



**AGENDA**  
**PAYETTE CITY COUNCIL**  
**March 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 on Adams property  
~Sell, rent or keep
  - B. Discussion on City Code – 6.04 Animals and Poultry  
~Ann Curtis
  - C. State of Idaho – Revenue Sharing
4. GENERAL DISCUSSION
5. MAYOR'S INFORMATIONAL POINTS TO COUNCIL

**Special Meeting immediately following work session**

1. ROLL CALL
2. EXECUTIVE SESSION ~ *Pursuant to I.C. 67-2345(1c) & (1f), the City Council will recess into Executive Session to Conduct Deliberations Concerning Labor Negotiations or to Acquire an Interest in Real Property Which is not Owned by the Public Agency and to discuss with legal council for the public agency pending litigation or where there is general public awareness of probable litigation*
3. Iowa Avenue Right of Way Acquisition
4. ADJOURN

## Chapter 6.04 ANIMALS AND POULTRY

**6.04.010: ANIMALS; RUNNING AT LARGE PROHIBITED; SEIZURE AND IMPOUNDMENT:**

**6.04.020: ANIMALS; RUNNING AT LARGE; NOTICE OF SEIZURE AND IMPOUNDMENT:**

**6.04.030: ANIMALS; SEIZED AND IMPOUNDED; SALE AT PUBLIC AUCTION:**

**6.04.040: ANIMALS; SEIZED AND IMPOUNDED; CARE:**

**6.04.050: ANIMALS; SEIZED AND IMPOUNDED; OWNER'S RIGHT OF POSSESSION:**

**6.04.060: ANIMALS; SEIZED AND IMPOUNDED; FEES:**

**6.04.070: ANIMALS; SEIZED AND IMPOUNDED; MONTHLY REPORT:**

**6.04.080: PROHIBITED ENTRANCE INTO POUND; DECLARED MISDEMEANOR:**

**6.04.090: POULTRY; REQUIRED CONFINEMENT:**

**6.04.100: POULTRY; RUNNING AT LARGE PROHIBITED:**

**6.04.110: MORATORIUM ON TRAPPING AND KILLING OF CATS:**

**6.04.010: ANIMALS; RUNNING AT LARGE PROHIBITED; SEIZURE AND IMPOUNDMENT:**

No cattle, horses, mules, hogs, goats or sheep shall be allowed to run at large, or be herded, tethered or picketed in any of the streets, alleys or public grounds within the city limits; and it is made and shall be the duty of the chief of police to seize and impound any and all cattle, horses, mules, hogs, goats or sheep found tethered, picketed or running at large within the city limits. (Prior code § 6-2-1)

- A. No person shall, without first obtaining a permit from the city clerk, ride any horse, mule, llama or cattle, or suffer, permit or allow any horse, mule, llama or cattle to come upon any city park, or upon any street, alley, or private property which lies within the city limits and which is more particularly described as lying south of Third Avenue North, north of Highway Business 95, east of Sixth Street and west of Tenth Street.
- B. The city clerk is authorized to receive applications for permits, charge a fee therefor and issue permits, either individually or to groups, for parade purposes or for other purposes which benefit the general public.
- C. Any animal found in an area described in subsection A of this section, whose owner has not obtained the required permit, shall be subject to seizure as set out in this section and the owner, possessor or rider thereof shall be guilty of a misdemeanor and punished in accordance with the misdemeanor laws of the state of Idaho. (Ord. 1047 § 1, 1992)

**6.04.020: ANIMALS; RUNNING AT LARGE; NOTICE OF SEIZURE AND IMPOUNDMENT:**

When a police officer seizes and impounds any animal mentioned in section 6.04.010 of this chapter, he shall forthwith post, at three (3) conspicuous places in the city and for not less than ten (10) days, a written or printed notice containing a description of the animal seized by him, the date of the seizure, and the time and place where the same shall be sold. Such notice shall be published at least once in some newspaper published in the city; provided, that no sale under this chapter shall be made within ten (10) days from the date of such seizure. (Prior code § 6-2-2)

#### **6.04.030: ANIMALS; SEIZED AND IMPOUNDED; SALE AT PUBLIC AUCTION:**

Any animal seized and impounded under this chapter, if unclaimed or, if claimed, upon which the legal charges and expenses have not been paid, shall be sold by the chief of police at public auction to the highest bidder, at the time and place mentioned in the notice described in section 6.04.020 of this chapter. All monies received by the chief of police from the sale of any animals so seized and impounded shall be paid by him to the city clerk. (Prior code § 6-2-3)

#### **6.04.040: ANIMALS; SEIZED AND IMPOUNDED; CARE:**

Any animal seized and impounded under the provisions of this chapter shall be provided with proper care, food and water while so confined by the chief of police. (Prior code § 6-2-4)

#### **6.04.050: ANIMALS; SEIZED AND IMPOUNDED; OWNER'S RIGHT OF POSSESSION:**

If, at any time prior to such sale set forth in section 6.04.030 of this chapter, the owner of any animal so seized and impounded claims the same, he shall be entitled to the possession thereof, upon payment to the chief of police of such sum as is provided in section 6.04.060 of this chapter and of all legal charges and expenses incident to such taking up and keeping. Such fine shall be paid by the chief of police to the city clerk. (Prior code § 6-2-5)

#### **6.04.060: ANIMALS; SEIZED AND IMPOUNDED; FEES:**

The chief of police shall collect the following fees for seizing, impounding, keeping and selling any animal under the provisions of this chapter:

- A. For taking up and impounding cattle, horses, mules, per head, one dollar (\$1.00);
- B. For hogs, sheep and goats, per head, fifty cents (\$0.50);
- C. For publishing notice of sale, ten cents (\$0.10) per line of the printed copy;

D. For each sale, one dollar (\$1.00) and the actual and necessary expenses incurred in the feeding and keeping of such animals. (Prior code § 6-2-6)

#### **6.04.070: ANIMALS; SEIZED AND IMPOUNDED; MONTHLY REPORT:**

The chief of police shall report to the council, monthly, a full statement of all stock impounded under the provisions of this chapter, giving a description of all animals so impounded, the date when seized, the date of sale, the amount received for fines or for the sale of such animals, the amount paid to the city clerk, and the owners if known to him. He shall receive a receipt in duplicate from the city clerk for all monies paid and shall file the duplicate with his report. (Prior code § 6-2-7)

#### **6.04.080: PROHIBITED ENTRANCE INTO POUND; DECLARED MISDEMEANOR:**

Any person who breaks into the city pound or takes therefrom any animal that has been impounded under the provisions of this chapter, or attempts to take the same from the chief of police while in his possession, shall, upon conviction thereof before the police magistrate, be deemed guilty of a misdemeanor. (Prior code § 6-2-8)

#### **6.04.090: POULTRY; REQUIRED CONFINEMENT:**

It is unlawful for any person to keep any chickens, ducks, geese, turkeys or other poultry within the city limits, except the same shall be confined within a shed or other enclosure sufficient to retain the same and prevent them from trespassing upon the streets, alleys and other property within the city limits. (Prior code § 6-2-9)

#### **6.04.100: POULTRY; RUNNING AT LARGE PROHIBITED:**

It is unlawful for any person to permit or allow any chickens, ducks, geese, turkeys or other poultry to run at large upon the streets, alleys or private property not belonging to the owner of such poultry, within the corporate limits. (Prior code § 6-2-10)

#### **6.04.110: MORATORIUM ON TRAPPING AND KILLING OF CATS:**

It shall be unlawful for any person, except an official of the city of Payette, a person designated by a city official or a licensed veterinarian or their designee to trap and kill domestic and feral cats within the city limits. (Ord. 1189 § 1, 2000)

# State Collected - Local Revenue

## \$30 Million Removed from Base and Excess Distribution

Ketchum	\$67,804	\$36,308	\$31,496
Kimberly	\$51,260	\$27,449	\$23,811
Kooskia	\$25,348	\$13,574	\$11,775
Kootenai	\$2,909	\$1,558	\$1,351
Kuna	\$62,378	\$33,402	\$28,976
Lapwai	\$8,785	\$4,704	\$4,081
Lava Hot Springs	\$12,259	\$6,564	\$5,694
Leadore	\$2,208	\$1,182	\$1,026
Lewiston	\$1,609,643	\$861,935	\$747,708
Lewisville	\$5,824	\$3,119	\$2,705
Mackay	\$14,535	\$7,783	\$6,752
Malad	\$85,119	\$45,580	\$39,539
Malta	\$2,341	\$1,253	\$1,087
Marsing	\$36,153	\$19,359	\$16,794
McCall	\$97,349	\$52,129	\$45,220
McCammom	\$12,415	\$6,648	\$5,767
Melba	\$6,801	\$3,642	\$3,159
Menan	\$9,401	\$5,034	\$4,367
Meridian	\$406,872	\$217,873	\$188,999
Middleton	\$38,496	\$20,614	\$17,882
Midvale	\$2,377	\$1,273	\$1,104
Minidoka	\$1,599	\$856	\$743
Montpelier	\$104,498	\$55,957	\$48,541
Moore	\$1,609	\$862	\$747
Moscow	\$338,530	\$181,277	\$157,253
Mountain Home	\$248,716	\$133,183	\$115,533
Moyie Springs	\$6,751	\$3,615	\$3,136
Mud Lake	\$4,897	\$2,622	\$2,275
Mullan	\$17,007	\$9,107	\$7,900
Murtaugh	\$5,596	\$2,996	\$2,599
Nampa	\$1,207,965	\$646,844	\$561,121
New Meadows	\$15,497	\$8,298	\$7,199
New Plymouth	\$28,004	\$14,996	\$13,008
Newdale	\$4,787	\$2,563	\$2,224
Nezperce	\$19,910	\$10,661	\$9,248
Notus	\$5,888	\$3,153	\$2,735
Oakley	\$10,911	\$5,843	\$5,068
Oldtown	\$2,221	\$1,189	\$1,032
Onaway	\$946	\$507	\$440
Orofino	\$180,594	\$96,705	\$83,889
Osburn	\$46,506	\$24,903	\$21,603
Oxford	\$320	\$171	\$149
Paris	\$9,182	\$4,917	\$4,265
Parker	\$2,771	\$1,484	\$1,287
Parma	\$34,498	\$18,473	\$16,025
Paul	\$17,965	\$9,620	\$8,345
Payette	\$155,007	\$83,003	\$72,003
Peck	\$2,777	\$1,487	\$1,290
Pierce	\$25,927	\$13,883	\$12,043
Pinehurst	\$23,246	\$12,448	\$10,798
Placerville	\$886	\$475	\$412
Plummer	\$11,444	\$6,128	\$5,316

Potential  
Reduced  
Amount

Potential  
Revised  
Future  
Distribution