

## ORDINANCE NO. 2021-01

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR CARIBOU COUNTY, IDAHO; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

Section 1. The Code entitled "Caribou County Code," published by Municipal Code Corporation, consisting of Title 1 through Title 13, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before January 13, 2020, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished as follows:

(1) Unless the violation is declared to be an infraction, by a fine of not more than \$1,000.00 or by imprisonment not to exceed six months, or by both such fine and imprisonment.

(2) If the violation is declared to be an infraction, by a fine not exceeding \$300.00. No incarceration may be imposed.

Except as otherwise provided by ordinance:

(1) With respect to violations of this Code that are continuous with respect to time, each day that the violation continues is a separate offense.

(2) With respect to other violations, each violation constitutes a separate offense. The imposition of a penalty does not prevent suspension or revocation of a license, permit or franchise or other administrative sanctions.

Violations of this Code that are continuous with respect to time are a public nuisance and may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent injunctive relief or civil or quasi-judicial enforcement.

The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the county to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after January 13, 2020, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective July 12<sup>th</sup>, 2021.

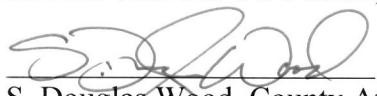
Whereas, the Commissioners voted unanimously to waive to the requirement of the three readings. Passed and adopted by the Board of County Commissioners of Caribou County, Idaho this, 12th day of July, 2021.

  
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Mark Mathews, Chairman

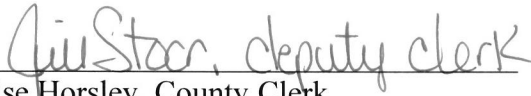
  
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Bryce Somsen, Member

  
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Marty McCullough, Member

APPROVED AS TO FORM, CONTENT AND LEGALITY:

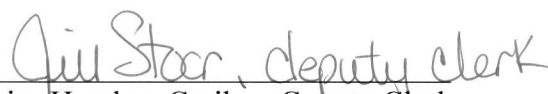
  
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S. Douglas Wood, County Attorney

ATTEST:

  
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Denise Horsley, County Clerk

### Certificate of Adoption

I hereby certify that the foregoing is a true copy of the ordinance passed at the regular meeting of the Board of County Commissioners of Caribou County, Idaho, held on the 12<sup>th</sup> day of July, 2021.

  
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Denise Horsley, Caribou County Clerk