INTERLOCAL AGREEMENT
WITH CLARK COUNTY TO UTILIZE THE SPECIAL INSPECTOR PROGRAM

THIS AGREEMENT is made and entered into this _______ day of ________________, 2010, by and between the CITY OF HENDERSON through its Building & Fire Safety Department (hereinafter “BUILDING DEPARTMENT”), and CLARK COUNTY (hereinafter “COUNTY”).

WITNESSETH:

WHEREAS, the BUILDING DEPARTMENT has general authority within the City of Henderson jurisdiction for plans review, permit issuance, inspection and oversight of building construction, and regulation of structures within its geographic boundaries; and

WHEREAS, the COUNTY has established qualifications, testing and oversight of a list of recognized experts in fields of building and construction inspection requiring specialized skill, knowledge and ability; and

WHEREAS, Nevada Revised Statutes Chapter 277 provides that two (2) or more public agencies may enter into an interlocal agreement for the performance of a public function;

NOW, THEREFORE, the parties agree as follows:

SECTION ONE

AUTHORITY TO UTILIZE SPECIAL INSPECTORS APPROVED BY COUNTY

Pursuant to this Agreement, the BUILDING DEPARTMENT for the City of Henderson agrees to utilize the COUNTY’s Special Inspector Program for the following purposes:

1. Utilizing the qualified special inspection agencies and qualified inspectors on projects constructed within the City of Henderson which require special inspections.

2. Utilizing the list of approved fabricators.
3. Utilizing all technical guidelines prepared and issued for the purpose of the special inspectors program.

Where the performance of special inspection agencies and/or special inspectors comes into question, at the request of the BUILDING DEPARTMENT, pursuant to the Clark County Building Administrative Code, as amended from time to time, the COUNTY agrees to investigate and issue disciplinary actions, where deemed appropriate. The BUILDING DEPARTMENT agrees to provide all necessary support and cooperation deemed necessary during the investigation. For purposes of the special inspectors program only, the Clark County Building Administrative Code, as amended from time to time, subsequent to the approval of this Agreement by the City Council for the City of Henderson, is hereby adopted. The intended purpose of such adoption is to incorporate the Technical Inspections Guidelines from the County’s Building Administrative Code, and not as a substitute for the Building Administrative Code for the City of Henderson, which in all other respects remains in full force and effect.

SECTION TWO

MAINTENANCE OF RECORDS

The COUNTY will maintain and provide the BUILDING DEPARTMENT access to all records it receives or generates concerning the special inspections program’s lists and publications. Further, the COUNTY will notify and provide to the BUILDING DEPARTMENT all notifications of investigations and notifications of disciplinary actions related to projects within the BUILDING DEPARTMENTS’ jurisdiction.

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SECTION THREE

ENFORCEMENT OF PROVISIONS

In the event the COUNTY encounters enforcement difficulties, it may, in its discretion, request enforcement assistance from the BUILDING DEPARTMENT.

SECTION FOUR

TERM OF AGREEMENT

The initial term of this Agreement shall be five (5) years, to commence on the date that both governing bodies have completed the approval process and executed this Agreement. The Agreement shall automatically renew for successive five (5) year terms unless either party provides the other a notice of non-renewal at least thirty (30) days in advance of any renewal date.

This Agreement may be terminated earlier without cause by either party, provided that a termination shall not be effective until thirty (30) days after a party has served written notice of termination upon the other party.
SECTION FIVE

NOTICE

Any notice required under this Agreement must be submitted in writing and sent by U.S. Mail, postage prepaid, or by hand delivery, and directed to the appropriate party as follows:

BUILDING & FIRE SAFETY DEPARTMENT:

Director of Building & Fire Safety
City of Henderson
240 Water Street
P.O. Box 95050
Henderson, NV 89009-5050

COUNTY:

Director/Building Official
Clark County Development Services
4701 W. Russell Road
Las Vegas, NV 89118

SECTION SIX

ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties and may only be modified by a written amendment signed by the authorized representatives of each party hereto.

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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and effective on the date of signature by the authorized representatives for each entity.

CITY OF HENDERSON, NEVADA

By __________________________

ANDY A. HAFEN
Mayor

DATE: ________________________

ATTEST:

SABRINA MERCADANTE, CMC
City Clerk

APPROVED AS TO FORM:

RONALD SAILON
Assistant City Attorney

BOARD OF COMMISSIONERS
CLARK COUNTY, NEVADA

By __________________________

RORY REID
Chair

DATE: ________________________

ATTEST:

DIANA ALBA
County Clerk

APPROVED AS TO FORM:

CLIFFORD JEFFERS
Deputy District Attorney