

ORDINANCE NO. 69

AN ORDINANCE AMENDING GOODING COUNTY ORDINANCE NO. 18 § 2: PROVIDING FOR THE AMENDMENT TO THE RESIDENCY REQUIREMENT FOR LIVING WITHIN GOODING COUNTY TO BE TWO (2) YEARS AND TO CHANGE THE TERM OF APPOINTMENT TO BE SIX (6) YEAR TERMS. THE AMENDMENT IS TO BRING THE ORDINANCE INTO COMPLIANCE WITH IDAHO CODE § 67-6504.

WHEREAS Idaho Code §67-6504 was amended by the Idaho Legislature provide for a member of the Planning and Zoning Commission to have a residency in the county for at least two (2) years prior to their appointment and has limited the terms that a person may serve on the Planning and Zoning Commission to two (2) full consecutive terms :

WHEREAS the following amendments are needed to bring a Gooding County Ordinance No. 18 in to compliance with the Idaho State Law :

BE IT ORDAINED by the board of County Commissioners of Gooding County, Idaho:

That Gooding County Ordinance No. 18 is hereby amended to read as follows :

SECTION 1 - DEFINITIONS

As used in this Ordinance - "Commission" means the planning and zoning commission created by this Ordinance.

"Appointive Members" means all of the Commission.

"Governing Board" Means the Board of County Commissioners of Gooding County, Idaho.

SECTION 2 - CREATION OF THE COMMISSION

The Commission shall consist of five (5) members. They shall be appointed by the Chairman of the County Board of Commissioners and confirmed by the County Board of Commissioners. All members must meet the residence requirements as set out in Idaho Code §67-6504. The terms of office for the appointive members shall be for a six (6) year term commencing October 1 of that particular year. The Six (6) year term shall begin at the expiration of the original appointed term.

All vacancies shall be filled in the same manner as original appointments. Members may be removed after public hearing by a majority vote of the governing body. Members shall be selected without respect to political affiliations, and shall serve with the following reimbursement or compensation; Mileage based on existing County rates.

SECTION 3 - RULES - ORGANIZATION AND MEETINGS

The Commission shall elect its own chairman and create and fill such offices as it may determine necessary for the proper conduct of the affairs and business of the Commission. Meetings of the Commission shall be held when duly called by the chairman by written or oral notice. At least one (1) regular meeting shall be held each month for not less than nine (9) months in a year. A majority of voting members of the Commission shall constitute a quorum. All meetings shall be open to the public. Written rules consistent with this Ordinance and the laws of the State of Idaho for the transaction of business of the Commission shall be adopted subject to the approval of the Governing Board. Written records of meeting, hearing, resolutions, findings, studies, permits and actions shall be maintained and open to the public.

SECTION 4 - DUTIES

It shall be the duty of the Commission to:

1. Conduct a planning process designed to prepare, implement, review and update a comprehensive plan that includes all lands within the Governing Board's jurisdiction.
2. Hold public hearings prior to recommending the comprehensive plan, changes to the plan and ordinances.
3. Provide ways and means to obtain citizen participation in the planning process.
4. Recommend subdivision and zoning ordinances.

5. Recommend changes to a comprehensive planning and zoning ordinance prior to annexation of an unincorporated area; and,

6. Recommend a map, a governing plan and ordinances for an area of city impact that is within the unincorporated area of a county.

7. Provide ways and means to obtain citizen participation in the administration of ordinances.

8. Prepare a procedure for processing zoning permits namely: Special use permits, rezone application, planned unit development proposals and variance applications.

SECTION 5 - MAPS - PLATS AND REPLATS

Any and all maps, plats and replats of lands which require approval of a governing board or of an officer or employee shall first be submitted to the Commission for its suggestions within the time frame specified within the County subdivision ordinance and zoning ordinance.

SECTION 6 - EMPLOYEES AND EXPENDITURES

Any expenditures of the Commission (exclusive of gifts) shall be within the amounts appropriated and set aside by the governing board for the purposes of the Commission as set forth in this ordinance. Within such limits, the Commission is authorized to hire such employees and technical advisors as it deems necessary for the accomplishment of its authorized purposes and work.

SECTION 7 - SEVERABILITY

The provisions of the Ordinance are hereby declared to be severable and if any provisions of this Ordinance or the application of such provision to any person or circumstance is declared

invalid for any reason, such declaration shall not affect the validity of the remaining portions of this Ordinance.

SECTION 8 - REPEALER

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 9 - EFFECTIVE DATE

This Ordinance shall become effective upon proper publication thereof.

DATED this 26 day of July, 1999.

BOARD OF COUNTY COMMISSIONERS OF GOODING COUNTY



Win Henslee, Commissioner




Mitch Arkoosh, Commissioner



Tom Faulkner, Commissioner

ATTEST:



Helen Edwards, Clerk

Ordinance #69
Publication

A summary of the Ordinance was published in the Gooding County Leader within one (1) month of adoption on the 5th day of August, 1999.

Attest: Helen P. Edwards
Helen P. Edwards, Clerk

Board of County Commissioners

Tom Faulkner

Tom Faulkner, Chairman

Michael Arkoosh

Mitch Arkoosh, Commissioner

Win Henslee

Win Henslee, Commissioner

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