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AUG 03 2016
CITY OF ADAMS

INTERGOVERNMENTAL AGREEMENT
BETWEEN UMATILLA COUNTY AND
CITY OF ADAMS
CONCERNING CODE ENFORCEMENT

This agreement is between Umatilla County, Oregon ("County"), and the City of Adams ("City"), regarding code enforcement within the boundary limits of City. The supervising representative for the County is Tamra Mabbott, and for the City is the City Recorder.

1.0 RECITALS

A. ORS Chapter 190 provides for intergovernmental cooperation. This agreement is created pursuant to that chapter.

B. The City has adopted a development code for the development located within the boundary limits of the City.

C. The City is requesting the County to provide the use of its Code Enforcement Officer to assist in the enforcement of the development code of the City.

D. The County is in agreement to provide the use of its Code Enforcement Officer to assist the City in the enforcement of its development code.

2.0 AGREEMENT

2.1 The parties agree to the use of the Code Enforcement Officer as set out in this agreement.

2.2 The parties agree that each has the authority to execute this Agreement and that the Agreement is executed pursuant to each party's lawful authority.

2.3 Both parties acknowledge that they are subject to and will abide by all statutory and regulatory requirements applicable to public bodies in Oregon.

3.0 COUNTY RESPONSIBILITIES

3.1 The County Code Enforcement Officer will perform the following on behalf of the City:

A. Investigate code violation complaints;

- B. Patrol or view property within the City limits for potential code violations;
- C. Sign code violation citations;
- D. Make court appearances on behalf of the City for code violation citations, including testifying;
- E. Follow up on cited violation for compliance;
- F. Provide transportation for County Code Enforcement Officer;
- G. Provide documentation of hours incurred by Code Enforcement Officer under this agreement

3.2 The Umatilla County Code Enforcement Officer will have the authority within the boundary limits of the City for right of entry to find and to investigate any potential violation of the development code or any other ordinance of the City.

3.3 The officer will also have the authority to cite any violator to the City of Adams Municipal Court or Umatilla County Circuit Court.

3.4 The hours incurred by the County Code Enforcement Officer under this agreement will not exceed an average of 5 hours a week.

4.0 CITY RESPONSIBILITIES

4.1 The City will perform the following regarding code violations:

- A. Forward to the Code Enforcement Officer any code violation complaints the City seeks to pursue;
- B. Prepare any citations or other documents necessary for the enforcement of a code violation;
- C. Take any other action necessary for the enforcement of a code violation not the responsibility of the County.

4.2 The City will retain the authority to investigate, to enforce, to prosecute and to take any action necessary to enforce its ordinance, and will only request the assistance of the County Code Enforcement Officer on an as-needed basis, up to an average of 4 hours a week.

4.3 For the use of the Code Enforcement Officer for the term of this agreement, the City will pay to the County the sum of \$35.00 per hour. The City will be billed on a monthly basis, and

payment will be made within 20 days of receipt.

5.0 INDEMNITY

To the extent allowed and permitted by the Oregon Constitution and the Oregon Tort Claim Act, the City will indemnify and hold the County harmless for any action taken by the City or the County Code Enforcement Officer pursuant to this agreement.

6.0 TERM

6.1 This Agreement shall become effective on July 1, 2016 and shall terminate on June 30, 2017.

6.2 Either party may terminate this Agreement by giving sixty days advance written notice of its intent to terminate, such notice being provided in person or by certified mail.

7.0 AMENDMENTS

The parties agree that any changes, additions or modifications to this Agreement shall be made only in writing and executed by the parties to this Agreement.

8.0 LAW

This Agreement is governed by and will be construed in accordance with the laws of the State of Oregon.

DATED this 8th day of June, 2016.

UMATILLA COUNTY

CITY OF ADAMS

George L. Murdock
George L. Murdock, Chair

Dane Holmes

W. Lawrence Givens
W. Lawrence Givens, Commissioner

ATTEST:

William J. Elfering
William J. Elfering, Commissioner

Caine Bennett
City Recorder



ATTEST:
Office of County Records

[Handwritten Signature]

Records Officer

