Passed 7-2 (Wisler, Sabbagh)

RESOLUTION 07--02

TO EXTEND INTERLOCAL COOPERATION AGREEMENTS BETWEEN THE CITY OF BLOOMINGTON AND MONROE COUNTY, INDIANA IN REGARD TO PLANNING AND ZONING JURISDICTION AND BUILDING CODE AUTHORITY

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, City planning and zoning jurisdiction outside the corporate boundaries is 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, 2007 by Common Council Resolution 02-09; and

WHEREAS, the parties have agreed to extend the terms and conditions of the *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 over those areas known as "Areas Intended for Annexation" or "AIFA"; and

WHEREAS, the City of Bloomington and Monroe County, Indiana, also believe that it is in the best interests of the citizens of Monroe County for the Building Code administration and enforcement function throughout the County to remain centralized; and

WHEREAS, Monroe County, Indiana currently performs this function county-wide by authority of the *Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana Regarding Building Code Authority* which was approved by Common Council Resolution 96-33 and extended to and until March 31, 2007 by Common Council Resolutions 02-10 and 02-38; and

WHEREAS, The parties have agreed that it is in the public interest to extend the terms and conditions of both the *Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana in Regard to Planning and Zoning Jurisdiction* and the *Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana Regarding Building Code Authority* for an additional period of five (5) years, to and until March 31, 2012;

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*, and the *Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana Regarding Building Code Authority*, as modified to reflect the agreement of the parties regarding extension thereof to and until March 31, 2012, and attached hereto and incorporated herein, are hereby approved.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 21st day of MARCH, 2007.

DAVE ROLLO, President
Common Council

SIGNED and APPROVED by me upon this 22nd day of MARCH, 2007.

MARK KRUZAN, Mayor
City of Bloomington

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

SYNOPSIS

This resolution extends the current terms and conditions of two Interlocal Cooperation Agreements between the City and Monroe County for an additional five years or through March 31, 2012. One Agreement authorizes the City to exercise 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. The other Agreement will continue the County's centralized enforcement and administration of the Building Code throughout the County.

signed copies to:
legal (10)
county legal –
planning
county building & planning
county commissioners
county auditor
controller

CA/CA (3)
clerk
file