

TITLE 40 HIGHWAYS AND BRIDGES
CHAPTER 14
SINGLE COUNTY-WIDE HIGHWAY DISTRICTS

40-1415. RESPONSIBILITIES OF SINGLE COUNTY-WIDE HIGHWAY DISTRICTS WITHIN CITIES - FINAL DECISION ON URBAN RENEWAL PROJECTS - SETTLEMENT OF QUESTIONS. (1) County-wide highway districts organized under the provisions of this chapter, within the limits of any city shall be responsible for the design, construction, reconstruction and maintenance of city rights-of-way and accompanying curbs, gutters, culverts, sidewalks, paved medians, bulkheads and retaining walls. Within city rights-of-way, design, construction, reconstruction and maintenance shall include:

(a) Traffic and safety engineering for both motorist and pedestrian traffic;

(b) Procurement and installation of highway lighting where it is primarily of benefit to the motorist. Energy costs and maintenance of lighting shall subsequently be a function of the city;

(c) Procurement, installation, operation and maintenance of traffic control devices where they are needed for traffic control; and

(d) Drainage where it is necessary for motorist safety or necessary for right-of-way maintenance.

(2) Acquisition and acceptance of rights-of-way shall be the responsibility of the county-wide highway district.

(3) In matters of urban renewal projects, the city involved shall make the final decision concerning approval of the project based on the overall plan of the city. Prior to approval of an urban renewal project, the city shall submit the plan to the highway district for review and recommendations in accordance with subsection (1) of this section. The highway district shall submit its written recommendations with respect to the proposed urban renewal plan to the city within thirty (30) days after receipt of the plan for review. Upon receipt of the recommendations of the highway district, or if no recommendations are received within thirty (30) days, then the city may proceed without recommendations with the hearing on the proposed urban renewal project, and the highway district shall not be responsible, as between the city and the highway district, for funding the district's responsibilities as provided by subsection (1) of this section, unless otherwise agreed by the city, highway district, and urban renewal agency pursuant to section 50-2908(2)(a)(iv), Idaho Code; however, the highway district will remain responsible for funding the district's maintenance responsibilities required under subsection (1) of section

regardless of whether an agreement is entered into pursuant to section 50-2908(2)(a)(iv), Idaho Code. Agreements entered into by a city pursuant to an urban renewal project prior to dissolution of the city highway system and organization of the successor highway district shall be binding upon the county-wide highway district.

(4) The highway district shall be responsible for planning and location of rights-of-way. In planning for and determining location of rights-of-way, the highway district shall submit to the appropriate planning agency the proposed location of the rights-of-way. In locating rights-of-way the highway district shall take into consideration the comprehensive general plan of the appropriate county or city planning agency. In planning for the location of rights-of-way, the highway district shall comply with all appropriate provisions of chapter 65, title 67, Idaho Code.

(5) The city shall retain jurisdiction and responsibility for outstanding local improvement district bonds or warrants sold or issued by the city prior to dissolution of the city highway system and organization of the successor highway district.

(6) All subdivision plats required to be submitted for acceptance and approval to the city and the county under the provisions of chapter 13, title 50, Idaho Code, shall be submitted to the highway district for consideration for acceptance and approval as to continuity of highway pattern, widths, drainage provisions, right-of-way construction standards, traffic flow, the traffic volume demand occasioned by the proposed subdivision either within or without the boundaries of the proposed subdivision, and other matters pertaining to the function of the highway district.

(7) Within the limits of any city, the city may expend city funds for the placement, care and removal of trees, shrubs, grass, and other plants, which are located within the rights of way of any highway of the county-wide highway district.

(8) A city, after advising the board of highway district commissioners of its intent, shall be responsible for the placement, care and removal of any parking meters within the limits of any city, and for the enforcement of ordinances regulating the use of parking meters, which are located within the rights-of-way of any highway of the county-wide highway district. The city shall be entitled to all of the revenues received from parking meters.

History:

[40-1415, added 1985, ch. 253, sec. 2, p. 662.]

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