

ORDINANCE NO. 193

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, ADOPTING A MAP IDENTIFYING THE AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Idaho Code Section 67-6526, the City of Coeur d'Alene, Idaho, and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Coeur d'Alene within the unincorporated area of Kootenai County; and

WHEREAS, a public hearing, pursuant to public notice as required by law, was held by the duly-constituted Planning and Zoning Commission of Kootenai County, Idaho, on May 25, 1993, June 23, 1993, and July 21, 1993, on the Map identifying an Area of City Impact, following which hearing said Commission made a recommendation to the Board of County Commissioners of Kootenai County, Idaho; and

WHEREAS, the Board of County Commissioners of Kootenai County, Idaho, pursuant to public notice as required by law, held a public hearing on the proposed Map identifying an Area of City Impact on October 12, 1993; and

WHEREAS, the City of Coeur d'Alene and Kootenai County, Idaho, in accordance with the procedure required by law, have mutually agreed upon a Map identifying an Area of City Impact for the City of Coeur d'Alene within the unincorporated area of Kootenai County, Idaho; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Kootenai County, Idaho:

Section 1

That Area of City Impact within the unincorporated area of Kootenai County is particularly described in Section 2 below, and also set forth on the Map set forth in said Section 2, which Map shall be in effect until amended or modified as allowed by law.

Section 2

BEGINNING at the intersection of the West line of Section 15, Township 50 North, Range 4 West, Boise Meridian, and the shoreline of Coeur d'Alene Lake;

THENCE, Northerly along said West line to the corner of Sections 9, 10, 15, and 16, Township 50 North, Range 4 West, Boise Meridian;

THENCE, Westerly along the South line of said Section 9 to the corner of Sections 8, 9, 16, and 17, Township 50 North, Range 4 West, Boise Meridian;

THENCE, Northerly along the West line of said Section 9 to the North shoreline of the Spokane River;

THENCE, Northeasterly along said shoreline to its intersection with the West One-Sixteenth Line of said Section 9;

THENCE, Northerly along said One-Sixteenth Line to the North line of said Section 9;

THENCE, Northerly along the West One-Sixteenth Line of Section 4, Township 50 North, Range 4 West, Boise Meridian, to the South Line of Interstate 90;

THENCE, Northwesterly along said South Line to the West Line of said Section 4;

THENCE, Northerly along said West Line to the Northwest Corner of said Section 4, Township 50 North, Range 4 West, Boise Meridian;

THENCE, Northerly along the West Lines of Sections 33 and 28 to the Corner of Sections 20, 21, 28, and 29, all in Township 51 North, Range 4 West, Boise Meridian;

THENCE, along the North Lines of Section 28, 27, and 26, all in Township 51 North, Range 4 West, Boise Meridian, TO U.S. Highway 95 and the Hayden City Limits;

THENCE, Southerly along said City Limits to the Southwest Corner thereof;

THENCE, Easterly along the South Line of the City of Hayden to the West Line of Section 25, Township 51 North, Range 4 West, Boise Meridian;

THENCE, Southerly along said West Line and the West Line of Section 36, Township 51 North, Range 4 West, Boise Meridian, to the West Quarter Corner of said Section 36;

THENCE, Easterly along the East-West Quarter Line of said Section 36 to the East Quarter Corner of said Section 36;

THENCE, Easterly along the East-West Quarter Lines of Sections 31 AND 32, all in Township 51 North, Range 3 West, Boise Meridian, to the Center Quarter Corner of said Section 32;

THENCE, Southerly along the North-South Quarter Line of said Section 32 to the South Quarter Corner thereof;

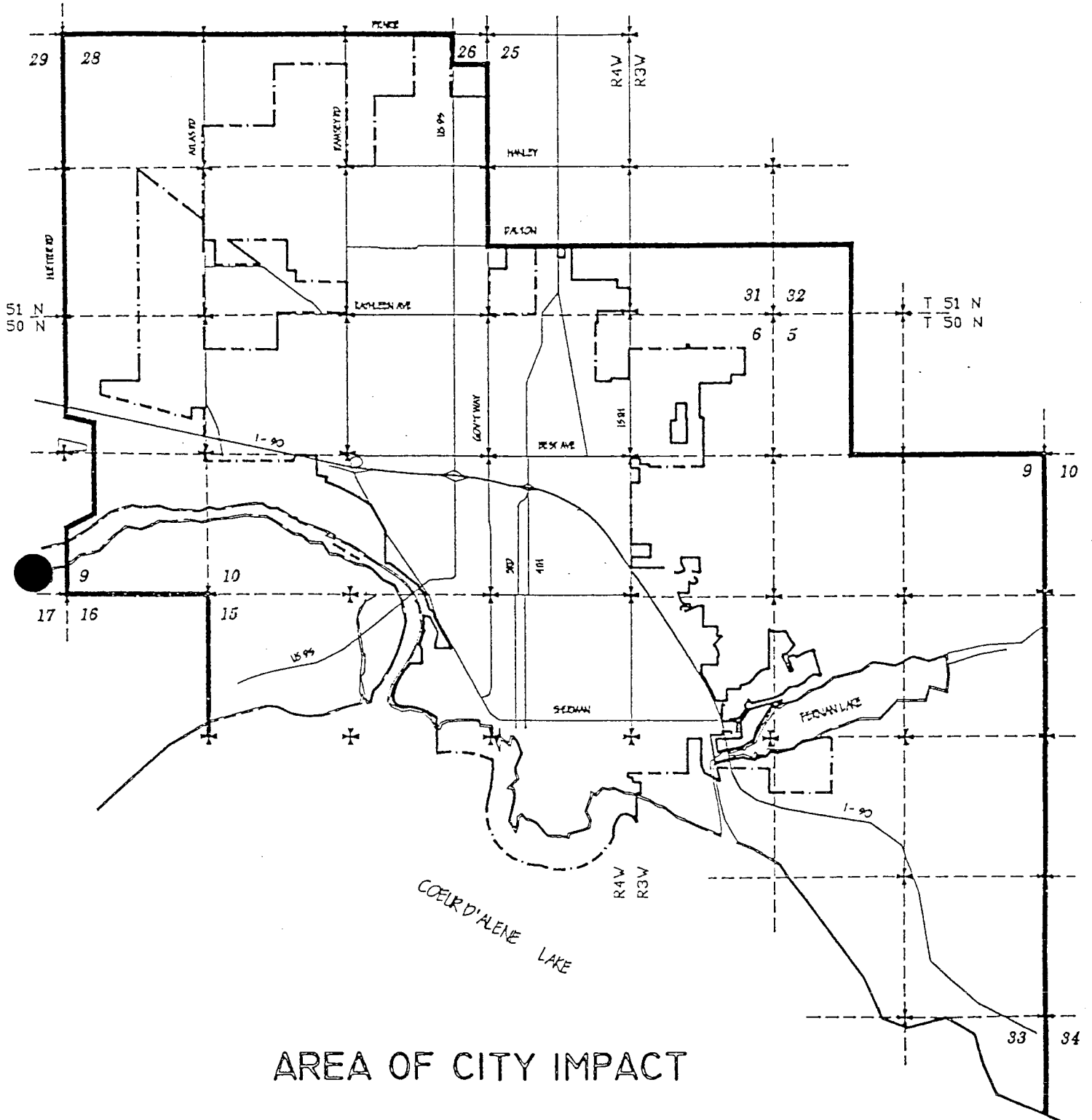
THENCE, Southerly along the North-South Quarter Line of Section 5, Township 50 North, Range 3 West, Boise Meridian, to the South Quarter Corner thereof;

THENCE, Easterly along the South Lines of Sections 5. and 4, all in Township 50 North, Range 3 West, Boise Meridian, to the Corner of Sections 3, 4, 9, and 10;

THENCE, Southerly along the East Lines of Sections 9, 16, 21, 28, and 33, all in Township 50 North, Range 3 West, Boise Meridian, to the shoreline of Coeur d'Alene Lake;

Thence, along said shoreline in a Northwesterly and Westerly direction to the Point of Beginning.

Section 2



AREA OF CITY IMPACT

Section 3

That this Map is adopted in conjunction with Ordinance No. 194, and is intended to be an integral part of said Ordinance.

Section 4

The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 5

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date

of this Ordinance or be construed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action heretofore taken by Board of County Commissioners of Kootenai County, Idaho, or the validity of any such action to be taken upon matters pending before the Board of County Commissioners on the effective date of this Ordinance.

Section 6

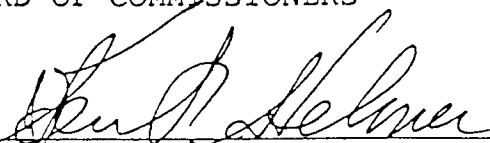
All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7

This Ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of The Coeur d'Alene Press, a newspaper of general circulation published within the City of Coeur d'Alene, Kootenai County, Idaho, and the official newspaper thereof.

DATED this 28th day of October, 1993.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS




Kent Helmer, Chairman



Bob Macdonald, Commissioner

ATTEST:

TOM TAGGART, CLERK



BY: Deputy Clerk



Mike Anderson, Commissioner