

**RESOLUTION NO. 2018-64**  
**EXPIRED SITE DISTURBANCE PERMITS**

**WHEREAS**, Kootenai County Community Development issued numerous site disturbance permits from 1994 to 2010 in which surety bonds were not collected in some cases, site development did not pass required inspections in some cases, and in which the permits have expired as a result of the passage of time; and

**WHEREAS**, these expired site disturbance permits have historically been declared code violations; and

**WHEREAS**, Community Development staff has made a concerted effort to conduct follow-up investigations to resolve the outstanding expired permits, but this effort has resulted in resolution of only a portion of these cases; and

**WHEREAS**, the records regarding these expired site disturbance permits appear to be inconsistent in completeness and thoroughness, and are missing contact information in some cases; and

**WHEREAS**, some of the parcels and lots associated with these expired site disturbance permits have changed ownership over time; and

**WHEREAS**, the sites constructed under authority of these expired site disturbance permits generally appear to have withstood the test of time, have revegetated naturally, and appear not to have presented any significant erosion issues in most cases; and

**WHEREAS**, since 2010, Kootenai County's site disturbance regulations have been amended, and some requirements are no longer in existence; and

**WHEREAS**, based on the above findings, the Board has determined the best method to facilitate an effective and reasonable closure for expired site disturbance permits issued prior to December 31, 2010, would be to consider those permits closed and not to be in violation of Kootenai County site disturbance regulations, so long as the scope of work has not exceeded that which was originally permitted.

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Board of Commissioners of Kootenai County, Idaho that existing parcels of land in which site disturbance permits had been issued prior to December 31, 2010, and have since expired, shall no longer be considered to be in violation of Kootenai County site disturbance regulations, so long as the scope of work has not exceeded that which was originally permitted.

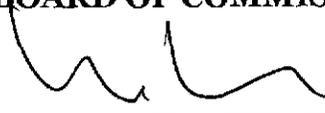
**BE IT FURTHER RESOLVED** that no subsequent expansion, alteration or change of any site disturbed under authority of such expired permit shall be permitted except upon issuance of a new site disturbance permit by Community Development. In such cases, the site disturbance and other land use regulations in effect at the time of application for the new permit shall apply.

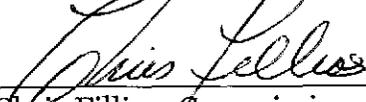
Upon a motion to adopt the text of the foregoing Resolution made by Commissioner Fillios, and seconded by Commissioner Bingham, the following vote was recorded:

Commissioner Bingham:	Aye
Commissioner Fillios:	Aye
Chairman Eberlein:	Aye

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of County Commissioners of Kootenai County, Idaho, on the 17<sup>th</sup> day of July, 2018.

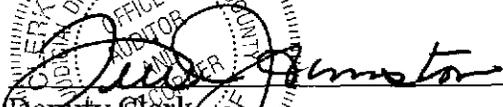
**KOOTENAI COUNTY  
BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Marc Eberlein, Chairman

  
\_\_\_\_\_  
Chris Fillios, Commissioner

  
\_\_\_\_\_  
Bob Bingham, Commissioner

**ATTEST,**  
**JIM BRANNON, CLERK**

By:   
\_\_\_\_\_  
Deputy Clerk

