

ORDINANCE NO. 627
Case No. ORA25-0012
ESTABLISHMENT OF CITY OF HAYDEN
AREA OF IMPACT MAP AND LEGAL DESCRIPTION

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, RELATING TO THE ADOPTION OF AN AREA OF IMPACT FOR THE CITY OF HAYDEN, IDAHO, WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO, PURSUANT TO SECTION 67-6526, IDAHO CODE; ESTABLISHING A LEGAL DESCRIPTION OF THE AOI AND ADOPTING A MAP ILLUSTRATING THE AOI; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; REPEALING ALL ORDINANCES AND THOSE PORTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 67-6526, Idaho Code, the Cities of Post Falls, Hayden, and Rathdrum, Idaho, and Kootenai County, Idaho, had adopted an Area of City Impact pursuant to Ordinance Nos. 339 and 340, both adopted by Kootenai County on September 15, 2004, and currently codified at Title 8, Chapter 10, Article 10.7, Kootenai County Code; and

WHEREAS, the 2024 Idaho Legislature amended Section 67-6526, Idaho Code to provide that counties must negotiate new Areas of Impact with each city within that county and adopt an Area of Impact for each such city on or before December 31, 2025, and that if no Area of Impact is adopted by that date, no Area of Impact will exist for that city and that city would not be able to annex property until the county adopts an Area of Impact for that city; and

WHEREAS, the parties have conferred and negotiated in good faith upon a new Area of Impact for the City of Hayden within the unincorporated area of Kootenai County; and

WHEREAS, the Board of County Commissioners, pursuant to public notice as required by law, held a public hearing on the proposed new Area of Impact on December 18, 2025; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF KOOTENAI COUNTY, STATE OF IDAHO AS FOLLOWS:

SECTION 1. That Title 8, Chapter 10, Article 10.7, Kootenai County Code, shall be, and the same is hereby repealed.

SECTION 2. That a new Title 8, Chapter 10, Article 10.7, Kootenai County Code, shall be, and the same is hereby added as follows:

Article 10.7 Hayden

8.10.701: [Reserved]

8.10.702: [Reserved]

8.10.703: [Reserved]

8.10.704: [Reserved]

8.10.705: [Reserved]

8.10.706: [Reserved]

8.10.707: [Reserved]

8.10.708: GEOGRAPHIC AREA OF IMPACT DEFINED AND ESTABLISHED:

A. Establishment. The officially adopted Area of Impact is hereby established and shown on the map entitled "Hayden Area of Impact" as set forth in Illustration 10-701 of this article.

B. Legal Description. The Area of Impact for the City of Hayden is hereby legally described as follows:

The area subject hereto shall consist of all real property located within a distance of one-eighth (1/8) of a mile (660 feet) from the existing incorporated city limits of the City, as such city limits exist on the effective date of this description, measured horizontally and outward from said city limits.

Notwithstanding the foregoing, in any instance where the one-eighth (1/8) mile boundary intersects, bisects, or otherwise crosses any legally described parcel of land, the boundary shall be deemed to extend to include the entirety of such affected parcel, so that no parcel is partially included or excluded.

In all cases, the area described herein shall exclude any lands that are located within the incorporated limits of any adjacent city or municipality, and the boundary shall be adjusted as necessary to prevent any overlap with the corporate limits or area of impact of any other incorporated jurisdiction.

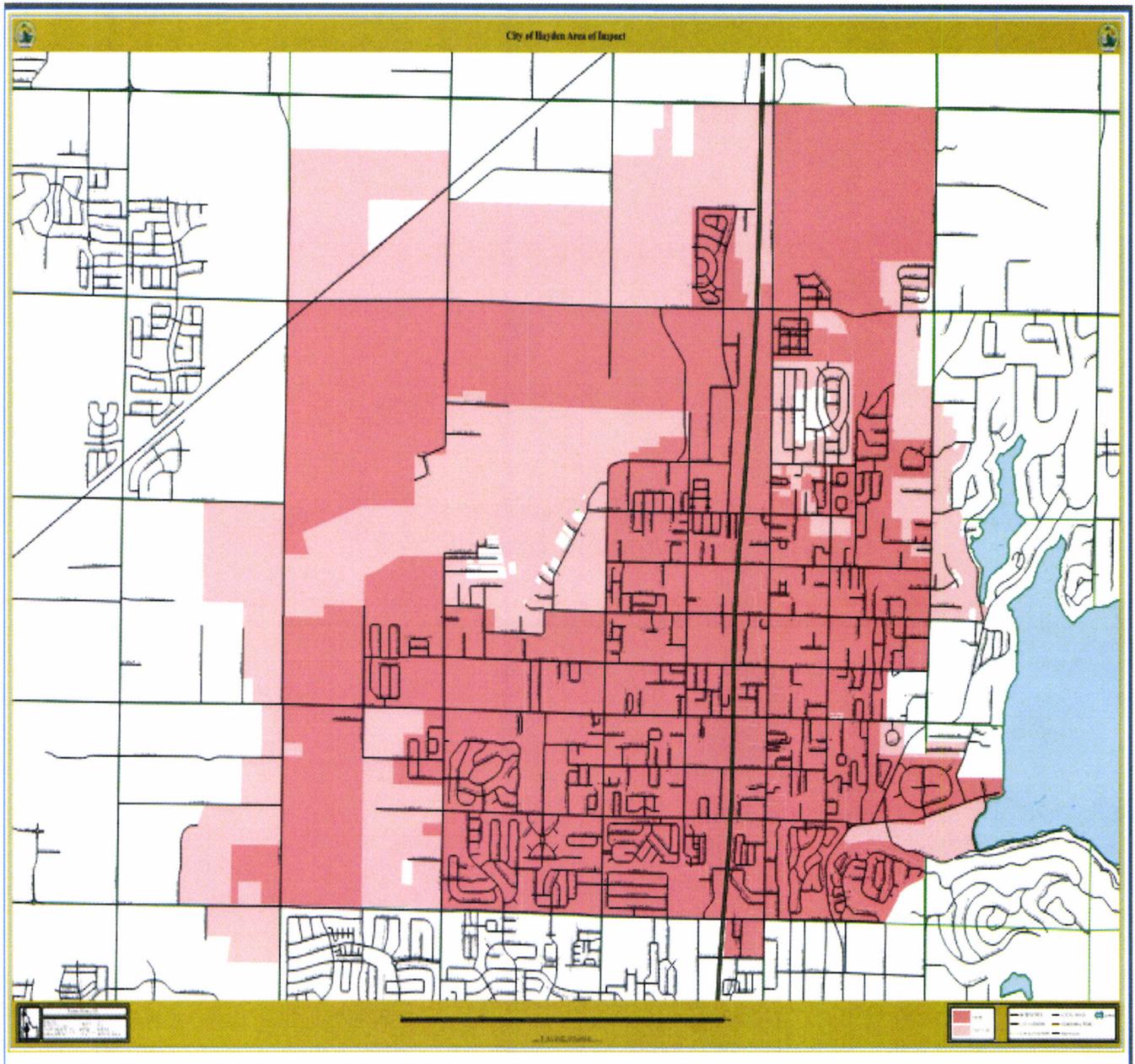
C. Interpretation of Area of Impact Boundary between abutting city Areas of Impact. In case a property under single ownership is divided by the boundary line of the Hayden Area of Impact and the line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.

D. Precedence. In the event of any conflict between this map and the legal description contained in this section, the legal description shall take precedence.

SECTION 3. That Illustrations 10-701 and 10-70_ contained in Title 8, Chapter 10, Article 10.7, Kootenai County Code, shall be, and are hereby repealed.

SECTION 4. That a new Illustration 10-701, to be contained in Title 8, Chapter 10, Article 10.7, Kootenai County Code, shall be, and the same is hereby added as follows:

**Illustration 10-701
Hayden Area of Impact**



SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this chapter is, for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 6. Neither the adoption of this Ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this Ordinance or be construed as a waiver of any license or penalty due under any such

ordinance or in any manner affect the validity of any action heretofore taken by the Kootenai County Board of Commissioners or the validity of any such action to be taken upon matters pending before the Kootenai County Board of Commissioners on the effective date of this Ordinance.

SECTION 7. The provisions of this Ordinance shall take effect and be in full force upon passage and approval of this Ordinance, and publication of a Notice of Adoption in the *Coeur d'Alene Press*.

ADOPTED this 23 day of December, 2025.

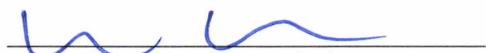
**KOOTENAI COUNTY
BOARD OF COMMISSIONERS**



Bruce Mattare, Chairman



Leslie Duncan, Commissioner



Marc Eberlein, Commissioner

ATTEST:

JENNIFER LOCKE, CLERK


By: Reba Grytness, Deputy Clerk

Publication Date: December 31ST, 2025



C: Community Development, Prosecuting Attorney (Civil Division), City of Hayden, American Legal Publishing, Ordinance File