

## **INTERLOCAL AGREEMENT**

**THIS INTERLOCAL AGREEMENT** is made and entered into pursuant to the provisions of T.C.A. § 8-8-201, T.C.A. § 12-9-104 and T.C.A. § 16-15-501, by and between the CITY OF FRIENDSVILLE (hereinafter “City”), BLOUNT COUNTY, TENNESSEE (hereinafter “County”), THE SHERIFF OF BLOUNT COUNTY, TENNESSEE, JAMES BERRONG (hereinafter “Sheriff”) and THE BLOUNT COUNTY GENERAL SESSIONS COURT (hereinafter “General Sessions Court”).

### **WITNESSETH:**

**WHEREAS**, the City of Friendsville is a municipal corporation organized and existing under the laws of the State of Tennessee. The City has expressed an intent for the Sheriff to enforce the municipal ordinances of the City in the General Sessions Court pursuant to T.C.A. § 8-8-201(a)(34). The City has passed an ordinance expressing this intent and the City has also filed certified copies of its ordinances it desires to be enforced with the Sheriff and the General Sessions Court of Blount County; and

**WHEREAS**, T.C.A. § 12-9-104 provides that any municipality may enter into an agreement with the Sheriff, General Sessions Court and the governing body of the County in which it is located to provide for the enforcement of municipal ordinances according to T.C.A. § 8-8-201(a)(34) and T.C.A. § 16-15-501 and the parties desire to enter into this agreement for this purpose; and

**WHEREAS**, T.C.A. § 16-15-501 provides that to confer jurisdiction on the General Sessions Court, the Sheriff of the County must act pursuant to T.C.A. § 8-8-201 and T.C.A. § 12-9-104, and further, a certified copy of the ordinances of the municipality must be filed with the General Sessions Court; and

**WHEREAS**, this Interlocal Agreement is necessary and required by T.C.A. § 12-9-401 to provide for the appropriate court costs and costs of enforcement.

**NOW, THEREFORE**, for and in consideration of the premises and the mutual covenants and agreements contained herein, it is agreed by and between the parties hereto as follows:

1. The Sheriff will enforce the ordinances of the City which have been approved by City’s legislative body and have been filed with the Sheriff and the Clerk of the General Sessions Court as required by T.C.A. § 8-8-201. The parties agree that upon request of the City, the Sheriff’s officers shall issue the requisite citations, citing the individuals to be charged to the General Sessions Court. It is not anticipated that the Sheriff or his officers will conduct extensive investigation, as the same will be done by personnel of the City. Further, it is anticipated that representatives of the City will appear in Court to prosecute the cases.

2. Upon prosecution of the cases, the Judges of the General Sessions Court shall direct the Clerk of the General Sessions Court that all fines collected shall be paid over to the City pursuant to T.C.A. § 16-15-501(b)(1). The Clerk shall further direct that all court costs shall be paid and accounted for according to the former T.C.A. § 16-15-703(d) which requires the Clerk to receive the Clerk's compensation fee and pay over all remaining court costs to the Blount County Trustee to be deposited into the general fund of the County, pursuant to T.C.A. § 16-15-501(b)(1) and T.C.A. § 16-15-703(d) (repealed).
3. The court costs for each violation shall be the sum of \$177.00 and the City shall approve this amount for court costs by approving this Interlocal Agreement, as the same has been determined as the necessary amount to administer the cost of enforcement of the City's ordinances.
4. This agreement shall extend until such time as the City requests and expresses their intent pursuant to the applicable statutes that their designated municipal ordinance is no longer to be prosecuted by the Sheriff and General Sessions Court.
5. This agreement shall take effect upon approval of the legislative bodies of the City and County, as well as the execution of the agreement by all parties.

**IN WITNESS WHEREOF**, the parties have executed duplicate counterparts of this agreement each of which shall be deemed an original, as of the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

*BLOUNT COUNTY, TENNESSEE*

By: \_\_\_\_\_  
ED MITCHELL, MAYOR

\_\_\_\_\_  
JAMES L. BERRONG, SHERIFF

\_\_\_\_\_  
GENERAL SESSIONS COURT, PRESIDING JUDGE

*Approved as to form:*

\_\_\_\_\_  
CRAIG L. GARRETT, COUNTY ATTORNEY

*CITY OF FRIENDSVILLE*

By: \_\_\_\_\_,  
\_\_\_\_\_, MAYOR

\_\_\_\_\_  
\_\_\_\_\_, CITY RECORDER

*Approved as to form:*

\_\_\_\_\_  
ROBERT N. GODDARD, CITY ATTORNEY