

ELMORE COUNTY ORDINANCE NO. 117-90-A

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

WHEREAS, Interim Resolution Number 117-90, enacted April 12, 1990, has expired; and

WHEREAS, The Elmore County Board of County Commissioners is aware that imminent peril continues to the public health, safety and welfare from proposed commercial activities on the tract of land below described, due to proposals at the same be the site for the operation of a storage and salvage business with attendant danger to children as an attractive nuisance; the potential for the creation of hazardous or noxious waste and the destruction of the aesthetic quality of the area due to the storage and/or processing of junk or salvage thereupon;

NOW, THEREFORE, IT IS HEREBY ORDAINED AND DECREED That there shall be a moratorium upon any development of the below described premises save and accept agricultural development all pursuant to Idaho Code Section 67-6524.

FURTHER, IT IS ORDAINED AND DECREED That a violation by any person or persons of this Resolution, said violation being defined as the development of such real property in any manner or means not solely consistent with agricultural development shall be a general misdemeanor and the entity or individual so engaged may be subject to the appropriate civil penalties.

FURTHER, IT IS ORDANINED AND DECREED That the violation of this Resolution in the manner above described shall constitute a

general misdemeanor under the statutes under the State of Idaho and punishable as such.

The real properties affected by this Resolution is described as follows:

Starting at the NW4 OF Section 22 T3N R4E, the Real Point of Beginning, thence running East along the line that separates Elmore County and Boise County to the NE corner of Section 1, T3N R5E, said line runs through the center of Lucky Peak Reservoir and Arrow Rock Reservoir; thence South along the easterly boundary line of Sections 1, 12, 13, 24, 25 and 36 of T3N R5E, Sections 1, 12, 13, 24, 25, and 36 of T2N R5E, Sections 1, 12, 13, 24, 25, and 36 of T2S R5E; thence West along the southerly boundary line of Sections 36, 35, 34, 33, 32 and 31 of T2S R5E and Sections 36, 35, 34 of T2S R4E; thence North along the westerly boundary line of Elmore County to the Real Point of Beginning.

THIS ORDINANCE Shall be in full force and effect for a period of 24 months from the date of this enactment.

DATED This 13 day of October 1992.

ELMORE COUNTY BOARD OF COMMISSIONERS

BY: John W. Hiler
JOHN HILER, Chairman

BY: M.A. Riddle
M.A. RIDDLE, Commissioner

BY: _____
JOHN W. SHRUM, Commissioner

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