

SUMMARY

On May 6, 2008 the City of Sugar Land annexed non-residential portions of the Greatwood community into the City for limited purposes. The limited purpose annexation was conducted pursuant to the terms of Strategic Partnership Agreements (SPAS) between the City and the Municipal Utility Districts servicing the Greatwood community. The limited purpose annexation applies the City's ordinances regulating or relating to the use of land and the construction, alteration, or maintenance of buildings and structures, including permits and fee requirements, to the annexed land. The limited purpose annexation does not apply the City's food establishment ordinance to the annexed area.

Problems have been encountered resulting from dual City-County regulatory enforcement, resulting in confusion and conflicting requirements for property owners in the annexed area. Representatives of the Fort Bend County Legal, Fire Marshals, and Environmental Health worked with the City's Legal, Building, Fire and Health departments to resolve the dual enforcement problem. The resolution is attached in the form of an Interlocal Agreement between the City and County.

The Interlocal Agreement provides:

- The City will be the sole enforcement authority within the Annexed Land as to fire and building regulations, excluding single family residential buildings and duplexes.
- The City will apply the Fire Code and other Building Ordinances.
- The City will conduct arson investigations of buildings, excluding single family residential buildings and duplexes, in lieu of County investigations.
- The City will inspect Food Establishments located within the Annexed Land currently provided by the County, using the County's Food Establishment Rules, Fee Structure for Food Establishments, and permit form.
- The City will respond to and investigate complaints regarding a Food Establishment's noncompliance with the County's Food Establishment Rules.
- In consideration for this Agreement the City will retain all the permit fees for the Food Establishments.

The City will recover the cost enforcing land use and construction, alteration, or maintenance of buildings and structures codes through its regular permit processes and fee structure.

We recommend approval of the Interlocal Agreement as the best and most equitable resolution for dual code requirements within the limited purpose annexation area. Under the terms of the agreement, property and business owners will only have to work with the City as the sole permitting agency.

The agreement was approved by Sugar Land City Council on August 21, 2012.