Passed 9-0

**RESOLUTION 02-09**

**TO APPROVE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND MONROE COUNTY, INDIANA IN REGARD TO PLANNING AND ZONING JURISDICTION**

WHEREAS, Indiana Code § 36-1-7-1 *et seq.* permits governmental entities to jointly exercise powers through Interlocal Cooperation agreements; and

WHEREAS, Indiana Code § 36-7-4-205 authorizes a municipality to exercise planning and zoning jurisdiction over unincorporated areas within two (2) miles of the corporate boundaries, with permission of the County; and

WHEREAS, it is prudent, rational, and in the best interests of the citizens that the City of Bloomington maintain planning and zoning jurisdiction over certain unincorporated areas that are surrounded by or immediately adjacent to areas that are within the corporate boundaries of the City, which areas are known as "Areas Intended for Annexation" or "AIFA"; and

WHEREAS, both City planning and zoning jurisdiction outside the corporate boundaries and centralized county-wide Building Code administration and enforcement by the County are currently provided by authority of an Interlocal Cooperation Agreement between the parties that was approved by Common Council Resolution 96-33 and extended to and until March 31, 2002 by Common Council Resolution 01-31; and

WHEREAS, the parties have negotiated a new *Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana in Regard to Planning and Zoning Jurisdiction* to allow continuation of the City's planning and zoning jurisdiction in a slightly smaller AIFA than under the original agreement, such smaller area consisting of areas already annexed but not yet effective and areas intended for annexation within five years, as defined and described in said Agreement and its attached map, for a term of five (5) years;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. The *Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana in Regard to Planning and Zoning Jurisdiction*, together with its attached map, attached hereto and incorporated herein, shall be approved.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 27th day of March, 2002.

Chris Gaal

CHRIS GAAL, President
Bloomington Common Council

SIGNED and APPROVED by me upon this 29TH day of MARCH, 2002.

JOHN FERNANDEZ, Mayor
City of Bloomington

ATTEST:

Regina Moore

REGINA MOORE, Clerk
City of Bloomington

SYNOPSIS

This resolution approves an Interlocal Cooperation Agreement between the City and Monroe County which will commence on April 1, 2002 and allow continuation of the City's planning and zoning authority in certain unincorporated areas of the County for a period of five years. The area of City planning and zoning jurisdiction outside the corporate boundaries (which is known as Areas Intended for Annexation or AIFA) is slightly smaller than under the current Agreement, due to removal of several parcels not realistically slated for annexation within the five year time frame of the new Agreement. Under this Agreement, the County will take over planning and zoning jurisdiction in those excluded areas of the former AIFA.



Signed copies to:

legal(5)
controller
Planning
engineering

HAND
GIS
Utilities

M.C. commissioners
M.C. Counsel
M.C. Auditor
M.C. treasurer
M.C. Building Dept.

B-ton twp trustee
B-ton twp fire dept.
Perry twp trustee
Perry-Clear Creek fire Dept.