

ORDINANCE NO. 2021-010

ORDINANCE APPROVING AN INTERLOCAL AGREEMENT WITH THE COUNTY OF SIMPSON FOR REIMBURSEMENT OF THE COST OF A DEPUTY JAILER FOR ASSISTANCE WITH INMATES FOR THE WORK RELEASE PROGRAM, AUTHORIZING THE MAYOR TO SIGN AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, pursuant to Sections 65.210 through 65.300, inclusive, of the Kentucky Revised Statutes, as amended (the “Interlocal Act”), the aforementioned Parties join together to accomplish what each may accomplish individually;

WHEREAS, the Parties have found there exists a need for the County to provide a Deputy Jailer to the City in order to provide inmates to the City pursuant to the work release program in accordance with Kentucky law;

WHEREAS, the requirements have changed to require a sworn deputy jailer to supervise inmates so that this interlocal agreement is necessary and required; and

WHEREAS, as a result, the Parties desire to enter into an Interlocal Cooperation Agreement (hereinafter “the Agreement”); and

WHEREAS, it is provided in KRS 83A.060(7) that publication of an Ordinance, in order to make it effective, need not be done in an emergency, upon the affirmative vote of two-thirds (2/3) of the membership of the City’s legislative body, provided that the legally required publication requirement is carried out within ten (10) days of the date of enactment of the emergency ordinance; and,

WHEREAS, it is essential and in the public interest that the City adopt this ordinance immediately and any postponement would be detrimental to the residents of the City due to the imminent need for labor for mowing and other tasks inside the corporate limits of the City, and, therefore, an emergency exists so that it is necessary and in the public interest to issue this ordinance immediately, and the City hereby declares such emergency to exist.

NOW, THEREFORE, be it ordained by the City of Franklin, Kentucky, acting by and through its Board of Commissioners as follows:

SECTION I.

DECLARATION OF AN EMERGENCY

1. It is hereby found, determined, and declared that the facts and recitals set forth in the preamble of this ordinance are true and correct and are hereby affirmed, and all

acts described in preamble are hereby ratified. Such facts and recitals, including any terms defined therein, are adopted and incorporated as a part of this ordinance.

2. In accordance with KRS 83A.060(7), an emergency is hereby declared to exist for the reasons described in the preamble of this ordinance and the Board of Commissioners suspends the requirement of publication of the ordinance in order for it to become effective, so that the ordinance is and shall be effective upon the adoption of this ordinance; and further, this ordinance, because of said emergency hereby declared, shall be effective upon its adoption on first reading, without publication, as provided in KRS 83A.060(7), and the Board of City Commissioners having hereby suspended the requirements of second reading and publications. The ordinance shall be published within ten (10) days of the adoption of this ordinance as provided by law.

SECTION II.

APPROVAL OF INTERLOCAL AGREEMENT AND AUTHORIZATION FOR MAYOR'S SIGNATURE

1. The Board of Commissioners of the City of Franklin, Kentucky hereby approves and adopts the Interlocal Cooperation Agreement for the Reimbursement of the Cost of a Deputy Jailer for Assistance with the Work Release Program by and between the City of Franklin and County of Simpson, a copy of which is attached hereto and incorporated herein by reference.
2. The Mayor of the City of Franklin, Larry Dixon, is hereby authorized to execute any and all documents necessary and appropriate to effectuate the intent of this ordinance and the interlocal agreement including, but not limited to the Interlocal Agreement. If any section, subsection, sentence, clause, or phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate distinct, and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION III.

EFFECTIVE DATE

This Ordinance shall be effective immediately upon the reading of the ordinance at the meeting being specifically approved and adopted for the purposes of first and only reading and for the purposes of publication according to law.

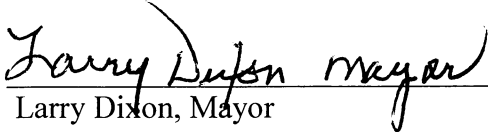
If any section, subsection, sentence, clause, or phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FRANKLIN, KENTUCKY, by the affirmative vote of at least two-thirds (2/3) of its membership upon one reading and upon declaration of an emergency as described above, all in accordance with and pursuant to KRS 83A.060(7) at a meeting held on May 11, 2021, and ordered to be published according to KRS 83A.060(7) within ten (10) days from the adoption of this ordinance and declared to be in full force and effect immediately according to law. On motion made by Commissioner Stewart and seconded by Commissioner Williams the foregoing ordinance was adopted, after full discussion, by the following vote:

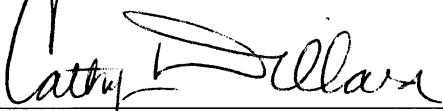
<u>YES</u>	HERBERT WILLIAMS
<u>YES</u>	JAMIE POWELL
<u>YES</u>	BROWNIE BENNETT
<u>YES</u>	WENDELL STEWART
<u>YES</u>	LARRY DIXON, MAYOR

APPROVED BY:



Larry Dixon, Mayor

ATTEST:



Cathy Dillard, City Clerk
City of Franklin, Kentucky