

# TOQUERVILLE CITY

## RESOLUTION #2015.08

**A RESOLUTION ADOPTING, APPROVING, AND AUTHORIZING THE MAYOR'S SIGNATURE ON AN INTERLOCAL COOPERATION AGREEMENT WITH LaVERKIN CITY FOR THE PROVISION THEREBY OF CERTAIN ANIMAL IMPOUND AND SHELTERING SERVICES; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, LaVerkin City (hereinafter "LV City") currently owns, operates, and maintains an animal shelter, in conjunction with its City Animal Control program operated by the LV City Police Department; and

**WHEREAS**, Toquerville City (hereinafter "TQ City") has no animal control program or shelter; and

**WHEREAS**, there has been (for the most part), is, and is expected for the foreseeable near future, surplus space available for the sheltering of animals that have been picked up outside of the city limits of LV City (either by County and/or LV City personnel), including within the city limits of TQ City; and

**WHEREAS**, TQ City has no current plans to operate an animal control program and/or animal shelter, despite the fact that it does have the need—from time to time—for such services; and

**WHEREAS**, TQ City is interested in contracting with LV City to provide limited impound and sheltering services, and is willing to fairly and reasonably compensate LV City for the same; and

**WHEREAS**, LV City is interested—at least on a short-term basis (while surplus space is or may be available in its animal shelter)—to provide such limited impound and sheltering services, as herein set forth, and for the amount of compensation offered and set forth herein; and

**WHEREAS**, an agreement entitled *Interlocal Cooperation Agreement (Animal Impound and Sheltering Services)* has been drafted; reviewed by the proposed parties thereto; found to be consistent with the provisions, terms, purposes, and intent of Title 11, Chapter 13, of the *Utah Code Annotated* (1953, as amended), known as the *Utah Interlocal Cooperation Act* (hereinafter referenced as "ICA" or "Act"); and determined to be in the best interests of each community and its residents, businesses, and visiting public.

**NOW, THEREFORE**, be it resolved that the City Council of Toquerville City, Utah, as follows:

1. That the City Council hereby (a) declares its **support** for the *Interlocal Cooperation Agreement (Animal Impound and Sheltering Services)* (“the Agreement”); (b) finds the Agreement to be in the **best interests** of the residents, businesses, guests, and City of Toquerville; and (c) hereby **approves and adopts** the Agreement, and authorizes the Mayor to sign the same, **effective** upon execution thereof by the Mayors of LaVerkin City and Toquerville City, approval in writing as to form and by content by the city attorneys of said municipalities, and filing as required by the provisions and requirements of the ICA.
2. That the sections, subsections, paragraphs, subparagraphs, sentences, clauses, and phrases of this Resolution are severable. If any such section, subsection, paragraph, subparagraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, subsections, paragraphs, subsections, sentences, clauses, or phrases of this Resolution.

**PASSED, ADOPTED AND APPROVED** this 11<sup>th</sup> day of June, 2015.




DARIN LeFEVRE, Mayor

ATTEST:

  
RENEE GARNER, City Recorder

*Approved as to form and content:*

  
HEATH SNOW, City Attorney