

AN ORDINANCE AUTHORIZING THE TOWN OF NUTTER FORT TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT OR CONTRACT SUBJECT TO APPROVAL BY RESOLUTION OF THE GOVERNING BODY AND WITHOUT REQUIRING SUBMISSION AND APPROVAL BY THE ATTORNEY GENERAL OF THE STATE OF WEST VIRGINIA AND AUTHORIZING SUCH AGREEMENTS OR CONTRACTS TO PROVIDE FOR THE EXERCISE OF ANY POWER, PRIVILEGE, AUTHORITY, OR UNDERTAKING WHICH MAY BE UNDERTAKEN BY EITHER PARTY TO SUCH AGREEMENT

WHEREAS, in 2013, the West Virginia Legislature expanded the Municipal Home Rule Pilot Program created pursuant to the provisions of the West Virginia Code 8-1-5a, “the Home Rule Statute” to allow participation by additional municipalities; and

WHEREAS, the Town of Nutter Fort submitted its Home Rule Plan, “the Town’s Home Rule Plan” to the Home Rule Board, which plan was approved by the Board on January 15, 2020, authorizing the Town to approve agreements or contracts with other jurisdictions by resolution in the same manner as it does with similar agreements with non-governmental entities.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF NUTTER FORT THAT:

The Town, upon approval by resolution of the governing body, may from time to time, enter into intergovernmental agreements as provided by Article 23 of Chapter 8 of the West Virginia Code for the exercise of any power or powers, privilege or privileges, authority or undertaking, exercise or capable of exercise or which may be engaged in and any public works which may be undertaken by the Town of Nutter Fort jointly with any other public agency, provided that either the Town of Nutter Fort or such other public agency, could likewise act alone, and provided further that such agreement need not be submitted to the Attorney General of the State of West Virginia for review to determine whether the agreement is in proper form and compatible with the laws of the State of West Virginia.

This Ordinance shall be effective upon passage. Passed by Council of the Town of Nutter Fort on FIRST READING on this ____ day of _____, 2021.

Passed by Council of the Town of Nutter Fort on SECOND READING on this ____ day of _____, 2021.

MAYOR

ATTEST:

TOWN RECORDER