

720403

CITY OF DOVER, IDAHO

ORDINANCE NUMBER 94

**DOVER AREA OF CITY IMPACT AGREEMENT  
WITH BONNER COUNTY**

*Noted*  
*FILED BY*  
*801 JAN -4 P 4:16*  
MARIE SCOTT  
BONNER COUNTY RECORDER  
DEPUTY

**AN ORDINANCE REPLACING ORDINANCE #28 AND ADOPTING PROVISIONS DEFINING THE FACTORS CONSIDERED IN AND THE IDENTIFYING OF THE AREA OF CITY IMPACT; IDENTIFYING THE COMPREHENSIVE PLAN THAT SHALL APPLY WITH THE AREA OF IMPACT; IDENTIFYING THE ZONING AND SUBDIVISION ORDINANCE THAT SHALL APPLY WITHIN THE UNINCORPORATED PORTIONS OF BONNER COUNTY, IDAHO LYING WITH THE AREA OF CITY IMPACT; PROVIDING FOR REVIEW AND COMMENT PROCEDURES BETWEEN JURISDICTIONS; PROVIDING FOR ADMINISTRATIVE JURISDICTION WITHIN THE AREA OF CITY IMPACT; PROVIDING FOR REPEALER AND SERVERABILITY CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE PURSUANT TO SECTION 67-6526; IDAHO CODE.**

NOW THEREFOR BE IT ORDAINED by the Dover City Council of Bonner County, Idaho that the following be and is hereby adopted as an Ordinance of the City of Dover:

**SECTION 1: AUTHORITY AND PURPOSE**

Section 67-6526, IDAHO CODE, requires that Cities and Counties negotiate an Area of City Impact.

The purpose of establishing an Area of City Impact is to identify a logical fringe area adjoining the City of Dover. The fringe area includes the unincorporated area surrounding Dover that has a potential for development that could affect the provision of public services or the quality of life in Dover, Idaho.

**SECTION 2: CONSIDERATION**

The following factors were considered by the Dover City Council in identifying the Area of City Impact for Dover, Idaho.

1. Trade Areas.
2. Geographical factors.
3. Area that can reasonable be expected to be annexed in the City in the future.
4. The Memorandum of Understanding and Settlement Agreement resulting from Bonner County Case No. CV95-01111.

### **SECTION 3: GEOGRAPHIC AREA OF IMPACT**

The officially adopted geographic Area of City Impact for Dover, Idaho is identified by Ordinance No. 93. All parcels of land lying all or in part within the Area of City Impact shall be subject to provisions of this ordinance.

### **SECTION 4: COMPREHENSIVE PLAN**

The Comprehensive Plan and subsequent amendments there of as officially adopted by Bonner County, Idaho shall apply to the unincorporated portions of Bonner County, Idaho, lying with in the Dover Area of City Impact.

### **SECTION 5: ZONING AND SUBDIVISION ORDINANCES**

The Zoning and Subdivision Ordinances and subsequent amendments thereto as officially adopted by Bonner County, Idaho, shall apply to the unincorporated portion of Bonner County, Idaho lying within the Dover Area of City Impact.

### **SECTION 6: REVIEW AND COMMENT**

Any request for development, zone change, conditional use permit, variance or subdivision in the unincorporated portion of Bonner County, Idaho, lying within Dover Area of City Impact, shall be referred to the City Council of Dover, Idaho, for review and comment. The City Council shall have thirty (30) days to consider the request and submit a reply to the Board of County Commissioners, Bonner County, Idaho. If no reply is received by the Board with the thirty (30) day period, processing shall continue under the Board's administration.

### **SECTION 7: ADMINISTRATIVE JURISDICTION**

The administration of plans and ordinances which apply to the Dover Area of City Impact shall be the duty of Bonner County.

### **SECTION 8: REPEALER CLAUSE**

All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed and rescinded.

### **SECTION 9: SEVERABILITY CLAUSE**

If any section, paragraph, sentences or provisions hereof or the application thereof to any particular circumstances shall ever become invalid or unenforceable,

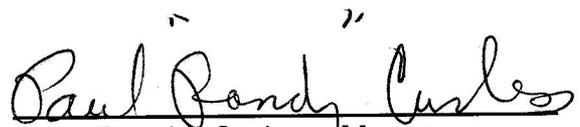
such holding shall not affect the remainder thereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

**SECTION 10: EFFECTIVE DATE**

This ordinance shall be in full force and effect upon its passage, approval and publication in one (1) issue of the Bonner County Daily Bee.

Regularly passed and approved under suspension of the rules as an Ordinance of the City of Dover, Idaho, done this 14th day of December, 2006, upon the following role call vote:

Maggie Becker	Aye
Marguerite Burge	Aye
Louis Collins	Aye
James Janish	Aye

  
Paul "Randy" Curless, Mayor

Attest:

  
Ruth Guthrie, Clerk