



Clark County Department of Building & Fire Prevention

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Division:	Building Division	Policy & Procedure:	BD-CA-009
Subject:	INTERLOCAL AGREEMENT BETWEEN CLARK COUNTY AND CITY OF HENDERSON TO UTILIZE DEVELOPMENT SERVICES	Effective Date:	02/07//2014
Code:		Reviewed Date:	06/18/2015

**INTERLOCAL AGREEMENT
BETWEEN CLARK COUNTY AND CITY OF HENDERSON
TO UTILIZE DEVELOPMENT SERVICES BY ONE PUBLIC AGENCY FOR
DEVELOPMENT PROJECTS SPANNING BOTH JURISDICTIONS**

THIS INTERLOCAL AGREEMENT (hereinafter referred to as "Agreement") is made and entered into this 7th day of December, 2010, by and between the CITY OF HENDERSON through its Building & Fire Safety Department (hereinafter "CITY"), and CLARK COUNTY (hereinafter "COUNTY"), acting through its Building Division of the DEPARTMENT OF DEVELOPMENT SERVICES.

WITNESSETH:

WHEREAS, the respective Development Services and Building Departments for the COUNTY and for the CITY have general authority within their respective jurisdictions for plans review, permit issuance, inspection and oversight of building construction, and regulation of structures within the geographic boundaries of each; and

WHEREAS, at times there are proposed development projects which overlap the COUNTY and CITY boundary lines; and

WHEREAS, Nevada Revised Statutes Chapter 277 provides that two (2) or more public agencies may enter into an interlocal agreement for the performance of a public function;

NOW, THEREFORE, the parties agree as follows:

SECTION ONE

AUTHORITY TO UTILIZE PLANS CHECKING AND INSPECTION SERVICES

Pursuant to this Agreement, the CITY is authorized to perform plans checking and inspection services for all purposes necessary to perform regular plans checking and building site inspections where a proposed development project overlaps a boundary line between the

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COUNTY and CITY, on a project specific basis, upon execution of a memorandum of understanding between the COUNTY and CITY for each such project, where the interests of both jurisdictions and the project developer are thereby served. To effectuate a mutual exchange of such authority and duties, the COUNTY is authorized to perform plans checking and inspection services for all purposes necessary to perform regular plans checking and building site inspections for such a cross-jurisdictional construction project upon execution of a memorandum of understanding to such effect on a project specific basis where the identified interests dictate that the COUNTY should administer these regulatory functions.

Excepted from this Agreement are specialized inspections of building construction within the scope of the Special Inspections Program administered by the COUNTY, and to mandate that *those certain inspections requiring such specialized skills be performed only by the agencies and inspectors qualified under the COUNTY's then-current list of approved agencies and inspectors.*

SECTION TWO

MAINTENANCE OF RECORDS

The CITY will maintain and provide the COUNTY with access to all records it receives or generates concerning any development project regulated by the CITY under the authority of this Agreement. The COUNTY will maintain and provide the CITY with access to all records it receives or generates concerning any development project regulated by the COUNTY under the authority of the Agreement.

Any notifications required by law or contract shall be made by CITY and COUNTY to the other as applicable.

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SECTION THREE

ADHERENCE TO APPLICABLE LAWS

The CITY and COUNTY mutually agree not to issue permits for any project administered pursuant to this Agreement unless it complies with the 2009 International Building Code, 2009 Uniform Plumbing Code, 2009 Uniform Mechanical Code, 2009 International Residential Codes, 2009 Uniform Fire Code, and the 2008 Uniform National Electrical Code, or successor codes as adopted by the COUNTY and CITY.

SECTION FOUR

ENFORCEMENT OF PROVISIONS

If the CITY encounters difficulties, it may, in its discretion, request enforcement assistance from the COUNTY in the form of criminal citation and civil actions as necessary. If the COUNTY encounters enforcement difficulties, it may, in its discretion, request enforcement assistance from the CITY in the form of criminal citation and civil actions as necessary.

SECTION FIVE

TERM OF AGREEMENT

The initial term of this Agreement shall be five (5) years, to commence on the date that both governing bodies have completed the approval process and executed this Agreement. This Agreement may be terminated earlier without cause by either party, provided that a termination shall not be effective until thirty (30) days after a party has served written notice of termination upon the other party. In the event of termination of this Agreement, any project for which any permit has been issued shall continue to submit to the plans checking and inspections services of the entity issuing such permits. The parties may choose to extend the Agreement beyond the initial five-year term, subject to approval of the governing bodies of COUNTY and CITY.

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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and effective on the date of signature by the authorized representatives for each entity.

CITY OF HENDERSON, NEVADA

BOARD OF COMMISSIONERS
CLARK COUNTY, NEVADA

By 
 ANDY A. HAFEN
 Mayor

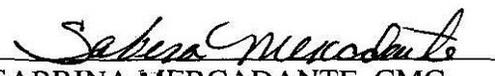
By 
 RORY REID
 Chair

DATE: _____

DATE: 12/7/10

ATTEST:

ATTEST:


 SABRINA MERCADANTE, CMC
 City Clerk


 DIANA ALBA
 County Clerk

APPROVED AS TO FORM:


 RONALD SAILON
 Assistant City Attorney


 CLIFFORD JEFFERS
 Deputy District Attorney

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Revision History:

POLICY #	TITLE	Effective Date	Revised	Reviewed
BD-CA-009	Interlocal Agreement Between Clark County And City Of Henderson To Utilize Development Services	12/07/2004		
BD-CA-009	Interlocal Agreement Between Clark County And City Of Henderson To Utilize Development Services		07/01/2013	
BD-CA-009	Interlocal Agreement Between Clark County And City Of Henderson To Utilize Development Services			11/10/2014
BD-CA-009	Interlocal Agreement Between Clark County And City Of Henderson To Utilize Development Services			06/18/5015

Developed by:	Reviewed by:
Clark County and City of Henderson	   Ted Droessler Kevin McOsker Brenda Thompson Engineering Manager Plans Exam Manager Inspections Manager
Reviewed by:	Approved by:
Samuel D. Palmer, P.E. Assistant Director	 Ronald L. Lynn Director/Building & Fire Official