

ORDINANCE NO. 246

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, AMENDING THE MAP IDENTIFYING THE POST FALLS 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 Post Falls, Idaho, and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Post Falls 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 February 12, 1996, concerning Amendment No. 1 to 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 March 6, 1996; and

WHEREAS, the City of Post Falls and Kootenai County, in accordance with the procedure required by law, have mutually agreed upon the amendment to the Map identifying an Area of City Impact for the City of Post Falls within the unincorporated area of Kootenai County, Idaho;

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 shall be amended as 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**

The Post Falls Area of City Impact shall be amended by including the following described area:

**AMENDMENT NO. 1**

All that portion of the Southeast ¼ of the Southeast ¼ of Section 4, Township 50 North, Range 5 West, Boise Meridian, also known as Government Lot 13, Kootenai County, State of Idaho, being more particularly described as follows:

- BEGINNING**      At the Southeast corner of Section 4, Township 50 North, Range 5 West, Boise Meridian;
- Thence              West 1320 feet along the South section line of said Section 4;
- Thence              North 1320 feet along the midsection line of the Southeast quarter of said Section 4;
- Thence              Eastward along the midsection line of the Southeast quarter of said Section 4 to an intersecting point along the south bank of the Spokane River;
- Thence              Southeasterly along the south bank of the Spokane River to the East section line of said Section 4;
- Thence              South along said Section line of Section 4 to the Southeast corner of said Section 4 being the True Point of Beginning.

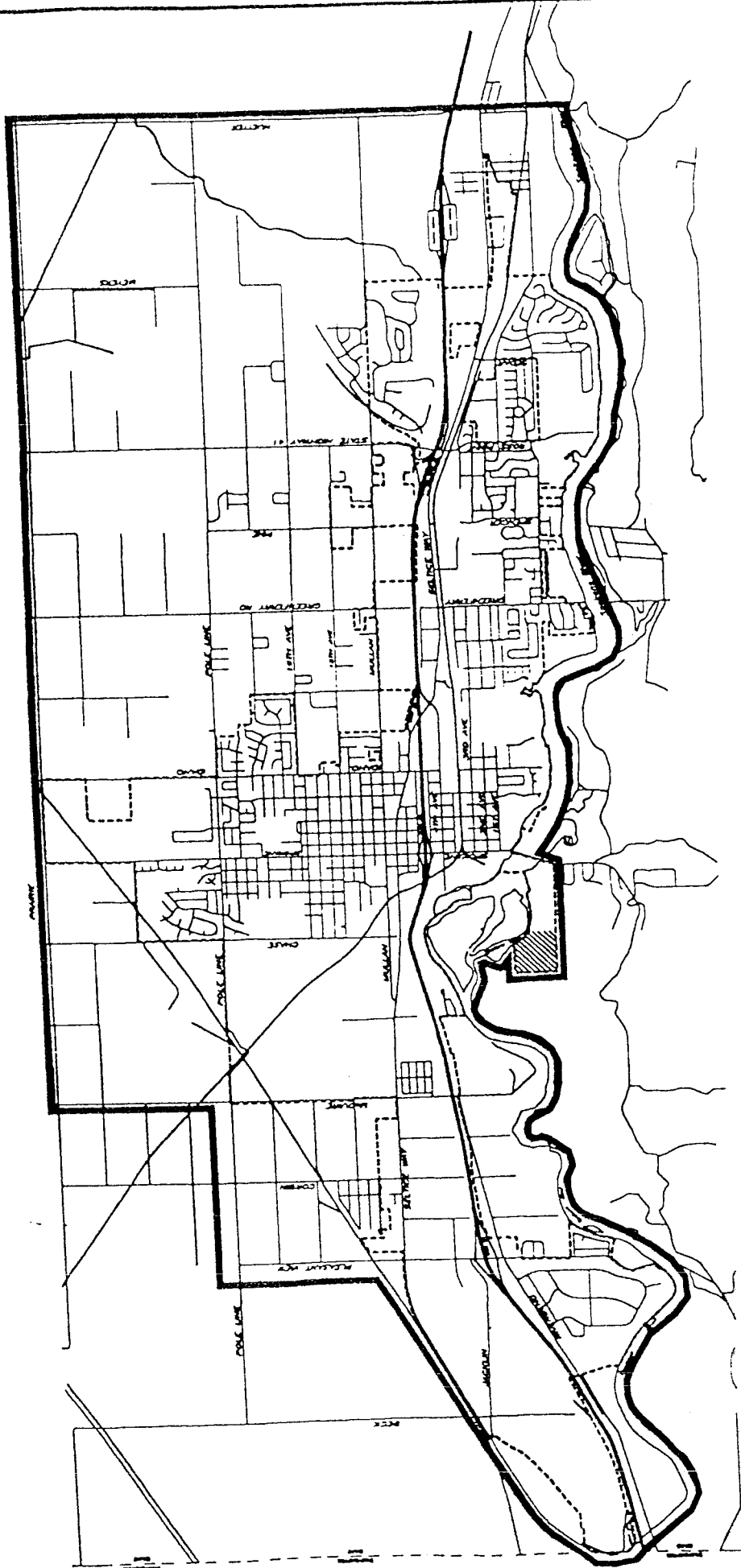
**Section 3**

**POST FALLS AREA OF CITY IMPACT MAP AMENDED:** The area of city impact is hereby amended as shown on the map entitled "Post Falls Area of City Impact" attached hereto and made a part hereof by reference; said map being specifically adopted by Ordinance No. 205 and the City of Post Falls Ordinance No. 792.

**Section 4**

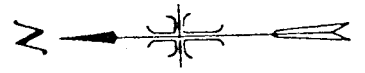
The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Ordinance or their application to other

AMENDMENT #1

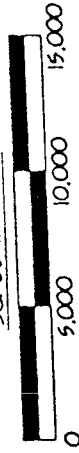


LEGEND

- AREA OF IMPACT
- ▨ AMENDMENT TO CITY IMPACT AREA
- + + + RAILROAD
- - - CITY LIMITS
- - - STATE LINE



SCALE IN FEET



408 SPORANE STREET  
POST FALLS, IDAHO 83854  
(208) 773-3511

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DATE: 5/13/96 SHEET 1 of 1  
DRAWN BY: M.L.H. SCALE: 1" = 5000' DWG. NO. 96-088

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 the 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 to the extent of such conflict.

**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 within Kootenai County, Idaho.

DATED this 8 day of May 1996.

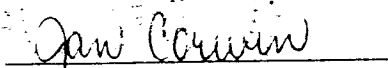
KOOTENAI COUNTY  
BOARD OF COMMISSIONERS

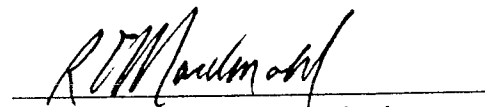
  
Dick Compton, Chairman


Publication Date May 13, 1996

ATTEST:

DANIEL J. ENGLISH, CLERK

  
BY: Deputy Clerk

  
Bob Macdonald, Commissioner

  
Dick Panabaker, Commissioner

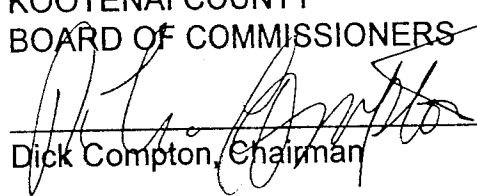
## NOTICE OF ORDINANCE ADOPTION

The Board of Commissioners of Kootenai County, Idaho, hereby gives notice of the adoption of Kootenai County Ordinance Number 246 (Post Falls Area of City Impact Map, Amendment No. 1). The full text of the ordinance addresses the following subjects:

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, AMENDING THE MAP IDENTIFYING THE POST FALLS 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.

The full text of Ordinance No. 246 is available at the Kootenai County Courthouse, Suite 202, 501 Government Way, Coeur d'Alene, Idaho 83814, from 9 a.m. to 5 p.m. The map entitled "Amendment 1, Post Falls Area of City Impact," defines the area with which this Ordinance is concerned.

KOOTENAI COUNTY  
BOARD OF COMMISSIONERS

  
Dick Compton, Chairman

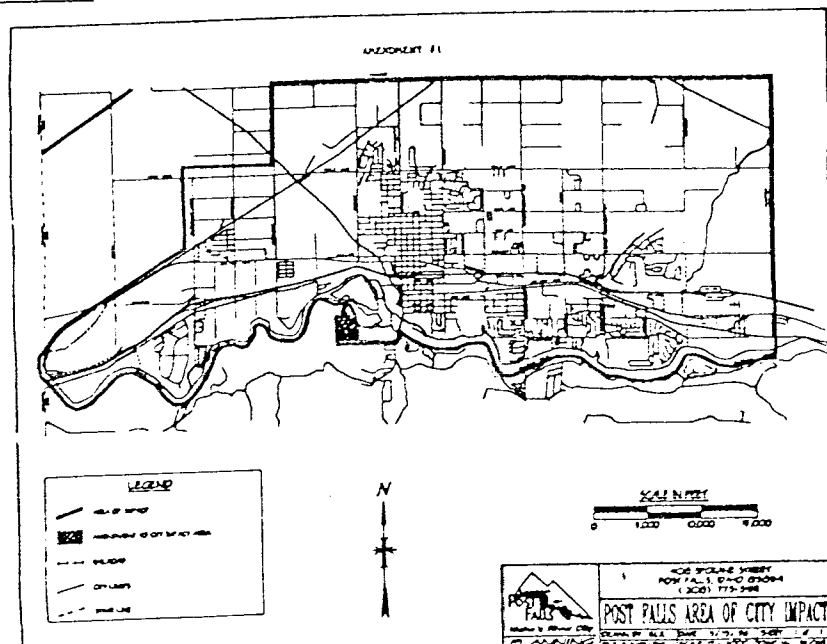
ATTEST:

DANIEL J. ENGLISH, CLERK

BY: 

Deputy Clerk

Publication Date: May 13, 1996



CERTIFICATION

I hereby certify that the attached Notice of Ordinance Adoption contains a true and complete summary of Ordinance No. 246 of Kootenai County, Idaho, and that the attached summary provides adequate notice to the public of the contents of said Ordinance.

DANIEL J. ENGLISH, CLERK

BY: *Jan Corwin*  
Deputy Clerk