

ARTICLE XV. PUBLIC NOTICE AND HEARING

SECTION 1501. PUBLIC HEARINGS NECESSARY – Pursuant to the Idaho Open Meeting Law of 1974, I.C. § 67-2340 *et seq.*, Public hearings shall be required prior to any decision rendered on which a vote by a governing body is required. This shall include any deliberation, determination, vote, or other action taken regarding the disposition of any application, permit, or request sought to satisfy the provisions of this Ordinance.

SECTION 1502. PUBLIC NOTICE PROCEDURE – At any time public notification is required by this Ordinance, the following procedure shall be followed:

1. Notice of time, place, and a summary of the subject requiring action shall be published in the official newspaper of Clearwater County, no less than fifteen (15) days prior to the intended hearing date;
2. Notice shall be conveyed, in writing, to all affected political subdivisions and affected agencies, no less than fifteen (15) days prior to the intended hearing date;
3. Notice shall be conveyed, in writing, to all affected persons owning property within three hundred (300) feet of the external boundary of the property for which the application, permit, or request is submitted, as well as any additional area that may be impacted by the proposed change, as determined by the Administrator, no less than fifteen (15) days prior to the intended hearing date, except as provided hereafter;
 - a. When notice is required for an amendment of the Official Zoning Map, additional notice shall be posted on the premises affected by the proposed change, as provided by Idaho Statute.
4. When notice is required to two hundred (200) or more property owners, in lieu of individual notification, the notifying body shall be permitted to publish three (3) notices in the official newspaper, no less than fifteen (15) days prior to the meeting date;
 - a. Notices shall be no less than four (4) inches by two (2) columns in size.
5. The finalized agenda for the meeting shall be posted in no less than one (1) prominent place within the building in which the meeting will be held, and at the principle office of the agency holding said hearing;
 - a. In the case of a meeting of the Commission, the office of the Administrator shall be considered the Commission's principle office.

SECTION 1503. PUBLIC HEARING PROCEDURE – At any time a public hearing is required by this Ordinance, the following procedure shall be observed:

1. The application/appeal shall be introduced by the Chairman, or a designee of the Chair. Following introduction, the deliberative body may receive such reports and comments from County Agencies as are requested by the body;
2. The applicant/appellant, and persons in favor of the applicant/appellant's position shall be permitted to present testimony, and may be questioned by members of the deliberative body;
3. Persons opposing the applicant/appellant's position shall be permitted to present testimony, and may be questioned by members of the deliberative body;

4. At the discretion of the deliberative body, testimony in favor of or in opposition to an application may be presented in alternating order;
5. Following the conclusion of comments by those in favor, and all those in opposition, the applicant/appellant shall be allowed a brief period for rebuttal;
6. The deliberative body may impose reasonable limits on the time allowed for testimony and rebuttal, provided that restrictions apply equally to all parties, and a standardized timepiece is used for all testimony;
7. Following conclusion of rebuttal by the applicant/appellant, the meeting shall be closed to further public testimony;
8. All persons providing testimony shall be bound by the parliamentary rules adopted in the By-laws or Administrative Rules of the deliberative body regarding decorum, and shall comply with direction of the Chair. The Chair may compel the removal from the hearing of persons who engage in improper conduct.

SECTION 1504. GENERAL PROVISIONS – All public notification and hearings shall be governed by the following provisions:

1. All public meetings shall be recorded in minutes, which shall contain at least the following information:
 - a. The names of all members and officers present;
 - b. All motions, resolutions, orders, and ordinances proposed, and their disposition;
 - c. The results of all votes taken.
2. All public meetings shall be held at locations accessible to all citizens of Clearwater County;
3. No public meeting shall be held at any location where discrimination on the basis of race, color, creed, sex, age, or national origin is practiced;