

ORDINANCE NUMBER 1090

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 15.36 OF THE PAYETTE MUNICIPAL CODE BY ALLOWING CONSTRUCTION OF CERTAIN STRUCTURES WITHIN THE FLOODPLAIN; REQUIRING AN ENGINEER'S CERTIFICATION THAT THE FLOOD ELEVATION WILL NOT BE RAISED; SETTING AN EFFECTIVE DATE; ESTABLISHING SEVERABILITY; ALLOWING FOR PUBLICATION BY SUMMARY; ESTABLISHING A REPEALER;

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

Section 1. Chapter 15.36.080 of Title 15 of the Payette municipal Code is hereby amended to read as follows:

15.36.080 Development permit - Required. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 15.36.020. The permit shall be for all structure, including manufactured homes, and for all development, including fill and other activities. This requirement shall not apply to open shelters, open fences and recreational equipment not contained in a building, pole barns and pole type structures which are open on all sides to an elevation of at least one foot above the base flood elevation. Prior to constructing buildings or engaging in activities which are exempt from the requirements of this ordinance, a person requesting an exemption shall first provide a certification that such construction or use will not alter the base flood elevation. This certification must be provided by a registered professional engineer licensed in the State of Idaho.

Section 3. Any ordinances which are in conflict with this ordinance are hereby repealed, but only insofar as the conflict exists.

Section 4. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall constitute Ordinance Number 1090.

Section 5. This Ordinance may be published by summary in accordance with the Statutes of the State of Idaho.

Section 6. This Ordinance shall be in full force and effect immediately upon passage and publication as required by law.

19<sup>th</sup> Passed and approved by the Mayor and City Council this day of December, 1994.

CITY OF PAYETTE

By James E. McCann  
Mayor

ATTEST: John P. Frank  
City Clerk