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ORDINANCE NO. 769

AN ORDINANCE OF THE CITY OF REXBURG, IDAHO, PURSUANT TO IDAHO CODE, SECTION 67-6526, ESTABLISHING AND DEFINING A GEOGRAPHICAL AREA OF CITY IMPACT FOR THE CITY OF REXBURG, IDAHO, BY ADOPTING A MAP IDENTIFYING SAID AREA OF IMPACT WITHIN THE UNINCORPORATED AREA OF MADISON COUNTY; AMENDING ORDINANCE NO. 737; AND PROVIDING FOR THE EFFECTIVE DATE.

WHEREAS, Idaho Code, Section 67-6526 requires, among other things, that cities and counties negotiate and agree upon an area of City impact, and;

WHEREAS, the City Council for the City of Rexburg, Idaho, and the Board of County Commissioners for the County of Madison, Idaho, have, pursuant to the mandate of Idaho Code, Section 67-6526, entered into and have conducted extensive negotiations regarding the area of impact, and;

WHEREAS, the aforementioned negotiations considered the following factors, among others: (1) Trade area; (2) Geographic factors; and (3) Areas that can reasonably be expected to be annexed into the City of Rexburg, Idaho, in the future, and;

WHEREAS, the City Council for the City of Rexburg, Idaho did submit to the City Planning and Zoning Commission the question of area impact, and;

WHEREAS, the city and county appointed a committee of residents living within the proposed area of impact to study the matter and make recommendations to the City of Rexburg and Madison County, and;

WHEREAS, the Planning and Zoning Commission for the City of Rexburg, Idaho, and the resident committee have made their recommendations known to the City Council for the City of Rexburg, Idaho, and;

WHEREAS, THE City Council for the City of Rexburg, Idaho and Madison County Commissioners held a public hearing regarding the proposed area of City impact on the 4th day of December, 1991, and;

WHEREAS, the enactment of Ordinance 737 was predicated upon the governing board of Madison County, Idaho, adopting and continuing in force and effect an ordinance identical in substance as herein set forth; and

WHEREAS, the Madison County Commissioners failed to enact such ordinance following the City of Rexburg's passage of Ordinance No. 737, on September 2, 1992, and;

WHEREAS, this ordinance is predicated upon the Madison County Commissioners adopting

and continuing in full force and effect an ordinance identical in substance as herein set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF REXBURG, IDAHO:

SECTION 1. GEOGRAPHICAL AREA OF CITY IMPACT
There is hereby established and adopted a geographical area of City impact as shown of the attached map entitled "Area of City Impact for Rexburg, Idaho, February 15, 1995," which map is attached hereto and incorporated herein as if the same were sent out in full, and is hereby adopted as the official area of impact map.

SECTION 2.
The Rexburg City Planning and Zoning Ordinance, plus the Rexburg City Subdivision Ordinance and Rexburg Mobile Home Ordinance, and any and all amendments thereto, shall be in full force and effect within the area of city impact.

SECTION 3. EFFECTIVE DATE
This ordinance shall become effective upon its passage, approval and publication.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this day of February, 1995.

Nile L. Boyle, Mayor

ATTEST:

City Clerk

(SEAL)

STATE OF IDAHO )
:ss
County of Madison )

I, ROSE BAGLEY, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the ordinance entitled:

AN ORDINANCE OF THE CITY OF REXBURG, IDAHO, PURSUANT TO IDAHO CODE, SECTION 67-6526, ESTABLISHING AND DEFINING A GEOGRAPHICAL AREA OF CITY IMPACT FOR THE CITY OF REXBURG, IDAHO, BY ADOPTING A MAP IDENTIFYING SAID AREA OF IMPACT WITHIN THE UNINCORPORATED AREA OF MADISON COUNTY; AMENDING ORDINANCE 737; AND PROVIDING FOR THE EFFECTIVE DATE.

passed by the City council and approved by the Mayor this day of February, 1995.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City of Rexburg, this day of February, 1995.

City Clerk

(SEAL)