



# BOISE COUNTY

## RESOLUTION #2010-27

### A BOISE COUNTY RESOLUTION TO ESTABLISH PROCEDURES FOR CONDUCTING SHOW CAUSE HEARINGS

**WHEREAS**, the Boise County Board of Commissioners has the authority to enact land use ordinances and enforce such as infractions or misdemeanors pursuant to Idaho Code 31-714 and 31-3806; and

**WHEREAS**, the Boise County Board of Commissioners has found it is in the best interest of the County to initiate a *Show Cause* Hearing to determine how to handle land use violations prior to directing the Boise County Prosecutor to file charges against violators; and

**WHEREAS**, in order to conduct efficient and consistent hearings, the Boise County Board of Commissioners is establishing a *Show Cause* hearing process as stated herein.

**THEREFORE BE IT RESOLVED**, that the following shall be the official Boise County *Show Cause* Hearing Procedures:

1. The Board of Commissioners shall vote to determine whether to issue a *Show Cause* Order to a land use violator as determined by the Planning and Zoning Department Administrator.
2. Upon an affirmative vote by the Board, a *Show Cause* Hearing shall be scheduled before the Board. The Board may vacate the hearing date if they believe it is in the best interest of the County's resources and fairness.
3. The Clerk of the Board of Commissioners shall provide at least 14 days notice to the alleged violator via certified mail.
4. The Planning and Zoning Administrator shall provide the Board with a written report of the violations, including all correspondence between the Planning and Zoning Department and the alleged violator.
5. The alleged violator shall be given an option to provide a response or be represented by his or her attorney.
6. The Board may enter into agreement with the alleged violator to rectify the violation or may table the hearing to another date, if they find that further information is needed.
7. The Board shall vote whether to move forward with legal action in court and direct the Prosecutor of such actions.

Approved and Adopted in Open Session on the 8<sup>th</sup> day of March, 2010.

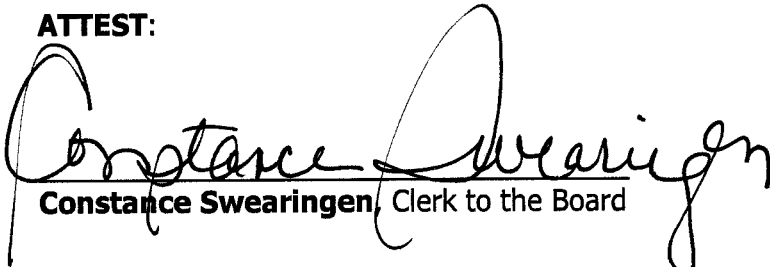
**BOISE COUNTY BOARD OF COMMISSIONERS**

  
**TERRY C. DAY**, Chairman

  
**JAMIE A. ANDERSON**, Commissioner

  
**LINDA W. ZIMMER**, Commissioner

**ATTEST:**

  
**Constance Swearingen**, Clerk to the Board