

**IDAHO CODE § 39-6502 DECLARATION OF WASTE TIRE NUISANCE, PUBLIC  
HEALTH AND SAFETY EMERGENCY FOR 20233 LINDA LANE, CALDWELL,  
CANYON COUNTY, IDAHO**

**WHEREAS**, the Canyon County Board of County Commissioners (Board) has established a Code Enforcement division in its Development Services Department for the purposes of enforcing the County's Public Health Ordinance; and

**WHEREAS**, Idaho Code § 39-6501 defines the "store" or "storage" of waste tires to mean the "to accumulate more than two hundred (200) waste tires at any time, in a manner that does not constitute final disposal at a waste tire disposal site, or to own or control property on which more than two hundred (200) waste tires accumulate at any given time, in a manner that does not constitute final disposal at a waste tire disposal site"; and

**WHEREAS**, Idaho Code § 39-6502 prohibits a person from owning or operating "a waste tire storage site without a permit or other written county...authorization"; and

**WHEREAS**, Idaho Code § 39-6502(3) states: "In the event the current owner or operator of an existing or new waste tire storage site fails to comply with the requirements of this section, the board of county commissioners...may declare the site a public nuisance; and may declare a public health or safety emergency based on potential fire hazard, threat of insect borne disease, or potential contamination of the state's ground or surface waters."; and

**WHEREAS**, on June 24, 2024, an appointed Code Enforcement officer served a first Notice of Violation at 20233 Linda Lane, Caldwell, Idaho, 83605, also identified as County Parcel No. R27213, demanding that public nuisances on the property, which included "open storage, deposit, or scattering of scrap, abandoned, discarded, or unused objects such as furniture, appliances, cans, containers, tires, tools, or mechanical parts" be voluntarily corrected; and

**WHEREAS**, on August 22, 2024, a second Notice of Violation was served at 20233 Linda Lane demanding that public nuisances on the property, which included "open storage, deposit, or scattering of scrap, abandoned, discarded, or unused objects such as furniture, appliances, cans, containers, tires, tools, or mechanical parts" be voluntarily corrected; and

**WHEREAS**, on January 21, 2025, the Board recorded a Certificate of Non-Compliance on the real property records of County Parcel No. R27213 pursuant to the County's Public Health Ordinance as the public nuisance violations had not been voluntarily remediated; and

**WHEREAS**, on March 5, 2025, an appointed Code Enforcement officer issued an Order of Abatement at 20233 Linda Lane ordering that public nuisances on the property, which included "open storage, deposit, or scattering of scrap, abandoned, discarded, or unused objects such as furniture, appliances, cans, containers, tires, tools, or mechanical parts" be corrected within ten (10) days or the County would abate the public nuisances the cost of which could be recovered by the County in the same manner as real property taxes; and

**WHEREAS**, on April 22, 2025, after the time to voluntarily abate or contest the abatement order had passed, an appointed Code Enforcement officer supervised the abatement of public nuisances of 20233 Linda Lane by an independent contractor hired by the County to conduct the abatement; and

**WHEREAS**, on April 22, 2025, an appointed Code Enforcement officer discovered that over two hundred (200) waste tires had accumulated at 20233 Linda Lane in a manner that did not constitute final disposal at a waste disposal site; and

**WHEREAS**, according to the records of the County, 20233 Linda Lane has never been permitted or authorized by Canyon County as a waste tire storage site; and

**WHEREAS**, prior to the removal of materials on April 22, 2025, a majority of the waste tires found at 20233 Linda Lane on the same date were obscured from public view and not known to County Code Enforcement; and

**WHEREAS**, in the professional opinion of an appointed Code Enforcement officer supervising the abatement of public nuisances of 20233 Linda Lane on April 22, 2025, that the accumulation over two hundred (200) waste tires at the site created a potential fire hazard, threat of insect borne disease, or potential contamination of the state's ground or surface waters; and

**WHEREAS**, on, or about, April 22, 2025, an appointed Code Enforcement officer notified the Southwest District Health Department and relevant state agencies of the threat to public health and safety created by the accumulation of waste tires at 20233 Linda Lane; and

**WHEREAS**, beginning on April 22, 2025, an appointed Code Enforcement officer caused the accumulated waste tires at 20233 Linda Lane to be disposed of at a waste tire disposal site.

**NOW THEREFORE**, the Board of Canyon County Commissioners does hereby declare:

The waste tire storage site at 20233 Linda Lane, Caldwell, Idaho, 83605, also identified as County Parcel No. R27213 is a public nuisance.

A public health or safety emergency exists because the waste tire storage site at 20233 Linda Lane, Caldwell, Idaho, 83605, also identified as County Parcel No. R27213 is a potential fire hazard, creates a threat of insect borne disease, and may potential contaminate the state's ground or surface waters.


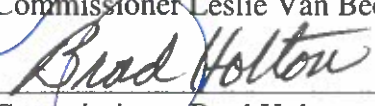

That all efforts shall be made to protect the citizens and property of the County of Canyon through declaration of public health or safety emergency.

*That this Declaration shall be deemed in full force and effect upon the discovery of the waste tire site on April 22, 2025.*

**APPROVED AND ADOPTED** this 25th day of April, 2025.

**BOARD OF COUNTY COMMISSIONERS**

☒ Motion Carried Unanimously  
☐ Motion Carried/Split Vote Below  
☐ Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
 _____ Commissioner Leslie Van Beek	<input checked="" type="checkbox"/>	_____	_____
 _____ Commissioner Brad Holton	<input checked="" type="checkbox"/>	_____	_____
 _____ Commissioner Zach Brooks	<input checked="" type="checkbox"/>	_____	_____

ATTEST: RICK HOGABOAM, CLERK

By:   
\_\_\_\_\_  
Deputy Clerk