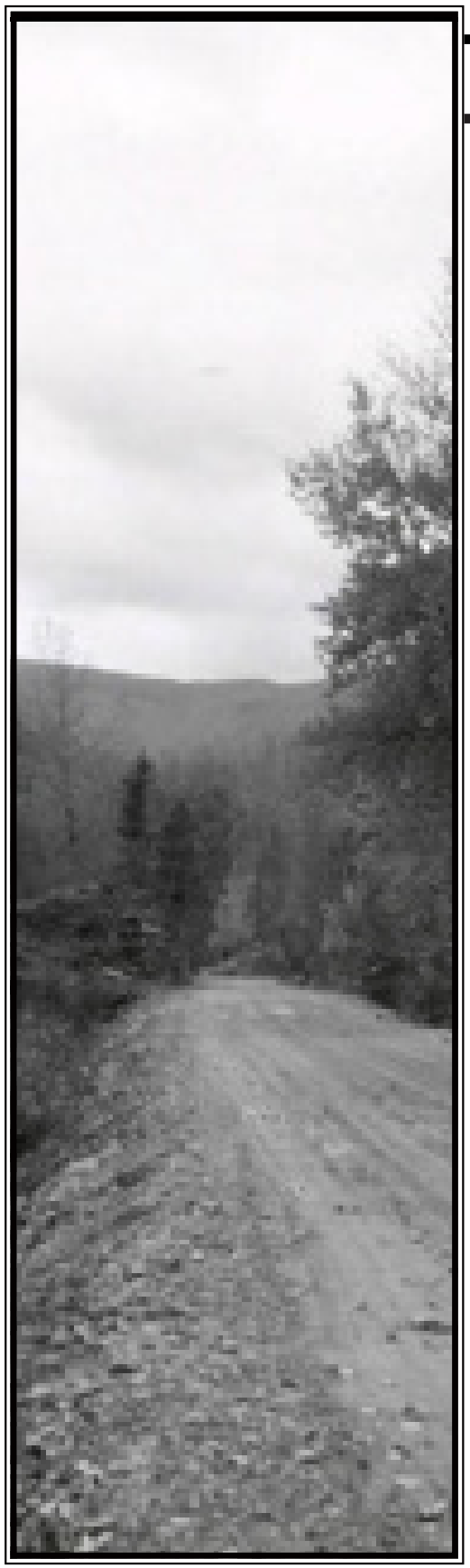

SECTION 100 - INTRODUCTION

Section 100 explains why the Standards exist, who they apply to, and when Highway District approval is required. It helps applicants understand that the Standards establish minimum requirements for roadway improvements while allowing the District to address unique site conditions when necessary. The section also clarifies that approval of a project does not automatically result in roadway acceptance or maintenance by the Highway District.

100. AUTHORITY OF HIGHWAY DISTRICTS

100.01 Legislative Authority. These Standards are adopted pursuant to the authority granted to highway districts under Title 40, Idaho Code, Chapter 13, and applicable provisions of Title 50, Chapter 13, Idaho Code. Nothing in these Standards shall be interpreted to restrict the authority of the Highway District as provided by Idaho law.

100.02 Purpose and Intent. These Standards establish minimum requirements governing the design, construction, and approval of roadway improvements within the Highway District's jurisdiction. These standards provide for uniformity within Kootenai County amongst the existing Highway District. These Standards are regulatory in nature and shall be applied as mandatory requirements unless expressly stated otherwise.

Why It Matters:

Consistent standards across all four Highway Districts create predictability for property owners, developers, engineers, utilities, and contractors. Consistency also helps ensure roads perform similarly throughout Kootenai County, regardless of jurisdiction.

100.03 Applicability. These Standards apply to all persons seeking approval from the Highway District, or any activity affecting a public right-of-way or highway. No such activity shall occur without prior approval.

100.04 Minimum Standards. These Standards establish minimum requirements only. The Highway District may

require additional or more stringent improvements as needed premised on site conditions, traffic volumes, terrain, future connectivity, maintenance considerations or engineering judgment.

100.05 Interpretation. In the event of ambiguity, these Standards shall be interpreted to protect public safety and specific provisions shall control over general provisions.

100.06 Effect of Approval. Except as otherwise provided by law or express Board action, approval of an application, permit, plan, or roadway improvement does not declare a highway open for public travel or place it on the Highway District's maintained-highway system. Acceptance of a dedication, approval of roadway improvements, opening for public travel, and assumption of maintenance responsibility are separate actions.

100.07 Disclaimer and Severability Clause. Nothing herein shall be construed to impose an obligation or duty upon the Highway District to construct, reconstruct, or improve existing highways or public rights-of-way to comply with these Standards.

100.08 Severability. If any section, sub-section, sentence, clause, phrase or portion of these Standards is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct, and independent provision, and it is the intent of these Standards that such holding shall not affect the validity of the remaining portions of the Standards.