

ORDINANCE NO. 1093

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 12.04.260 OF THE PAYETTE MUNICIPAL CODE TO REQUIRE A FEE FOR A PERMIT AND PROVIDING FOR RESTORATION OF ANY DAMAGED STREETS; SETTING AN EFFECTIVE DATE; ESTABLISHING SEVERABILITY; ALLOWING FOR PUBLICATION BY SUMMARY; ESTABLISHING A REPEALER.

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

Section 1. Chapter 12.04.260 of Title 12 of the Payette Municipal Code is hereby amended as follows:

12.04.260 ~~Cutting,--scoring,--damaging~~ Construction in City streets. Any person, before cutting, scoring, damaging, boring under, ~~or crossing or performing any construction activity which impacts, affects, cuts or defaces~~ a City street, curb, gutter or sidewalk, shall first notify the City Clerk and obtain a permit from the Clerk authorizing such action.

A. There shall be ~~no~~ a charge for the permit as established from time to time by resolution of the Council.

B. Any person who shall cut, damage, score or bore under or through a street or perform other construction activity which impacts, affects, cuts or defaces a City street shall restore the street in accordance with City specifications..

~~-B-C.~~ Any person who shall cut, damage, score or bore under the street or perform other construction activity which impacts, affects, cuts or defaces the street without the necessary permit shall be guilty of a misdemeanor and punished in accordance with misdemeanor statutes of the State of Idaho.

Section 2. Any ordinances which are in conflict with this ordinance are hereby repealed, but only insofar as the conflict exists.

Section 3. 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 1093.

Section 4. This ordinance may be published by summary in accordance with the statutes of the state of Idaho.

Section 5. This ordinance shall be in full force and effect immediately upon passage and publication as required by law.

Passed and approved by the Mayor and City Council this 6
day of February, 1995.

CITY OF PAYETTE

By James E. McCree
Mayor

ATTEST: John P. Franks
City Clerk