

ORDINANCE NO. 386

AMENDING ORDINANCE 366, TITLE 10, UNIFIED DEVELOPMENT CODE OF THE MADISON COUNTY CODE BOOK, HEREINAFTER DESIGNATED, AND ADDING CHAPTER 17, FAMILY BURIAL GROUND WITHIN MADISON COUNTY, IDAHO; AND PLACING REGULATIONS THEREON; AND PROVIDING AN EFFECTIVE DATE THEREON.

A Summary is as follows:

The State of Idaho has declared that the maintaining, improving, and beautifying of cemeteries for the human dead is one of the first considerations of a civilized people, and that it is a public benefit, use, and purpose. Because there are citizens in Madison County who desire to maintain the remains of their loved ones on their own property and not in a public cemetery, it is also a public benefit, use and purpose to provide a method to maintain, improve, and beautify a Family Burial Ground.

WHEREAS, Board of County Commissioners of Madison County adopted the Unified Development Code (UDC) on July 26, 2010; and

WHEREAS, a public hearing on the matter was held before the Madison County Planning and Zoning Commission at which parties in interest and citizens had an opportunity to be heard;

WHEREAS, a Findings of Fact hearing was held before the Madison County Board of County Commissioners and at which time the Board approved the Findings of Fact presented to them from the Madison County Planning and Zoning Commission in which the Commission recommended approval of the addition of Chapter 17, Family Burial Ground to the Unified Development Code, **NOW THEREFORE**,

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

SECTION 1. Severability Clause.

Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause or Word of this ordinance, for any reason, be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 2. Effective Date

This ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE BOARD OF MADISON COUNTY COMMISSIONERS dated this _____ day of _____, 2012.

APPROVED:

Kimber Ricks, Chairman

Jon Weber, Commissioner

Todd Smith, Commissioner

ATTEST:

Kim H. Muir, County Clerk