

ORDINANCE NO. 2021-05

AN ORDINANCE TO APPROVE AND ADOPT
AGREEMENT BETWEEN BALDWIN COUNTY COMMISSION, THE TOWN OF ELBERTA,
AND THE TOWN OF ELBERTA PLANNING COMMISSION

WHEREAS, the State Legislature has recently enacted Act No. 2021-297, which modified certain statutes related to the authority of municipalities within the municipalities' subdivision planning jurisdiction;

WHEREAS, the Town of Elberta did previously enter into an Agreement with the Baldwin County Commission to divest the Town of subdivision authority within the Town's planning jurisdiction;

WHEREAS, the Town Council of the Town of Elberta does determine that it is still in the public interest for the Town Planning Commission not to exercise planning and subdivision authority within the Town's planning jurisdiction, and only to exercise planning and subdivision authority within the Town's corporate limits; and

WHEREAS, the Baldwin County Commission has presented the Town with a proposed Agreement in which the Baldwin County Commission agrees to continue to be responsible for regulation of subdivision planning outside the corporate limits of the Town of Elberta.

NOW THEREFORE, in consideration of the foregoing premises, IT IS HEREBY ORDAINED by the Town Council of the Town of Elberta, Alabama in open meeting on September 21, 2021 as follows:

1. That the Town Council does hereby adopt and approve the "Agreement Between the Baldwin County Commission, the Town of Elberta, and the Town of Elberta Planning Commission Concerning the Exercise of Subdivision Regulations Within the Planning Jurisdiction of the Municipal Planning Commission" as presented by the Baldwin County Commission.
2. That the Mayor is hereby authorized and directed to execute the Agreement for and as the act of the Town of Elberta, and on behalf of the Town of Elberta, and that the Town Clerk shall attest the Mayor's signature and affix the seal of the Town thereon.
3. That this Ordinance continue in force until repealed, and shall become effective upon its posting as required by law and shall be posted in three public places in the corporate limits of the Town of Elberta.