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ORDINANCE
2-70

AN ORDINANCE OF THE COUNTY OF BUTTE, STATE OF IDAHO, PROVIDING FOR INSTALLATION OF CATTLE GUARDS ON PUBLIC ROADS WITHIN THE COUNTY; REQUIRING THAT PERSONS DESIRING TO INSTALL CATTLE GUARDS ON COUNTY ROADS FIRST SECURE PERMISSION FROM THE BOARD OF COUNTY COMMISSIONERS, OR ITS DELEGATE; PRESCRIBING A MINIMUM WIDTH FOR CATTLE GUARDS; PROVIDING THAT NON-CONFORMING CATTLE GUARDS MAY BE ABATED AS A PUBLIC NUISANCE; PROVIDING PENALTY FOR INSTALLATION OR MAINTENANCE OF A NON-CONFORMING CATTLE GUARD; DECLARING AN EMERGENCY; AND, PROVIDING FOR AN EFFECTIVE DATE FOR THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BUTTE COUNTY, STATE OF IDAHO:

SECTION 1. Persons desiring to install cattle guards on public roads under the jurisdiction of the Board of Butte County Commissioners may install such cattle guards, upon the following conditions:

(a) Any such person shall first secure permission for the installation of such cattle guard from the Board of County Commissioners, or its County Road Supervisor.

(b) Such person shall furnish the cattle guard to be installed, which guard shall meet, or exceed, the width specifications hereinafter set out.

(c) At its discretion, the Board of County Commissioners may direct the Butte County Road and Bridge Department to install the guard, or may require the person desiring the installation of such guard to install the same under the supervision of the Butte County Road and Bridge Department.

SECTION 2. No new cattle guard shall be installed on any public road in Butte County, and no existing cattle guard shall be replaced, except with a good and sufficient cattle guard at least 20 feet in width, measured perpendicular to the road.

SECTION 3. Any cattle guard installed on any public road within the County, the installation of which does not conform to the requirements of this Ordinance, shall be deemed to be a public nuisance, and may be abated as such. Any person who shall install or maintain such cattle guard shall be guilty of a misdemeanor, and subject to punishment by a fine of not to exceed $100.00.

SECTION 4. An emergency existing therefor, this Ordinance shall be effective upon passage and publication once in the official newspaper of the County.

PASSED UNDER SUSPENSION OF THE RULES, This 1st day of June, 1970.

Frank L. Lemmett
Chairman of the Board of
County Commissioners of Butte County

ATTEST:

Hazel Johnson
Clerk