

**BINGHAM COUNTY
ORDINANCE NO. 2026-19**

**TITLE 1 "ADMINISTRATION"
CHAPTER 6 "CONDUCT OF HEARING" SECTION 5 "TESTIMONY"**

AN AMENDMENT OF THE ORDINANCE OF BINGHAM COUNTY, BY BINGHAM COUNTY BOARD OF COMMISSIONERS, TO ADD SUBSECTIONS (F), (G), & (H), WHICH WILL PROVIDE CLARIFICATION WITHIN THE SECTION PERTAINING TO TESTIMONY AND ALLOTTED TIME, DESIGNATION OF A SPOKESPERSON TO AVOID REPETITIVE TESTIMONY, AND EXTENSION OR REDUCTION OF TESTIMONY TIME TO PROVIDE A FAIR AND EFFICIENT HEARING, PROVIDING THAT THIS AMENDMENT OF THE ORDINANCE SHALL BE IN FULL FORCE AND EFFECT AS OF ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

NOW THEREFORE, BE IT ORDAINED BY THE BINGHAM COUNTY BOARD OF COMMISSIONERS, AS FOLLOWS:

1-6-5: TESTIMONY:

A. Oral Testimony:

1. Time Limitation On Oral Testimony: The presiding officer may limit the time allotted to presentation of oral testimony at a public hearing. Any such allocation of time shall provide for a reasonable opportunity for proponents and opponents of an issue to be heard.
2. Standards For Oral Testimony: Oral testimony made at a public hearing shall comply with the following standards:
 - a. Testimony should directly address the public hearing subject and show cause, if any, if the requested application meets or does not meet the regulations of Bingham County Code and/or Idaho Code;
 - b. Testimony should not be repetitious with other entries into the record;
 - c. Testimony shall comply with any time restrictions established by the presiding officer;
 - d. Testimony should not be personally malicious, contain profanities, be obscene or threatening in any form;
 - e. It may be required that persons wishing to give testimony will be asked to sign a statement prior to the beginning of the hearing stating their wishes to give testimony; in such cases, only those persons who have expressed such a desire will be heard;
 - f. Time allotted to a person for oral testimony is personal to that person and may not be transferred, assigned, donated, pooled, or otherwise combined with the time allotted to another person. A person who declines to testify or uses less than the allotted time forfeits the unused portion of that time;

g. Persons sharing substantially similar positions are encouraged to designate a spokesperson to avoid repetitive or cumulative testimony. In doing so, the spokesperson shall be awarded additional time, the time of which shall be set by the presiding officer, if the additional time will assist the decision-making body, promote an orderly hearing, or reduce repetitive testimony it shall be granted. The spokesperson shall list the names and addresses and signatures of those represented and those represented must be present. No person or group is entitled to additional time by reason of the number of persons supporting that person's or group's position; and

h. The presiding officer may reasonably extend or reduce testimony time, request clarification, ask questions, or take other measures necessary to maintain order, develop an adequate record, and provide a fair and efficient hearing. Any such measures shall be applied in a viewpoint-neutral manner.

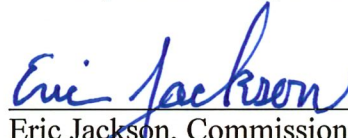
PASSED AND APPROVED by the Board of County Commissioners of Bingham County, Idaho, during a Public Hearing held on the 18th day of September, 2026.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its passage, approval, and publication as required by law.

BOARD OF COUNTY COMMISSIONERS
BINGHAM COUNTY, IDAHO



Whitney Manwaring, Chairman


Eric Jackson, Commissioner


Drew Jensen, Commissioner

Attest: 
Pamela W. Eckhardt
County Clerk