FRANKLIN COUNTY, IDAHO
ORDINANCE NO. _____

AN ORDINANCE PROHIBITING THE INSTALLATION, OPERATION, AND MAINTENANCE OF CRYPTOCURRENCY ATMs AND VIRTUAL CURRENCY KIOSKS WITHIN FRANKLIN COUNTY; PROVIDING DEFINITIONS, EXCEPTIONS, ENFORCEMENT, PENALTIES, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Franklin County Board of County Commissioners recognizes the increasing use of cryptocurrency ATMs and virtual currency kiosks in financial transactions; and

WHEREAS, these machines may be used in transactions involving fraud, scams, theft, and financial exploitation of residents, including vulnerable adults and other members of the public; and

WHEREAS, the County desires to protect the public and reduce opportunities for financial exploitation through the exercise of its lawful regulatory authority;

NOW, THEREFORE, be it ordained by the Board of County Commissioners of Franklin County, Idaho, as follows:

SECTION 1. PURPOSE AND SCOPE

The purpose of this ordinance is to prohibit the installation, operation, maintenance, and commercial use of cryptocurrency ATMs and virtual currency kiosks within Franklin County to the fullest extent permitted by Idaho law.

This ordinance is intended to apply throughout Franklin County, including incorporated and unincorporated areas, to the fullest extent of the County's lawful authority. Nothing in this ordinance independently grants the County authority to regulate within incorporated municipalities where that authority is not otherwise provided by law.

SECTION 2. DEFINITIONS

A. Cryptocurrency. A digital or virtual asset that uses cryptographic technology and is designed to function as a medium of exchange, store of value, or other form of digital financial value.

B. Cryptocurrency ATM or Virtual Currency Kiosk. Any electronic machine, terminal, or device that allows a person to purchase, sell, exchange, transfer, or otherwise conduct transactions involving cryptocurrency or other virtual currency, including transactions funded by cash, debit card, credit card, bank transfer, or other payment method.
C. Operator. Any person, business, company, or other entity that owns, operates, controls, manages, or receives revenue from a cryptocurrency ATM or virtual currency kiosk.
D. Place of Business. Any commercial establishment, retail store, convenience store, gas station, or other premises where business is conducted or the public is permitted to enter for commercial purposes.
SECTION 3. PROHIBITION
A. No person or business shall install, place, operate, maintain, or make available a cryptocurrency ATM or virtual currency kiosk within the geographic area where this ordinance may lawfully be enforced.
B. No property owner, tenant, business owner, or other person having control of premises shall knowingly permit a cryptocurrency ATM or virtual currency kiosk to be installed or operated on the premises in violation of this ordinance.
C. No operator shall advertise or offer cryptocurrency ATM or virtual currency kiosk services from a location where such operation is prohibited by this ordinance.
D. A person shall not avoid this ordinance by using a third-party operator, agent, contractor, or business entity to install or operate a prohibited kiosk.

SECTION 4. EXCEPTIONS

This ordinance shall not prohibit activity expressly required or authorized by applicable state or federal law where that law preempts or otherwise prevents enforcement of this ordinance.

SECTION 5. ENFORCEMENT

The Franklin County Sheriff's Office and other County officials authorized by law may investigate suspected violations and refer matters for prosecution or other lawful enforcement action.

Each enforcement action shall comply with applicable law and the jurisdictional limits of the enforcing authority.

SECTION 6. PENALTIES

A violation of this ordinance shall be subject to the penalty provisions of Franklin County Code § 10.99, as amended, to the extent applicable. Each day a continuing violation exists may be treated as a separate offense where authorized by law.

The County may also pursue available civil remedies and recover eligible enforcement costs as permitted by law.

SECTION 7. SEVERABILITY

If any provision of this ordinance is held invalid or unenforceable, the remaining provisions shall remain in effect to the extent they can be given effect independently.

SECTION 8. EFFECTIVE DATE

This ordinance shall take effect as provided by Idaho law following its adoption and publication.

ADOPTED by the Board of County Commissioners of Franklin County, Idaho, this _____ day of _____, 2026

ATTEST:

_____
Camille Larsen, County Clerk

BOARD OF COUNTYCOMMISSIONERS
FRANKLIN COUNTY, IDAHO

_____
Robert C. Swainston, Chairman

_____
Zan Bowles

_____
Zach Stewart