



## REQUEST FOR BOARD ACTION

ITEM NO. 8

**DATE OF REQUEST:** August 6, 2012

**REQUESTED BY:** Kyle M. Breuer, Director, Planning and Community Development Department

**SHORT TITLE:** Resolution Approving Memorandum of Understanding for the Provision of Providing Inspection Services for the Town of Atkinson

**BACKGROUND:** The County has received a request from the Town of Atkinson requesting that the County provide for inspection services. Currently, the county provides this service on a yearly basis, requiring a new resolution to commence inspection services for the upcoming fiscal year. The County has been approached by the Town to enter in to a Memorandum of Understanding (MOU) that will provide for these services indefinitely, or until either government chooses not to participate. With this MOU, the County will retain all fees associated with issuing the building permit and performing the inspection.

**SPECIFIC ACTION REQUESTED:** To consider a resolution approving the attached Memorandum of Understanding supporting the provision of providing inspection services for the Town of Atkinson.

**COUNTY MANAGER'S RECOMMENDATION**

**Respectfully recommend approval.**

  
Initial

**RESOLUTION**

**NOW, THEREFORE BE IT RESOLVED** by the Pender County Board of Commissioners that

the recommended Memorandum of Understanding providing for building inspections services with the Town of Atkinson is hereby approved. The Chairman/County Manager is authorized to execute any/all documents necessary to implement this resolution.

**AMENDMENTS:**

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS

YEA VOTES: Brown \_\_\_ Tate \_\_\_ Rivenbark \_\_\_ Ward \_\_\_ Williams \_\_\_

\_\_\_\_\_  
George R. Brown, Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
ATTEST

\_\_\_\_\_  
Date

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE TOWN OF ATKINSON, BODY POLITIC

THE COUNTY OF PENDER, BODY POLITIC

This Memorandum of Understanding (MOU) is entered into this \_\_\_ day of August by and between the County of Pender (County) and the Town of Atkinson (Town).

1. Purpose: To allow Pender County building inspectors to perform building inspections pursuant to the North Carolina Building Code (as amended) within the incorporated areas of the Town of Atkinson.
2. Work Responsibilities: The Town shall be responsible for issuing zoning approvals and any other applicable approvals prior to the issuance of a building or trade permit. Based off of said approvals, the County will issue any and all applicable building permits and perform the inspections for such. With the issuance of any County permits, the County will collect any and all associated fees for the permit and associated inspections.

The County will not issue permits, collect fees, nor perform any inspections associated with an initial hook up to Town infrastructure projects.

3. Limitation of Liability: The County and any County Inspector providing building inspection services for the Town shall be indemnified and held harmless by the Town of said services should a liability issue arise. The Town shall be solely responsible and liable for any damages, claims, or legal action that arises in any way in connection with this MOU. This paragraph shall not be deemed to waive any immunity or legal defenses available to the Town.
4. Termination: Upon written notice by either party, this MOU may be terminated for reason by any of the participating Bodies of Government

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Town of Atkinson

Date

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Pender County

Date