

ORDINANCE NO. 03-24-01

AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF COMMISSIONERS OF LAKE COUNTY, OHIO, ON BEHALF OF ITS BUILDING DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Kirtland Hills has negotiated an agreement with the Lake County Board of Commissioners, on behalf of its Building Department, and grants the Mayor authority to execute such agreement, marked "Exhibit A" and appended hereto.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF KIRTLAND HILLS, COUNTY OF LAKE, STATE OF OHIO, THAT:

SECTION 1. That the Village of Kirtland Hills and the Lake County Board of Commissioners mutually agree to administer and enforce the state building codes as applicable within their mutual and respective jurisdictions.

SECTION 2. That Lake County shall administer and enforce the state residential building codes within the jurisdiction of the Municipality, issue approvals and permits, charge applicable fee(s) for services and be responsible for obtaining all certifications required by law to carry out such enforcements.

SECTION 3. That all Building Department staff are considered to be employees of Lake County and subject to its employment regulations. Lake County must provide insurance coverage for Building Department staff performing services that fall within the purview of this Agreement, including health, auto (if applicable), worker's and unemployment compensation and/or OPERS benefits, and the Municipality shall have no responsibility with respect to insuring the Building Department staff.

SECTION 4. That any projects, documents, materials, etc., produced by the Building Department and/or Lake County pursuant to this Agreement shall be and remain records of Lake County.

SECTION 5. That mutual acceptance and execution of the Agreement does not constitute a partnership between Lake County and the Municipality, and that each party agrees to be solely liable for any negligence arising out of this Agreement.

SECTION 6. That this Agreement constitutes the entire agreement between the parties, and terminates any and all prior agreements, written or oral, between the parties regarding the same services as of its Effective Date.

SECTION 7. That if any provision in this Agreement is held invalid, the remainder of the Agreement shall not be affected, and all other parts of this Agreement shall be in full force and effect.

SECTION 8. That this Agreement shall be effective as of January 1, 2024 (the "Effective Date") and shall continue until terminated by either Party for any reason upon thirty (30) days' written notice, which shall be sent via the United States Postal Service ("USPS"), certified mail, return receipt requested to the specified agent(s) and/or address(es), proper notice is considered to be given upon return of the requested receipt, or three days after such notice is sent by USPS, provided the receipt is not returned.

SECTION 9. That this Ordinance constitutes an emergency in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the residents of the Village of Kirtland Hills and is further necessary to have clear and proper regulations regarding meetings of Municipal Bodies of the Village; therefore, this ordinance shall be in full force and effect immediately upon its passage.

PASSED: 3-11-24

Benschubin
CLERK/TREASURER

John F. Tambor
MAYOR