



AGENDA
PAYETTE CITY COUNCIL
April 2, 2012
WORK SESSION, PUBLIC HEARING &
REGULAR MEETING
HONORABLE MAYOR JEFFREY T. WILLIAMS PRESIDING

GEORGIA HANIGAN MARK HELEKER
 LEE NELSON IVAN MUSSELL
 CRAIG JENSEN JEFF SANDS

6: 00 PM – Public Hearing

- A. Notice of public hearing on the status of funded activities – ROSE Advocates
- B. ~~An application by the City of Payette for Rae Subdivision for preliminary & final subdivision plat, a portion of Block 39 of the Westslope Plat lying within the SE1/4NW1/4 of Section 3, Township 8 North, Range 5 West, B.M., City of Payette, Payette County, Idaho.~~
WITHDREW APPLICATION
- C. An application by the Church of Christ for a Variance of 4 ½ feet to the front setback requirements at 138 S. 9th St., E1/2 Lots 11 & 12, Block 8 Payette, Masters Orig. The property is zoned C-1 Commercial Downtown.
- D. An application by Tammy Jacobs for a Variance to allow her parents to live in a 5th wheel at 1150 12th Ave. S., South Park Sub, Lot 16, Block 1. The property is zoned B-Residential.

Work Session – Immediately following public hearings

- A. Proposed Fee Changes
- B. Idaho Power Franchise

7:00 PM – Regular Meeting

- I. ROLL CALL
- II. PLEDGE OF ALLEGIANCE
- III. CITIZENS COMMENTS
- IV. APPROVAL OF MINUTES
 - A. 03-19-2012 Regular Meeting..... 1
- V. APPROVAL OF BILLS & PAYROLL..... 7
- VI. SPECIAL ORDERS
- VII. COMMUNICATIONS
 - A. Payette – “A Recreation Playground”..... 8
- VIII. PLANNING & ZONING
 - A. Meeting Minutes of February 23, 2012..... 11
- IX. OLD BUSINESS

A.	ORDINANCE 1361 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 5.17 OF TITLE 5, ADDING NEW CHAPTER 5.18, DANCES, DANCE HALL LICENSES AND REGULATIONS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; ESTABLISHING A PENALTY – 2 nd Reading.....	13
X.	NEW BUSINESS	
A.	Variance Application – Church of Christ	
B.	Variance Application – Tammy Jacobs	
C.	Beer License Application – Jimbo Restaurant.....	25
D.	Payette Civic League – Queen’s Coronation Donation Request.....	29
E.	ORDINANCE 1364 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 5.32 IN OF TITLE 5, REQUIRING PAWNBROKERS OR PAWNSHOPS TO USE AN APPROVED, FUNCTIONING AND COMPATIBLE REPORTING PROGRAM; ADDING NEW SECTION 5.32.125 REQUIRING TRANSMITTAL OF DAILY REPORTS; DELETING SECTIONS 5.32.140 AND 5.32.150;SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER – 1 st Reading.....	30
F.	ORDINANCE 1363 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 15.04; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; PROVIDING A PENALTY – 1 st Reading.....	39
G.	Payette County Chamber – Donation Request.....	40
H.	Change Order #9 – Payette Library Project.....	41
I.	Change Order #3 – ROSE Advocates.....	44
J.	FY 2013 Budget Public Hearing Date.....	47
XI.	DEPARTMENTAL REPORT	
A.	Payette Fire Department – March 2012.....	48
XII.	MAYOR’S COMMENTS	
XIII.	CITIZEN’S COMMENTS <i>(Limited to 5 minutes per person, at the discretion of the Mayor)</i>	
XIV.	ADJOURNMENT	



NOTICE OF PUBLIC HEARING

The Payette City Council will be conducting a Public Hearing during a regular scheduled meeting to receive input concerning the following requests:

- A. An application by the City of Payette for Rae Subdivision for preliminary & final subdivision plat, a portion of Block 39 of the Westslope Plat lying within the SE1/4NW1/4 of Section 3, T 8 N, R 5 W, B.M., City of Payette, Payette County, Idaho. The property is zoned C-2 Commercial.
- B. An application by the Church of Christ for a Variance of 4 ½ feet to the front setback requirements at 138 S. 9th St., E1/2 Lots 11 & 12, Block 8 Payette, Masters Orig. The property is zoned C-1 Commercial Downtown.
- C. An application by Tammy Jacobs for a Variance to allow her parents to live in a 5th wheel at 1150 12th Ave. S., South Park Sub, Lot 16, Block 1. The property is zoned B-Residential.

The Public Hearing on the above requests will be held **April 2, 2012** at 6:15 PM, or shortly thereafter, in the Payette City Council Chambers, 700 Center Avenue, Payette, Idaho. Interested citizens may appear with regard to the foregoing items and will be given the opportunity to be heard in support of, or in opposition to the proposals. The Public is invited and encouraged to attend.

Any person needing special accommodations to participate in the above noticed meeting should contact the City at least 5 days before the meeting at 700 Center Avenue or at 642-6024.

Bobbie Black, Deputy City Clerk

Notice of Public Hearing on the Status of Funded Activities

The City of Payette received an Idaho Community Development Block Grant in the amount of \$500,000 from the Idaho Department of Commerce. This funding is allocated to the State of Idaho from the U.S. Department of Housing and Urban Development. These funds are currently being used to assist with the construction of the ROSE Advocate Maple Tree House.

The hearing will include a review of project activities and accomplishments to date, a summary of all expenditures to date, a general description of remaining work and any changes made to the scope of work, budget, schedule, location or beneficiaries.

The hearing has been scheduled for April 2nd, 2012 at 6:00 PM in the Payette City Hall. Project information will be available for review at Payette City Hall. Verbal and written comments will be accepted up to and at the hearing.

Information provided at the public hearing will be available, upon request, five days prior to the hearing. Special accommodation or alternative formats for non-English speaking persons and persons with disabilities will be available, upon request, with minimum of five (5) days notice prior to the hearing. The hearing will be held in the facility that is accessible to persons with disabilities. For more information, contact Payette City Hall at 642-6024.

Jeff Williams, Mayor
700 Center Ave.
Payette, ID 83661

STAFF REPORT

P&Z Public Hearing Date: March 22, 2012

Applicants Name: Church of Christ

Describe Request: Applicant is requesting a VARIANCE to the front setback requirements. Applicant would like to extend the steps 4 ½ feet to make the building ready for wheelchair use.

Property Zoned: C-1 Commercial - Downtown

Address: 138 South 9th Street; Payette, Idaho

Property Size: 0.1000

Access: South 9th Street and 1st Avenue South

Structures: Yes, Church

Comp Plan: C-1 Commercial Downtown

Surrounding Uses: Jackson's Food Store across the street and residential use next door and adjacent to the property.

Sections of Code:

Variance Definition: "Variance" provides a device which grants a property owner relief from certain provisions of this title when, because of the particular physical surroundings, shape, or topographical condition of the property, compliance would result in an undue hardship upon the owner as distinguished from mere inconvenience.

Required Setback: Setback Required When: No setback shall be required except where buildings are constructed adjacent to a street of less than sixty feet (60') in width, in which case buildings shall be constructed no closer than thirty five feet (35') from the centerline of the street. Landscaping shall cover five percent (5%) of the lot or ten feet (10') deep along any street frontage, whichever is less. Delivery service areas of twenty feet (20') in width in the rear or side may be required.

*** Payette City Code 17.78.010 says that the applicant must demonstrate the following:

The city council shall consider variances to the terms of this title which will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this title will result in undue hardship upon a landowner and under such conditions that the spirit of this title shall be observed and substantial justice done. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon showing of undue hardship because of the characteristics of the site. In acting upon a variance request, the city council shall make full investigation and shall only grant a variance upon finding that the following are true:

A. That the granting of the variance will not be in conflict with the spirit and intent of the comprehensive plan for the city, and will not effect a change in zoning.

B. That there are exceptional or extraordinary circumstances or conditions, applicable to the property involved, or the intended use thereof, which do not apply generally to the property or class of use in the district, so that a denial of the relief sought will result in:

1. Undue loss in value of the property.

2. Inability to preserve the property rights of the owner.

3. The prevention of reasonable enjoyment of any property right of the owner.

C. The granting of such relief will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements of other property owners or the quiet enjoyment of such property improvements.

D. That the reason for a variance was not caused by the owners, or previous owner's actions. (Ord. 1204, 2002)

Staff Comments:

*** Staff recommendation would be to approve the Variance Application for the Church of Christ with the requirement that they get a building permit prior to the start of any work.***

Due March 1st

PTZ 3-22^{0.00}

CC 4-2 around 6:45



City of Payette

Variance Application

Non Refundable Fees:

Application..... \$100.00

Payette City Code 17.78.010

OFFICE USE ONLY

Date Received 2/28/12 Paid Y / N

Date of Notice 3/22/12 CC 3-15-12

Date of Hearing 3-22-12 PTZ 4-2-12 CC

P&Z Action _____

City Council Action _____

Applicants Name Church of Christ

Address 138 So 9th St (PO Box 333)

City Payette State ID Zip 83661

Phone 208-642-6056 Alt Number _____

Please attach the following:

Legal Description in the w.f. master Plat of Payette 2nd par Plat in Book 1, Page 18, Plat Records of Payette ID

Map Block 8: The East 1/2 of Lots 11 and 12

Proof of ownership

Name & Addresses of all property owners & residents within 300 feet of the exterior boundaries of the land being considered. (This can be obtained at the Payette County Assessor's Office)

Street Address of the property 138 So 9th Street

Size of the property 67.5 ft By 72.625 ft 4902.2 sq'

What is the property zoned Commercial

Nature of Request

Describe the nature of the Variance requested to extend the Existing steps 4 1/2 ft to make the building ready for wheel chair use

Existing use of the property the Meeting house of the Payette Church of Christ

17.78.010 Variances – Permissible When: The City Council shall consider variances to the terms of this Title which will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Title will result in undue hardship upon a landowner and under such conditions that the spirit of this Title shall be observed and substantial justice done. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon showing of undue hardship because of the characteristics of the site. In acting upon a variance request, the City Council shall make full investigation and shall only grant a variance upon finding that the following are true:

A. That the granting of the variance will not be in conflict with the spirit and intent of the comprehensive plan for the City, and will not affect a change in zoning.

B. That there are exceptional or extraordinary circumstances or conditions, applicable to the property involved, or the intended use thereof, which do not apply generally to the property or class of use in the district, so that a denial of the relief sought will result in:

1. Undue loss in value of the property.
2. Inability to preserve the property right of the owner.
3. The prevention of reasonable enjoyment of any property right of the owner.

C. the granting of such relief will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements of other property owners or the quiet enjoyment of such property improvements.

D. That the reason for a variance was not caused by the owners or previous owner's actions. (Ordinance 1204, 2002)

Narrative statement indicating why the requested variance conforms to the guidelines set forth in the Zoning Ordinance _____

the variance will not impede the foot traffic.
the widening of 9th Street right away puts the property line at the end of the existing stairs.
see Attached documents

A variance requires an applicant to show two particular aspects before the variance is considered.

1. Describe the unique site characteristic (which is natural) showing reason for request _____

Property line is at the end of the stairs - to make the building wheel chair ready we need to raise the existing landing and extend the stairs *see Attached documents*

2. If unique site exists show how request granted is not contrary to public interest outline in the comprehensive plan and zoning ordinance _____

It will not impede the foot traffic on the existing sidewalk
see Attached documents

Requests for Granting a Variance

The following conditions must be fulfilled before a variance can be considered by the Planning & Zoning Commission. Showing that a variance is profitable or desirable for the owner and no harm will be done to others is not sufficient.

Below each requirement explain why your request conforms:

1. Show how granting of variance will not affect a change in zoning _____

there is a Concrete Pad in the Rightaway for 9th Street that
the new steps will encroach. that will not change the
foot traffic path. see site Plan

2. Explain any exceptional or extraordinary circumstances or condition applicable to the property involved, or the intended use thereof, which do not apply, generally to the property of use in zoning district. So that if the request is denied it will result in undue loss in value, inability to preserve property rights _____

the right away for 9th Street has taken the property line
so close to the building it is making it hard to enter for
the handicap.

3. Indicate the alleged hardship. Has the hardship been created by the action of the property owner or the applicant? (i.e. applicant did not reduce size of the lot by prior sale) _____

No

4. Approval of the variance will not be in conflict with the interest of the neighborhood or public interest in general. (Health, safety or welfare) _____

No

2-27-2012
Date

Edgar Bryant
Signature

To the Zoning Commission
From The Church Of Christ of Payette
Location: 138 9th Street
Payette, Idaho 83661

Mailing: P.O. Box 333

It is the desire of the church to start making the building accessible to wheel chairs and the handicap. In doing so the first step is to raise the landing of the front door. Right now the landing is one step from the threshold of the door. Because the existing stairs end at the property line by raising the landing the new steps, and to make them comply to the building code, would extend the stair case four and a half feet onto the city right away. See attached documents. As you can see on the site plan the additional steps will not impede the foot traffic on the sidewalk in front of the building. If this Variance is approved that will enable us to go to steps two and three as money permits.

I want to thank you for your consideration in reviewing this application for a Variance.

Yours Truly,



R Edgar Bryant
1134 Center Ave. Payette, Id 83661
208-642-6056

To the Zoning Commission
From The Church Of Christ of Payette
Location: 138 9th Street
Payette, Idaho 83661

Mailing: P.O. Box 333

I, R. Edgar Bryant, the undersigned, is a trustee and treasurer of the church. I am a licensed Texas Real Estate Inspector and a licensed Contractor in California and have been in the building business since 1957. I have built buildings in Corvallis, OR and Boise, Idaho and in the Dallas, Texas area. While in Boise, ID I designed, engineered and built the church building for the Church of Christ under the supervision of the Ron Thurber Architectural firm. While in the Dallas area I was a designer and a draftsman for two different architectural firms. I moved to Payette to retire. My son who lives and works as a contractor in Boise, ID will be the contractor on file.

Thank you,


R Edgar Bryant
1134 Center Avenue
Payette, Id 83661

208-642-6056

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9009 P1470000090
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S MAIN ST

S 9TH ST

S 10TH ST

PAYETTE CHURCH OF CHRIST INC
 PO BOX 333
 PAYETTE, ID 83661
 E1/2 LOTS 11 & 12, BLK 8
 MASTERS ORIG. CHURCH PAYETTE,

Neighborhood Number
 99030
 Neighborhood Name
 602-B Relegious

TAXING DISTRICT INFORMATION
 Jurisdiction Name Payette
 Area 001
 District TAG 00
 Census Tract 0

Site Description
 Topography
 Public Utilities
 Street or Road
 Neighborhood
 Zoning:
 Legal Acres:
 0.1000

Transfer of Ownership

Assessment Year		2006	2006	2007	2008	2009	2010	2011
Reason for Change		5Y Reval	5Y Reval	5Y Reval	Value Update	Value Update	Value Update	Value Update
MARKET VALUE		L	I	T	0	0	0	0
		0	0	0	0	0	0	0

*300 ft
 642-6056
 Ed Bryant*

Valuation Record

Assessment Year		2006	2006	2007	2008	2009	2010	2011
Reason for Change		5Y Reval	5Y Reval	5Y Reval	Value Update	Value Update	Value Update	Value Update
MARKET VALUE		L	I	T	0	0	0	0
		0	0	0	0	0	0	0

Land Size

Rating, Soil ID - or - Actual Frontage	Acres - or - Effective Frontage	Square Feet - or - Effective Depth	Influence Factor
Exempt Land	0.1000		



View from the Corner of 2nd Ave & 9th St.



View from 2nd Ave S



View from 9th street

STAFF REPORT

P&Z Public Hearing Date: March 22, 2012

Applicants Name: Tammy Jacobs

Describe Request: Applicant is requesting a VARIANCE to allow her parents to live on her property in a 5th wheel trailer

Property Zoned: B-Residential

Address: 1150 12th Avenue South; Payette, Idaho

Property Size: 0.44

Access: 12th Avenue South South

Structures: Residence and Garage

Comp Plan: B-Residential

Surrounding Uses: Vacant and Residential Property next to address

Sections of Code:

Variance Definition: "Variance" provides a device which grants a property owner relief from certain provisions of this title when, because of the particular physical surroundings, shape, or topographical condition of the property, compliance would result in an undue hardship upon the owner as distinguished from mere inconvenience.

*** Payette City Code 17.78.010 says that the applicant must demonstrate the following:

The city council shall consider variances to the terms of this title which will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this title will result in undue hardship upon a landowner and under such conditions that the spirit of this title shall be observed and substantial justice done. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon showing of undue hardship because of the characteristics of the site. In acting upon a variance request, the city council shall make full investigation and shall only grant a variance upon finding that the following are true:

- A. That the granting of the variance will not be in conflict with the spirit and intent of the comprehensive plan for the city, and will not effect a change in zoning.
- B. That there are exceptional or extraordinary circumstances or conditions, applicable to the property involved, or the intended use thereof, which do not apply generally to the property or class of use in the district, so that a denial of the relief sought will result in:
1. Undue loss in value of the property.
 2. Inability to preserve the property rights of the owner.
 3. The prevention of reasonable enjoyment of any property right of the owner.

C. The granting of such relief will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements of other property owners or the quiet enjoyment of such property improvements.

D. That the reason for a variance was not caused by the owners, or previous owner's actions. (Ord. 1204, 2002)

5.28.064: PARKING OR CAMPING PERMISSIBLE WHEN:

It is unlawful within the city limits, for any person to park outside of a licensed trailer court any trailer, trailer coach, automobile trailer or mobile home on any street, alley or highway or other public place, or on any tract of land owned by any person occupied or unoccupied within the city, except as provided in this section as follows:

A. No person shall park, place or locate and use any house trailer or tent for human habitation or for any other purpose on any lot, tract or parcel of land in the city for a period longer than three (3) hours except in a licensed trailer court, and except that the parking of only an unoccupied trailer in any accessory private garage building or other suitable enclosure, or in the side or rear yard in any district, is permitted on the condition that the same is not occupied or used in any manner upon said premises, except as otherwise provided in this section.

Staff Comments:

*** Payette County Code 5-7-2 states No person shall live, reside or stay in any recreational vehicle outside of a licensed recreational vehicle park. (Ord. 2009-02, 4-13-2009). Payette City Code 5.25.064 prohibits the same. Staff recommendation would be to decline the Variance Application per City Code. This property is also in the flood plain***



City of Payette

Variance Application

Non Refundable Fees:

Application..... \$100.00

Payette City Code 17.78.010

OFFICE USE ONLY

Date Received 3/1/12 Paid (Y) / N

Date of Notice _____ 3-15-12 CC

Date of Hearing 3-22-12 P+Z 4-2-12 CC

P&Z Action _____

City Council Action _____

Applicants Name Tammy Jacobs
 Address 1150 12th Ave So.
 City Payette State Idaho Zip 83661
 Phone 642-0190 Alt Number _____

Please attach the following:

Legal Description

Map

Proof of ownership

Name & Addresses of all property owners & residents within 300 feet of the exterior boundaries of the land being considered. (This can be obtained at the Payette County Assessor's Office)

Street Address of the property 1150 12th Ave So. Payette Id.

Size of the property 100 by 190

What is the property zoned Resident-B

Nature of Request

Describe the nature of the Variance requested Not able to take

CARE OF EACH OTHER DAD HAS ~~BRAIN~~ BRAIN
& Lung Cancer w/ treatment Mom had A stroke 2 yrs Ago

Existing use of the property Residential

17.78.010 Variances – Permissible When: The City Council shall consider variances to the terms of this Title which will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Title will result in undue hardship upon a landowner and under such conditions that the spirit of this Title shall be observed and substantial justice done. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon showing of undue hardship because of the characteristics of the site. In acting upon a variance request, the City Council shall make full investigation and shall only grant a variance upon finding that the following are true:

A. That the granting of the variance will not be in conflict with the spirit and intent of the comprehensive plan for the City, and will not affect a change in zoning.

B. That there are exceptional or extraordinary circumstances or conditions, applicable to the property involved, or the intended use thereof, which do not apply generally to the property or class of use in the district, so that a denial of the relief sought will result in:

1. Undue loss in value of the property.
2. Inability to preserve the property right of the owner.
3. The prevention of reasonable enjoyment of any property right of the owner.

C. the granting of such relief will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements of other property owners or the quiet enjoyment of such property improvements.

D. That the reason for a variance was not caused by the owners or previous owner's actions.
(Ordinance 1204, 2002)

Narrative statement indicating why the requested variance conforms to the guidelines set forth in the Zoning Ordinance _____

Because it is not aloud so I asking
to make Exception to move 5th wheel
In City Limits.

A variance requires an applicant to show two particular aspects before the variance is considered.

1. Describe the unique site characteristic (which is natural) showing reason for request _____

to Add 5th wheel to back of the lot.

2. If unique site exists show how request granted is not contrary to public interest outline in the comprehensive plan and zoning ordinance _____

Requests for Granting a Variance

The following conditions must be fulfilled before a variance can be considered by the Planning & Zoning Commission. Showing that a variance is profitable or desirable for the owner and no harm will be done to others is not sufficient.

Below each requirement explain why your request conforms:

1. Show how granting of variance will not affect a change in zoning _____

Not Changing Zoning.

2. Explain any exceptional or extraordinary circumstances or condition applicable to the property involved, or the intended use thereof, which do not apply, generally to the property of use in zoning district. So that if the request is denied it will result in undue loss in value, inability to preserve property rights _____

Temporary Use

3. Indicate the alleged hardship. Has the hardship been created by the action of the property owner or the applicant? (i.e. applicant did not reduce size of the lot by prior sale) _____

To take of Parents need them on property to do so.

4. Approval of the variance will not be in conflict with the interest of the neighborhood or public interest in general. (Health, safety or welfare) _____

Have Sewer & Electric to do so.

Date

3/1/2012

Signature

Jammy Jacobs



1	2	3	4	5	6	7	8	9	10	11	12
13	14	15	16	17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32	33	34	35	36

SUBDIVISIONS ON THIS PAGE

- CARPENTER SUB
- NELSON SUB
- PAYETTE INDUSTRIAL SUB #1
- SOUTH PARK SUBDIVISION
- WESTSLOPE PLAT

LEGEND

- PARCEL LINE
- OLD PARCEL LINE
- ROW LINE
- SUBDIVISION BOUNDARY
- EASEMENT
- HYDRO CENTERLINE
- RAILROADS
- CITY BOUNDARY
- SECTION LINE
- ASSESSOR PARCEL NUMBER 1541-2
- STATE PARCEL NUMBER: 08N05W03100 or 1100
- TAX DESCRIPTION: 1-5
- ADJACENT PARCEL TIE SYMBOL
- LOT NUMBER: 1
- BLOCK NUMBER: 3
- DEED DISTANCE: 1238.07
- SURVEY DISTANCE: 1237.89
- RECORD DISTANCE: 1238.07
- CURVE INFORMATION: L100.0, R=100.0
- SECTION MONUMENTS 1/16" 1/4" 1/2" 1" 2" 4" 8" 16" 32" 64" 128" 256" 512" 1024" 2048" 4096" 8192" 16384" 32768" 65536" 131072" 262144" 524288" 1048576" 2097152" 4194304" 8388608" 16777216" 33554432" 67108864" 134217728" 268435456" 536870912" 1073741824" 2147483648" 4294967296" 8589934592" 17179869184" 34359738368" 68719476736" 137438953472" 274877906944" 549755813888" 1099511627776" 2199023255552" 4398046511104" 8796093022208" 17592186044016" 35184372088032" 70368744176064" 140737488352128" 281474976704256" 562949953408512" 1125899906816024" 2251799813632048" 4503599627264096" 9007199254528192" 18014398509056384" 36028797018112768" 72057594036225536" 144115188072451072" 288230376144902144" 576460752289804288" 1152921504579608576" 2305843009159217152" 4611686018318434304" 9223372036636868608" 18446744073273737216" 36893488146547474432" 73786976293094948864" 14757395258618989728" 29514790517237979456" 59029581034475958912" 118059162068951917824" 236118324137903835648" 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Tax ID 0081820000

JACOBS RONALD & TAMMY
 1150 12TH AVE S
 PAYETTE, ID 83661
 SOUTH PARK SUB LOT 16, BLK 1

Neighborhood Number
 10049

Neighborhood Name
 P-4 FLOOD AREA

TAXING DISTRICT INFORMATION

Jurisdiction Name Payette
 Area 001
 District TAG 00

Site Description
 Topography
 Public Utilities
 Street or Road
 Neighborhood
 Zoning:
 Legal Acres:
 0.4400

Transfer of Ownership
 Owner JOHNSON VERLA LOUISE
 Consideration 0
 Transfer Date 09/21/2005
 Deed Book/Page Deed Type WD 328397 WD

Assessment Year	2006	2007	2008	2008	2009	2010	2011
Reason for Change				Value Update	Value Update	5Y Reval	Value Update
MARKET VALUE	12440	23210	23210	23210	26000	26000	23400
L	0	0	0	115200	115200	115200	110400
I	12440	23210	138410	141200	141200	141200	133800
T							125160

Valuation Record

Rating, Soil ID - or - Actual Frontage	Acreage - or - Effective Frontage	Square Feet - or - Effective Depth	Influence Factor
City Lot	Land Type	Land Size	
		0	-2% L -10%



03:08:29.0

**MINUTES
PAYETTE CITY COUNCIL
Work Session & Regular Meeting
March 19th, 2012**

6:00 PM – Work Session

Dance Hall/Pawn Broker Ordinances: Mark Clark, Chief of Police, addressed the Council. He took the proposed ordinance for pawn shops to the Public Safety Committee and they recommended approval of it. The program is called Leads on Line and the police department has been looking at it for some time. He stated that 25 agencies in Idaho currently use the program. The annual fee would be around \$1,750.00. The communities around us use it. This will give us an investigative tool to search for anything that has been pawned. It doesn't cost the pawn shop anything; it just requires them to enter property that has been pawned. Our current ordinance requires them to write down on a slip and the police departments gets it every couple of weeks and then has to enter it into our system. If the City has a big pawnshop it would put a burden on the department. With this program they can even track e-bay transactions. They are trying a 30 day trial right now. Mr. Clark stated that they are trying to be proactive and get ahead of the game. The Council discussed photo identification and social security number being required. Discussion followed if this would include Chuck Roe and it was stated no, he is grandfathered in even before the last ordinance that was passed. The Council would like to see an ordinance come before them and that it goes to all readings.

Proposed Fee Changes: The Council reviewed the proposed fee changes. The Admin & Finance Committee made a favorable recommendation to Council to approve. There would have to be a public hearing if the fees were changed. Discussed what the deposit of the development fee of \$1,000 would cover. Mr. Argo stated he will provide that to City Council. City Council would like to see this go back to the Admin & Finance Committee for clarification and then for a future work session.

6:40 PM –Presentation –

ITD presentation on Access Management Plan: Dave Szplett presented a power point to the Council on Access Management Plan on Highway 95. This covers an 11.5 mile section from I-84 to the North end of Payette. He talked about what access management is. A study found that 70% of all crashes were driveway or intersection related. There is more truck traffic in recent years along the highway. He showed maps of what plan can be done along Highway 95. The plan is for growth, there is no current planned construction. They are looking for some level of support from the City on the Access Management Plan.

The work session concluded at 6:59 PM.

7:00 PM – Regular Meeting

A regular meeting of the Payette City Council was called to order at 7:00 PM by Mayor Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

ROLL CALL

Members Present: Mayor Jeff Williams, Mark Heleker, Ivan Mussell, Georgia Hanigan, Jeff Sands, Lee Nelson and Craig Jensen

Members Absent: None

Staff Present: Mary Cordova, City Coordinator; Steve Castenada, Fire Chief; Mark Clark, Chief of Police; Doug Argo, City Engineer; Dave Platt, Police Captain, Randy Schwartz, WWTP Superintendent; Bert Osborn, City Attorney; and Bobbie Black, Deputy City Clerk.

PLEDGE

Kristy Davis led the pledge of allegiance.

CITIZENS COMMENTS

None heard.

APPROVAL OF MINUTES

A motion was made by Heleker and seconded by Mussell to approve the work session and regular minutes of 03-05-2012, as written.

After a unanimous voice vote by the Council, the motion CARRIED.

APPROVAL OF BILLS & PAYROLL

A motion was made by Nelson and seconded by Heleker to approve the City Bills & Payroll in the amount of \$313,987.61.

At the roll call:

Ayes: Heleker, Mussell, Hanigan, Sands, Nelson, and Jensen

Nays:

The motion CARRIED.

SPECIAL ORDERS

- A. Fair Housing Proclamation – Craig Jensen read the proclamation.

A motion was made by Heleker and seconded by Sands to approve the Fair Housing Proclamation.

After a unanimous voice vote by the Council, the motion CARRIED.

- B. Chamber Presentation – Craig Jensen presented a certificate to Payette Fire Department for honorable mention for the beautification award from the chamber.

- C. Resolution 2012-04 – Appreciation to Brent King – Mayor Williams read resolution 2012-04 for appreciation to Brent King for his time served on the Planning and Zoning Commission.

A motion was made by Jensen and seconded by Mussell to approve Resolution 2012-04 – Appreciation to Brent King.

After a unanimous voice vote by the Council, the motion CARRIED.

COMMUNICATIONS

- A. Military Child Education Coalition – Invitation to meeting

- B. Arbor Day Foundation – Tree City USA & achieving Growth Award for 2011 – Mayor Williams stated that the City has received the Tree City USA award for 13 years and the Growth Award for 11 years.

PLANNING & ZONING

Nothing heard.

OLD BUSINESS

- A. ORDINANCE 1361 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 5.17 OF TITLE 5, ADDING NEW CHAPTER 5.18, DANCES, DANCE HALL LICENSES AND REGULATIONS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; ESTABLISHING A PENALTY – 1st Reading

A motion was made by Heleker and seconded by Nelson to introduce Ordinance 1361 by title only.

After a unanimous voice vote by the Council, the motion CARRIED.

The Council discussed the 500' in section 15.18.160 #B, that would be approximately 1 ½ blocks. Where can you locate within that distance? City Code for a liquor store is 300'. The Council discussed hours of operation for classes of dance halls. They also discussed adding state agencies for right of entry under section 5.18.080. Council would like staff to modify and bring back to them.

A motion was made by Heleker and seconded by Jensen to move to second reading.

After a unanimous voice vote by the Council, the motion CARRIED.

NEW BUSINESS

- A. EAA, Chapter 837 – City Airport Hangar Lease – Dave Koeppen, Airport Commissioner, talked about work that the Chapter has already done and the lease has provisions for terminating lease. They will do maintenance and will do cleaning of airport lounge and bathrooms. Space has been vacant for a while. This Chapter will stimulate business and growth.

A motion was made by Mussell and seconded by Jensen to enter into a lease agreement with EAA, Chapter 837 for lease of City airport hangar.

After a unanimous voice vote by the Council, the motion CARRIED.

- B. Donation Request – Bobbie Davis Memorial Scholarship – Kristy Davis talked about the scholarship they give to a senior girl at Payette High School.

A motion was made by Hanigan and seconded by Nelson to approve the donation request of a 3 month family pool pass for the Bobbie Davis Memorial Scholarship fund.

After a unanimous voice vote by the Council, the motion CARRIED.

- C. Boy/Girl State donation request – Bill Stephan spoke to the Council. He is requesting a donation for sponsorship for students to attend the conference. He is very dedicated to the organization. It costs \$300.00 for the girls and \$350.00 for the boys to attend.

A motion was made by Heleker and seconded by Nelson to approve the donation request of \$975.00 for the Boy/Girl State sponsorships.

At the roll call:

Ayes: Nelson, Heleker, Mussell, Hanigan, Sands, Jensen

Nays:

The motion CARRIED.

- D. Pay Request #5 – Scott Hedrick Construction
~ROSE Advocates

A motion was made by Hanigan and seconded by Mussell to approve pay request #5 for Scott Hedrick Construction in the amount of \$105,052.00.

At the roll call:

Ayes: Heleker, Mussell, Hanigan, Sands, Jensen and Nelson

Nays:

The motion CARRIED.

- E. ORDINANCE 1359 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 13.04.250 STATEMENT OF WATER CHARGES IN CHAPTER 13.04 OF TITLE 13; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER – 1st Reading

A motion was made by Heleker and seconded by Hanigan to introduce Ordinance #1359 by title only.

After a unanimous voice vote by the Council, the motion CARRIED.

A motion was made by Heleker and seconded by Nelson to suspend the rules and pass Ordinance 1359 on its first reading.

The motion CARRIED.

A motion was made by Heleker and seconded by Mussell that Ordinance 1359 do pass.

At the roll call:

Ayes: Heleker, Mussell, Nelson, Hanigan, Sands, Jensen

Nays:

The motion CARRIED.

F. Fire Department – Standard Operating Guidelines (SOG's)

A motion was made by Heleker and seconded by Jensen to approve the Fire Department Standard Operating Guidelines as presented.

At the roll call:

Ayes: Heleker, Mussell, Nelson, Hanigan, Sands, Jensen

Nays:

The motion CARRIED.

G. USPS – Property Release

A motion was made by Mussell and seconded by Hanigan to approve the property release for the United States Postal Service with concurrence with staff on location placement.

At the roll call:

Ayes: Heleker, Mussell, Hanigan, Nelson, Sands, Jensen

Nays:

The motion CARRIED.

DEPARTMENTAL REPORTS

A. Treasurers Report – February 2012

B. Police Department – February 2012

Doug Argo gave an update on the Greenway. The contractor tries to do paving, but it was too wet and will have to do later. He stated that about 2,000 willow trees were planted.

Mary Cordova stated that the street department purchased a truck with sander from the County. The water department is preparing for the water line loop between Highway 95/Business 95 and have ordered materials at a cost of approximately \$47,000. She stated that the pool is not raining indoors, but work still needs to be completed. Councilor Jensen asked what the progress was for obtaining a waiver from ITD for the Dillabaugh sign. She informed the Council that we are waiting to obtain the property before proceeding.

MAYOR'S COMMENTS

AIC convention in June

Heritage Byway – preliminary approval from the advisory board

KEPHA finally received final approvals

The multi-district Lions Club donated 25 trees to the City

Mayor gone next meeting

CITIZEN'S COMMENTS

Youth Advisory Committee – Andrieanna Lynch reported that the Committee has been busy making dresses to send to Africa and will be helping library move books. They will start looking for funding for the mural.

Chief Clark had opportunity to attend the bass conference in Louisiana and a local person placed 25th in the world and was awarded his prize on stage in front of 93,000 people. Library closed for next 2 weeks, moving books into new section, so the old addition can be re-modeled.

EXECUTIVE SESSION ~ Pursuant to I.C. 67-2345(1)(f), the City Council will recess into Executive Session to discuss with legal counsel for the public agency pending litigation or where there is general public awareness of probable litigation.

A motion was made by Heleker and seconded by Jensen to adjourn to executive session 67-2345(1)(f) at 8:10 pm.

After a unanimous voice vote by the Council, the motion CARRIED.

The Council reconvened into regular session at 8:14 PM.

ADJOURNMENT

A motion was made by Heleker and seconded by Mussel to adjourn the regular meeting at 8:15 PM.

The motion CARRIED.

Signed this _____ day of _____, 2012.

Jeff Williams, Mayor

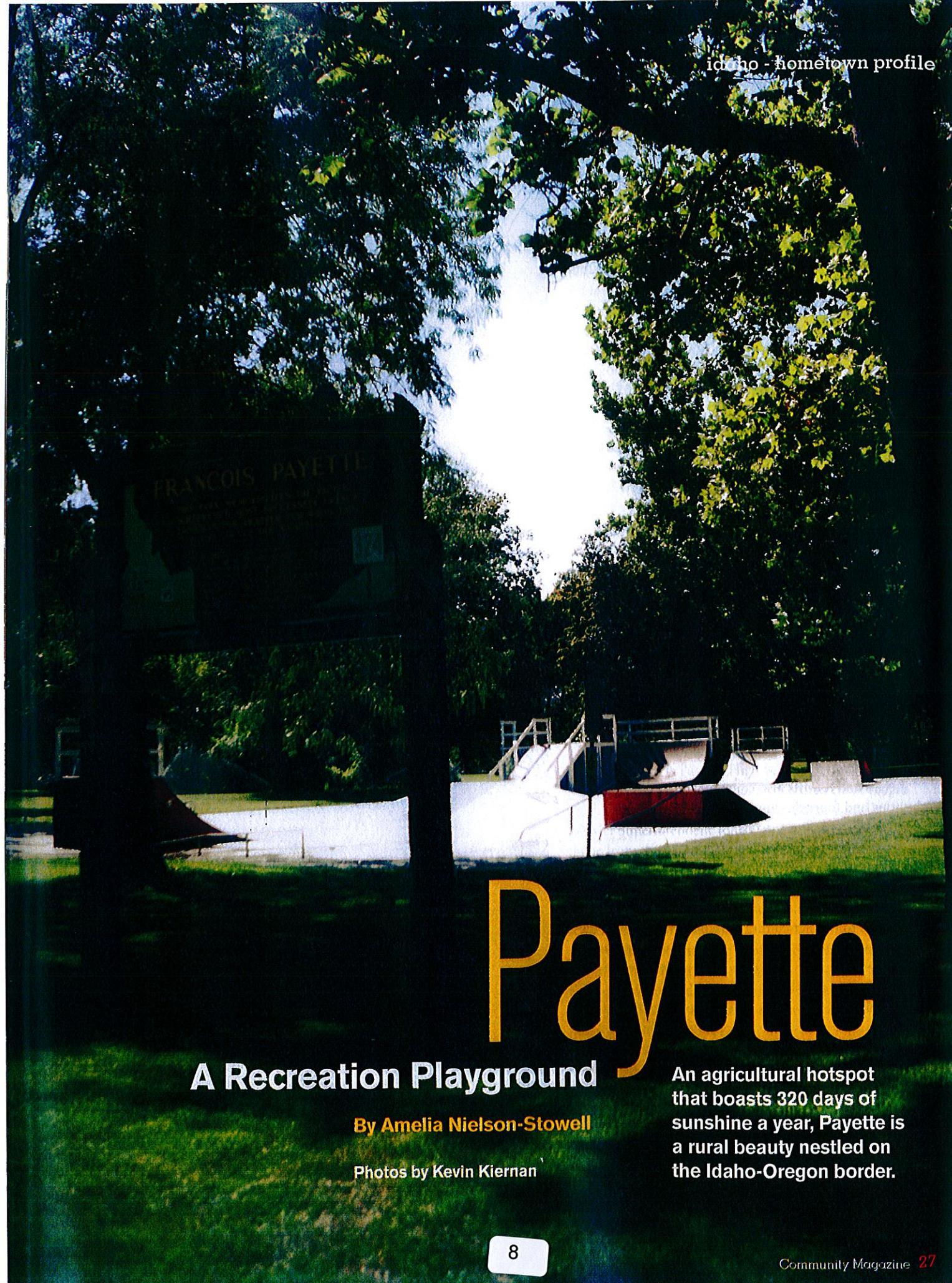
ATTEST:

Mary Cordova, City Clerk

CITY OF PAYETTE

APRIL 2, 2012

CITY OF PAYETTE - PAYROLL	3/23/2012	ET	114,101.44
AMERICAN LEGION - Legis	3/20/2012	6214	975.00
EDGE PERFORMANCE SPORTS - Park	3/29/2012	6217	5,199.00
HARDIN SANITATION - Admin	3/20/2012	6213	26,608.84
PAYETTE COUNTY ROAD & BRIDGE - Street	3/19/2012	6212	4,000.00
ADVANCED CONTROL SYSTEMS - WWTP	4/2/2012	6218	269.00
ALLIED BUSINESS SOLUTIONS - Library	4/2/2012	6219	17.30
BRADY INDUSTRIES - Admin	4/2/2012	6220	104.48
CHEAPER THAN DIRT - Police	4/2/2012	6221	34.68
CITY SERVICE VALCON - Airport	4/2/2012	6222	6,367.22
D&B SUPPLY - Street & WWTP	4/2/2012	6223	146.33
DART'S TRUE VALUE - All Dept.	4/2/2012	6224	780.85
DCS TECHNOLOGIES - Water, WWTP & Library	4/2/2012	6225	658.35
ERA - WWTP	4/2/2012	6226	577.02
GALL'S - Police	4/2/2012	6227	29.41
HARDIN SANITATION - All Dept.	4/2/2012	6228	802.36
ICRMP - Admin	4/2/2012	6229	40,741.50
IDAHO POWER - Street	4/2/2012	6230	4,050.16
IDAHO TRANSPORTATION DEPT. - Police	4/2/2012	6231	10.00
INDEPENDENT ENTERPRISE - Admin & ROSE	4/2/2012	6232	299.82
INTERNATIONAL STONE - Street	4/2/2012	6233	250.00
JERRY'S BUYWAY - Park	4/2/2012	6234	67.96
L.N. CURTIS AND SONS - Fire	4/2/2012	6235	1,002.48
MES-NORTHWEST - Fire	4/2/2012	6236	7,578.30
MICROMARKETING - Library	4/2/2012	6237	28.49
ONTARIO BEARING & HYDRAULIC - Street	4/2/2012	6238	7.75
PAYETTE AUTO SUPPLY - Water	4/2/2012	6239	117.31
PAYETTE PRINTING - Park	4/2/2012	6240	62.00
PITNEY BOWES - Admin	4/2/2012	6241	126.48
QT TECHNOLOGIES - Airport	4/2/2012	6242	995.00
R.T.'S - Street	4/2/2012	6243	36.00
RADAR SHOP- Police	4/2/2012	6244	738.00
S&H TERMINAL - Shop & Street	4/2/2012	6245	195.25
SAV-ON BLDG - Library	4/2/2012	6246	224.00
SMITH, KATRINA - Pool	4/2/2012	6247	23.36
SNO-ISLE LIBRARIES - Library	4/2/2012	6248	64.00
SOUTHWEST HEALTH DISTRICT - Fire	4/2/2012	6249	91.00
STAPLES - Pool	4/2/2012	6250	162.99
SUNRISE ENVIRONMENTAL - Street	4/2/2012	6251	299.33
TOSHIBA FINANCIAL - Admin	4/2/2012	6254	369.60
UNITED PARCEL SERVICE - Police	4/2/2012	6252	17.75
WILDLAND FIRE-RESCUE - Fire & Police	4/2/2012	6253	250.00
	4/2/2012		
			218,479.81



Payette

A Recreation Playground

By Amelia Nielson-Stowell

Photos by Kevin Kiernan

An agricultural hotspot that boasts 320 days of sunshine a year, Payette is a rural beauty nestled on the Idaho-Oregon border.

Early inhabitants of Payette — originally called Boomerang — came looking for mining jobs or simply a place to live while they finished railroad tie contracts for the Oregon Short Line in the early 1800s. It was a difficult and dangerous time to settle in the Northwest, and stories of early pioneers are peppered with accounts of unforgiving territory and roaming Indians in a lawless, uninhabited land.

But settlers stayed for the same reason more than 7,400 Idahoans call Payette home today — its sense of community.

Recreation Playground

Ranked in *Outdoor Life* magazine as one of the top places for outdoorsman to live, Payette is a recreation playground. The state's most notorious rivers for white-water rafting — the Snake and Payette rivers — converge here.

In his book, "Hidden Idaho," author Richard Harris describes the area as "so rugged and remote" that it's "crossed by more rivers than roads."

"Payette River trips, less than an hour's drive north of Boise, draw hundreds of rafters on any given weekend day from May through September. The Payette and its several forks are a virtual finishing school for river-running skills," he continues.

The rivers are popular areas for waterskiing, tubing, rafting and fishing. You'll also find outdoors lovers enjoying Payette's 49 acres of parks, which include greenway trails and the top-ranked 18-hole golf course Scotch Pines.

Locals and tourists also come for the bird watching, hunting and four wheeling, enjoyed in Payette's postcard-perfect four seasons.

Thoroughfare of the Northwest

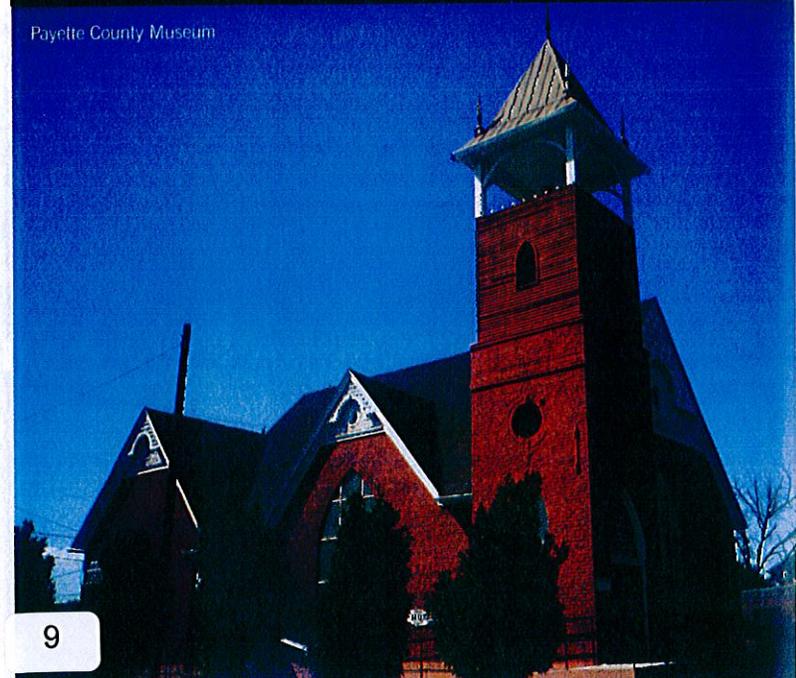
Those mighty rivers are also agricultural lifelines, feeding into Idaho's richest farming regions. The backbone to this agricultural-based community are the farmers who grow vast fields of corn, rows of potatoes and acres of fruit orchards, and the ranchers who raise herds of cattle and sheep.

The biggest employer is Seneca Foods Corp., a world leader in agribusiness. Business leaders in the Snake River Economic Development Alliance are trying to market one of Payette's great business draws to other food distributors: Payette's accessibility.

A thoroughfare of the Northwest, Payette is a transportation crossroads. Both Interstate 84 and U.S. Route 95 run through Payette, offering east-west and north-south access through Idaho. The Union Pacific railroad also stops in town, and travelers and pilots have dubbed the Payette Municipal Airport as "the friendliest little airport in the West."



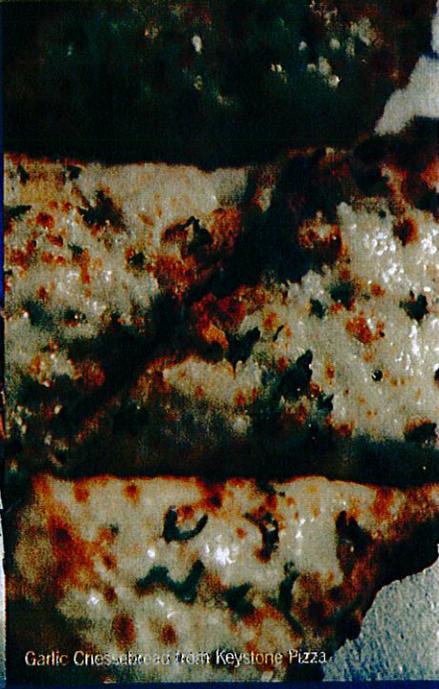
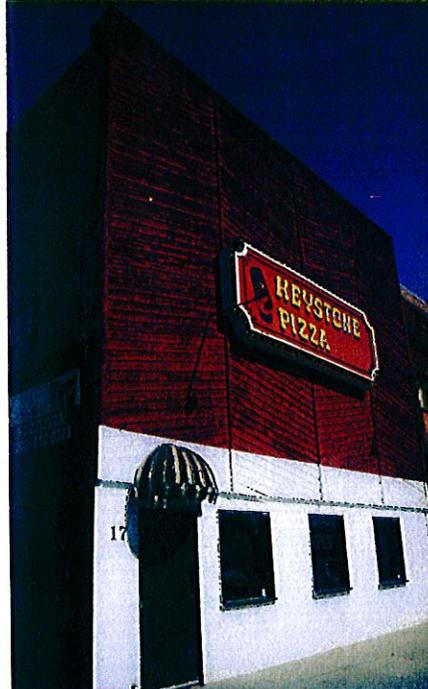
Historic downtown Payette



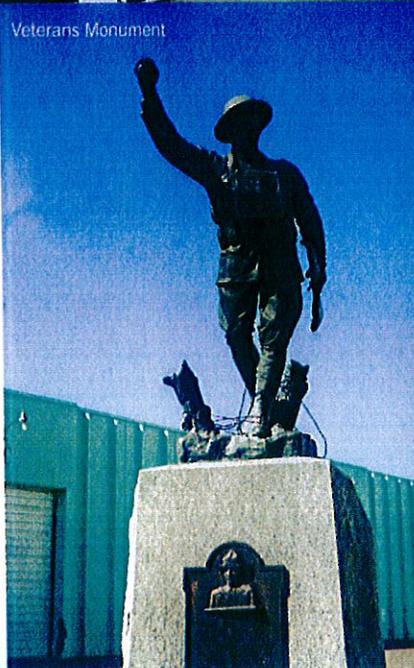
Payette County Museum



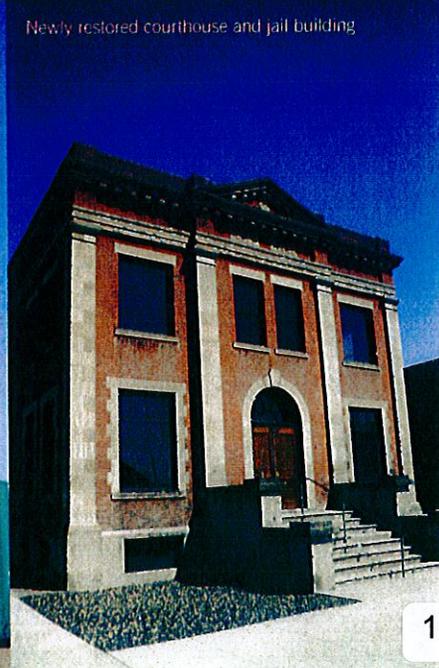
Payette High School



Garlic Chriesubian from Keystone Pizza



Veterans Monument



Newly restored courthouse and jail building

“You have all the transportation needs to get anywhere, but it’s still a rural community,” says Mayor Jeff Williams. “The lifestyle is very laid back.”

He touts the airport upgrade, new fire station, library expansion and a domestic violence center built with a government grant as city highlights.

“Even considering the economic downturn, there’s a lot going on in the city. Our tax rate is the lowest it’s been in 20-plus years,” Williams adds.

Community Heart

But Payette’s heart is its residents. The city hosts an active retirement community, thanks to the temperate climate. And the excellent public school system has produced championship-winning soccer, cross-country and marching band programs.

The city is a mix of transplants and natives like Mike Hanigan, owner of Hanigan Chevrolet in Payette. Hanigan was nominated for *TIME* magazine’s 2011 Dealer of the Year, and his dealership is one of the 25 oldest Chevy dealerships in the nation. Hanigan left Payette for a few years for college and jobs in two states, but the family dealership brought him back.

“As soon as I got the opportunity, I came right back home,” he says. “It’s just a nice town to be from and a great place to come home to.”

Known as “The Home of the Dome,” the town’s local landmark is Payette High School’s gymnasium, a 150-foot tall white dome that once stored radar scopes on the Baker Air Force Station near Baker City, Ore. District Superintendent John Campbell acquired the dome from the federal government in 1971, after the government closed the radar installation. The school was in desperate need of a new gym, and Campbell remembered the unique structure from his time as a school teacher in Oregon.

Benevolent alumni have been active in the community. Major League Baseball Hall of Famer Harmon Killebrew, who died in May 2011 of cancer, is buried in Payette. Ranked No. 11 on baseball’s all-time home run list with 573, Killebrew is known around Payette as the humble star who frequently returned home for big events. McCain Middle School is named in honor of former resident Warren McCain, past CEO of Albertsons.

“I’m happy to be from Payette and have a business here that has survived since the 1920s,” Hanigan adds. “I’m proud of the people who have worked for me and with me and the people who have worked in Payette. It’s a great community.”

**PAYETTE PLANNING & ZONING COMMISSION
REGULAR MEETING
February 23, 2012**

6:00 PM –Planning & Zoning Meeting

ROLL CALL

Members Present: Larry Hogg, Jim Franklin, Cassandra McElravy, Thomas Ladley and Randy Choate

Members Absent: Kevin Hanigan and Gary Youngberg

Staff Present: Mary Cordova, City Clerk and Tiffany Howell, Assistant City Clerk

APPROVAL OF MINUTES

A motion was made by Ladley and seconded by Franklin to approve the regular meeting minutes 01-26-2012as written.

After a unanimous voice vote by the Commission, the motion CARRIED.

COMMUNICATIONS

None Heard.

PUBLIC HEARINGS

A. An application by Jim Burdick for a Conditional Use Permit to store one aerial lift truck at 1016 North 11th Street, Block 7 Less W 100' of S 100' Payette, Hughes Sub. The property is zoned B-Residential.

Mike Phillips – 926 1st Avenue South; Payette, Idaho 83661

Mr. Phillips stated that he has property by Mr. Burdick. Mr. Phillips wants to know why Mr. Burdick has to have a conditional use permit to park vehicles there. The City will not allow him to have animals in there like its zoned. Mr. Phillips stated that he has to get a city licensed even though he is not working on any trees, and he is a certified arborist. Mr. Phillips stated that before too long we will have to come in and get a conditional use permit to park their RV on their own property. Mr. Phillips thinks it's a shame that he has to get a conditional use permit to operate this type of a business.

The public hearing was closed at 6:03pm.

NEW BUSINESS

A. Jim Burdick – Conditional Use Permit – 1016 North 11th Street

Clerk Cordova stated that she asked Mr. Burdick and he is going to park his aerial lift truck at his residence. Clerk Cordova stated that this is part of his business and it is not part of a home office. Clerk Cordova stated that Mr. Burdick had to get a license to have a tree business and we were told that he is not a certified arborist. Clerk Cordova stated that as far as parking his vehicle in his lot, there have been numerous of cases not only in Idaho, but different states that the court has said this is not an allowed use. Clerk Cordova stated that he might start with one and end up with 4 or 5 in a few years if business goes well. Clerk Cordova stated that this is commercial use in a non commercial zone.

A motion was made by Franklin and seconded by Hogg to approve the conditional use permit for Jim Burdick to store one aerial lift truck at 1016 North 11th Street and that it can be re-visited upon complaints.

After a unanimous voice vote by the Commission, the motion CARRIED.

OLD BUSINESS

A. Gas & Oil Ordinance –

Clerk Cordova stated that she doesn't have anything new, but we need to hold a public hearing soon. Commissioner Ladley asked if Clerk Cordova has seen what the City of Weiser had passed. Clerk Cordova stated yes. Commissioner Ladley asked how Clerk Cordova felt about the ordinance. Clerk Cordova stated that she feels it is very restrictive. Commissioner Choate stated that he likes the idea of an overlay area in industrial zoned areas. Clerk Cordova stated that EPA has to be very neutral in the whole situation. Commissioner Ladley asked how much time we have left on the moratorium. Clerk Cordova stated that the moratorium ends in March.

Commissioner Franklin stated that that we have some good information to work off of. Commissioner Choate stated that when we have the public hearing Commissioner Choate will be extending an invitation to Mr. May. Clerk Cordova stated that Payette County is also working on an ordinance.

A motion was made by Franklin and seconded by Hogg to continue the Oil and Gas Ordinance to the next meeting.

After a unanimous voice vote by the Commission, the motion CARRIED.

PUBLIC COMMENT

None Heard.

ADJOURNMENT

The meeting was adjourned by a unanimous decision at 6:20PM.

Recording Secretary
Tiffany Howell

ORDINANCE 1361

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 5.17 OF TITLE 5, ADDING NEW CHAPTER 5.18, DANCES, DANCE HALL LICENSES AND REGULATIONS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; ESTABLISHING A PENALTY.

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

Section 1. Section 5.17.040 of Title 5, Chapter 5.17 of the Payette Municipal Code is hereby amended as follows:

**Chapter 5.17
DANCES, CARNIVALS, PARADES AND OTHER ASSEMBLIES**

5.17.040: LICENSE ~~PERMIT~~ FEES:

To engage in the following set out activities, a sponsor shall first obtain a special events permit and shall pay the applicable fee:

- A. Circuses, carnivals, sideshows, and other similar exhibitions and shows;
- B. Musical exhibitions and other exhibitions of art when a fee is charged;
- C. Sports exhibitions when a fee is charged;
- ~~D. Dances, when a fee is collected from participants; excluding school sponsored dances;~~
- ~~D E.~~ Parades;
- ~~E F.~~ Any activity, entertainment, business, exhibition, show or assembly where an assembly of one hundred (100) or more people is attracted;
- ~~E G.~~ Unless a permit to extend an activity is obtained in advance from the city council, any sports exhibition, musical exhibition, ~~dance~~, parade or other activity, entertainment, business, exhibition, show or assembly, the activity shall terminate on or before eleven o'clock (11:00) P.M. if that activity is located in a district which is zoned residential or which is across any street or alley from property which is in a residentially zoned district.

Section 2. A new Chapter 5.18 of Title 5, of the Payette Municipal Code is hereby created as follows:

5.18: LICENSE; DANCES, DANCE HALLS

- 5.18.010 Definitions
- 5.18.020 License Required- Fee - Display
- 5.18.030 Application

- 5.18.040 Determination of Completed Application
- 5.18.050 License - Exemptions
- 5.18.060 License - Process - Issuance - Denial
- 5.18.070 License - Suspension or Revocation
- 5.18.080 Right of Entry
- 5.18.090 Reasonable Lighting Required
- 5.18.100 Parking Lots - Lighting and Supervision
- 5.18.110 Location Restrictions

5.18.010. DEFINITIONS

As used in this chapter, the following words and terms shall be defined as follows:

- (1) DANCE HALL means:
 - (A) A place where dancing patrons or customers are permitted; or
 - (B) A place where dance or any similar live performance is presented to the public.
 - (C) A place, location, building, a part of a building, room or premises, located in an area where recreational or club use is allowed, where in consideration for payment of an admission fee or for other monetary or financial gain, persons are admitted for the purposes of a social gathering or some form of recreation, and music, whether live or recorded, vocal or instrumental, is played.
 - (D) A dance hall is not considered a licensed establishment under chapters 5.04 or 5.08 of Title 5, of the Payette Code.
- (2) CLASS A DANCE HALL means any place where dancing or entertainment is permitted three days or more a week
- (3) CLASS B DANCE HALL means any place where dancing or entertainment is permitted less than three days a week.
- (4) CLASS C DANCE HALL means any place where dancing or entertainment is scheduled one day at a time.
- (5) CLASS D DANCE HALL means any place where dancing or entertainment is scheduled at any time and provides entertainment or social activities primarily to teenagers of the ages of fourteen (14) years old through twenty (20) years old.
- (6) "Teen social club" is considered a CLASS D Dance Hall and shall mean any business establishment which advertises itself, holds itself out to the public as, or is operated primarily as

a "Teen Club", "Teen Dance Club", "All Ages Club" and/or any business establishment which provides entertainment or social activities primarily to teenagers of the ages of fourteen (14) years old through twenty (20) years old, regardless of whether such establishment is conducted, operated or maintained for a profit; "teen social club" does not include movie theaters, amusement parks or a sporting event or facility.

- (7) "Advertise" shall mean promotional signs on the premises, off-premise signs and any written, live, videotaped, audio taped or internet based promotional presentations for the business establishment which feature or promote the attendance of patrons.
- (8) "Licensed premises" shall include the building or facility in which the dance hall is located and any parking area provided by the establishment for its patrons.

5.18.020 License Required- Fee - Display

- A. No person shall open, conduct, stage, sponsor or operate a dance hall without first applying for and receiving an annual license from the city.
- B. The application shall be accompanied by a non-refundable application fee established by resolution of the city council.
- C. Such license shall be prominently displayed at all times upon the premises for which the license was issued.

5.18.030. Application

- A. Any person desiring to secure a license for the operation of a dance hall shall submit an application executed under penalty of perjury to the city. The application shall include the following:
1. If the applicant is:
 - (a) An individual, the individual shall state his legal name and any aliases and submit satisfactory proof that he is eighteen (18) years of age or older; if a foreign national, the individual shall submit satisfactory proof of legal status;
 - (b) A partnership, the partnership shall state its complete name and the names of all partners, whether the partnership is general or limited, and provide a copy of the partnership agreement, if any;

- (c) A corporation, the corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under the statutes of the State of Idaho, or in the case of a foreign company, evidence that it is currently qualified to do business in the State of Idaho, the names and capacities of all officers, directors, and the name of the registered corporate agent and the address of the registered office for service of process;
- (d) A limited liability company, the company shall state its complete name, the date of its formation, evidence that the company is in good standing with the State of Idaho, or in the case of a foreign company, evidence that it is currently qualified to do business in the State of Idaho, and the name of the manager and registered agent and the address of the registered office for service of process.

- 2. Whether the applicant or any of the other individuals listed in the application or any manager has been arrested or convicted of any felony, any criminal act involving alcohol, narcotics, dangerous drugs or illegal drugs or any crime of moral turpitude and, if so, the nature of criminal act involved, the date and place of the arrest or the indictment and the disposition;
- 3. Whether the applicant or any individual listed in the application, any manager, agent or employee are sex offenders required to register as a sex offender in any state in the United States;
- 4. Whether the applicant or any of the other individuals listed in the application or any manager, agent or employee has previously operated or is currently operating or has been or is currently an officer, director, manager, partner, member, principal owner and/or employee of a legal entity which is operating or has operated an unlicensed dance hall and, if so, the name and location of the dance hall and whether such dance hall has ever been declared a public nuisance, as well as the date and jurisdiction wherein such declaration of a public nuisance was made;
- 5. Whether the applicant or any of the other individuals listed in the application or any manager, agent, employee, director or officer has previously operated or is currently operating or has been or is currently an officer, director, manager, partner, member, principal owner and/or employee

of any legal entity which has had a previous license under Title 5 or any other similar dance hall ordinance from another city or county denied, suspended, revoked, or declared a public nuisance, and, if so, the name and location of the dance hall for which such license was denied, suspended, revoked, or declared a public nuisance, as well as the date of such denial, suspension, revocation, or declaration of public nuisance. The suspension or cancelation of a liquor license shall be considered a similar business for the purposes of this section;

6. Whether the applicant or any of the other individuals required to be listed in the application or any manager holds any other licenses under this Chapter or other similar dance hall licenses from another city or county, and, if so, the names and locations of such other businesses;
7. The location of the proposed dance hall, including a legal description of the property, street address, and telephone number(s), if any;
8. Satisfactory proof of the applicant's ownership or right to possession of the premises wherein the dance hall will be operated. A written lease or a notarized letter written by the property owner setting out the applicant's legal right to possession and the owners approval of the use of the property as a dance hall;
9. If the building wherein the dance hall will be operated is in existence, complete plans and specifications for the interior of the building;
10. Provide evidence from the City Planning and Zoning Administrator that the proposed location of such business complies with the location requirements of the City zoning ordinance;
11. The applicant's mailing address and residential address;
12. The applicant's social security number, federally issued tax identification number and date of birth;
13. The name, residence and business address and telephone number of the owner of the premises;

14. The address and particular room or rooms for which the permit is required, the square foot area thereof to be used for dancing, the seating capacity, and a floor plan of seating areas and dance floor;
 15. An illustration of all fire exits, crash hardware on fire doors, fire or emergency evacuation plan;
 16. An illustration of the location of all fire extinguishers and any potential sources of fire ignition;
 17. The hours of operation; and
 18. Such other information as the city may require.
- B. Each application for a dance hall shall be verified by the oath or affirmation of the applicant or the applicant's authorized agent.

5.18.040 Determination of Completed Application

A. Not more than ten (10) days following submission of an application, the City Clerk shall review the application for completeness and conformance with the application requirements of Section 5.18.030. The City Clerk shall not accept for filing any application that is not complete in every detail. If an omission or error is discovered by the City Clerk, the application shall be rejected and returned to the applicant together with a written explanation of the omission or error without further action by the City. Any application rejected by the City due to an omission or error may be resubmitted to the City when the omission or error has been remedied. For the purposes of this Chapter, the date the City Clerk determines that an application is complete and in conformance with the application requirements of Section 5.18.030 in every detail, shall be the date the application is deemed filed with the City Clerk.

B. All applicants shall promptly notify the City in writing in the event that any information contained in an application has changed or any information is discovered by the applicant to be incorrect in any way from what is stated on the application, and every applicant shall have the continuing duty to promptly update and supplement such information during the term of any license issued to the applicant under this chapter. The failure to notify the City Clerk in accordance with this section within thirty (30) days from the date of such change or discovery, by supplementing or updating the application on file with the City Clerk, shall be grounds for

revocation of any application approval or, where a license has been issued, for the suspension or revocation of an issued dance club license.

5.18.050 License- Exemptions

Section 5.18.030 shall not apply to the following organizations or facilities:

A. The School District, schools, academies and other educational organizations, including the student body organizations thereof;

B. Events organized and operated by a charitable, civic, political, religious, fraternal, or other organization which is tax exempt pursuant to Section 501(c) of the Internal Revenue Code of 1986, as amended, which conduct dances on a nonprofit basis and limit attendance to members of such organizations, families or members, and bona fide guests, and which organizations have for their principal purpose of the betterment and advancement of their members otherwise than by the conducting of dances, and conducts such dances as merely incidental to its principal purpose and does not solicit or permit attendance by the general public;

C. Any liquor licensed premises;

D. The city and nonprofit civic organizations.

5.18.060 License- Process - Issuance - Denial

Upon the filing of an application for a dance hall license, the city shall cause an investigation to be made in order to ascertain what effect, if any, the issuance of such permit will have on the public peace, health, safety and general welfare of the city and its inhabitants.

The permit shall be approved, approved with conditions, or denied within thirty days after receiving such application. The application shall be denied for any of the following reasons:

A. The applicant or person to be in charge of the dance or the dance premises is found to be a person of bad moral character or reputation;

B. The applicant or person to be in charge of the dance or the dance premises has been convicted in a court of competent jurisdiction of:

1. An offense involving the presentation, exhibition, or performance of an obscene production, motion picture, play or act, or
2. An offense involving lewd conduct, or
3. An offense involving the use of force and violence upon the person of another, or
4. An offense involving misconduct with any person under the age of eighteen years, or
5. Use, sale or possession of narcotics or any controlled substance;

C. The premises are not suitable or proper for use as a public teenage dance hall;

D. There is a reason to believe that the location of the dance hall will create a public nuisance or disorder in the neighborhood, or the premises are not sufficiently soundproof so that nearby residents or patrons of nearby hotels or lodging houses will not be disturbed, or the floor area in which the dance will be conducted is not adequately lighted;

E. The applicant has knowingly made any false, misleading, incorrect, or fraudulent statement of facts in the license application, or any other document required by the city in conjunction with the application;

Any applicant person aggrieved by the act of the city in granting or denying a license under this chapter may appeal to the city council.

5.18.070 License- Suspension or Revocation

A. Upon investigation and evidence provided by City Officials including: Chief of Police, Fire Chief, Code Enforcement Officer, Building Official, state agency or other authorized employee, which determines that a violation of the provisions of this ordinance has occurred, the City Clerk may, in accordance with the provisions of this

Chapter, either suspend or revoke any license issued pursuant to this Chapter.

B. Additionally should the City Clerk find any of the following to have occurred, the City Clerk may suspend or revoke any license which has been issued pursuant to this chapter:

- (1) The licensed premises have been inactive for at least three (3) months;
- (2) In the case of a dance hall license approved for a facility which had, at the time of such approval, not been completed, such licensed premises has not been placed in operation within six (6) months of the license approval;
- (3) A criminal activity or incident has occurred upon the licensed premises;
- (4) That repeated disturbances of the public peace have occurred within the licensed establishment or upon any parking areas, sidewalks, alley ways or grounds adjacent to, or used by patrons of the licensed premises involving patrons, employees, or the holder of the license. For purposes of subsection (B) (4) of Section 5.18.070, "repeated disturbances of public peace" shall mean more than one disturbance requiring a response by the City Police Department in the preceding twelve (12) months.
- (5) The licensee, manager, or employee knowingly violated or knowingly allowed or permitted any violation of state, federal or local law, or any provision of this Chapter, within the licensed premises or upon any parking areas, sidewalks, alleyways or grounds immediately adjacent to the licensed premises.

5.18.080 Right of Entry

- A. The filing of an application for a dance hall license shall constitute consent by the licensee, his agents or employees, to permit the City Police Department, Fire Department or any other agent of the City to conduct routine inspections of the licensed premises during regular business hours.
- B. It shall be unlawful to hinder, prevent or refuse to permit any lawful inspection or investigation authorized under the terms of this Chapter.

5.18.090 Hours of Operation

A. Hours of operation for Class A, B and C Dance Halls shall be from 12:00 noon to 2:00 a.m.

B. Hours of operation for Class D Dance Halls shall be from 12:00 noon to 11:30 p.m.

C. At closing time for a Dance Hall, the patrons shall be removed from the premises and shall not be allowed to congregate, assemble or gather on the property, sidewalk or alley adjacent to or in the vicinity of the Dance Hall.

5.18.100 Reasonable lighting required

Whenever a dance hall is open or whenever a dance or any other function is in progress at any dance hall, all areas of the dance hall shall be lighted in such a manner as required by the building official.

5.18.110 Parking lots- Lighting and Supervision

All off-street parking facilities made available for the participants of a licensed dance hall shall be lighted and supervised as follows:

A. Lighting. Parking facilities shall be lighted in such a manner as to provide illumination to all vehicles sufficient to insure the safety of those persons using such facility and to permit supervision of the parking area.

B. Supervision. Parking facilities shall be supervised and inspected at reasonable intervals.

5.18.120 Re-admittance

No minor admitted to a Class D Dance Hall shall be permitted to leave and thereafter reenter the dancing premises during the duration of the dance, and no pass-out checks shall be issued. Nothing in this section shall prohibit participants in the dance from passing to and from a refreshment facility provided by the sponsoring organization where such facility is not located in the dancing area.

5.18.130 Use of Alcoholic Beverages or Illegal Use of Drugs Prohibited

A. Admission to a Class D Dance shall be denied to any person showing evidence, signs or symptoms of having consumed any alcoholic beverage, of being under the influence of or

possessing any alcoholic beverage or possessing, having consumed or being under the influence of any illegal or non prescribed controlled substance, or who has any alcoholic beverage or any illegal controlled substance on his or her person.

B. Catering Permits to serve alcoholic beverages will not be issued to any establishment licensed as a Class D Dance Hall at any time.

5.18.140 Participation of Adults Prohibited

A person twenty-one years of age or over shall not attend any Class D Dance Hall as a participant. This section does not prohibit the attendance of authorized chaperons or sponsors.

5.18.150 Loitering Prohibited

No person, having first been requested to leave by a chaperon or other person in charge shall remain or loiter in, around or about the premises at an establishment licensed as a Class D Dance Hall.

5.18.160 Location Restrictions

A. No part of a Class D Dance Hall under this chapter shall be located within three hundred feet (300') of the nearest property line of any property on which alcoholic beverages are served or sold.

B. No part of a premises licensed under this chapter shall be located within three hundred feet (300') of the parcel boundary of any church, public or private school grounds, or parcel zoned as residential. Said distance shall be computed by direct measurement from the nearest portion of the building in which the licensed premises is to be located to the nearest portion of the property boundary which the church, school or residential zone is located.

Section 3. This Ordinance may be published in summary form allowed by Idaho Code.

Section 4. 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 5. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 6. 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.

Section 7. Any violation of this ordinance shall be a misdemeanor punishable in accordance with the general misdemeanor statutes of the State of Idaho.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this _____ day of _____, 2012.

CITY OF PAYETTE, IDAHO

by _____
Jeffrey T. Williams, Mayor

ATTEST:

Mary Cordova, City Clerk

State of Idaho)
 :ss.
County of Payette)

On this _____ day of _____, in the year of 2012, personally appeared MARY CORDOVA and JEFFREY T. WILLIAMS, personally known to me to be the persons whose name is subscribed to the within instrument, and acknowledged to me that they executed the same on behalf of the City of Payette in their official capacities as Mayor and City Clerk.

Notary Public for Idaho
Residing at: _____
Commission expires: _____



City of Payette

Liquor, Beer, Wine, or Restaurant License Application

CITY OF PAYETTE

P:2 App.
3-22-12

Department Use Only

Approved On _____

City Clerk _____

Fire Official _____

Police Official _____

Building Official _____

Non- Refundable Fees:

Application..... (See Box Below)

Background Check..... \$20.00

Chapter 5.04 – 5.15

Application is hereby made for:

Type of License	Amount	Total	Gaming Device	Quantity	Amount	Total
Liquor	\$562.50		Pool Tables		\$8.00	
Beer on Premise	\$200.00	200	Video Games		\$8.00	
Wine on Premise	\$100.00		Card Tables		\$10.00	
Beer off Premise	\$50.00		Pinball/ Foosball Tables		\$8.00	
Wine Off Premise	\$50.00					
Restaurant	\$10.00					
Total		200	Total			

Name Jimmy Deng

Address 107 N. Main St City payette. State ID Zip 83661

Name of Business Jimbo Restaurant

Address of Business 107 N. Main St payette, ID. 83661

Mailing Address 107 N. Main St payette, ID. 83661

Applicant Jimmy Deng

Applicant Address 2645 Dogwood Ave, Fruitland, ID. 83619

Work Phone 642-9988 Home Phone 208-420-2774

Birth Date 07-28-1984 Social Security No 519-57-7295

If you are a food vendor, do you have a health permit?
 YES (If yes, please provide a current copy) NO (No business license will be issued without a copy of your health permit)

Will you be making any changes to the interior or exterior of the building?
 YES (If yes, please indicate the changes below) NO

Please indicate the changes that will be made _____

Will you be adding or changing an existing sign for this particular business?

YES (If yes, please obtain a sign permit from the Building Inspector) NO

This pertain to individuals applying for a beer/wine or liquor license, if you are not applying for the named licenses please skip this section, but don't forget to sign and date the last page.

Are you the owner of the premises?

YES NO (No business license will be issued without a certified copy of your lease)

If you are applying for a beer/wine or liquor license, have you given City Hall a site plan of your building?

YES NO (No business license will be issued without a site plan)

Have you given City Hall a copy of four references to your good moral character?

YES NO (No business license will be issued without a copy of references)

Have you given City Hall a copy of your State and County beer and wine and/or liquor licenses?

YES NO (No business license will be issued without a copy of these licenses)

Are you operating as a partnership or a corporation?

YES (If you answered yes to this question, please see below) NO

If you answered yes to the above question above, please note that no business license will be issued without a list of names and address of those involved, and a copy of the articles of incorporation or articles of partnership.

Below please list the names and addresses of all persons who will have any financial interest in any business to be carried on, in or upon the licensed premises:

Name Rong Fen Deng Address 2645 Dogwood AVE Fruitland

Name Qiong Fang Zhou Address 2645 Dogwood AVE Fruitland

I am 21 years of age or older and of good moral character?

YES NO

I have been convicted of a felony in the last 5 years?

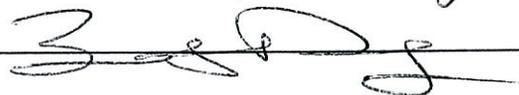
YES NO

I have been convicted of a crime involving moral turpitude?

YES NO

I HEREBY CERTIFY that this statement of application to be true and correct, and by signing this I understand that my partners and I may be subject to a background check by the City of Payette. **I HEREBY CERTIFY** to abide by the laws of the State of Idaho, County of Payette, and the City of Payette.

Printed Name Jimmy Deng Title owner

Signature  Date 2-23-2012

State of Idaho

Idaho State Police

Retail Alcohol Beverage License

Cycle Tracking Number: 53626

License Year: 2012

License Number: 6505

Premise Number: 1P-6505

This is to certify, that
doing business as: RF Deng, QF Zhou & J Deng
Jimbo Restaurant

is licensed to sell alcoholic beverages as stated below at: 107 N Main St, Payette, Payette County

Acceptance of a license by a retailer shall constitute knowledge of and agreement to operate by and in accordance to the Alcohol Beverage Code, Title 23. Only the licensee herein specified shall use this license.


Signature of Licensee, Corporate Officer, LLC Member or Partner

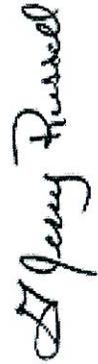
Liquor	No
Beer	Yes \$50.00
On-premise consumption	Yes \$0.00
Kegs to go	No
Restaurant	Yes \$0.00
Wine by the bottle	No
Wine by the glass	No

TOTAL FEE: \$50.00

RF DENG, QF ZHOU & J DENG
JIMBO RESTAURANT
107 N MAIN ST
PAYETTE, ID 83661
Mailing Address

License Valid: 06/01/2011 - 05/31/2012

Expires: 05/31/2012



Director of Idaho State Police

2012

PAYETTE COUNTY
STATE OF IDAHO

No. 44

RETAIL ALCOHOLIC BEVERAGE LICENSE

THIS IS TO CERTIFY THAT _____
doing business as _____
at _____
a(n) _____ PARTNERSHIP _____, is licensed to sell Alcoholic Beverages as stated below, subject to the provisions of
Chapters 23-903 and 23-916 Idaho Code Annotated, and the laws of the State of Idaho, Municipal Ordinances, and the
regulations of the Commissioner in regard to sale of Alcoholic Beverages and the resolution passed by the Commissioners of
said County, on file in the office of the Clerk of the Board at the Payette County Courthouse, Payette, Idaho.

RF DENG, QF ZHOU & J DENG
JIMBO RESTAURANT
107 N MAIN ST, PAYETTE, ID 83661

Dated: Beer: 11/28/1949 Retail Liquor: 11/28/1949 Retail Wine: 06/07/1971 Wine By Drink: 06/07/1971.

Draught and Bottled or Canned Beer	0.00
Bottled or Canned Beer to be consumed on premises	75.00
Bottled or Canned Beer not to be consumed on premises	0.00
Retail Liquor	0.00
Retail Wine	0.00
Wine by the Drink	0.00
Special Wine (Sunday)	0.00
TOTAL FEE:	75.00

Signature of Licensee or Officer of Corporation

This license is TRANSFERABLE and EXPIRES 12/31/2012.
Witness my hand and seal this 3rd day of January, 2012.

Chairman

Commissioner

Commissioner

(SEAL) Setty J. Sorenson
Clerk of the Board of County Commissioners

(This license must be conspicuously displayed)



City of Payette

Donation Request Form

OFFICE USE ONLY

Date Received 3-23-12

Received by M. Cordova

Call made by/time _____

Donation Awarded Y / N CC Date _____

Note: Requests must be received two (2) weeks prior to your event. We cannot fill requests without proper advance notification. One donation will be given per calendar year. A submitted request does not guarantee a donation.

Please initial that you have read the above statement _____

Organization Information

Name of Organization/Club Payette Civic League

Organization's Address 102 North Main ST 83661

City _____ State _____ Phone _____

Organization E-mail _____

Tax Exempt Number _____

Contact Person Information

Contact Name Wella Schroeder

Contact E-mail _____

Contact Cell Number _____ Work/Home Number 642-3020

Event Information

Event Name Queens Coronation

Event Date and Time _____

Projected Attendance _____ Cost per Person (if applicable) _____

Item To Be Used For (Door Prize, Silent Auction, Live Auction, Etc.) _____

Are you requesting a pool pass Y / N If not, list your request _____

(Please Check One) Day Pass _____ Month Pass 3 Three Month Pass _____

\$25.00 = Total \$75.00

Event Description _____

ORDINANCE 1364

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 5.32 IN OF TITLE 5, REQUIRING PAWNBROKERS OR PAWNSHOPS TO USE AN APPROVED, FUNCTIONING AND COMPATIBLE REPORTING PROGRAM; ADDING NEW SECTION 5.32.125 REQUIRING TRANSMITTAL OF DAILY REPORTS; DELETING SECTIONS 5.32.140 AND 5.32.150; 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. Chapter 5.32 of Title 5, of the Payette Municipal Code is hereby amended as follows:

**Chapter 5.32
PAWNBROKERS OR PAWNSHOPS**

- 5.32.010: DEFINITIONS:
- 5.32.020: LICENSE REQUIRED:
- 5.32.030: APPLICATION FOR LICENSE:
- 5.32.040: ISSUANCE OF LICENSES:
- 5.32.050: INVESTIGATION BY CHIEF OF POLICE OR HIS/HER DESIGNEE:
- 5.32.060: BOND:
- 5.32.070: LICENSE REQUIREMENTS:
- 5.32.080: NONUSE AND TRANSFER OF LICENSE:
- 5.32.090: POSTING:
- 5.32.100: FORFEITURE OF PAWN:
- 5.32.110: PAWN TICKET TO BE FURNISHED:
- 5.32.120: PAWNBROKER LICENSEE TO KEEP DETAILED RECORDS AND PROVIDE CHIEF OF POLICE WITH COPY:
- 5.32.125: TRANSMITTAL OF DAILY REPORTS REQUIRED:
- 5.32.130: RECEIPT FOR PAYMENT TO BE FURNISHED:
- ~~5.32.140: SEPARATE PAWN TICKET FOR EACH ITEM:~~
- ~~5.32.150: REPORT FURNISHED CHIEF OF POLICE:~~
- 5.32.160: PERSONS FROM WHOM PAWN-MERCHANDIZE MAY NOT BE TAKEN:
- 5.32.170: NO EMPLOYEES UNDER EIGHTEEN YEARS OF AGE:
- 5.32.180: ACTS OF EMPLOYEES:
- 5.32.190: SAFEKEEPING OF PLEDGES:
- 5.32.200: EMPLOYEE REGISTRATION:
- 5.32.210: REVOCATION OF LICENSE:
- 5.32.220: LOCATION:
- 5.32.230: PENALTY:

5.32.010: DEFINITIONS:

For the purposes of this Chapter, the following definitions will apply:

- A. Chief of Police. Chief of the Payette Police Department or his/her designee.
- B. Pawnbroker/Licensee. Any person, firm, association, partners, co-partnership or corporation within the city who loans money on deposit of personal property or deals in the purchase or possession of personal property or Secondhand Property on condition of selling the same back again to the pledgor or depositor, or who loans or advances money on personal property or Secondhand Property by taking any security interest therein, and takes or receives such personal property or Secondhand Property into his/her possession is declared to be a pawnbroker.

5.32.020: LICENSE REQUIRED:

It shall be unlawful for any person to conduct or transact a ~~P~~pawnbroker business or pawnshop in the city without first having applied and procured a city ~~pawnbroker's~~ license therefore as provided in this chapter.

5.32.030: APPLICATION FOR LICENSE:

The application shall state the name of the person, and in case of a partnership, firm, association, co-partnership or corporation, the names of all of the partners in such partnership; corporation; or of the directors, officers ~~and~~ or stockholders of such firm, association, co-partnership or corporation; also the place, street and number where such business is to be carried on, and it shall specify the amount of capital proposed to be used by the applicant in such business.

5.32.040: ISSUANCE OF LICENSES:

A. No ~~pawnholder's~~ license issued under this Chapter shall be issued to any person, corporation, co-partnership, firm, partnership or association other than the real and actual proprietor and owner of the business for which it is issued.

B. No license shall be issued to nor shall any renewal of a license be approved until the applicant has installed and can demonstrate that it has a functioning electronic reporting program which is approved by the Chief of Police or his/her designee, is compatible with City technology systems, and can

store and electronically transmit to the City the information which is required by this Chapter.

5.32.050: INVESTIGATION BY CHIEF OF POLICE OR HIS/HER DESINGEE:

All applications for ~~pawnholder's~~ licenses issued under this Chapter or renewals thereof shall be presented to the city council at a regular meeting thereof. No application shall be acted upon until the expiration of ten (10) days after a solicitation for a recommendation for or against the application from the ~~e~~Chief of ~~p~~Police or his/her designee; provided, however, that the city council shall not be bound by the ~~e~~Chief's or his/her designee's recommendation.

5.32.060: BOND:

The applicant shall file with the application, and in the event the license is granted, shall maintain throughout the period of time the license is in existence or valid, a bond running to the city, conditioned for the faithful observance of all provisions of this chapter respecting pawnbrokers, during the continuance of such license, and any renewal thereof. This bond shall be in the sum of five thousand dollars (\$5,000.00) with a qualified surety company.

5.32.070: LICENSE REQUIREMENTS:

The license issued under this chapter shall state the name of the person to whom issued the place of business and street number where such business is located and the amount of capital employed. Such license shall entitle the person receiving it only to do business at the place designated in such license.

5.32.080: NONUSE AND TRANSFER OF LICENSE:

If a ~~pawnbroker~~ licensee does not conduct said business for a period of ninety (90) days, the license shall be null and void. ~~Pawnbroker's~~ Licenses shall not be transferable to any other person, except by a majority vote of the city council, and the filing of an application and a new bond by the person to whom such license is, or may be, transferred or assigned. It shall be unlawful for any person to do business, or to attempt to do business, under a license transferred to him/her without such approval of the city council.

5.32.090: POSTING:

It shall be unlawful for any person to conduct or transact a ~~pawnbroker~~ business in the city, as related to this chapter, unless he shall keep posted in a conspicuous place in the place of business the license certificate therefore, and a copy of the ordinance codified in this chapter relating to ~~pawnbrokers~~ the licensee.

5.32.100: FORFEITURE OF PAWN:

No ~~goods, articles or things~~ items acquired or purchased by any ~~pawnbroker~~ licensee shall be sold or otherwise disposed of for a period of five (5) working days after the same is so purchased. The ~~pawnbroker~~ licensee shall retain in his/her possession every pledge or pawn for thirty (30) days after the sum loaned thereon becomes due, or for thirty (30) days after the last payment of interest, or part of the principal, whichever time period is greater. After a loan is in default the ~~pawnbroker~~ licensee may refuse to accept any payment less than the entire principal and interest due. (Ord. 955, 1985)

5.32.110: PAWN TICKET TO BE FURNISHED:

A. Each ~~pawnbroker~~ licensee shall furnish to the pledger a printed receipt clearly showing the amount loaned with a specific, detailed description of the pledged property pawned or received, date of receipt thereof, time for redemption, and the name of the pledgee. The reverse side of said receipt shall be marked in such a manner that the amounts of principal and interest and any other charges paid by the person securing the loan can be clearly designated thereon. Each payment shall be entered upon the reverse side of said receipt and shall designate how much of the payment is being credited to principal, how much to interest, and how much to any other charges, with the date of said payments shown thereon. The ~~pawnbroker~~ licensee shall affix to each ~~article or thing~~ item a tag upon which shall be inscribed a number, of legible characters which shall correspond to the number on the pawn ticket and be entered in the ~~book~~ records required to be kept by the provisions of this chapter. The ~~pawnbroker~~ licensee shall furnish all information required to be given to borrowers by state and federal law. The following information shall appear in bold print on the front of each pawn ticket required to be given the pledger:

WARNING

If you have borrowed money from the pawnbroker/licensee, and if you fail to make any payment when it is due, the pawnbroker/licensee, 30 days after default in making any payment may keep or sell any property you have deposited, and you will lose your rights to the property.

B. Every licensee shall prepare and deliver to the pledger at the time of the pledge a separate pawn ticket for each and every item pledged.

5.32.120: PAWNBROKER LICENSEE TO KEEP DETAILED RECORDS AND PROVIDE CHIEF OF POLICE WITH COPY:

A. Every ~~pawnbroker~~ licensee shall ~~make~~ maintain in his/her place of business a permanent electronic record, through software compatible with the city's technology systems, an permanent accurate record in both electronic form and ~~typed or~~ legibly printed in ink in the English language at the time of taking any personal property or Secondhand property of any kind into custody or possession, whether as security for a loan or received or purchased for resale, which shall provide an accurate description of the property and the person from whom it was received. The licensee shall be responsible for ensuring that each person entering into a transaction provides a current driver's license or other identification card issued by any state, federal, or local government which includes a photograph in order to verify the person's identity. All such descriptions of property shall include, ~~whenever possible,~~

1. The nature and date of the transaction, and number identifying it.
2. The name and/or employee identification number of the person conducting the transaction on behalf of the licensee.
3. Type and identifying number of the personal identification used by the person with whom the transaction was made.
4. ~~the brand name, model, and serial number~~ Complete description of the property pledged, bought, or consigned, including as applicable, brand name; serial number; model number by name; any initials or engravings or other identifying marks; size, pattern, and type of jewelry, including color and cut information of any stones; type of firearm, its caliber, barrel length, and type of action.~~and~~

5. All such descriptions of persons with whom the transaction is made shall include the last, first, and middle name, the current address, the date of birth, the height, the gender, the weight, ~~and the~~ social security number, driver's license number ~~or~~ and motor vehicle license plate number of the person described.

~~B. All such records shall be made in duplicate and on forms approved by the chief of police and the duplicate copy shall be furnished to any city police officer upon request of such officer.~~ All paper and computer records of property received and transactions made shall be open to, and made available for, inspection by the city's law enforcement personnel during the licensee's normal business hours.

~~C. No entry on such records shall be altered, erased, obliterated, or defaced., and all property described in the record shall be open to the inspection of any city police officer during reasonable hours.~~

5.32.125: TRANSMITTAL OF DAILY REPORTS REQUIRED:

Every licensee doing business in the city shall maintain in his/her place of business a complete paper and electronic record as described in this chapter of all transactions conducted either by him/herself or by his/her employees or other staff. A record of each day's transactions shall be transmitted by five o'clock p.m. (5:00 p.m.) the following business day to the Payette Police Department via electronic transfer or through such other method as approved by the Chief of Police or his/her designee.

5.32.130: RECEIPT FOR PAYMENT TO BE FURNISHED:

Upon redemption of any pledge, the ~~pawnbroker~~ licensee shall furnish to the pledger at the time of redemption a written signed receipt indicating the exact amount paid on principal and interest.

~~5.32.140: SEPARATE PAWN TICKET FOR EACH ITEM:~~

~~Every pawnbroker shall prepare and deliver to the pledger at the time of the pledge a separate pawn ticket for each and every item pledged.~~

~~5.32.150: REPORT FURNISHED CHIEF OF POLICE:~~

~~It shall be unlawful for any pawnbroker to fail to deliver to the chief of police once each week and at other times when requested by said officer a legible, complete and accurate copy of the record required to be kept by pawnbrokers pursuant to section 5.32.120 of this chapter.~~

5.32.160: PERSONS FROM WHOM PAWN MERCHANDISE MAY NOT BE TAKEN:

It shall be unlawful for any ~~pawnbroker~~ licensee or his/her employee knowingly or without reasonable inquiry to receive any ~~goods or things~~ items in pawn, pledge or for resale from a person who is intoxicated, under the influence of drugs, insane or under age of eighteen (18) years.

5.32.170: NO EMPLOYEES UNDER EIGHTEEN YEARS OF AGE:

It shall be unlawful for any ~~pawnbroker~~ licensee to employ any person under the age of eighteen (18) years to receive any pledge or make any loan.

5.32.180: ACTS OF EMPLOYEES:

The holder of a ~~pawnbroker's~~ license issued under this Chapter shall be responsible for any and all acts of his/her agents or employees, and for any violation by them of the provisions of this chapter.

5.32.190: SAFEKEEPING OF PLEDGES:

Every ~~pawnbroker~~ licensee licensed under the provisions hereof shall provide a safe place for the keeping of all ~~goods or things~~ items received in pawn, pledge or for resale, and shall have sufficient insurance on the property held on such ~~goods or things~~, items for the benefit of pledgers, in case of destruction by fire or other hazard.

Each Licensee shall maintain his/her business premises in an orderly fashion; all personal property or Secondhand Property received shall be kept or stored inside a building or behind a sight-obscuring fenced area.

5.32.200: EMPLOYEE REGISTRATION:

Every owner/employee of a pawnshop/licensee shall register his/her name and address with the police department of the city

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 _____, 2012.

CITY OF PAYETTE, IDAHO

by _____

Jeffrey T. Williams, Mayor

ATTEST:

Mary Cordova, City Clerk

ORDINANCE 1363

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 15.04;
SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM;
ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; PROVIDING A PENALTY:

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

Section 1. Chapter 15.04, of the Payette Municipal Code is hereby amended to read as follows:

15.04.030: DEFINITIONS:

For the purposes of this chapter, the following definitions shall apply:

BUILDING OFFICIAL: The city administrator or other designated official of the city.

CODE: The **International** building code, 2006 **2009** or the most current edition.

MUNICIPALITY: The city. (Res. 2007-02: prior code § 4-1-2)

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 _____, 2012.

CITY OF PAYETTE, IDAHO

by _____
JEFF WILLIAMS, Mayor

ATTEST:

Mary Cordova, City Clerk



City of Payette

Donation Request Form

Note: Requests must be received two (2) weeks prior to your event. We cannot fill requests without proper advance notification. One donation will be given per calendar year. A submitted request does not guarantee a donation.

Please initial that you have read the above statement *[Signature]*

OFFICE USE ONLY

Date Received 3-19-12
Received by R. Blaw
Call made by/time _____
Donation Awarded Y / N CC Date _____

Organization Information

Name of Organization/Club Payette County Chamber of Commerce
Organization's Address 695 2nd Ave South
City Payette State Id 83661 Phone 642-2362
Organization E-mail stacey@payettecountychamber.com
Tax Exempt Number 82-0284679

Contact Person Information

Contact Name David Gray
Contact E-mail dgray@threeriversagency.net
Contact Cell Number 208-707-6666 Work/Home Number 642-9311

Event Information

Event Name Payette County Chamber Auction
Event Date and Time 04-21-12 6:00pm
Projected Attendance 250 Cost per Person (if applicable) 25.00
Item To Be Used For (Door Prize, Silent Auction, Live Auction, Etc.) Silent Auction
Are you requesting a pool pass Y N If not, list your request Yes Please!
(Please Check One) Day Pass _____ Month Pass _____ Three Month Pass 2

Event Description 2 3 month passes if I may.

Form RD 1924-7
(Rev. 2-97)

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT AND
FARM SERVICE AGENCY

ORDER NO. Nine (9)
DATE March 26, 2012
STATE Idaho
COUNTY Payette

CONTRACT CHANGE ORDER

CONTRACT FOR New Addition for Payette Public Library
OWNER City of Payette

To Atkins General Builders Inc. dba KEPHA Construction
(Contractor)

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	DECREASE in Contract Price	INCREASE in Contract Price
Lay-in light fixtures in Vestibule #100.	\$	\$ 378.93
TOTALS	\$	378.93
NET CHANGE IN CONTRACT PRICE	\$	378.93

JUSTIFICATION:

The surface mounted light fixtures in Vestibule #100 were changed to lay-in fixtures to accommodate the suspended acoustical ceiling in this area.

The amount of the Contract will be (Decreased) (Increased) By The Sum Of: _____

Three Hundred Seventy-Eight Dollars and Ninety-Three Cents _____ Dollars (\$ 378.93).

The Contract Total Including this and previous Change Orders Will Be: _____

One Million Ninety-Four Thousand Nine Hundred Twenty-Nine Dollars and Seventy Cents _____ Dollars (\$ 1,094,929.70).

The Contract Period Provided for Completion Will Be (Increased) (Decreased) (Unchanged): Unchanged Days.

This document will become a supplement to the contract and all provisions will apply hereto.

Requested _____	(Owner)	_____	(Date)
Recommended  _____	(Owner's Architect/Engineer)	<u>03/26/2012</u>	(Date)
Accepted  _____	(Contractor)	<u>3-26-12</u>	(Date)
Approved by Agency _____	(Name and Title)	_____	(Date)

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to U.S. Department of Agriculture, Clearance Officer, STOP 7602, 1400 Independence Avenue, S.W., Washington, D.C. 20250-7602. Please DO NOT RETURN this form to this address. Forward to the local USDA office only. You are not required to respond to this collection of information unless it displays a currently valid OMB control number.

Atkins General Builders, Inc.

dba KEPHA Construction
3606 E. Newby Street
Nampa, Idaho 83687

Phone: 208-461-2700
Fax: 208-461-2702

CHANGE ORDER REQUEST
No. 00007

TITLE: Cahnge Fixtures SF3 and SF3E

DATE: 3/17/2012

PROJECT: Payette Library Addition

JOB: K100-11

TO: Attn: Houston Head
Gowland Johanson & Zimmerman Arch.
400 South Main
Payette, Idaho 83661
Phone: 208-642-4452 Fax: 208-642-4453

CONTRACT NO: K100-11-0906

RE: COR

To: GOWJOHID

From: KEPHA

Number: 00007

DESCRIPTION OF PROPOSAL

Change fixtures SF3 and SF3E which are surface mount in a drop ceiling to fixture type GF1 and GF1E for drop in installation. A time extension of 4 days is required from the date of approval of the change.

Item	Description	Stock#	Quantity	Units	Unit Price	Tax Rate	Tax Amount	Net Amount
00001	Fixture GF1		1.000	EA	\$84.48	0.00%	\$0.00	\$84.48
00002	Fixture GF1E		1.000	EA	\$246.90	0.00%	\$0.00	\$246.90

Unit Cost: \$331.38

Unit Tax: \$0.00

Unit Total: \$331.38

Subtotal: \$331.38

Description	Markup Percent	Markup Amount
General Conditions	6.500%	\$21.54
Insurance	1.250%	\$4.14
Overhead & Profit	5.000%	\$16.57
Bonds	1.600%	\$5.30

Total Cost: \$378.93

APPROVAL:

By: 

L. Brian Atkins

Date: 3.17.12

By: _____

Houston Head

Date: _____



880 E. Franklin Rd., Ste.309
Meridian, ID 83642
Phone – (208) 895-8954
FAX – (208) 947-1509

Full Service Commercial & Residential Electrical Contractors

RFI

March 6, 2012

Kepha Construction
3606 E. Newby Street
Nampa, ID 83687

Project: Payette Public Library Addition
24 S. 10th St.
Payette, ID 83661

RE: Entry Vestibule Light Fixtures

In the Entry Vestibule <100> there is (1) SF3 and (1) SF3E light fixture. These are the same fixtures as in Computer <106> and they are called-out on the fixture schedule to be a surface mount fixture. However, the Entry Vestibule <100> has a grid ceiling. Here is our suggestion to correct this situation.

We can get (1) GF1 light fixture and (1) GF1E light fixture, which are for a grid ceiling. The cost is \$84.48 for the GF1 and \$246.98 for the GF1E, but we could get them immediately.

Cost = \$331.46

PLEASE NOTE: The SF3 and SF3E fixture are non-returnable so no credit can be allowed. We can turn these over to the City of Payette.

Please Advise.

Submitted by Richard Montgomery, Rundle Electric

Form RD 1924-7
(Rev. 2-97)

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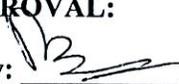
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Please Advise.

Submitted by Richard Montgomery, Rundle Electric



CITY OF PAYETTE, IDAHO

AGENDA STATEMENT

To: Honorable Mayor & Members of the Payette City Council
From: Jennifer Kelley
Date: 3/29/2012
Re: FY 2013 Budget Public Hearing Date

BACKGROUND & JUSTIFICATION: Idaho Code requires us to notify our county clerk by Monday, April 30, 2012, of the date, time, and place of our budget hearing for the upcoming fiscal year. Setting the hearing for August 20th allows time for Council to receive public input, approve the appropriations ordinance, and meet publication requirements.

FISCAL IMPACT: None

RECOMMENDATION: The City Council schedule the FY 2013 budget public hearing on Monday, August 20, 2012, at 6:00 PM.



Payette Fire Department – Monthly Report



March 2012

Incident Summary: Total: 14

Medical Assists – 12

Fires – 0

Public/Agency Assist – 1

False Alarm or Cancelled En-route – 1

Investigations – 2

Fire Inspections Conducted: 9

Public Education Programs: 1

- Smoke Detectors Battery Program

Significant Incidents: none

Training Topics:

- Ventilation Procedures
- SCBA Training
- Standard Operating Guidelines

Significant Events:

- 5th Annual Rumble in the Junk Yard

Special Work Assignments:

Pre-Fire Plan

Fire Chief

A handwritten signature in blue ink that reads "Steve Castenada".

Steve Castenada