

ORDINANCE NO. 207

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, ADOPTING A MAP IDENTIFYING THE ATHOL AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Idaho Code Section 67-6526, the City of Athol, Idaho, and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Athol within the unincorporated area of Kootenai County; and

WHEREAS, a public hearing, pursuant to public notice as required by law, was held by the duly-constituted Planning and Zoning Commission of Kootenai County, Idaho, on November 2, 1994, on the Map identifying an Area of City Impact, following which hearing said Commission made a recommendation to the Board of County Commissioners of Kootenai County, Idaho; and

WHEREAS, the Board of County Commissioners of Kootenai County, Idaho, pursuant to public notice as required by law, held a public hearing on the proposed Map identifying an Area of City Impact on December 7, 1994; and

WHEREAS, the City of Athol and Kootenai County, in accordance with the procedure required by law, have mutually agreed upon a Map identifying an Area of City Impact for the City of Athol within the unincorporated area of Kootenai County, Idaho;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Kootenai County, Idaho:

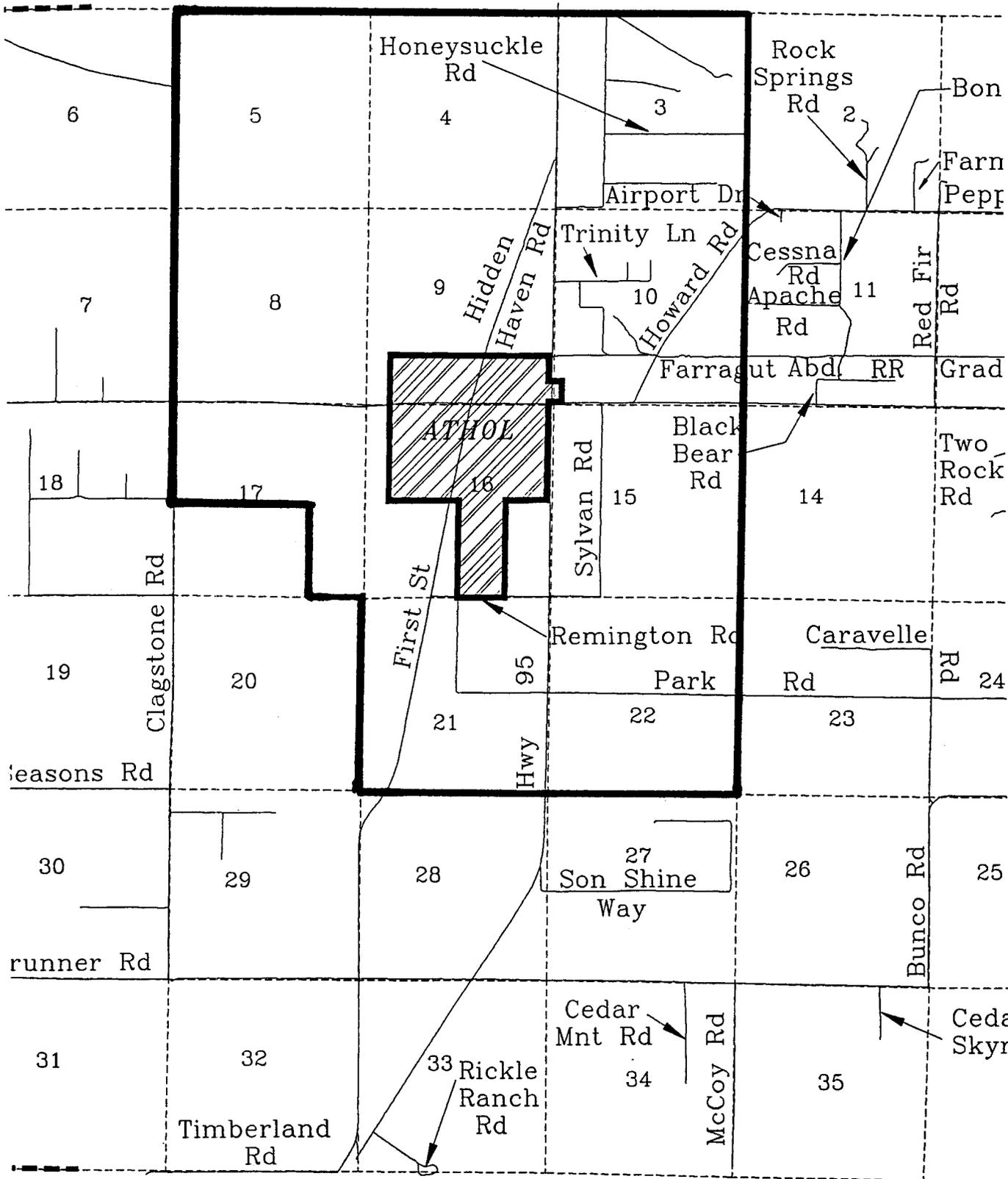
Section 1

That Area of City Impact within the unincorporated area of Kootenai County is particularly described in Section 2 below, and also set forth on the Map set forth in said Section 2, which Map shall be in effect until amended or modified as allowed by law.

Section 2

The Athol Area of City Impact shall consist of all land lying within Township 53 North, Range 3 West Boise Meridian, Sections 3, 4, 5, 8, 9, 10, 15, 16, 21, 22, and the East 1/2 of the Southeast 1/4, and the North 1/2 of Section 17.

In case a property under single ownership is divided by the boundary line of the Athol Area of City Impact and the line divides such property so that one or both of the parts has a depth of three hundred (300) feet or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.



Athol Area Of City Impact

Section 3

This Map is adopted in conjunction with Kootenai County Ordinance No. 208, and is intended to be an integral part of said Ordinance.

Section 4

The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 5

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date of this Ordinance or be construed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action heretofore taken by Board of County Commissioners of Kootenai County, Idaho, or the validity of any such action to be taken upon matters pending before the Board of County Commissioners on the effective date of this Ordinance.

Section 6

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7

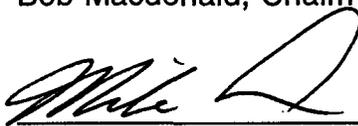
This Ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of the Coeur d'Alene Press, a newspaper of general circulation within Kootenai County, Idaho.

DATED this 21st day of December 1994.

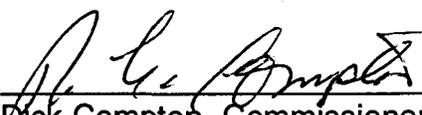
KOOTENAI COUNTY
BOARD OF COMMISSIONERS



Bob Macdonald, Chairman



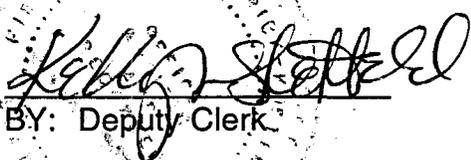
Mike Anderson, Commissioner



Dick Compton, Commissioner

ATTEST:

TOM TAGGART, CLERK



BY: Deputy Clerk