

INTERGOVERNMENTAL AGREEMENT

FOR CONSTRUCTION CODE ADMINISTRATION AND ZONING ADMINISTRATION SERVICES

BETWEEN MADISON CHARTER TOWNSHIP AND OGDEN TOWNSHIP

RECITALS

WHEREAS, the Michigan Urban Cooperation Act, MCL 124.501 et seq., authorizes intergovernmental agreements; WHEREAS, Ogden Township desires Construction Code Administration and Zoning Administration Services; WHEREAS, Madison possesses qualified personnel and resources; NOW THEREFORE the parties agree as follows.

ARTICLE I - DEFINITIONS

Defines Construction Code Services, Zoning Administration Services, ZBA, Extraordinary Expenses, Applicable Laws, and Permit Fees.

ARTICLE II - PURPOSE

Madison shall provide Construction Code Administration and Zoning Administration Services within Ogden Township while Ogden retains legislative and policy authority.

ARTICLE III - CONSTRUCTION CODE ADMINISTRATION SERVICES

Madison shall administer permits, plan reviews, inspections, enforcement, certificates of occupancy, certificates of completion, and all Building, Electrical, Mechanical, and Plumbing disciplines under the State Construction Code Act, MCL 125.1501 et seq.

ARTICLE IV - ZONING ADMINISTRATION SERVICES

Madison shall act as zoning administrator, receive and review zoning applications, issue permits, investigate complaints, determine compliance, maintain records, and perform administrative enforcement pursuant to MCL 125.3101 et seq. and the Ogden Township Zoning Ordinance.

ARTICLE V - ZONING BOARD OF APPEALS

Ogden shall maintain an independent ZBA. All variances, appeals, interpretations, public hearings, notices, decisions, and appointments remain the sole responsibility of Ogden Township.

ARTICLE VI - FEES AND REVENUE

Madison shall retain all construction code permit fees, inspection fees, plan review fees, administrative fees, and zoning permit fees. Ogden shall retain all ZBA-related fees. Any ZBA fees collected by Madison shall be remitted to Ogden within 30 days.

ARTICLE VII - PERMIT FEE SCHEDULES

Fee schedules shall be established by board resolution and may be amended without amending this Agreement. Exhibits A, B, and C are incorporated by reference.

ARTICLE VIII - PLANNING COMMISSION AND LEGISLATIVE AUTHORITY

Ogden retains authority over planning commission functions, master plans, zoning amendments, special land uses, rezonings, and legislative decisions.

ARTICLE IX - RECORDS AND FOIA COMPLIANCE

Records shall be maintained in compliance with FOIA, MCL 15.231 et seq., state retention schedules, and applicable construction code and zoning laws.

ARTICLE X - ENFORCEMENT ACTIONS

Madison may investigate violations and perform administrative enforcement. Litigation on behalf of Ogden requires authorization from Ogden Township.

ARTICLE XI - EXTRAORDINARY EXPENSES

Ogden shall reimburse attorney fees, consultant fees, expert witness fees, engineering expenses, planning expenses, litigation costs, and other extraordinary expenditures arising from Ogden-specific matters.

ARTICLE XII - STAFFING AND PERSONNEL

All service providers remain employees, contractors, or agents of Madison. Nothing herein creates an employment relationship with Ogden Township.

ARTICLE XIII - INSURANCE

Each party shall maintain general liability, automobile liability, workers compensation, and public officials liability insurance.

ARTICLE XIV - INDEMNIFICATION

Each party shall indemnify the other for claims arising from its own negligent acts or omissions. Ogden shall specifically indemnify Madison for zoning ordinance, planning commission, ZBA, and legislative actions.

ARTICLE XV - AUDIT AND REPORTING

Madison shall provide annual reporting regarding permits, inspections, revenues, zoning permits, enforcement matters, and operational statistics.

ARTICLE XVI - TERM

Agreement becomes effective upon approval and automatically renews annually unless terminated.

ARTICLE XVII - TERMINATION

Either party may terminate upon ninety days written notice. Records shall be transferred and outstanding obligations paid.

ARTICLE XVIII - DISPUTE RESOLUTION

Disputes shall first be addressed by the Township Supervisors, then mediation, then litigation in Lenawee County Circuit Court.

ARTICLE XIX - NOTICES

Official notices shall be delivered to the Township Supervisors or designated representatives.

ARTICLE XX - GOVERNING LAW AND ENTIRE AGREEMENT

Michigan law governs. This document represents the entire agreement and may only be amended by written action of both boards.

EXHIBIT A

MADISON CHARTER TOWNSHIP CONSTRUCTION CODE FEE SCHEDULE

Fee Amounts: TO BE ESTABLISHED BY BOARD RESOLUTION

EXHIBIT B

OGDEN TOWNSHIP ZONING PERMIT FEE SCHEDULE

Fee Amounts: TO BE ESTABLISHED BY BOARD RESOLUTION

EXHIBIT C

OGDEN TOWNSHIP ZONING BOARD OF APPEALS FEE SCHEDULE

Fee Amounts: TO BE ESTABLISHED BY BOARD RESOLUTION

SIGNATURES

MADISON CHARTER TOWNSHIP

Approved by Resolution No. _____

Supervisor: _____

Clerk: _____

OGDEN TOWNSHIP

Approved by Resolution No. _____

Supervisor: _____

Clerk: _____