be responsible for paying for a portion of his/her post-retirement health care insurance premium in the same manner and amount as current, active employees are required to pay to comply with the provisions of Public Act 152 of 2011, as it may be modified from time to time. The Township shall only be responsible for payment of the remaining portion of the premium for the employee alone. The Township shall not be responsible for payment of any portion of the health care insurance premium for the employee's spouse or dependent children.

B. Add-On Coverage. To the extent permitted by applicable law and the limitations established by the health care provider, the Township may allow the retired eligible employee to purchase coverage under the Township's then current health care insurance plan for his/her spouse and/or dependent children provided that the retired eligible employee shall be solely responsible for the payment of any and all costs for adding his/her spouse and/or dependent children to the Township's then current health care insurance plan.

C. Medicare/Medicaid Conversion. Any eligible retiree receiving post-retirement health care insurance benefits under the provisions of this contract shall be required to apply for Medicaid, Medicare or similar Federal program benefits as soon as he/she is eligible to do so. To be eligible to continue to receive post-retirement health care insurance benefits as provided in this section, the retiree must coordinate the health care insurance coverage provided by the Township with other governmental health insurances which may be available, in whole or in part, to the retired employee including, but not limited to, Medicaid and Medicare. As of the retired employee's date of eligibility for said Federal program benefits, the health care insurance benefits provided by the Township shall be in the form of complementary insurance coverage that coordinates with the Federal program benefits, (i.e. Medicare "gap" insurance). In the event that the name of any of the coverages or benefits referred to are changed, the replacement programs shall apply to the above requirements. The employee shall continue to pay a portion of such premiums to comply with Public Act 152 of 2011 as provided above.

D. Termination of Post-Retirement Health Care Insurance Benefits. The obligation of the Township to pay for post-retirement health care insurance benefits for otherwise eligible retirees shall cease in the event that comparable health insurance is available to the retiree through another employer or another source. The Township's obligation to provide post-retirement health care insurance coverage to the retiree shall immediately cease upon the occurrence of either of these circumstances. Circumstances which will result in the immediate termination of post-retirement health care insurance benefits include, but are not limited to, the following:

1. If the retiree accepts other employment and health insurance is available from that employer; or
2. If the retiree is eligible for health insurance through his/her working spouse.

In the event that the alternate coverage is lost, the retiree shall be eligible to be added / reinstated to the Township's health care insurance coverage subject to the restrictions of applicable law and limitations established by the health care provider. All questions of eligibility shall be determined by the rules and regulations established by the carrier providing such coverage.

(Added: Ord. No. 758, 9-3-13)

Section 6. Validity.

The Charter Township of Fenton hereby ratifies and confirms the validity of any health, hospitalization, medical and surgical service and expense, dental care insurance and vision care insurance or any one or more of such forms of insurance in existence on the effective date of this ordinance. This ordinance shall apply to contracts executed before or after the date of this ordinance, or amendments to such contracts.

Section 7. Effective Date.

This ordinance shall take effect July 1, 1995, upon publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

LIFE INSURANCE COVERAGE

Ord. No. 462

Adopted May 15, 1995

An ordinance to create and establish a township group insurance plan covering life and accidental death and dismemberment insurance for certain classes of township employees and to authorize the Township Supervisor and the Township Clerk to contract, in the name of the township, for such plan; to define those classes of employees who shall be covered by such group insurance plan; to set forth the respective per centum shares which the Charter Township of Fenton and the employees shall contribute to the premium or charges arising under such group insurance plan; to provide a method for non-coverage of an employee of the group insurance plan; and to ratify and confirm the validity of any group insurance plan in existence on the effective date of this ordinance.

Section 1. Short Title.

This ordinance shall be known as the “Charter Township of Fenton Life Insurance Plan Ordinance”.

Section 2. Statutory Authorization.

Pursuant to Public Act 77 of 1989, the Charter Township of Fenton hereby creates and establishes a group insurance plan covering life insurance and accidental death and dismemberment insurance of its employees enumerated herein, and for such purposes, also hereby authorizes the Township Supervisor and the Township Clerk to contract, in the name of the township board, subject to approval of the township board, with any company authorized to transact such business within the State of Michigan for such group insurance policies.

Section 3. Coverage Eligibility.

The group insurance plan created, established and contracted for under this ordinance shall cover each person within the following classes of employees:

1. All township employees who are employed for thirty (30) or more hours per week on a regular basis.
2. The Township Fire Chief.
3. All members of the township board of trustees.
4. (Amended: Ord. No. 587, 12-3-01; Ord. No. 592, 2-4-02)

Section 4. Cost Allocation.

The Charter Township of Fenton shall annually contribute One hundred per centum (100%) of that portion of the premium or charges under such life insurance and accidental death and dismemberment insurance for each person within the class of persons enumerated in Section 3 hereof. The township contribution for life insurance and accidental death and dismemberment insurance coverage for the position of Fire Chief shall be secured from the Fire Fund of the Township. All other township contributions shall be secured from the General Fund of the Township. Any person desiring not to be so covered shall give written notice to the Township Clerk that he/she desires not to be insured or covered, and if the notice is received before the person has become insured or covered under the contract, he/she shall not be covered there under. If the notice is received after the individual has become insured or covered, his/her coverage under the contract shall cease as provided for in the contract.

(Amended: Ord. No. 587, 12-3-01)

Section 5. Validity.

The Charter Township of Fenton hereby ratifies and confirms the validity of any life insurance and accidental death and dismemberment insurance or any one or more of such forms of insurance in existence on the effective date of this ordinance. This ordinance shall apply to contracts executed before or after the date of this ordinance, or amendments to such contracts.

Section 6. Effective Date.

This ordinance shall take effect July 1, 1995, upon publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**PENSION PLAN
Ord. No. 491
Adopted: March 18, 1996**

An ordinance to create and establish a pension plan for the elected officials and certain classes of township employees of the Charter Township of Fenton and to authorize the Township Supervisor and the Township Clerk to contract, in the name of the township, for such plan; to define those classes of elected officials and employees who shall be covered by such pension plan; to set forth the respective per centum shares which the Charter Township of Fenton and the elected officials and employees shall contribute to the premium or charges arising under such pension contract and to further provide for the deduction of contributions from elected officials' and employees' compensation; to establish the time at which existing and future employees shall become eligible for such plan and the further establish the normal retirement date for all employees; to provide a method for non-coverage of an elected official or employee of the pension plan; to set forth a date wherein each person covered under the pension plan shall have a vested right or interest in such plan; to ratify and confirm the validity of any pension plan in existence on the effective date of this ordinance; and to repeal all ordinances or parts of ordinances in conflict herewith.

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

Section 1. Short Title.

This ordinance shall be known as the "Charter Township of Fenton Pension Plan Ordinance".

Section 2. Statutory Authorization.

Pursuant to Public Act 77 of 1989, as amended, the Charter Township of Fenton hereby creates and establishes a pension plan and program for the pensioning of its elected officials and employees, and for such purposes, also hereby authorizes the Township Supervisor and the Township Clerk to contract, in the name of the township board, with any company authorized to transact such business within the State of Michigan for pensions.

Section 3. Coverage Eligibility.

The pension plan created, established and contracted for under this ordinance shall cover each person within the following classes of elected officials and employees:

1. All members of the township board.
2. All township employees who are employed for more than twenty (20) hours per week on a regular basis.
3. All township Fire Chiefs.
4. All township Assistant Fire Chiefs.

Section 4. Cost Allocation.

A. For any elected official or employee, as enumerated in Section 3 hereof, to be considered a participant of the pension plan, he/she must annually contribute an amount equal to five per centum (5%) of his/her annual base salary toward the premium or charges arising under such pension contract, ("required contribution"). Additionally, each participant may elect to contribute an additional amount, up to an amount equal to ten per centum (10%) of his/her base annual salary, toward the premium or charges arising under such pension contract, ("voluntary contribution"). For each participant of

the pension plan, the Charter Township of Fenton shall annually contribute an amount equal to ten per centum (10%) of the participant's annual base salary toward the premium or charges arising under such pension contract, ("township contribution"). Such township contribution shall be secured from the general fund of the township. Each person within such class shall be responsible for the remainder of the premium or charges not paid for the by the township and the township treasurer is hereby authorized to deduct the same from each person's pay, salary or compensation and to apply the amounts deducted to such person's responsibility.

B. Each elected official who is serving on the effective date of the pension plan shall be eligible for coverage on that day provided he or she then meets the following requirements, otherwise to be eligible on the first policy anniversary on which she meets them:

1. His/her age (nearest birthday) is at least 18 years.

Every elected official who is subsequently elected shall be eligible on the first policy anniversary on which he or she meets the following requirements:

1. His/her age (nearest birthday) is at least 18 years.

Each employee who is employed on the effective date of the pension plan shall be eligible for coverage on that day provided he or she then meets the following requirements, otherwise to be eligible on the first policy anniversary on which she meets them:

1. He/she has completed at least six months of continuous employment.
2. His/her age (nearest birthday) is at least 18 years.

Every employee who becomes subsequently employed shall be eligible on the first policy anniversary on which he or she meets the following requirements:

1. He/she has completed at least six months of continuous employment.
2. His/her age (nearest birthday) is at least 18 years.

An employee's normal retirement date shall be the policy anniversary of the pension plan nearest his/her 65th birthday. An employee's early retirement date shall be the policy anniversary of the pension plan nearest his/her 55th birthday.

C. Any person desiring not to be so covered shall give written notice to the Township Clerk that he/she desires not to be covered, and if the notice is received before the person has become covered under the contract, he/she shall not be covered there under. If the notice is received after the individual has become covered, his/her coverage under the contract shall cease as provided for in the contract.

Section 5. Vesting.

Each person so covered under the pension plan shall have a vested right or interest in such plan twenty (20) months from the date the plan becomes effective for such person.

Section 6. Amendments.

The Charter Township of Fenton Board of Trustees reserves the right to amend the level of the "township contribution", the pension contract, and other provisions of this ordinance.

Section 7. Validity.

The Charter Township of Fenton hereby ratifies and confirms the validity of any pension plan in existence on the effective date of this ordinance. This ordinance shall apply to contracts executed before or after the date of this ordinance, or amendments to such contracts.

Section 8. Effective Date.

This ordinance shall take effect immediately upon publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Enacted at a regular meeting of the Charter Township of Fenton Board of Trustees held on the 18th day of March, 1996.

DISABILITY INSURANCE COVERAGE

Ordinance No. 529

Adopted July 20, 1998

An ordinance to create and establish a township group insurance plan covering short term disability insurance and long term disability insurance for certain classes of township employees and to authorize the Township Supervisor and the Township Clerk to contract, in the name of the township, for such plan; to define those classes of employees who shall be covered by such group insurance plan; to set forth the respective per centum shares which the Charter Township of Fenton and the employees shall contribute to the premium or charges arising under such group insurance plan; to provide a method for non-coverage of an employee of the group insurance plan; and to ratify and confirm the validity of any group insurance plan in existence on the effective date of this ordinance.

Section 1. Short Title.

This ordinance shall be known as the “Charter Township of Fenton Disability Insurance Plan Ordinance”.

Section 2. Statutory Authorization.

Pursuant to Public Act 77 of 1989, the Charter Township of Fenton hereby creates and establishes a group insurance plan covering short term disability insurance and long term disability insurance of its employees enumerated herein, and for such purposes, also hereby authorizes the Township Supervisor and the Township Clerk to contract, in the name of the township board, subject to approval of the township board, with any company authorized to transact such business within the State of Michigan for such group insurance policies.

Section 3. Coverage Eligibility.

The group insurance plan created, established and contracted for under this ordinance shall cover each person within the following classes of employees:

1. All full-time township employees who are employed for thirty (30) hours or more per week on a regular basis.
2. The Township Supervisor.
3. The Township Fire Chief.

Section 4. Cost Allocation.

The Charter Township of Fenton shall annually contribute One hundred per centum (100%) of that portion of the premium or charges under such short term disability and long term disability insurance for each person within the class of persons enumerated in Section 3 hereof. The township contribution for short term disability and long term disability insurance coverage for the position of Fire Chief shall be secured from the Fire Fund of the Township. All other township contributions shall be secured from the General Fund of the township. Any person desiring not to be so covered shall give written notice to the Township Clerk that he/she desires not to be insured or covered, and if the notice is received before the person has become insured or covered under the contract, he/she shall not be covered there under. If the notice is received after the individual has become insured or covered, his/her coverage under the contract shall cease as provided for in the contract.

(Amended: Ord. No. 588, 12-3-01)

Section 5. Validity.

The Charter Township of Fenton hereby ratifies and confirms the validity of any short term disability insurance and long term disability insurance or any one or more of such forms of insurance in existence on the effective date of this ordinance. This ordinance shall apply to contracts executed before or after the date of this ordinance, or amendments to such contracts.

Section 6. Effective Date.

This ordinance shall take effect immediately upon publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Enacted at a regular meeting of the Charter Township of Fenton Board of Trustees held on the 20th day of July, 1998.