

SCMCCI
South Central Michigan Construction Code Inspection, Inc.
103 S. Capitol St., P.O. Box 509, Athens, Mi. 49011
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A MICHIGAN NON-PROFIT CORPORATION

INTERLOCAL AGREEMENT

(MICHIGAN URBAN COOPERATION ACT OF 1967)

WHEREAS, the _____ is a participating unit of government in this Interlocal Agreement: and

WHEREAS, the participating units of government have adopted similar codes (building, plumbing, electrical, mechanical) for regulating construction within each of said unit of government: and

WHEREAS, it is the desire of the units of government to cooperate in providing for the joint enforcement and administration of certain of the construction codes and other governmental ordinances: and

WHEREAS, it is the desire of the units of government to retain local control of construction code enforcement and at the same time provide prompt inspection services to homeowners and builders:

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. ESTABLISHMENT. There is hereby established the South Central Michigan Construction Code Inspections, Inc. The Purpose of said Corporation shall be to administer and enforce certain construction codes and other ordinances adopted by each of the participating units of government; to hire competent inspectors and other personnel necessary to accomplish the foregoing; to establish appropriate policies and rules for the construction code enforcement program; to arrange for one (1) or more convenient locations where records can be maintained and permits and inspections may be obtained; to establish a uniform schedule of fees for permits and inspections; and to maintain books of account for all receipts and expenditures by the corporation.

2. ORGANIZATION. Each participating unit of government shall select an official representative to the South Central Michigan construction Code Inspection, Inc.

The representatives shall in accordance with the By-Laws elect a Board of Directors of the Corporation. Each member of the Board of Directors shall serve a term of two (2) years, except that the term commencing on April 1, 1997 shall be for one (1) year for three members and two (2) years for the remaining members. The Board shall in turn annually elect a chairman, vice-chairman, and secretary-treasurer. The Board of Directors shall have the power to conduct the day-to-day business of the Corporation. The Board of Directors shall meet at least six times per year and shall provide minutes of its meetings to each participating unit of government. The general membership of the Corporation shall meet periodically to review the activities of the Board of Directors and decide on matters of general policy.

3. FINANCES. The Board of Directors shall annually prepare a proposed budget for the review and approval of the full membership of the South Central Michigan Construction Code Inspection, Inc.. The proposed budget shall show the projected revenues and expenses during the next fiscal year (April 1 thru March 31). The proposed budget shall be based on a fee schedule designed to cover all projected expenses. Budget amendments shall be reviewed and approved by the Board of Directors.

4. CODES. Each participating unit of government shall be responsible for adopting and up-dating its own construction codes. A unit of government may decide to enforce some of its own construction codes. A unit of government may decide to enforce some of its own codes and have the Corporation enforce other of its codes. Each unit of government shall designate by motion of its governing board which codes and ordinances it desires to have the Corporation enforce. Once a unit of government has designated the Corporation to enforce any code(s), that unit of government shall not terminate or otherwise cease having the Corporation enforce a designated code(s) until after delivery of written notification to the Board

of Directors at least ninety (90) days in advance of the date the Corporation is to cease enforcing the designated code(s).

5. ENFORCEMENT. The South Central Michigan Construction Code Inspection, Inc. shall be responsible for enforcing the various construction codes and ordinances specified by the units of government. However, any decision as to whether to institute Circuit Court action, and the cost thereof, shall be the responsibility of the individual unit of government in which the violation occurs.

6. CONSTRUCTION BOARD OF APPEALS. A Construction Board of Appeals shall be appointed by the Board of Directors to act for the participating units of government. The terms of the members of the Construction Board of Appeals shall be five (5) years with the first appointees having staggered terms between one (1) and five (5) years. The Construction Board of Appeals shall have such authority as is set forth in the various units of government ordinances and the authority specified in the State Construction Code Act (P.A. 230 of 1972 as amended). The Construction Board of Appeals shall establish the rules of procedure under which it operates.

7. TERMS OF AGREEMENT. The undersigned unit of government hereby agrees to be bound by the terms of this agreement. Each unit of government shall continue to be bound by Agreement for each year there after unless the unit of government specifically terminates its participation.

8. TERMINATION OF MEMBERSHIP. Termination shall be accomplished by delivery of written notification of termination to the Board of Directors at least ninety (90) days in advance of the desired termination date. No assets shall be distributed to any terminating unit of government unless the Corporation discontinues operations entirely.

9. ADDITIONAL MEMBERS. Any unit of government located within the State of Michigan may join in this Agreement at any time in the future. Any such future participating units of government shall join subject to the terms of this Agreement and subject to any reasonable requirements of the Corporation as to proportional financial contribution of the membership fee as set forth in the By-laws, if a unit of government joins at any time other than the beginning of the fiscal year.

10. CONTRACTED SERVICES. Services may be provided to nonmember units of government on a contract basis. Any such contract shall be approved by the Board of Directors, and shall be only as a temporary back-up for the purpose of vacations, illness, training, etc.. Members of the Corporation who may not be utilizing all of the Corporations services will receive the back-up service of the corporation in those areas without the additional approval of the Board.

11. AMENDMENTS. This Agreement may be amended at any time by unanimous agreement of all participating units of government. Any proposed amendments must be submitted to the Board of Directors for initial review and comment.

6/27/97

Amended 4/22/02

Amended 10/24/05

Amended 9/23/09

Amended 10/28/09

The undersigned clerk of the _____ hereby certifies that this Interlocal Agreement as to the South Central Michigan Construction Code Inspection, Inc. was approved by the _____ on the _____ day of _____, 2008.

Clerk