

WHITNEY FIRE PROTECTION DISTRICT PROCEDURES FOR REQUESTING AND COMPLETING ANNEXATION

In addition to other requirements of Idaho Code and the Whitney Fire District, property proposed for annexation has to be contiguous or forty acres or more and must meet one of the following conditions:

1. Must be within the 1.5 mile/4 minute response standard of a current or proposed fire station acceptable to the District's Board of Commissioners.
2. If not within the 1.5 mile/4 minute response standard of a current or proposed fire station as identified in the Boise Fire Department Master Siting Plan, the applicant must meet fire code "alternate methods and materials" acceptable to the District.

Items needed from property owner(s) for annexation:

1. A legal description which describes, by metes and bounds, a definite boundary of the property requesting to be annexed. This description will include: section, township, range, meridian, point of beginning, etc.
2. A map, highlighting the area to be annexed, in draftsman format, drawn to scale, precisely matching the legal description including section, township, range, meridian identifications, north arrow, bar scale, title block, etc.

(The above two items need to be taken to the Idaho State Tax Commission Support Services to make sure they meet their requirements prior to submitting them, with the petition, to the Whitney Fire Commission for approval.)

3. A petition (can be a letter) to the Whitney Board of Commissioners requesting annexation, referencing legal description and signed by all owners of the property.
4. Documentation of ownership, addresses, phone numbers, contact person, billing information, etc.

After receiving the above information, it will be presented at the next regular meeting of the Board of Commissioners for discussion. A representative for the requested annexation needs to be present to answer questions with regard to the discussion topics as follows:

Discussion Topics:

- | | |
|--------------------------|------------------------|
| -Location of property | -Proximity to District |
| -Acreage | -Property Use |
| -Water Supply | -Development Schedules |
| -Response Distances/Time | -Access Roads/Surfaces |

Possible Actions:

- Annexation procedure initiated
- Annexation delayed
- Annexation denied

Procedure to Annex:

- Schedule public hearing
- Post notice at stations
- Publish notice once prior to hearing
- Hold hearing
- Approve annexation order
- Submit to County with cover letter
- Bill property owner(s) for cost of ad and recording
- Follow-up with County and State to make sure it was put on tax rolls



Idaho Statutes

TITLE 31
COUNTIES AND COUNTY LAW
CHAPTER 14
FIRE PROTECTION DISTRICT

31-1411. ANNEXATION OF TERRITORY IN SAME COUNTY -- PETITION -- HEARING -- ORDER -- CERTIFICATION TO COUNTY COMMISSIONERS -- ALTERNATE PROCEDURE -- ELECTION. After the organization of a fire protection district, additional contiguous or noncontiguous territory lying within the same county may be added thereto and shall thereupon and thenceforth be included in such district. Noncontiguous territory annexed to an existing fire protection district shall consist of not less than forty (40) contiguous acres. At least seventy-five percent (75%) or more of the owners or contract purchasers of the land sought to be annexed shall petition the fire protection board and request annexation of the territory particularly described in said petition. Upon receipt of any such petition the fire protection board shall hold a hearing not less than ten (10) nor more than thirty (30) days thereafter, or upon the written consent of the petitioner within one hundred eighty (180) days, and said board shall cause notice of such hearing, designating the time and place, to be published in at least one (1) issue of a newspaper of general circulation within the district. Any person supporting or objecting to such petition shall be heard at such hearing, if in attendance, and at the close of such hearing said board shall approve or reject said petition. If the board approves said petition it shall make an order to that effect and certify a copy of said order containing an accurate legal description of the annexed territory to the board of county commissioners of the county where said fire district is situated. Said board of county commissioners shall thereupon enter an order of annexation and cause the same to be recorded so as to include the annexed property on the tax rolls as in this chapter provided.

In the event that more than twenty-five percent (25%) of the owners or contract purchasers of the land sought to be annexed do not join in said petition or the petition is denied as above set forth, additional territory may nevertheless be annexed by the affirmative vote of a majority of the qualified electors of such additional territory voting on the question at an election held therefor, which vote may be taken at an election held as provided in section 31-1405, Idaho Code. But such additional territory shall not be annexed to or be included within the district unless such annexation and inclusion be first approved by the fire protection board of the existing district by resolution entered on the minutes of such board prior to the election on the question of annexation. The same procedure shall be adopted as provided in sections 31-1402 through 31-1406, Idaho Code.

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