

Topic: Alternative Dispute Resolution
Resource Type: Regulations
State: Idaho
Jurisdiction Type: Municipality
Jurisdiction: City of Twin Falls
Year (adopted, written, etc.): 2002-2009
Community Type – applicable to: Urban; Suburban
Title: City of Twin Falls Zoning and Subdivision Regulations – Alternative Dispute Resolution Provision
Document Last Updated in Database: March 21, 2016

Abstract

Mediation is provided in the administration process of zoning issues, creating the opportunity for a stay in the hearing proceedings for parties who wish to engage in mediation. The first session is paid for by the city, thereafter, by the parties.

Resource

City Code

Title 10
ZONING AND SUBDIVISION REGULATIONS

Chapter 17
ADMINISTRATION AND ENFORCEMENT

§ 10-17-5: MEDIATION:

(A) Mediation may be requested in writing by the applicant, an affected person, the planning and zoning commission or the city council. Mediation may occur at any point during the decision making process or after a final decision has been made. If mediation occurs after a final decision, any resolution of differences through mediation must be the subject of another public hearing before the decision making body.

(B) The applicant and any other affected persons objecting to the application shall participate in at least one mediation session if mediation is requested by the commission or the city council. The city council shall select and pay the expense of the mediator for the first meeting among the interested parties. Compensation of the mediator shall be determined among the parties at the outset of any mediation undertaking. An applicant may decline to participate in mediation requested by an affected person, and an affected person may decline

to participate in mediation requested by the applicant, except that the parties shall participate in at least one mediation session if directed to do so by the governing board.

(C) During mediation, any time limitation relevant to the application shall be tolled. Such tolling shall cease when the applicant or any other affected person, after having participated in at least one mediation session, states in writing that no further participation is desired and notifies the other parties, or upon notice of a request to mediate wherein no mediation session is scheduled for twenty eight (28) days from the date of such request.

(D) The mediation process may be undertaken pursuant to the general limitations established by this section.

(E) The mediation process shall not be part of the official record regarding the application.

(Ord. 2725, 6-17-2002)

(This code was last updated by 2968 passed May 4, 2009.)