

ORDINANCE NO. 1099

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, CREATING NEW MUNICIPAL CODE SECTIONS 15.04.080 AND 15.04.090, WHICH SECTIONS SHALL PROHIBIT THE ISSUANCE OF BUILDING PERMITS FOR NEW CONSTRUCTION ALONG ANY SUBSTANDARD ROAD WITHIN THE CITY LIMITS OF PAYETTE, IDAHO, UNTIL SUFFICIENT RIGHT-OF-WAY HAS BEEN OBTAINED WHICH WILL ALLOW THE ROAD TO BE BROUGHT UP TO CITY STANDARDS; EXCLUDING PLATTED, EXISTING AND ACCEPTED SUBDIVISIONS; 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. There is hereby created two new code sections which shall be designated as Sections 15.04.080 and 15.04.090 and which Sections shall read as follows:

15.04.080. No building permits for new construction shall be issued along any street within the city limits so long as the street does not have sufficient right of way for the installation of curbs, gutters, sidewalks and utilities. This requirement may be waived for any building permit applicant who dedicates sufficient street right-of-way, as defined in the Payette City subdivision ordinance or Idaho State statutes, over and along their property so that if a similar dedication is made by a landowner on the other side of the street, the street right of way would be a minimum of 25 feet from each side of the centerline.

15.04.090. This restriction shall not apply to any existing platted subdivision which has heretofore been accepted by the City. An Assessor's plat shall not be considered a platted subdivision

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 Any ordinances which are in conflict with this ordinance are hereby repealed, but only insofar as the conflict exists.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 1099.

Section 4. 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 17<sup>th</sup> day of July, 1995.

CITY OF PAYETTE

By James E. McEwen  
Mayor

ATTEST: John P. Frankes  
City Clerk