

ELMORE COUNTY ORDINANCE NUMBER 90-1-A

WHEREAS, The Elmore County Board of County Commissioners have been advised that a Zoning Plan is in preparation by the Elmore County Planning and Zoning Commission, and;

WHEREAS, Interim Ordinance Number 90-1, enacted April 12, 1990, has expired, and;

WHEREAS, Elmore County Board of County Commissioners finds that there continues to be an imminent peril to the public health, safety and welfare in Elmore County from the operation of wrecking, salvage and junk yards pending the preparation and implementation of the zoning plan presently being prepared by Elmore County Planning and Zoning Commission, and;

WHEREAS, The Elmore County Planning and Zoning Commission has advised the Elmore County Board of County Commissioners of the necessity for an Interim Ordinance, pursuant to Idaho Code Section 67-6524, pending the implementation of the above-described Zoning Plan.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND DECREED AS FOLLOWS:

1. DEFINITIONS. A wrecking and salvage yard is hereby defined as three or more inoperable vehicles and/or machines or dismantled vehicles; unused equipment or materials or salvage of any type, including, but not limited to, heavy equipment, unused appliances, or construction materials.

2. AREAS PRESENTLY ZONED FOR AGRICULTURAL USE

A CONDITIONAL USE PERMIT SHALL BE REQUIRED

All wrecking and salvage yards shall meet the following requirements:

- a. All wrecking and salvage yards shall be screened from view of adjacent lots and public roads.
- b. Stored materials shall not exceed the height of the screening.
- c. All wrecking and salvage yards shall be completely fenced and no items or materials as above-described shall be permitted to be placed, stored or abandoned outside the perimeters of such fencing or screening.

3. AREAS PRESENTLY ZONED FOR COMMERCIAL USE

A CONDITIONAL USE PERMIT SHALL BE REQUIRED

- a. All wrecking and salvage yards shall be fenced on all sides.
- b. All wrecking and salvage yards shall be screened when abutting public roads or residential areas.
- c. All wrecking and salvage yards shall meet all federal and state requirements and regulations.

4. AREAS PRESENTLY ZONED FOR LIGHT INDUSTRIAL USE

A CONDITIONAL USE PERMIT SHALL BE REQUIRED.

- a. All wrecking and salvage yards shall be fenced on all sides.
- b. All wrecking and salvage yards shall be fenced on all sides.
- c. All wrecking and salvage yards shall meet all federal and state regulations.

5. AREAS PRESENTLY ZONED FOR RESIDENTIAL LOTS

Residential lots are defined as areas of one acre or less. The storage of all materials heretofore defined as

constituting a wrecking or salvage yard shall be stored in an enclosed building. The repair or maintenance of vehicles or equipment of any type or the utilization of construction materials shall be done with a minimum of noise and all noise factors shall cease during normal sleeping hours. On any residential lot consisting of more than one acre but less than twenty-one (21) acres, wrecking and salvage yard materials shall be screened from public view. By screening materials sufficiently tall and of adequate strength to protect the peaceful and quiet enjoyment of adjacent property.

6. EXCEPTIONS: Any and all existing wrecking and salvage yards shall be exempted from the provisions of this Ordinance for a period of twelve (12) months from the date hereof.

A violation of this Ordinance is hereby defined as a general misdemeanor and punishable as such pursuant to the Statutes of the State of Idaho. The County of Elmore retains the right to pursue such violations civilly as well as criminally.

This Ordinance shall be in full force and effect for a period of twenty-four (24) months from the date of this enactment.

DATED This 13 day of October, 1992.

ELMORE COUNTY BOARD OF COMMISSIONERS

BY: John Hiler
JOHN HILER, Chairman

BY: Maurice Riddle
MAURICE RIDDLER, Commissioner

BY: _____
JOHN SHRUM, Commissioner

A T T E S T:
Dolores Robison
DOLORES ROBISON, Clerk
BOARD OF COUNTY COMMISSIONERS