

CARIBOU COUNTY

ORDINANCE NO. 2013- 01

AN ORDINANCE AMENDING CARIBOU COUNTY, IDAHO, ORDINANCE NUMBER 00-01, PRESCRIBING METHODS BY WHICH THE CARIBOU COUNTY WEED DEPARTMENT SHALL ESTABLISH "NO SPRAY ZONES" ALONG COUNTY ROADS; ESTABLISHING PROCEDURES TO REMOVE PROPERTY FROM A "NO SPRAY ZONE" IF THE APPLICANT FAILS TO COMPLY WITH THE TERMS OF THE ORDINANCE; REQUIRING THE APPLICANT TO COMPLETE A FORM AGREEING TO KEEP SAID "NO SPRAY ZONES" CLEAR OF NOXIOUS WEEDS AND TO PROPERLY POST SAID ZONE WITH SIGNS; ESTABLISHING THE SIZE, CONTENT AND LOCATION OF "NO SPRAY ZONES" SIGNS; REQUIRING SAID SIGNS TO BE KEPT IN GOOD CONDITION OF REPAIR; REPEALING ALL ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; DISPENSING WITH THE REQUIREMENTS THAT THIS ORDINANCE BE READ ON THREE SEPARATE OCCASIONS AND ESTABLISHING AN EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CARIBOU COUNTY, IDAHO, AS FOLLOWS:

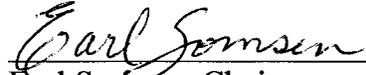
WHEREAS, the following amendment shall be made;

Section 10: If the applicant fails to comply with this Ordinance, they shall be subject to the following:

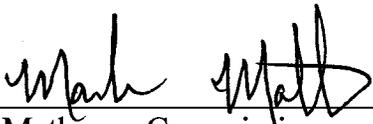
1. The first violation of this Amended Ordinance shall result in the violator receiving a written warning. Each subsequent violation(s) are subject to the costs of the chemical and man hours associated with redress and will be assessed on the end-of-the-year property tax assessment.

PASSED by the Board of County Commissioners of Caribou County, Idaho,
this 26 day of August 2013.

BOARD OF COUNTY COMMISSIONERS



Earl Somsen, Chairman



Mark Mathews, Commissioner



Phil Christensen, Chairman

ATTEST:



Veda Mascarenas, Clerk

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BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CARIBOU COUNTY, IDAHO, AS FOLLOWS:

Section 1: Some residents of the County who own real property adjoining County roadways do not desire herbicide spraying by the County along the County roadways for the killing of weeds due to the fact that the person may be engaged in organic farming and/or gardening, or may suffer from health problems as a result of said spraying. It is the intent of this ordinance to prescribe the methods by which the Caribou County Weed Department shall establish "No Spray Zones" along County roads.

Section 2: The owner of real property which adjoins County roads may request that the County refrain from engaging in the spraying of weeds along the County road adjoining his property. This area where no spraying shall take place by the County shall be designated as a "No Spray Zone".

Section 3: In order to be exempt from County herbicide spraying along County roads adjoining the applicant's real property, the applicant shall be required to complete an application which application shall acknowledge that the applicant is aware of the requirements of the "No Spray Zone", and the applicant's duties to properly post said zone and to properly keep said zone free and clear of all weeds. The applicant shall comply with this ordinance, and the rules established by the Board of County Commissioners. The applicant shall be required to complete

such application on an annual basis, or the "No Spray Zone" for the applicant shall be terminated.

Section 4: If the applicant fails to comply with this ordinance, or the rules established by the Board of County Commissioners in regard to the "No Spray Zone", then said property adjoining the roadway shall be sprayed by the County with herbicides, and the applicant shall no longer be entitled to qualify for the "No Spray Zone" status.

Section 5: If the applicant desires to establish a "No Spray Zone", he shall complete a form at the County Weed Department as is prepared by that department. The applicant shall keep the right-of-way free and clear of all noxious weeds. All noxious weeds shall be removed by the applicant from the pavement, or the traveled portion of the roadway, to any fence line or logical boundary. A sign shall be placed by the applicant at the beginning of the requested "No Spray Zone". The wording of the sign shall be blue in color, with white lettering, and shall be no smaller than 8½" x 11" and mounted 36" to 40" high. It shall read "NO SPRAY ZONE" in white lettering. Said sign shall be located on the side of the road which the applicant desires to be free of herbicide spraying. If the applicant owns ground on both sides of the road which he requests to be exempt from spraying, signs shall be posted on both sides of the roadway. At the end of each zone, a second sign of the same color, size, height, and lettering, shall be placed, reading "END NO SPRAY ZONE".

Section 6: It shall be the duty of the applicant to keep his signs properly placed along said roadway in locations where authorized by the County Road Department and County Weed Department. The signs shall be kept in a good condition of repair, painted, and properly lettered. The applicant shall be solely responsible for the maintenance and upkeep of said signs.

Section 7 - if applicant fails to comply w/ this ordinance they shall be subject to the following
Section 7: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 8: The rule requiring the reading of this ordinance on three separate occasions is hereby waived.

Section 9: This ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

Dated this 24 day of April, 2000.

CARIBOU COUNTY COMMISSION

Bruce Dredge
Bruce Dredge, Chairman

ATTEST:

Eddie Izatt
Eddie Izatt, Clerk of Caribou County