

**INTERGOVERNMENTAL AGREEMENT
BETWEEN JACKSON COUNTY, GEORGIA, A POLITICAL
SUBDIVISION OF THE STATE OF GEORGIA AND THE CITY OF MAYSVILLE,
A GEORGIA MUNICIPAL CORPORATION FOR THE ENFORCEMENT OF
THE JACKSON COUNTY ANIMAL CONTROL ORDINANCE;
AND OTHER PURPOSES**

WHEREAS, Jackson County, Georgia, a political subdivision of the State of Georgia, (hereinafter referred to as "County") has duly adopted through its Board of Commissioners that certain *Ordinance to Create and Regulate an Animal Control Department and for the Control, Enforcement and Disposition of Animals* on December 16, 2002.

WHEREAS, a significant portion of the corporate limits of the City of Maysville, A Georgia Municipal Corporation (hereinafter "City") is located within Jackson County and the City desires to services of the County's animal control officers and to regulate the control, enforcement, and disposition of animals throughout the corporate limits of the City.

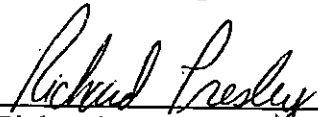
NOW THEREFORE, the parties hereby consent and agree as follows:

- 1) Term - The term of this Intergovernmental Agreement (hereinafter "Agreement" shall be for ten (10) years commencing upon execution of the parties. Said term shall automatically renew for an additional ten (10) year term unless canceled by either party by giving notice to the other party within one hundred and twenty (120) days of expiration of the initial ten year term.
- 2) Animal Control Regulations - The City of Maysville acting through its Mayor and City Council has previously or shall simultaneously adopt that certain *Ordinance to Create and Regulate an Animal Control Department and for the Control, Enforcement, and Disposition of Animals* (hereinafter "Animal Control Ordinance") which is attached hereto and incorporated by reference as an ordinance of the City of Maysville. Said ordinance being the same as an Ordinance duly approved by the Jackson County Board of Commissioners on December 16, 2002.
- 3) Enforcement/Jurisdiction - The City expressly confers jurisdiction to Jackson County animal control officers to patrol and enforce the provisions of the City Animal Control Ordinance within the corporate limits of the City of Maysville in Jackson County to the extent such regulations are enforced in unincorporated Jackson County.
- 4) Venue of Offenses - Pursuant to O.C.G.A. § 15-10-150 and by agreement of the parties, the Magistrate Court of Jackson County shall assume jurisdiction and venue of offenses arising under the City's Animal Control Ordinance.
- 5) No Modifications or Amendments - This Agreement shall not be modified, altered, or amended, except in writing, as agreed to by the Parties.
- 6) No Amendment to Service Delivery Strategy Act - This Agreement shall not constitute an intergovernmental agreement nor an amendment to such an agreement under the provision of the Service Delivery Strategy Act (O.C.G.A. 36-70-1, et seq. and 36-70-29, et seq.),

- 7) Notices - All notices, demands, requests, or other instrument which may be required herein shall be served by regular mail or personally delivered upon the Mayor and County Commission Chairman with a copy to the City Clerk and County Clerk at the government offices of the City and County.
- 8) Headings - The headings in this Agreement are inserted for convenience only and in no way are intended to describe, interpret, define or limit the scope, extent or intent of this Agreement or any provision thereof.
- 9) No Presumption against Drafter - This Agreement is drafted by both parties and no presumption under the law shall be construed against either party.
- 10) Entire Agreement - This Agreement represents the entire understanding of the Parties and supersedes all written or oral agreements between them with respect to this matter.
- 11) Binding Effect - This Agreement shall bind successive Councils and Commissions of each respective government and each party has duly authorized their chief executive office to execute his/her signature below.

IN WITNESS WHEREOF, the Parties have executed this Agreement, this 21st day of June, 2004.


CITY OF MAYSVILLE, A Georgia
Municipal Corporation


Richard Presley, Mayor

Attest:

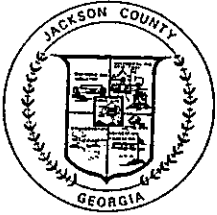

Lois Harper, City Clerk

JACKSON COUNTY, GEORGIA


Harold Fletcher, Chairman

Attest:


Al Crace, County Manager/County Clerk



JACKSON COUNTY BOARD OF COMMISSIONERS

67 ATHENS STREET • JEFFERSON, GEORGIA 30549 • 706-367-1199

HAROLD FLETCHER
Chairman

MEMBERS

STACEY BRITT
District 1

SAMMY THOMASON
District 2

EMIL BESHARA
District 3

TONY BEATTY
District 4

June 29, 2004

Lois Harper, City Clerk
City of Maysville
9223 Gillsville Road
Maysville, Georgia 30558

Dear Lois,

Enclosed is your executed copy of the intergovernmental agreement between Jackson County and the City of Maysville for animal control services.

Sincerely,

Ericka Johnson
Deputy Clerk