

obtained from the state board of health by its administrator or his delegate approving plans and specifications either for public water and/or sewage facilities, or individual parcel water and/or sewage facilities;

46. Street: A public street, road, thoroughfare, alley or highway; a right of way for public use;

37. Subdivision: A tract of land divided into five (5) or more lots, parcels, or sites for the purpose of sale or building development, whether immediate or future; provided that this definition shall not include a bona fide division or partition of agricultural land for agricultural purposes. A bona fide division or partition of agricultural land for agricultural purposes shall mean the division of land into lots, all of which are five (5) acres or larger, and maintained as agricultural lands. Cities or counties may adopt their own definition of subdivision in lieu of the above definition.

SECTION 2. That Section 50-1309, Idaho Code, be, and the same is hereby amended to read as follows:

50-1309. CERTIFICATION OF PLAT -- DONATION DEDICATION OF STREETS AND ALLEYS -- DEDICATION OF PRIVATE ROADS TO PUBLIC -- JURISDICTION OVER PRIVATE ROADS. 1. The owner or owners of the land included in said plat shall make a certificate containing the correct description of the land, with the statement as to their intentions to include the same in the plat, and make a dedication of all public streets and alleys shown on said plat, which certificate shall be acknowledged before an officer duly authorized to take acknowledgements and shall be indorsed on the plat. The surveyor or engineer making the survey shall certify the correctness of said plat.

2. No dedication or transfer of a private road to the public can be made without the specific approval of the governing agency accepting such private road.

3. Highway districts and single county-wide highway districts shall not have jurisdiction over private roads designated as such on subdivision plats and shall assume no responsibility for the design, construction, maintenance and/or repair of private roads.

SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.

Approved March 26, 1988.

CHAPTER 176

(H.B. No. 536, As Amended in the Senate)

AN ACT

RELATING TO THE ESTABLISHMENT OF CROP MANAGEMENT AREAS WITHIN WHICH THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE SHALL PRESCRIBE OR