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BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

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**BINGHAM COUNTY
ORDINANCE NO. 99-07**
**(AN AMENDMENT TO ORDINANCE NO. 91-02,
PROVIDING THAT PERSONS WHO CAUSE OR ALLOW
IRRIGATION WATER OR WASTE WATER TO FALL OR FLOW ONTO
PUBLIC ROADWAYS IN BINGHAM COUNTY SHALL BE GUILTY OF A
MISDEMEANOR)**

RECORDED AT THE REQUEST OF

THIS ORDINANCE SHALL BE KNOWN AS THE 1999 AMENDMENT TO BINGHAM COUNTY ORDINANCE NO. 91-02. THIS ORDINANCE PROVIDES FOR PERSONS WHO TURN FARM EQUIPMENT AROUND ON COUNTY RIGHT-OF-WAY SHALL BE GUILTY OF A MISDEMEANOR; STATING AUTHORITY AND PURPOSE; DEFINING TERMS; PROVIDING FOR FINES UPON VIOLATION; AND PROVIDING THE DATE WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED by the Board of County Commissioners of Bingham County, Idaho, to-wit:

SECTION 1. AUTHORITY AND PURPOSE: This Ordinance is adopted pursuant to Authority granted by *Idaho Code*, Section 31-714. The purpose of this Ordinance is to ensure a safe environment for those traveling on roadways in Bingham County and to protect County roadways from deterioration caused by persons using County right-of-ways as turnarounds for farm equipment.

SECTION 2. DEFINITIONS:

- (1) "Person" means every natural person, firm fiduciary, partnership, association, corporation, trustee, receiver or assignee for the benefit of creditors, political subdivision, state or federal governmental department, agency, or instrumentality.
- (2) "Possess means to hold a current right to occupy real property and control the activities conducted on the real property. The lessee possesses leased real property during the term of the lease.

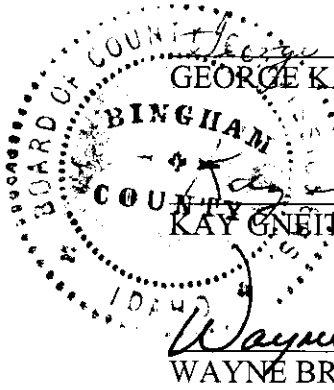
SECTION 3. EQUIPMENT TURNAROUND ON COUNTY RIGHT-OF-WAY: Every person who causes or allows equipment turnaround on County right-of-way, in Bingham County, Idaho is guilty of a misdemeanor.

SECTION 4. PENALTIES: Any person convicted of violation of this Ordinance shall be fined one hundred fifty dollars (\$150.00) for the first offense. Any person convicted of subsequent violation, within the same calendar year shall be fined two hundred and fifty dollars (\$250.00) for each violation.

SECTION 5. EFFECTIVE DATE: This Ordinance shall be in full force and effect upon its publication.

PASSED AND APPROVED BY THE BOARD COUNTY COMMISSIONERS THIS 31ST DAY OF MARCH, 1999.

BINGHAM COUNTY COMMISSIONERS



George Katseanes

GEORGE KATSEANES, CHAIRMAN

Kay Gneiting

KAY GNEITING, COMMISSIONER

Wayne T. Brower

WAYNE BROWER, COMMISSIONER

ATTEST:

Judie Hampton

JUDIE HAMPTON, CLERK

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