

ELMORE COUNTY ORDINANCE NO. 2003-3

AN ORDINANCE AMENDING THE ELMORE COUNTY ZONING AND DEVELOPMENT ORDINANCE TO ADD TWO ADDITIONAL SECTIONS PERTAINING TO INVESTIGATION AND FEES RESULTING FROM WORK WITHOUT A PERMIT.

WHEREAS, Title 67, Chapter 65 of the Idaho Code and Article 12, Section 2 of the Idaho Constitution provide authority for Elmore County to adopt land use and regulation ordinances, and Elmore County has done so by adopting the Zoning and Development Ordinance of 1994, and subsequent amending ordinances, and

WHEREAS, The Elmore County Planning and Zoning Commission has recommended after notice and hearing that several amendments, additions, and clarifications be made to the Zoning and Development Ordinance of 1994, and

WHEREAS, the Board of Commissioners of Elmore County provided notice of hearing on these amendments on September 3, 2003 and September 10, 2003, and

WHEREAS, the Board of Commissioners of Elmore County held a public hearing on September 22, 2003;

BE IT ORDAINED BY THE BOARD OF THE COUNTY COMMISSIONERS OF ELMORE COUNTY, IN LAWFUL MEETING ASSEMBLED: CHAPTER 1 - ZONING STANDARDS, Article XXIII-1, entitled "SCHEDULE OF FEES, CHARGES, AND EXPENSES," is amended to add the following Sections:

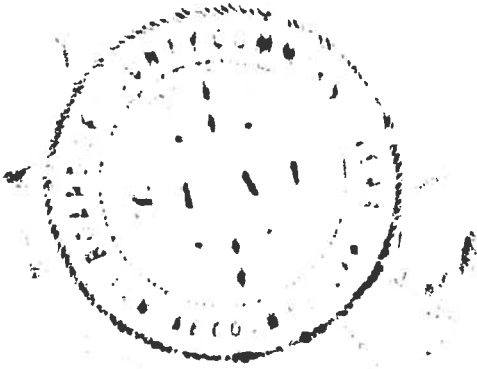
Section F.23-1 Investigation Fees: Work without a Permit.

1.F.23.1 Investigation. Whenever any work has been commenced without first obtaining a permit for which a permit is required by the adopted Building Code Standard or the Planning and Zoning Ordinance of Elmore County, a special investigation shall be made by the Building Official or Planning and Zoning Administrator before a permit may be issued for such work.

1.F.23.1 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by the adopted Building Code Standard or the Planning and Zoning Ordinance of Elmore County, whichever applies. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

THIS ORDINANCE shall be in full force and effect from and after its passage, approval, and publication.

DATED This 22nd day of September 2003.



BOARD OF ELMORE COUNTY COMMISSIONERS

Calvin Ireland
CALVIN IRELAND, Chairman

Larry E. Rose
LARRY E. ROSE, Commissioner

Mary Egusquiza-Stanek
MARY EGUSQUIZA-STANEK, Commissioner

ATTEST:

Gail L. Best
GAIL L. BEST, Clerk
Clerk of the Board of County Commissioners