

SMITHS GROVE CITY COMMISSION

ORDINANCE NUMBER 11-013 340.00

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AN ORDINANCE ADOPTING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SMITHS GROVE AND WARREN COUNTY ALLOWING THE COUNTY TO ISSUE BUILDING PERMITS AND PERFORM BUILDING INSPECTIONS WITHIN THE INCORPORATED AREAS OF SMITHS GROVE, KY.

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WHEREAS, the City of Smiths Grove desires to adopt the county-wide issuance of building permits and county wide building inspections within the incorporated areas of Smiths Grove; and

WHEREAS, the City-County Planning Commission of Warren County and the Warren Fiscal Court have tentatively agreed to such an inter-local agreement;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF SMITHS GROVE, KENTUCKY:

That the full text of the attached inter-local agreement is approved and adopted.

Applicability - The provisions of this inter-local agreement shall apply within the incorporated limits of Smiths Grove, Commonwealth of Kentucky effective as soon as approved by the Smiths Grove City Commission and Fiscal Court of Warren County, Kentucky.

Passed on First Reading by roll call vote the 19th day of October, 2011.

Passed by roll call vote and adopted on Second Reading this 24th day of October 2011.

APPROVED:


BERT E. HIGGINBOTHAM, MAYOR

ATTEST:


DEBORAH K. BREWER, CITY CLERK

COMMONWEALTH OF KENTUCKY
COUNTY OF WARREN

ORDINANCE NUMBER 11-35WC

ORDINANCE ADOPTING AN INTERLOCAL AGREEMENT BETWEEN THE
CITY OF SMITHS GROVE AND WARREN COUNTY
ALLOWING THE COUNTY TO ISSUE BUILDING PERMITS AND PERFORM
BUILDING INSPECTIONS WITHIN THE INCORPORATED AREAS OF SMITHS GROVE, KENTUCKY

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WHEREAS, the City of Smiths Grove, Kentucky, has requested that the County of Warren, Kentucky, assist the issuance of building permits and building inspections with the City limits of Smiths Grove, and;

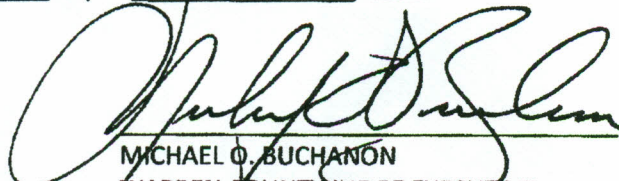
WHEREAS, KRS 65.210 to 65.300 allows the County of Warren and the City of Smiths Grove to enter in to such an agreement, and;

WHEREAS, the County of Warren and the City of Smiths Grove have prepared the attached Interlocal Agreement, which complies with all statutory requirements.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE FISCAL COURT OF WARREN COUNTY, COMMONWEALTH OF KENTUCKY, that the attached Interlocal Agreement, which is attached hereto and incorporated herein by referenced is hereby approved and accepted.

This Ordinance is adopted pursuant to KRS 67.077 in that it was published in summary form on the 13th day of October, 2011, and was introduced and read on the 12th day of October, 2011, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424 and KRS 67.077 sub-section three.

APPROVED this the 21st day of October, 2011.


MICHAEL O. BUCHANON
WARREN COUNTY JUDGE EXECUTIVE

INTERLOCAL AGREEMENT

This Interlocal Agreement is made and entered into on the date of the last in time signature to this Agreement by and between the City Commission of the City of Smiths Grove, Kentucky, P.O. Box 114, Smiths Grove, Kentucky 42171 acting by and through its Mayor, Bert Higginbotham (hereinafter "Smiths Grove") and the Fiscal Court of Warren County, Kentucky, 429 East 10th Avenue, Bowling Green, Kentucky 42101 (hereinafter "Fiscal Court") acting by and through its County Judge Executive, Michael O. Buchanon.

WHEREAS, The City of Smiths Grove is desirous of contracting for inspection and code enforcement services in accordance with the Uniform State Building Code;

WHEREAS, the Warren Fiscal Court is able and willing to provide inspection and code enforcement services in order to enforce the Uniform State Building Code pursuant to KRS § 198B.050 et. seq.;

WHEREAS, KRS 198B.060(14) permits a local government such as The City of Smiths Grove to associate with other local governments, such as the Warren Fiscal Court, to obtain assistance in order to provide for the local enforcement of the Uniform State Building Code.

NOW, THEREFORE, the parties to this Agreement do hereby agree as follows:

1. The City of Smiths Grove hereby appoints the Building Inspector of Warren County, Kentucky to carry out its obligations to provide inspection and code enforcement services in accordance with the Uniform State Building Code as set forth in KRS § 198B.050, et seq.

2. The Fiscal Court of Warren County, Kentucky hereby agrees, through its county building inspector, to provide to The City of Smiths Grove such inspection and code enforcement services as may be required by the Uniform State Building Code and the provisions

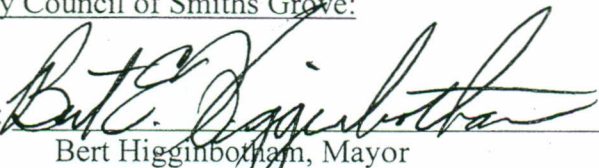
of the Kentucky Revised Statutes, including, without limitation, KRS § 198B.010, et. seq. The City of Smiths Grove shall pay to the Fiscal Court the reasonable cost of time and expense incurred by the Fiscal Court in the performance of its duties under the agreement. Warren County Government will control this division and no separate entity will be created.

3. The City of Smiths Grove is further authorized to petition the Executive Director of the Kentucky Board of Housing, Buildings and Constructions requesting that additional plan review functions be allocated to the City of Smiths Grove, and its designees the Building Inspector of Warren County, Kentucky. The petition shall include evidence of Smith Grove's capability to perform additional plan review functions for all trades, including, building, plumbing, and electrical inspections.

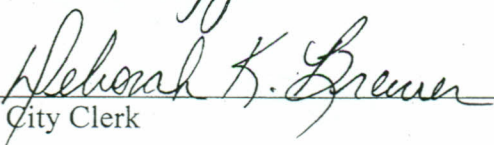
4. This Agreement shall remain in full force and effect for a period of one (1) year and shall automatically renew annually, unless and until any party gives 180 days prior written notice of non-renewal to all the remaining parties. This Agreement may otherwise be terminated by any party upon 180 days prior written notice to all the remaining parties. Copies of any written notice of non-renewal or termination shall also be sent to the Executive Director of the Kentucky Board of Housing, Buildings, and Construction.

WITNESS THE HANDS of the parties on this the day and date first above written.

City Council of Smiths Grove:


By: 
Bert Higginbotham, Mayor

Date: 1-19-2012


Attest: 
City Clerk

Date: 1-19-2012

Warren County Fiscal Court:

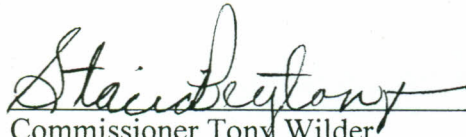
By: 
Michael O. Buchanan, County Judge Executive

Date: 1/13/2012

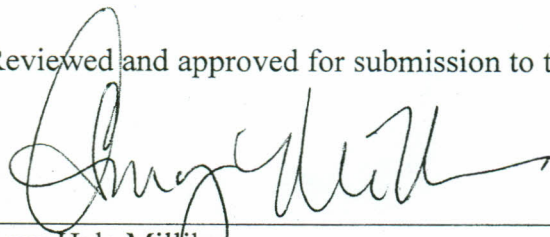
Attest: 
Fiscal Court Clerk, Brenda Hale

Date: 1/13/2012

Have reviewed and approved:


Commissioner Tony Wilder
Department for Local Government
Date: _____

Reviewed and approved for submission to the Department for Local Government:


Amy Hale Milliken
Warren County Attorney