

ORDINANCE NO. 1130

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 13.04.250 OF THE PAYETTE MUNICIPAL CODE CHANGING THE UTILITY FUND DEPOSIT; AMENDING SECTION 13.04.280 OF THE PAYETTE MUNICIPAL CODE BY INCREASING THE CONNECTION FEE AND TAPPING FEE; AMENDING SECTION 13.08.031 CHANGING THE SEWER PERMIT AND INSPECTION FEE; AMENDING SECTION 13.08.090 CHANGING THE DELINQUENT CHARGE; REPEALING SECTION 13.08.110 OF THE PAYETTE MUNICIPAL CODE; 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. Section 13.04.250 of Title 13 of the Payette Municipal Code is hereby amended to read as follows:

13.04.250 Statement of water charges--Notice of pretermination hearing--Turn on charge. A. The city clerk shall furnish to each owner of property for which water service is provided, or to his agent, on a monthly basis, a statement of the amount due for water for the preceding month or up to the time that the meter has been read; and, if said property owner neglects to pay his water charges within ten days of the date of mailing of the statement, his account shall be delinquent. The delinquent property owner shall be notified by regular mail of this delinquency and, if the bill is not paid in full within five days after service of this notification of the property owner, the right to water shall cease and terminate unless the property owner requests a pretermination hearing. Should the property owner not request a pretermination hearing or if an adverse decision is rendered against the property owner as a result of the pretermination hearing, the city may require the fifty one hundred dollar utility fund deposit as a condition of receiving water service again, if the deposit has not previously been made, or if the same has been refunded.

Section 2. Section 13.04.280 of Title 13 of the Payette Municipal Code, is hereby amended to read as follows:

13.04.280 Connection fee-Tap pipe charges.

A. A fee of ~~four-hundred-twenty five~~ hundred dollars

(\$425-00 \$500.00) shall be charged and collected by the City Clerk for each and every permit issued for connection to the City water mains and lines. In an approved platted subdivision, if the developer has installed the water service line from the water main to the building lot, placed the meter box and lid at the proper height and location, installed a backflow preventer yoke and fittings to facilitate meter installation, and provided the City with the meter for installation, there shall be no charge for installing the water meter. For all other building lots, in addition to this connection permit fee, there shall be a charge of three ~~four~~ hundred fifty dollars (350-00 \$400.00) for labor and service materials provided in putting in each tap pipe to connect the same with the curb box and up to a one inch (1") meter, or the current cost of materials and service and the actual cost of repairing the street after the installation of the tap pipe.

B. Each living unit shall be charged the permit fee. Multiple living units or multiple dwelling units which share a common meter shall be charged an installation fee which shall be based upon the size of the meter and the costs associated with its installation.

Section 3. Section 13.08.031 of Title 13 of the Payette Municipal Code, is hereby amended to read as follows:

13.08.031 Classes of permits. There shall be two (2) classes of building sewer permits: one for residential and commercial service and one for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the City. A permit and inspection fee of ~~four-hundred-twenty five~~ hundred dollars (\$425-00 \$500.00) for a residential or commercial building sewer permit and ~~four-hundred-twenty five~~ hundred dollars (\$425-00 \$500.00) for an industrial building sewer permit shall be paid to the City at the time the application is filed. Each living unit shall be charged the permit fee.

Section 4. Section 13.08.090 of Title 13 of the Payette Municipal Code is hereby amended to read as follows:

13.08.090 Service rates and charges--Payment procedure.

A. Fees shall be carried on the water bills, wherever applicable, and the Water Department is authorized and directed to discontinue services to any premises, where the entire water and sewer service bill is not paid, in the same manner that service is discontinued for nonpayment of water bills.

B. All fees shall be paid by the person responsible for the

same at the office of the City Clerk within ten (10) days after receipt of a statement and, if not paid, the same shall become delinquent, ~~and after sixty (60) days~~ delinquency, and a charge of ~~fifty-cents~~ one dollar (\$0.50 \$1.00) shall be added to the account. For failure to pay such charge, the City may levy a special assessment against the premises in such amount and in such manner as other special assessments are levied, and may foreclose the same in the manner provided for in the foreclosure and collection of other special assessments.

In addition to the remedies provided herein, the City Clerk shall add a charge of one dollar per unit, which amount shall be added to the account for each and every month the account is or remains delinquent.

Section 5. Section 13.08.110 of Title 13 of the Payette Municipal Code is hereby repealed.

Section 6. Any ordinances which are in conflict with this ordinance are hereby repealed, but only insofar as the conflict exists.

Section 7. 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 1130.

Section 8. This ordinance may be published by summary in accordance with the statutes of the state of Idaho.

Section 9. 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 17th day of June, 1996.

CITY OF PAYETTE

BY James E. McCall
Mayor

ATTEST: John P. Franks
City Clerk