Appendix A: Benewah County AOI Agreements

Report 12-01

Economic Development Clinic
University of Idaho College of Law

Stephen R. Miller, Director

Students:

Marc Bybee
Joan Callahan
Anna Garner
Jane Gordon
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AREA or CITY IMPACT AGREEMENT
BINGHAM COUNTY – CITY OF ATOMIC CITY

The City of Atomic City, an Idaho municipal corporation, (hereafter referred to as the "City") and the County of Bingham, Idaho (hereafter referred to as the "County") hereby enter into this Agreement to set forth the area of city impact for the City of Atomic City and to set forth the procedures and ordinances that will apply in such impact area pursuant to Idaho Code S67-6526.

1. Area of City Impact: The area of city impact for the City of Atomic City shall be as legally described and set forth in Exhibit A attached hereto and made a part hereof by this reference.

2. Applicability of Ordinances:
   a. Bingham County Zoning Ordinance: Bingham County shall apply Bingham County's Zoning Ordinance in the area of impact.

3. Maintain current County Zoning:
   Governing Laws and Zoning in effect shall be the same and the Ordinances and Laws governing Bingham County shall remain in force.

4. Amendments to area of Impact Agreement: In the event that the County or City wish to amend, repeal, or add provisions to any portion of this agreement, notice shall be given to the other party at least thirty (30) days prior to negotiation. The City or County shall take into consideration the recommendations and comments of the other with respect to any proposed changes to their comprehensive plans and/or ordinances. If the City or the County cannot agree on the requested changes, then, the procedures set forth in Idaho Code S67-6526 shall be implemented to resolve the dispute.

5. Enforcement: The County shall enforce the applicable planning and zoning ordinances in the area of city impact.

6. Enactment of Impact Area Ordinance: The City and County shall adopt this agreement once agreed upon by both parties involved.

Dated and signed this 1 day of August 2011.

BOARD OF COUNTY COMMISSIONERS
BINGHAM COUNTY, IDAHO

Cleone Jolley, Chairman
Whitney Mardaring, Commissioner
A. Ladd Carter, Commissioner

CITY OF ATOMIC CITY:

Kelli Isaacs, Mayor

Instrument # 630328
BINGHAM COUNTY
8-1-2011 02:00:41 No. of Pages: 2
Recorded for: BINGHAM COUNTY/ATOMIC CITY
SARA J. STAUD
Fee: 6.00
Ex-Officio Recorder Deputy

Atomic City Area of Impact Agreement