



RESOLUTION TITLE: AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE ENFORCEMENT OF GASTON COUNTY'S UNIFIED DEVELOPMENT ORDINANCE, COMPREHENSIVE LAND USE PLAN, & NORTH CAROLINA STATE BUILDING CODES FOR THE TOWN OF HIGH SHOALS

WHEREAS, Article 20 of Chapter 160A of the General Statutes of North Carolina authorizes, among other things, units of local government to enter into a contract in order to execute an undertaking providing for the contractual exercise by one unit of any power, function, and right of another; and,

WHEREAS, Gaston County and the Town of High Shoals (referred to herein as a "Party" or "Parties") entered an interlocal agreement (hereinafter referred to as the "Agreement") under resolution 2021-325, approved on December 14, 2021; and,

WHEREAS, the Parties desire to amend the Agreement to include Gaston County's Code of Ordinances so that the Minimum Housing (Articles 5 and 6) and Public Nuisance (Article 7) sections and regulations may be enforced within the municipal limits of High Shoals; and,

WHEREAS, the Town of High Shoals shall be responsible for any costs incurred by the County for the abatement of public nuisance and minimum housing cases; and,

WHEREAS, the Town of High Shoals elected board shall act in the same capacity that the Gaston County Board of Commissioners are instructed to do so in Section 4-137 (Procedures for Enforcement) of the County Code of Ordinances for Minimum Housing cases within the municipal limits of High Shoals; and,

WHEREAS, the County Planning and Zoning staff shall coordinate and attend all meetings, hearings, and appeals regarding active code cases.

NOW, THEREFORE, BE IT RESOLVED by the Gaston County Board of Commissioners that after consideration of the amendment to the Agreement:

1) Sections 3.a and 3.b of the Agreement is hereby amended in its entirety to read as follows:

a. Municipality. *The municipality agrees to:*

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I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

1. *Approve a resolution releasing zoning and planning regulations and enforcement to the County. The resolution shall allow the rezoning of property inside the geographical jurisdiction described in Paragraph 4 to be rezoned to match Gaston County Land Use Standards.*
2. *Approve a resolution adopting the current version of Gaston County's Unified Development Ordinance and Articles 5, 6, and 7 of the County's Code of Ordinances, including all changes made to the UDO and Code of Ordinances from this date forward.*
3. *Act as the governing board on all amendments to the official zoning map; the High Shoals City Council will vote on all such matters.*
4. *Allow the County to retain any fees collected pursuant to enforcement of the UDO and state building codes. And any permit fees it collects. Fees are described in more detail in Exhibit "A," which is attached hereto and incorporated by reference.*
5. *Not hold the County responsible for enforcement of any of the Municipality's other ordinances, unless specifically contracted.*

b. County. *The County agrees to:*

1. *Issue building permits in accordance with N.C. GEN. STAT 160D-403 and the latest edition of the North Carolina Administrative Code.*
 2. *Provide plan review as necessary for issuance of permits under the State Building Code and County Unified Development Ordinance.*
 3. *Conduct site inspections in accordance with the rules set forth in the latest edition of the North Carolina Administrative Code, County Code of Ordinances and County Unified Development Ordinance.*
 4. *Seek judicial or equitable enforcement of said codes or ordinances when necessary, in the County's discretion.*
 5. *Perform all zoning and land use responsibilities, as described in the County's Code of Ordinances and Unified Development Ordinance.*
 6. *Utilize the County's Planning Board, Board of Adjustment, and Historic Preservation Commission in accordance with the County Code of Ordinances and Unified Development Ordinance for the geographical jurisdiction described in Paragraph 4.*
 7. *Send County planning and zoning staff to present all applications for amendments to the official zoning map of the Municipality during designated meetings of the High Shoals City Council.*
- 2) Except as amended herein, all other terms of the Agreement shall remain in full force and effect and are hereby ratified and confirmed by the Parties.

IN WITNESS WHEREOF, the undersigned municipal corporations and governmental entities have caused this First Amendment to be executed on their behalf by their duly authorized representatives, having hereunto affixed their signatures and seals, the day and year first above written.