

IN THE VILLAGE OF CENTERTOWN, MISSOURI

Bill No. 0019-009

Ordinance No. 193

AN ORDINANCE AUTHORIZING THE CHAIRMAN TO SIGN A COLE COUNTY AGREEMENT FOR BUILDING PERMITS & CODE INSPECTION SERVICES

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CENTERTOWN, MISSOURI, AS FOLLOWS:

Section 1: The Board of Trustees for the Village of Centertown, Missouri, authorizes Adam Brown as the Chairman of the Board of Trustees for the Village of Centertown, Missouri, to sign a Cole County Agreement for Building Permits & Code Inspection Services.

Section 2: This agreement brings the Village of Centertown into compliance with county wide practices, promoting public safety, health and general welfare of Centertown residents as documented further at <https://www.colecounty.org/280/Building-Permits>. Agreement is attached.

Section 3: The Board of Trustees can revoke this agreement at any time. There is no cost to the Village in the adoption of this agreement.

Section 4: This ordinance shall be in full force and effect upon passage and approval.

FIRST READING HELD: DECEMBER 30, 2019

SECOND READING HELD AND FINAL PASSAGE ON THIS 7TH DAY OF JANUARY, 2020 BY THE FOLLOWING VOTE:

	Aye	Nay
Adam Brown	<u>X</u>	_____
Celine Whitaker	<u>X</u>	_____
Heather Hunger	<u>X</u>	_____
Paula Hinshaw	<u>X</u>	_____
Sherry Kempf	<u>X</u>	_____

Signature on File
Chairman, Board of Trustees

ATTEST:

Signature on File
Village Clerk

AGREEMENT FOR BUILDING PERMITS & CODE INSPECTION SERVICES

This Agreement is entered into, pursuant to §70.220 of the Revised Statutes of Missouri, by the Village of Centertown, Missouri, hereinafter referred to as the "Village", the Cole County Public Works Department, hereinafter referred to as the "CCPW," and the County of Cole, hereinafter referred to as the "County."

WITNESSETH:

In consideration for the mutual covenants, promises and representations in this Agreement, the Parties hereto agree as follows:

1. The CCPW hereby agrees to issue building permits and to provide inspection services for building code enforcement within the municipal limits of the Village, subject to the availability of CCPW personnel and within the discretion of the CCPW Director.
2. The effective date for this Agreement shall be January 7, 2019~~20~~, or on the effective date of the adoption of Cole County's ordinances. Either Party, in its sole discretion, may terminate this Agreement at any time.
3. Fees, as established by the Cole County Commission, will be charged to the permittees as appropriate, with the fee being paid to the general fund of Cole County.
4. The execution of this Agreement by the parties shall authorize the CCPW staff to issue building permits and to provide building code inspection services to ensure compliance with the current building codes as adopted by the Cole County Commission. However, said CCPW staff are not, and shall not be, regarded as agents or as an agency of the Village.
5. Prior to CCPW staff issuing a building permit within the municipal limits of the Village, the Village shall provide CCPW with written approval indicating that the proposed construction has been reviewed by the Village and meets any and all planning and zoning requirements and/or other ordinances of the Village. CCPW staff shall be not responsible for enforcement/inspection of said planning and zoning ordinances nor for any other ordinances of the Village.
6. The manner in which these services are rendered, the standards of performance, the discipline of the CCPW staff and other matters incident to the performance of these services and the control of personnel so employed, shall remain in the discretion of the Director of the CCPW. In the event of a dispute between parties as to the extent of the duties and functions to be rendered hereunder, or the minimum level or manner of performance of these services, the determination thereof made by the CCPW Director shall be final and conclusive

as between the parties thereto. Nothing contained herein restricts CCPW from performing other duties for the CCPW inside or outside the corporate limits of the Village.

7. All persons employed in the performance of such services and functions pursuant to this agreement for the Village shall be County employees and no person employed hereunder has any Village pension, civil service, or any status of right.

8. This Agreement embodies the entire agreement and understanding of the Parties hereto with respect to the subject matter contained herein. The Parties hereby declare and represent that no promise, inducement, or agreement not herein expressed has been made.

9. By signing this Agreement each Party represents to the other that it has the authority to enter into this Agreement and that all necessary votes have been taken, ordinances passed and all other acts needed comply with the agreement have been completed. The Parties further agree that this Agreement shall be binding on their respective successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands on the day and year first above written.

VILLAGE OF CENTERTOWN

Allen E. Ben
Mayor

07 Jan 2020
Date

COLE COUNTY PUBLIC WORKS DEPARTMENT

Larry J. Benz, P.E., Director

01-15-20
Date

COLE COUNTY COMMISSION

Sam Bushman
Sam Bushman, Presiding Commissioner

1/14/20
Date

Attest:

Stoneko
County Clerk

