

**LINCOLN COUNTY CITY OF RICHFIELD ORDINANCE  
NO. 241**

A JOINT ORDINANCE WITH THE CITY OF RICHFIELD, IDAHO, WHEREBY THE LINCOLN COUNTY BOARD OF COMMISSIONERS, ADOPTS, PROVISIONS FOR THE ADMINISTRATION OF THE CITY OF RICHFIELD AREA OF IMPACT. THIS ORDINANCE COVERS INTEGRATIONS OF RECITALS, GEOGRAPHY, OF CITY IMPACT ZONE, GOVERNING PLAN AND ORDINANCES, ADMINISTRATION, ENFORCEMENT, AND RENEGOTIATION.

BE IT ORDAINED BY THE LINCOLN COUNTY BOARD OF COMMISSIONERS AND BY MAYOR AND COUNCIL OF THE CITY OF RICHFIELD, IDAHO:

THIS IS A JOINT ORDINANCE Adopted and Entered into by the City of Richfield, Idaho, in cooperation with the Lincoln County, Idaho, Board of Commissioners, setting forth the system by which the City of Richfield Area of Impact will henceforth be administered as follows:

**1. INTERGRATION OF RECITALS:**

The recitals set forth in Richfield City Ordinances and Lincoln County Ordinances, pertaining to the area of city impact, which are on file in the office of the City Clerk and in the office of the County Clerk, are incorporated in this document and by this reference are made a part hereof.

**2. GEOGRAPHIC CITY IMPACT ZONE:**

The agreed upon City Impact Zone with its described boundary is established by the above incorporated ordinance and documents of Lincoln County and the City of Richfield, Idaho, are set forth therein.

**3. GOVERNING PLAN AND ORDINANCE:**

- A. For the City of Richfield, Idaho, in governing its area of city impact, there is adopted the following, by reference, to be in full force and effect in the are of city impact: the City of Richfield Comprehensive Plan, Area of Impact Use Map, together with the City of Richfield Zoning and Subdivision Ordinances and Regulations, the Richfield City Code, the Richfield Zoning Districts Map, and all subsequent amendments to said plan, regulations and maps, and all National and State Uniform codes so adopted and in effect.

- B. Within the City Impact Zone, no provisions of this Chapter shall apply to any parcel of land twenty (20) acres or larger used solely for agricultural purposes. Within the City Impact Zone this Chapter shall apply to any parcel of land proposed to be used either partially or wholly for non-agricultural purposes.

#### **4. ADMINISTRATION:**

- A. The Board of Commissioners for Lincoln County hereby appoints the City of Richfield Planning and Zoning Commission to administer the provisions of I.C. 67-6526 and the above, by reference herein, for the City Impact Zone to perform the duties for the City Impact Zone area, according to law.
- B. The Board of Commissioners of Lincoln County hereby appoints and authorizes the City of Richfield and its agents, officers, and employees to issue zoning and building permits required by the regulations adopted herein, and to charge and collect fees for such administrative duties. The City of Richfield accepts the appointment and authorization.
- C. The Board of Commissioners of Lincoln County hereby appoints the Richfield City Planning and Zoning Commission as the City Impact Zone Commission to administer the City Impact Zone pursuant to I.C. 67-6526(a) (1). The City of Richfield accepts the appointment. An Impact Zone Commission Member shall be appointed by the County Commissioners. An Impact Zone member so appointed shall serve a term of six (6) years. The member appointed by the County Commissioners must be a resident within the Impact Zone, residing outside the City Limits and shall be entitled to vote on all issues coming before the Commission.
- D. Any person directly aggrieved and affected by a final decision of the Planning and Zoning Commission regarding property located within the City Impact Zone, and which does not require the adoption of an ordinance, may appeal the matter to the Area Impact Appeal Board as in all cases wherein an appeal is taken from the Planning and Zoning Commission in matters arising wholly within the City. The Area Impact Appeal Board shall consist of two (2) Richfield City Council members, appointed by the Mayor of the City of Richfield, two (2) Lincoln County Commissioners, appointed by the Chairman of the Board of Lincoln County Commissioners and a fifth member to be appointed by majority vote of those appointed individuals.

E. In appeals, the Area Impact Appeal Board shall hold a public hearing to consider the appeal of the aggrieved party and such hearing shall be held upon such terms and conditions and pursuant to such notice to affected persons as the Area Impact Appeal Board shall deem just and appropriate in keeping with all provisions of the law. Upon hearing the matter, the Area Impact Appeal Board shall decide the matter by majority vote, reduce its decision to writing and shall provide a copy of the same to the appellant. The decision of the Area of Impact Appeal Board shall be final. In the event the Area Impact Appeal Board is unable to decide the matter by majority vote, and the Area Impact Appeal Board is dead-locked, the decision appealed from shall remain in full force and all administrative remedies shall be deemed exhausted.

**5. ENFORCEMENT:**

The Board of Commissioners of Lincoln County appoints and authorizes the City of Richfield, and its officers, employees, and agents to enforce compliance with the provisions of the Chapter and the regulations adopted herein, and to institute civil action in district court on behalf of Lincoln County, provided that the City pays all costs associated with such enforcement action. The City agrees to indemnify Lincoln County from all compliance enforcement actions brought against the County. The City of Richfield accepts the appointment and authorization.

**6. RENEGOTIATION:**

The City Impact Zone may be reviewed and renegotiated at any time upon the request of either the City Council or the County Commission;

Any current ordinance of the City of Richfield, Idaho, conflicts with this ordinance is hereby repealed.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Charles Buttane  
Mayor

\_\_\_\_\_  
Ron Holland  
Councilman

\_\_\_\_\_  
Deb Chamberlain  
Councilman

\_\_\_\_\_  
Danny Ward  
Councilman

\_\_\_\_\_  
Maureen Ward  
Councilman

