

**STATEMENT OF
REXBURG CITY ATTORNEY
AS TO ADEQUACY OF SUMMARY
OF ORDINANCE 850**

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 _____ 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 _____ day of February, 2005

Stephen P. Zollinger, City Attorney

SUMMARY OF ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 725
PROVIDING FOR AN AMENDED DEFINITION OF THE
UNIVERSITY DISTRICT AND PARKING RULES WITHIN
THE UNIVERSITY DISTRICT; PROVIDING FOR
CHANGES IN THE USE TABLE; AND PROVIDING FOR
THE EFFECTIVE DATE OF THIS ORDINANCE.**

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

Section 1: It is hereby found and determined that Ordinance 725 shall be and hereby is amended as to Section 3.15 to reflect a new definition of University District incorporating uses consistent with traditional higher education facilities. Section 3.20 is amended to reference the amended land use schedule, with Sections 5.2 and 5.3 are amended to allow for parking within the University District to be managed as a whole rather than on a per building basis. Finally, Section 5.10 is amended to provide for specific parking ratios to be applied within the University District, which ratios are as follows:

1. University Student Ratio: .200 spaces per Student Equivalent.
2. University Faculty Ratio: .585 spaces per Faculty Equivalent.
3. University Staff Ratio: .585 spaces per Staff Equivalent.

Section 2: That the City Council finds further that the Land Use Schedule shall be and hereby is amended to include traditional uses within areas of higher education as allowed uses, and specifies those uses as well as those uses that are conditionally allowed.

Section 3: That pursuant to the affirmative vote of one-half (2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same hereby is, dispensed with, and accordingly, this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

Section 4: The full text of Ordinance No. 866 is available at the offices of the City Clerk located at the Rexburg City Hall, 12 North Center, Rexburg, Idaho 83440. The Ordinance was passed by the City Council of Rexburg and approved by the Mayor on the 3rd day of April 2002.

Bruce Sutherland, Mayor

ATTEST:

By _____
Marilyn Wasden, City Clerk

Stephen Zollinger, City Attorney for the City of Rexburg, declares that in his capacity as City Attorney of the City of Rexburg, pursuant to Idaho Code Section 50-901A(3) of the Idaho Code as amended, hereby certifies that he has reviewed a copy of the above cited Summary of Ordinance and has found the same to be true and complete and provides adequate notice to the public of the contents, including the exhibits, of Ordinance No. 866.

DATED this 3rd day of April 2002.

Stephen P. Zollinger
Rexburg City Attorney