



AGENDA
PAYETTE CITY COUNCIL
February 28, 2011
WORK SESSION & SPECIAL MEETING

HONORABLE MAYOR JEFFREY T. WILLIAMS PRESIDING

GEORGIA HANIGAN MARK HELEKER
LEE NELSON IVAN MUSSELL
KATHY DODSON LES COCHRAN

5:15 PM – Work Session ~

1. ROLL CALL
2. OLD BUSINESS
3. NEW BUSINESS
 - A. Discussion of Ordinance repealing a portion of paragraph 3 in Chapter 12.17.010 – obtaining a permit for a fence.....1
 - B. Discussion of Ordinance amending section 16.04.020 – substituting the requirement of filing a survey of record in place of filing an amended plat when doing a lot line adjustment.....2
 - C. Discussion of Ordinance adding section 15.04.010 E. adopting the Uniform Code for Abatement of Dangerous Buildings, correcting ISFPWC to ISPWC and re-lettering subsection E and F to F and G.....5
 - D. Pool rate increase correction to 1 year resident and 1 year non-resident for ages 18-63.....7
 - E. Discussion of leash enforcement at the Greenway.....9
 - F. Discussion of Ordinance amending section 15.28.070 – non-accessory or off premises signs.....11
 - G. Discussion of advertising on bus benches
 - H. Discussion of buying and selling gold, precious gems and metals
 - I. General Discussion
 - J. Mayor's Informational Points to Council
4. ADJOURN

Special Meeting immediately following work session

1. ROLL CALL
2. EXECUTIVE SESSION ~ *Pursuant to I.C. 67-2345(1a & 1c), the City Council will recess into Executive Session to Consider Hiring a Public Officer, Employee, Staff Member, or Individual Agent and Conduct Deliberations Concerning Labor Negotiations or to Acquire an Interest in Real Property Which is not Owned by the Public Agency*
3. ADJOURN

The public is invited and encouraged to attend. Special accommodations will be made in order to participate in the above noticed meeting by contacting the City 5 days prior to the meeting at 642-6024

ORDINANCE _____

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, REPEALING A PORTION OF PARAGRAPH 3 IN CHAPTER 12.17.010 OF THE PAYETTE MUNICIPAL CODE WHICH STATES YOU MUST OBTAIN A PERMIT FROM THE CITY CLERK OR HIS/HER DISGNEE; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO:

Section 1. The Payette Municipal Code is amended to hereby read as follows:

12.17.010: FENCE REGULATIONS

A. It shall be unlawful to construct a fence in any front yard, side yard, back yard or in any open space except as allowed by this chapter.

1. For purposes of this chapter, the word "fence" shall include fences, hedges, walls, berms or any other structures designed to separate or isolate an open area or a building.
2. No fence shall be constructed adjacent to a public street which would, interfere with the free movement of pedestrian traffic over or along a public sidewalk.
3. No fence shall be installed, constructed, planted, created, maintained, or allowed on any city right of way ~~without first obtaining a permit from the city clerk or his/her designee~~. If a fence or any structure is built upon or across any city easement or right of way ~~without first obtaining a permit~~, the city may immediately remove the fence or structure. If the city allows a fence or other structure to be built over a public easement or right of way, in the event it becomes necessary to perform work upon that easement or right of way, the landowner shall be responsible for removal of the structure to ensure access by a city crew.

Section 2. This Ordinance may be published in summary form allowed by Idaho Code.

Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this _____ day of _____, 2011.

CITY OF PAYETTE, IDAHO

by _____
JEFF WILLIAMS, Mayor

ATTEST:

ORDINANCE _____

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 16.04.020 OF THE PAYETTE MUNICIPAL CODE BY SUBSTITUTING THE REQUIREMENT OF FILING A SURVEY OF RECORD IN PLACE OF FILING AN AMENDED PLAT WHEN DOING A LOT LINE ADJUSTMENT; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO:

Section 1. Section 16.04.020 of Title 16, Chapter 16.04 of the Payette Municipal Code is hereby amended to read as follows:

16.04.020: APPLICABILITY:

A. The regulations codified in this title shall apply to all subdivisions and development within the corporate limits of the city, or within the area of city impact as established by ordinance, including the following:

1. The dividing of any lot, tract or parcel of land into two (2) or more tracts, lots or parcels for transfer of ownership or building development;
2. The dedication of any street or alley through or along any tract of land;
3. Any division or resubdivision of a lot or parcel into sublots except as provided in subsection B of this section.

B. The regulations codified in this title shall not apply to any of the following:

1. A readjustment of lot lines as shown on a recorded plat which does not reduce the area, frontage, width or depth of each building site below the minimum prescribed by any city ordinance or any covenant pertaining to said plat nor create any new lots.

~~An amended plat~~ A duly recorded or filed record of survey that conforms to Idaho Code title 55, chapter 19 shall be required for any lot line adjustment or adjustment of property boundaries readjustment of between two (2) adjacent parcels lot lines. Such record of survey shall be filed both with the Payette County recorder and the City of Payette. In addition to the requirements of Idaho Code 55-1906, the certificate of surveyor shall be included on the ~~amended plat~~ record of survey: ~~certificate of owners and acknowledgement, certificate of city engineer and certificate of the Payette County recorder.~~ The ~~amended plat~~ survey shall also contain the original lot line(s), the new adjusted parcel lot lines, the square footage of the ~~adjusted lots parcels,~~ correct street names, footprint(s) of all existing building(s) to be delineated and dimensioned (with dimensions shown from the

adjusted line), a note giving the zone standard in effect for the area or as specifically approved and a Certification and signature of the city engineer verifying that the record of survey complies with state law, title 55 of the Idaho Code and with this title;

The readjustment of ~~lot line(s)~~ the property boundaries shall not reduce ~~the building site below the either parcel below the~~ minimum prescribed by any applicable city ordinance or as specifically approved, nor violate setback requirements. The ~~plat record of survey~~ shall so contain all existing easements of record. Accompanying the ~~plat record of survey~~ shall be a new property description of each adjusted lot parcel. ~~New property pins shall be set for each adjusted lot.~~ The adjusted property boundary between the parcels shall be marked at each endpoint, angle point, and where the adjusted boundary changes direction, with monuments that conform to the provisions of Idaho Code 54-1227. The city engineer shall verify compliance with this section prior to the record of survey being filed with the Payette County Recorder certification. ~~A record of survey is not acceptable to establish or adjust lot lines.~~

2. A division of land into parcels of five (5) acres or more designated to be used solely for agricultural purposes, and which does not involve any new street dedication other than dedications widening existing streets.
3. An allocation of land in the settlement of an estate of a decedent or a court decree for the distribution of property thereunder. Provided however, that any development of any lands divided as a result of the settlement of an estate of a decedent or a court decree for the distribution of property shall conform to all requirements of this code.
4. The exceptions contained in subsections B1, B2 and B3 of this section are from the review and approval requirements of this code only. Plats Surveys must still be prepared in accordance with these regulations and filed with the county recorder. A copy of any plat, amended plat or correction or survey plat must also be provided to the city engineer, city clerk.

Section 2. This Ordinance may be published in summary form as permitted by Idaho Code.

Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this _____ day of _____, 2011.

CITY OF PAYETTE, IDAHO

BY _____
Jeffrey T. Williams, Mayor

ATTEST:

Mary Cordova, City Clerk

ORDINANCE _____

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, ADDING SECTION 15.04.010 E. ADOPTING THE UNIFORM CODE FOR ABATEMENT OF DANGEROUS BUILDINGS; AMENDING 15.04.010 F. OF THE PAYETTE MUNICIPAL CODE BY CORRECTING ISFPWC TO ISPWC; RELETTERING SUBSECTIONS E AND F TO F AND G; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO:

Section 1. Section 15.04.010 of Title 15, Chapter 15.04, Building Codes of the Payette Municipal Code is hereby amended and corrected to read as follows:

15.04.010: ADOPTION BY REFERENCE:

The approved editions of the following nationally recognized codes, as adopted by the State of Idaho or the Idaho building code, are adopted as the official building codes of the City of Payette:

- A. The international building code, including all rules promulgated by the board to provide equivalency with the provisions of the Americans with disabilities act accessibility guidelines and the federal fair housing act accessibility guidelines.
- B. The international residential code, parts I through IV and IX.
- C. The international fire code.
- D. The international energy conservation code.

The adopted versions of the foregoing codes shall be deemed superseded by successive versions of such codes as they are adopted by the Idaho building code board effective on the date any such codes are made effective by the Idaho building code board.

E. The uniform code for abatement of dangerous buildings.

E.F. The Idaho standards for public works construction, which may be referred to as the ISFPWC for short, in their current edition, and all future editions as they may become available.

F.G. Agricultural buildings are exempt from the building codes adopted herein but shall remain subject to placement requirements established by zoning regulations. (Ord. 1218, 2002; Ord. 1203 § 1, 2001; Ord. 1138 § 1, 1997; Ord. 979 § 1, 1988; Ord. 944, 1983; Ord. 912, 1980; Ord. 858, 1977; Ord. 843, 1976; prior code § 4-1-1)

Section 2. This Ordinance may be published in summary form as permitted by Idaho Code.

Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this _____ day of _____, 2011.

CITY OF PAYETTE, IDAHO

BY _____
Jeffrey T. Williams, Mayor

ATTEST:

Mary Cordova, City Clerk

RESOLUTION NO. 2011-01

A RESOLUTION OF THE CITY OF PAYETTE, IDAHO, ADOPTING AND SETTING CERTAIN FEES AT THE PAYETTE MUNICIPAL POOL.

WHEREAS, the Payette City Council sets fees for recreational programs offered by the City of Payette, including the Payette Municipal Pool; and,

WHEREAS, rates at the pool have not been raised in the last two years; and,

WHEREAS, the Council held a Public Hearing on October 18, 2010 and has reviewed the current swimming pool fees and determined that an increase in fees is needed to offset the rising operation costs and to increase the financial self-sufficiency of the Payette Municipal Swimming Pool.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO:

Section 1: The following fees are hereby adopted and those fees shall be charged by the Payette Municipal Pool:

Pool General Admission:	0-5 years old	\$2.00
	6-17 years old	\$2.50
	18-63 years old	\$3.00
	64 & over	\$2.50
Pool Passes:		
Age 0-5	1 Month resident	\$20.00
	1 Month non-resident	\$25.00
	3 Month resident	\$40.00
	3 Month non-resident	\$50.00
	1 Year resident	\$115.00
	1 Year non-resident	\$140.00
Age 6-17	1 Month resident	\$25.00
	1 Month non-resident	\$35.00
	3 Month resident	\$55.00
	3 Month non-resident	\$70.00
	1 Year resident	\$140.00
	1 Year non-resident	\$170.00
Age 18-63	1 Month resident	\$35.00
	1 Month non-resident	\$45.00
	3 Month resident	\$70.00
	3 Month non-resident	\$90.00
	1 Year resident	\$140.00 \$200.00
	1 Year non-resident	\$170.00 \$260.00
Age 64 and Older	1 Month resident	\$25.00
	1 Month non-resident	\$35.00
	3 Month resident	\$55.00
	3 Month non-resident	\$70.00

	1 Year resident	\$140.00
	1 Year non-resident	\$170.00
Family	1 Month resident	\$50.00
	1 Month non-resident	\$70.00
	3 Month resident	\$100.00
	3 Month non-resident	\$140.00
	1 Year resident	\$280.00
	1 Year non-resident	\$340.00
Pool Rentals:	1 hour-1guard under 30 patrons	\$70.00
	1 hour-2 guards over 30 patrons	\$80.00
Lessons:	\$25.00 per child	
	\$22.50 each additional child in family	
Discount for Schools with groups over 20	Resident:	\$1.75
	Non-resident	\$2.00
Punch Cards:	10 Adult Punches	\$30.00
	20 Adult Punches	\$60.00
	10 Senior Punches	\$25.00
	20 Senior Punches	\$50.00

Section 2. This resolution supersedes and replaces any portions of any resolutions which conflict with the fee schedule adopted herein.

Section 3. This Resolution shall be in full force and effect January 3, 2011.

Dated this _____ day of January, 2011.

CITY OF PAYETTE, IDAHO

By _____
Jeff Williams, Mayor

ATTEST: _____
Mary Cordova, City Clerk

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 12.16.010 OF THE PAYETTE CITY CODE TO PROHIBIT DOGS IN CITY PARKS EXCEPT IN DESIGNATED AREAS; REPEALING CONFLICTING ORDINANCES; ALLOWING PUBLICATION BY SUMMARY; SETTING AN EFFECTIVE DATE, PROVIDING A PENALTY.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO:

SECTION 1: Section 12.16.010 of the Payette City Code is hereby amended to read as follows: 12.16.010 Parks-Prohibited Acts Generally: It is unlawful for any person to use threatening, abusive, insulting or indecent language in any park in the City; or to create any nuisance or disturbance; or to damage, scratch, cut, injure or deface any of the buildings, fences, structures, or foul any of the fountains or any other improvements; or to cut or injure the flowers or flower beds within such parks; ~~or for the owner of any dog to allow the same to run at large within such parks.~~ No horses shall be allowed within the parks. Unless otherwise designated by visual signs, no dogs shall be allowed in any city park.

SECTION 2: Any ordinances or resolutions which are in conflict with this ordinance are hereby repealed, but only in-so-far as the conflict exists.

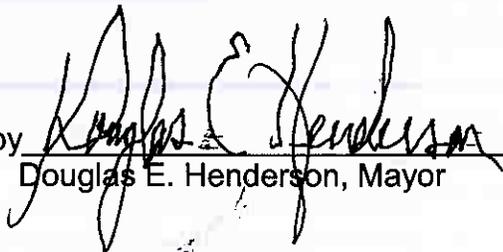
SECTION 3: This ordinance may be published in summary form.

SECTION 4: Any violation of this ordinance shall be a misdemeanor punishable in accordance with the misdemeanor statutes of the State of Idaho.

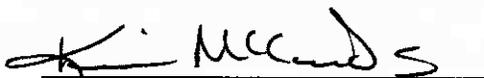
SECTION 5: This Ordinance shall be in full force and effect immediately upon passage and publication as required by law.

Dated this 20th day of March, 2006.

City Of Payette

by 
Douglas E. Henderson, Mayor

Attest:


Kellie McCombs, City Clerk

12.19.050: BEHAVIOR:

No person in the greenway shall:

A. Possess or consume any alcoholic beverage.

B. Permit or allow a dog or other domestic animal to enter or remain in the greenway except on a leash and/or carried while leashed by such person owning or having the care, custody and control of such dog or domestic animal. The owner or person having possession of any dog or other domestic animal on the greenway shall remove any feces left by such animal.

C. Endanger the safety or health of any person by any conduct or act, including, but not necessarily limited to, urinating or defecating in, on or upon the greenway, except when using an enclosed bathroom facility authorized by the city.

D. Prevent any person from using the greenway, or any of its facilities, or interfere with such use in compliance with this chapter and the rules and regulations applicable to such use.

E. Solicit or accost other persons for the purpose of begging or soliciting alms.

F. Operate or aid in the operation of private radios, stereophonic or sound amplification devices at a greater operating level than seventy five (75) decibels measured at a distance of twenty feet (20') from such radios or devices.

G. Enter, or stay upon, the greenway during times when the greenway is closed. The greenway shall be closed one hour after sunset and shall not be open to the public until sunrise.

H. Litter, as defined by Idaho Code section 18-3906, which code section is adopted hereat.

I. Engage in any unlawful conduct or criminal activity or in any way commit a violation or breach of the peace, as defined by Idaho Code and/or this code. (Ord. 1226, 2003)

ORDINANCE _____

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 15.28.070. A. NONACCESSORY OR OFF PREMISES SIGNS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO:

Section 1. Section 15.28.070 of Title 15, Chapter 15.28, nonaccessory or off premises signs of the Payette Municipal Code is hereby amended and corrected to read as follows:

15.28.070: NONACCESSORY OR OFF PREMISES SIGNS:

A. Definition: Nonaccessory or off premises signs are signs which are not related to the property upon which they are located, or to the activities being conducted thereon. Nonaccessory off premises signs include large general advertising signs known as billboards and signs advertising an offsite business. ~~and are of a size being four feet by eight feet (4' x 8') or larger.~~

Section 2. This Ordinance may be published in summary form as permitted by Idaho Code.

Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this _____ day of _____, 2011.

CITY OF PAYETTE, IDAHO

BY _____
Jeffrey T. Williams, Mayor

ATTEST:

Mary Cordova, City Clerk