

**STATEMENT OF
REXBURG CITY ATTORNEY
AS TO ADEQUACY OF SUMMARY
OF ORDINANCE 1026**

The Undersigned, Stephen P. Zollinger, in his capacity as City Attorney of the City of Rexburg, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Summary of Ordinance 1026 of the City of Rexburg, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code 50-901A(3).

Dated this 04th day of November, 2009

Stephen P. Zollinger, City Attorney

SUMMARY OF ORDINANCE NO. 1026

AN ORDINANCE REPLACING ORDINANCE NO. 926 PROVIDING FOR SUBSTANTIVE AND NON-SUBSTANTIVE CHANGES; INCLUDING INCREASED BUILDING HEIGHTS WITHIN THE HDR1 AND HDR2 ZONES; REDUCED PARKING REQUIREMENT FOR “MEDICAL CLINIC”; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY the City of Rexburg, Idaho:

SECTION I: It is hereby found and determined that Ordinance No. 926 of the City of Rexburg, Idaho, shall be and is hereby repealed. Ordinance 1026 reflects all substantive and non-substantive changes including building heights in HDR1 and HDR2 Zones and reduced parking requirements for “Medical Clinics.”

1.1 Title:

This Ordinance shall be known and entitled as “The City of Rexburg Development Code” and may be so cited and pleaded.

1.2 Authority:

This Ordinance is adopted pursuant to authority granted by Title 67, Chapter 65 of the Idaho Code, and Article 12, Section 2 of the Idaho Constitution, as amended.

1.3 Purpose:

The purpose of this Ordinance shall be to promote the health, safety, and welfare of the residents of the City of Rexburg as follows:

1. To protect property rights and enhance property values.
2. To provide for the protection and enhancement of the local economy.
3. To ensure that important environmental features are protected and enhanced.
4. To encourage the protection of prime agricultural lands for the production of food.
5. To avoid undue concentration of population and overcrowding of land.
6. To ensure that development of is commensurate with the physical characteristics of the land.
7. To protect life and property in areas subject to natural hazards and disasters.
8. To protect recreation resources.
9. To avoid undue water and air pollution.
10. To secure safety from fire and provide adequate open spaces for light and air.
11. To implement the comprehensive plan.

1.4 Intent:

It is the intent of the governing body of the City of Rexburg that this Ordinance be interpreted

