

ORDINANCE NO. 88-1

AN ORDINANCE OF ELMORE COUNTY, IDAHO, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO; CREATING AND IMPOSING AN ADMINISTRATIVE FEE IN THE AMOUNT OF TWO DOLLARS AND FIFTY-CENTS (\$2.50) FOR EACH LICENSURE OR REGISTRATION OF A VEHICLE THROUGH ELMORE COUNTY; EXEMPTING BOATS, OFF-HIGHWAY MOTORBIKES, SNOWMOBILES, AND RECREATIONAL VEHICLE STICKERS FROM SAID COUNTY ADMINISTRATIVE FEE; MAKING SAID FEE CHARGEABLE ANNUALLY ALONG WITH THE STATE LICENSE FEE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS OF THIS ORDINANCE; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; AND REPEALING ALL PROVISIONS IN CONFLICT WITH THIS ENACTMENT.

STATEMENT OF PURPOSE

WHEREAS, The 1988 Idaho Legislature did repeal Idaho Code §49-158 relating to counties charging administrative fees for motor vehicle licensure; and

WHEREAS, Idaho Code §31-870 provides that a board of county commissioners may impose and collect fees for those services provided by the county which would otherwise be funded by ad valorem tax revenues; and

WHEREAS, The Elmore County Board of County Commissioners have determined that it would be in the best interest of Elmore County to provide for an administrative fee to be paid on each licensure or registration of a vehicle through Elmore County, Idaho; and

WHEREAS, The Elmore County Board of County Commissioners have determined that a fee of Two Dollars and fifty-cents (\$2.50) is an administrative fee not exceeding the actual cost of administration, and is reasonably related to the actual cost of the services being rendered; and

WHEREAS, Since county administrative fees concerning the licensure or registration of boats, off-highway motorbikes, snowmobiles, and recreational vehicle stickers are statutorily set, such transactions and the administrative fees charged thereon shall continue to be governed by such statutes, thereby exempting such transactions from the operation of this ordinance; and

WHEREAS, The Elmore County Board of County Commissioners has determined that it would be in the best interest of Elmore County to charge said fee on an annual basis along with state licensure and registration fees.

NOW, THEREFORE, Be it ordained by the Board of County Commissioners of Elmore County, Idaho:

SECTION 1: DEFINITIONS:

(a). The term "vehicle" shall be used as that term is defined at Idaho Code §49-101.

(b). The term "vessel" shall be used as that term is defined at Idaho Code §67-7003.

(c). The term "off-highway motorbike" shall be used as that term is defined at Idaho Code §§49-2702 and 49-2703.

(d). The term "snowmobile" shall be used as that term is defined at Idaho Code §49-2603.

(e). The term "recreational vehicle" shall be used as that term is defined at Idaho Code §49-2801.

SECTION 2: ADMINISTRATIVE FEE:

That in addition to vehicle licensure or registration fees chargeable by the State of Idaho under Idaho Code §§49-126 and 49-127, there is hereby imposed an administrative fee of Two Dollars and fifty-cents (\$2.50) which shall be chargeable on each licensure or registration of a vehicle through Elmore County, Idaho.

SECTION 3: ADMINISTRATIVE FEE EXEMPTIONS:

(a). Pursuant to Idaho Code §67-7014 the county administrative fee for licensure or registration of vessels is One Dollar and fifty-cents (\$1.50), and such statutory fee shall continue to be imposed in the amount set by statute.

(b). Pursuant to Idaho Code §49-2707 the county administrative fee for licensure or registration of off-highway motorbikes is Fifty-Cents (\$.50), and such statutory fee shall continue to be imposed in the amount set by statute.

(c). Pursuant to Idaho Code §49-2608 the county administrative fee for licensure or registration of snowmobiles is One Dollar (\$1.00), and such statutory fee shall continue to be imposed in the amount set by statute.

(d). Pursuant to Idaho Code §49-2805 the county administrative fee for licensure stickers for recreational vehicles is One Dollar and fifty-cents (\$1.50), and such statutory fee shall continue to be imposed in the amount set by statute.

SECTION 4: ANNUAL FEE:

That the Two Dollar and fifty-cent (\$2.50) county administrative fee shall be an annual fee payable at the same time as the current fee chargeable by the State of Idaho.

SECTION 5: EFFECTIVE DATE:

That the provisions of this Ordinance shall be effective on July 1, 1988, following its passage and publication in the Mountain Home News.

SECTION 6: SEVERABILITY:

This Ordinance is declared to be severable, and should any part of this Ordinance be declared invalid, for any reason whatsoever, the remaining portions thereof shall remain in full force and effect.

SECTION 7: VIOLATIONS:

It shall be unlawful for any owner of a vehicle to allow said vehicle to be driven upon the streets of Elmore County, Idaho, without payment of said fee.

SECTION 8: PENALTIES:

A violation of this Ordinance shall be a misdemeanor, punishable by imprisonment in the Elmore County Jail not exceeding

six (6) months or by a fine not exceeding Three Hundred Dollars (\$300.00) or both.

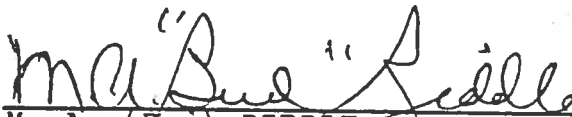
SECTION 9: REPEAL OF CONFLICTING ORDINANCE PROVISIONS:

Should any Ordinance of Elmore County conflict in any way with the provisions of this Ordinance, any such preexisting and conflicting Ordinance is hereby repealed to the extent of any such conflict.

SECTION 10: CURRENT EXPENSE:

That the revenues collected under said fee shall be payable to the Elmore County Current Expense Fund.

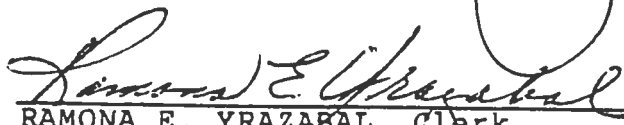
PASSED AND APPROVED This 27th day of June, 1988.

  
M. A. (Bud) RIDDLE  
Chairman

  
JOHN W. SARUM  
Commissioner

  
JOHN HILER  
Commissioner

ATTEST:

  
RAMONA E. YRAZABAL, Clerk  
Elmore County Board of Commissioners



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INSTRUCTIONS

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CUSTOMER SIGNATURE

revenues; and

WHEREAS, The Elmore County Board of County Commissioners have determined that it would be in the best interest of Elmore County to provide for an administrative fee to be paid on each licensure or registration of a vehicle through Elmore County, Idaho; and

WHEREAS, The Elmore County Board of County Commissioners have determined that a fee of Two Dollars and fifty-cents (\$2.50) is an administrative fee not exceeding the actual cost of administration, and is reasonably related to the actual cost of the services being rendered; and

WHEREAS, Since county administrative fees concerning the licensure or registration of boats, off-highway motorbikes, snowmobiles, and recreational vehicle stickers are statutorily set, such transactions and the administrative fees charged thereon shall continue to be governed by such statutes, thereby exempting such transactions from the operation of this ordinance; and

WHEREAS, The Elmore County Board of County Commissioners has determined that it would be in the best interest of Elmore County to charge said fee on an annual basis along with state licensure and registration fees.

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- (e). The term "recreational vehicle" shall be used as that term is defined at Idaho Code §49-2801.

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is FiftyCents (\$.50), and such statutory fee shall continue to be imposed in the amount set by statute.

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M.A. (Bud) RIDDLE  
Chairman  
JOHN W. SHRUM  
Commissioner  
JOHN HILER  
Commissioner

ATTEST:  
RAMONA E. YRAZABAL, Clerk  
Elmore County Board of Commissioners  
One publication June 29, 1988.