



**AGENDA**  
**PAYETTE CITY COUNCIL**  
**December 3, 2012**  
**WORK SESSION & REGULAR MEETING**

**HONORABLE MAYOR JEFFREY T. WILLIAMS PRESIDING**

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

**6:15 PM – Work Session**

- A. New Street Loader
- B. ICRMP Policy Review
- C. Discussion on penalties for building permits not obtained

**7:00 PM – Regular Meeting**

- I. ROLL CALL
- II. PLEDGE OF ALLEGIANCE
- III. CITIZENS COMMENTS
- IV. APPROVAL OF MINUTES
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  - A. ROSE Advocates – HUD Home
- X. NEW BUSINESS
  - A. Airport Commission Appointment – Jan Zatlouka..... 14
  - B. ORDINANCE 1371 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 3.12.090, 5.04.080, 5.04.110, 5.08.180, 5.08.190, 5.12.020, 5.15.050, 5.16.050, 5.17.040, 5.20.040, 5.24.040, 5.28.033, 5.28.064, 5.29.030, 5.32.020, 5.34.020, 5.36.150, 5.40.030, 6.04.060, 6.08.020, 6.08.030, 6.08.040, 6.08.105, 6.08.107, 6.08.110, 8.08.110, 8.08.120, 8.12.030, 10.20.090, 10.32.050, 10.32.130, 12.16.020, 12.18.110, 13.04.200, 13.04.250, 13.04.260, 13.04.270, 13.08.070, 13.08.080, 13.08.090, 15.04.043, 15.33.010, 16.16.050, 16.16.060, 17.68.040, 17.80.050, 18.01.050 OF TITLES 2, 3, 5, 6, 8, 10, 12, 14, 15, 16, 17 & 18 OF THE PAYETTE MUNICIPAL CODE; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; ESTABLISHING A REPEALER-

1 <sup>st</sup> Reading.....	16
C. Resolution 2012-08 – Adding Fees.....	33
D. Pay Application #5 – WF Construction – Stoplight 95/52.....	40
XI. DEPARTMENTAL REPORT	
A. Historical Commission – November 26 <sup>th</sup>	
B. Parks & Recreation Committee – November 28th	
XII. MAYOR’S COMMENTS	
XIII. CITIZEN’S COMMENTS	
<i>(Limited to 5 minutes per person, at the discretion of the Mayor)</i>	
XIV. ADJOURNMENT	

*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.*

**MINUTES  
PAYETTE CITY COUNCIL  
Regular Meeting  
November 19<sup>th</sup>, 2012**

6: 30 PM - PUBLIC HEARING

- A. To consider public comment regarding the institution of new or increased municipal fees for the Recreation, Library, Administration and Police departments.

Clerk Mary Cordova came before the Council and presented the resolution of fees to be discussed and implemented. The Council proceeded to inquire of fees being altered or added to the proposed resolution of fees; no public comment was heard.

- B. An application by Mike Moon for a Variance to the side and back setback at 2065 3rd Avenue North, E 35.52' Lots 2 & W 55.54' Lot 3 of Uehlings 2nd Sub. The property is zoned A-Residential.

Mayor Williams recused himself from the meeting due to a conflict of interest. Councilor Lee Nelson acted as Council President.

Walt Neitz—1103 West Main Street—Middleton, Idaho 83644

Neitz came before the Council and stated that the garage was two feet over the setback and Mike Moon later changed his mind and decided that the building would now be moved to meet setbacks, but in turn, would block access to the community well. Three lots have a community well that they have used since 1973. Neitz stated that if we move the building further to the east, the access becomes essentially impossible; Mike is asking to move the building two feet onto his property and to meet the setback. Councilor Sands asked if there was a building permit for this building; Clerk Cordova stated there was not. Councilor Jensen asked if the building was moved, how far it would be from the neighbor's property line; Neitz stated two feet. Councilor Mussel asked how long the garage has been there; Neitz stated that he believed it was there for a year and a half, but wasn't sure. Neitz stated that Mike hired a contractor and the contractor had assured Mike that there is a building permit for the building and he met the setbacks; that is obviously not the case here.

Mark Moore—2035 3<sup>rd</sup> Avenue North—Payette, Idaho 83661

Moore is the neighbor to Mike Moon. Initially he was thinking that the building was 4 inches onto his property and then found that it was actually 2 feet onto his property, with a total of 10 feet into their rights of the land. Moore stated that he is not opposed to having Mike's building there initially. Moore stated if there is ever an RV that needs access to the well, they won't be able to get to it. Moore stated that last year when Mike first came to us and told us of his plans, he wanted to put in a driveway. Moore stated that we had no problem and knew that the driveway would go onto a part my property and had drafted an agreement for that. Moore stated Mike then put up the building and we as neighbors assumed the contractor has put it on the correct property lines, and it turns out that there was a problem that the building was on my land. We are concerned about our rights to our property and the 8 foot setback; if Mike is already 2 feet over the property line that would push me back 10 feet for my setback. Moore stated that if we wanted to put up a shed of some kind in the future we wouldn't be able to with those setback restrictions due to the garage erected currently. Moore stated that it was his understanding that Mike wants to move it 4 feet back so it is within 6 feet of his 8 foot setback. Moore stated that the access to the well is most important if the building is moved over 4 feet it would be difficult to have access to it. Moore stated that he is concerned of giving up our rights to the land and our ability to build on our land if we so chose in the future with the garage standing where Mike wants it. Councilor Hanigan stated that if the 2 feet which may be granted to have the proposed garage over the property line onto Mark Moore's side; the property for Moore would still abide by an 8 foot set back from the side property line regardless of where the garage sits. If the garage sits 2 feet over the property line, Moore would still have to abide by 8 feet

from the same property line, not the garage. Councilor Sands asked if the building was brought back 2 feet which would then be on top of the property line, if this would be an issue for Moore. Moore stated no, we would be on regular constraints of the rules. Council President Nelson stated that the two property owners would have to work out where to put a new water line for the well if it came down to doing that.

Hazel Griffin—2085 3<sup>rd</sup> Avenue North—Payette, Idaho 83661

Griffin is the other neighbor to Moon. Griffin stated that her house sits on the end, Mike's house is in the middle, and Moore's house is after that. The concrete is deep in the driveway and if you come back to the driveway with a truck, there is no way the truck could access the well. Griffin stated that the building is 600 square feet and it is very tall.

Walt Neitz--1103 West Main Street—Middleton, Idaho 83644

Neitz stated that the garage is longer north and south than it is east and west. Neitz stated that the Council packet tonight shows more measurements regarding the size of the garage; the problem is getting a truck in-between the two buildings to access the well. Councilor Sands asked if the building is on a foundation; Neitz stated that it is on a slab. Councilor Sands asked Cordova if the building inspector has inspected this building; Cordova stated no.

Mike Partin—1520 Center Avenue—Payette, Idaho 83661

Partin would be the new buyer of Mike Moon's property. Partin stated that if the decision tonight reduces the shop size, it would cause him not to purchase the property. Partin stated that he needs a big building to put his things in, and it would be nice to have this shop size for storage along with a place to do his wood working. Partin stated that he had someone from an inside source look at the garage, and it does not have any footings. Councilor Sands asked Partin if he has any concerns about the building permit not being issued; yes he has concerns but I am assuming that if I do follow through and purchase this property, that the building would be inspected before closing. Councilor Mussel asked if he would come after the City if the building is not up to code after the purchase of the property, knowing that no building permit was issued; Clerk Cordova stated that before the property is purchased, the building would need to be up to code.

#### 7:19 PM – Regular Meeting

A regular meeting of the Payette City Council was called to order at 7:19PM by Mayor Jeff Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

#### **ROLL CALL**

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

Members Absent: None

Staff Present: Mary Cordova, City Coordinator; Mark Clark, Chief of Police; and Becky Lynch, Administrative Services Clerk.

#### **PLEDGE**

Jeff Sands led the pledge of allegiance.

#### **CITIZENS COMMENTS**

None

#### **APPROVAL OF MINUTES**

A motion was made by Heleker and seconded by Mussell to approve the regular meeting minutes of 11-05-2012 with one correction.

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 \$268,537.97

At the roll call:

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

The motion CARRIED.

### **SPECIAL ORDERS**

None

### **COMMUNICATIONS**

- A. Echelon Group- Meals on Wheels donation from City
- B. Teton Machine- Open House
- C. St. Alphonsus- Men's Health Screening

### **PLANNING & ZONING**

None

### **OLD BUSINESS**

- A. ROSE Advocates – HUD Home

Mayor Williams stated that our schedules have worked and Rose Advocates looked at the HUD home; the concern is not a huge problem, but they need to do some budgeting on the cost of utilities for the home. This concern will be brought back to the directors to talk about this issue further.

### **NEW BUSINESS**

- A. Variance application- Mike Moon

Mayor Williams recused himself from discussion and Council President Lee Nelson led this portion of the meeting.

Councilor Heleker stated that he would like to have this denied based from the information presented tonight.

A motion was made by Heleker and seconded by Sands to deny the Variance application for Mike Moon.

At the roll call:

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

The motion CARRIED

- B. Ordinance #1370 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 5.08.130, PREMISES; PRESENCE OF PERSONS PROHIBITED WHEN; NONAPPLICABILITY OF TITLE 5 OF THE PAYETTE MUNICIPAL CODE,; SETTING AN

EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; ESTABLISHING A REPEALER

A motion was made by Heleker and seconded by Jensen to introduce Ordinance #1370 by title only

After a unanimous voice vote by the Council the motion CARRIED

A motion was made by Mussell and seconded by Jensen to suspend the rules and pass Ordinance #1370 on its first reading.

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

A motion was made by Heleker and seconded by Mussell that Ordinance #1370 do pass.

At the roll call:

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

Nays:

The motion CARRIED

C. Resolution #2012-07 – Increasing & Adding Fees

A motion was made by Heleker and seconded by Hanigan to approve Resolution 2012-07.

At the roll call:

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

Nays:

The motion CARRIED

D. Pay Request #4 – WF Construction – Stoplight Hwy 95/52

A motion was made by Jensen and seconded by Mussell to approve pay request #4 to WF Construction in the amount of \$835.00 for the new stoplight at the intersection of Highway 95 and 52.

At the roll call:

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

Nays:

The motion CARRIED

E. Rod Masingill – Billing Policies

Masingill resides at 204 West Bolan Avenue Spokane, Washington 99224. Masingill stated that there were two reasons to be here tonight. Masingill stated that he has a father-in-law that is very elderly who has a terminal disease and has been looking after him. Masingill stated his father-in-law, Roy Cooley, has a rental here in Payette and unfortunately had a drug dealer in the rental. Masingill stated that he would like to thank the police department; when we called the police department they returned

our calls promptly, especially the police captain who was very receptive and another young police officer by the name of Richard Frazier. Masingill stated that he would like to say thank you for doing their jobs so well. Masingill stated that while this young lady was living there, we had almost a \$500 water bill; and that this bill is the responsibility of Roy Cooley. Masingill stated that he spoke to Rob Woyak, the water superintendent, that there was a lock put on the meter. Masingill stated that the City has agreed that they are responsible for the water that has gone through the meter after the lock was put on the meter. I have spoken to Mary as to why Mr. Cooley would be responsible for any water that had gone through the meter when the tenant is the one responsible for all the charges. Masingill stated that he would like to have an independent investigation done to find out why Mr. Cooley is responsible for the bill. Mayor Williams stated the City of Payette has an ordinance which states that whoever the owner is of the property, must pay for the charges incurred at the property. Councilor Jensen asked if the tenant had come into City Hall and signed up for service, or was it always in Roy Cooley's name. Masingill stated that the young lady who works at City Hall informed me that there was a document brought in by the tenant, signed by Roy Cooley, to add the tenant to the account and he would like to see this document. Mayor Williams stated that he will have two council members and himself look into this situation and find out the information regarding the paperwork for services rendered.

### **DEPARTMENTAL REPORTS**

- A. Fire Department – October 2012
- B. Treasurer's Report – October 2012
- C. Forestry Commission- November 6<sup>th</sup>  
Councilor Hanigan was not present for this meeting
- D. Airport Commission- November 13<sup>th</sup>  
Councilor Jensen stated that there was a discussion of adding a replacement for Duane Youngberg to the airport commission. The taxiway has some pot holes and crumbled asphalt and the commission was hoping to have the street department repair some of those before the weather gets too bad. On November 15<sup>th</sup> they had the Division of Aeronautics visit our Airport- Mayor Williams briefed the council on attending this meeting.
- E. Library Commission- November 13<sup>th</sup>  
Councilor Sands stated that he went to the Library opening and they had a great turn out for that.

### **MAYOR'S COMMENTS**

Mayor Williams stated that he had the pleasure of going to Boise and had lunch with Donna Jones; she is doing well but has a long way to go. The pool is still waiting for some parts, the parts are back ordered for the boiler so it looks like December 17<sup>th</sup> will be the new scheduled opening date. We didn't want to have the pool shut down due to cutting hours; we weren't anticipating this closure for such a long time. Mayor Williams stated that he was not able to make it to the Economic Vitality breakfast last week but he spoke to Mayor Bishop from Fruitland regarding what was discussed at the breakfast.

### **CITIZEN'S COMMENTS**

Mark Moore—2035 3<sup>rd</sup> Avenue North—Payette, Idaho 83661  
Moore stated that since the variance was denied, we would just ask to please be kept in the loop for the next steps to resolve the issue of the standing garage on Mike Moon's property.

Mayor Williams asked if the Council were ever going to talk about having fees implemented for those not having building permits issued before the start of construction. Cordova informed the Council that the Planning and Zoning Commission stated that they felt it is not the time to add those fees at this time. The Council would like to have this fee discussed at the next work session.

### **ADJOURNMENT**

A motion was made by Heleker and seconded by Nelson to adjourn the regular meeting at 8:05 PM.

The motion CARRIED.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Jeff Williams, Mayor

ATTEST:

\_\_\_\_\_  
Mary Cordova, City Clerk

CITY OF PAYETTE  
DECEMBER 3, 2012

CITY PAYROLL	11/28/2012	ET	\$ 80,213.81
HARDIN SANITATION	11/20/2012	7447	26,625.72
ADVANCED CONTROL SYSTEMS	12/5/2012	7448	269.00
AMERICAN STAFFING	12/5/2012	7449	819.36
D&B SUPPLY	12/5/2012	7450	495.84
DART'S TRUE VALUE	12/5/2012	7451	818.52
DCS TECHNOLOGIES	12/5/2012	7452	209.25
FISHER SCIENTIFIC	12/5/2012	7453	704.57
FOLKE CPA'S	12/5/2012	7454	4,680.00
FOREMOST PROMOTIONS	12/5/2012	7455	470.86
GALL'S	12/5/2012	7456	280.55
GENTRY FORD	12/5/2012	7457	93.83
GJZ ARCHITECTURE	12/5/2012	7458	8,500.00
HANIGAN CHEVROLET	12/5/2012	7459	806.91
HARDIN SANITATION	12/5/2012	7460	812.36
HOLLADAY ENGINEERING	12/5/2012	7461	6,886.39
ICMJ	12/5/2012	7462	72.85
IDAHO POWER	12/5/2012	7463	4,457.97
INTELLICHOICE	12/5/2012	7464	1,500.00
INTERSTATE ALL BATTERY	12/5/2012	7465	75.84
KING'S OF PAYETTE	12/5/2012	7466	27.03
ONTARIO TOOL	12/5/2012	7467	1,144.92
PAETEC	12/5/2012	7468	25.20
PAYETTE COUNTY DRIVER'S LICENSE	12/5/2012	7469	25.00
DEPT PAYETTE PRINTING	12/5/2012	7470	33.61
PIPECO	12/5/2012	7471	11.78
PITNEY BOWES	12/5/2012	7472	221.06
PUBLIC AGENCY TRAINING COUNCIL	12/5/2012	7473	275.00
PUMP TECH	12/5/2012	7474	2,505.30
QUILL CORPORATION	12/5/2012	7475	207.68
S&H TERMINAL	12/5/2012	7476	100.23
SNAP ON TOOLS	12/5/2012	7477	248.78
STATE OF IDAHO - IBOL	12/5/2012	7478	70.00
TOOMBS JANITORIAL	12/5/2012	7479	145.38
TOSHIBA	12/5/2012	7480	316.70
UNITED PARCEL SERVICE	12/5/2012	7481	9.76
WIENHOFF DRUG TESTING	11/28/12	7482	75.00
			\$ 144,236.06



# **PAYETTE FIRE DEPARTMENT ANNUAL HOLIDAY OPEN HOUSE**

***DECEMBER 7, 2012  
5:00 P.M. - 7:00 P.M.***

Join us at our Fire Station  
**@ 600 North 16<sup>th</sup> Street**  
for a bowl of  
chili & a cinnamon roll!!!

**THE PUBLIC IS INVITED TO ATTEND**

Donation of unwrapped toys and canned or packaged food items for  
Help Them to Hope will be accepted

# Holiday Happenings In Downtown Payette



COME ENJOY DOWNTOWN PAYETTE'S  
MOST FESTIVE HOLIDAY EVENTS  
FRIDAY, DECEMBER 14<sup>TH</sup>

5:00 pm to 8:00 pm - Punch Cards will be given out by the participating merchants.

6:00 pm - Tree Lighting Ceremony in Bancroft Park.

6:15 pm - Santa will be at the Museum.

8:00 pm - All punch cards need to be turned in to  
Kloy's Pizza and Dart's True Value

\*Please bring a non-perishable food item to donate to the WICAP Food Bank

\*Drawings and Refreshments will be served at select merchants

Bring the  
whole Family  
for a night  
filled with  
fun and  
excitement!





### **Snake River Economic Development's 2012 Successes!**

Although the organization is young, Snake River Economic Development Alliance, also known locally as SREDA, has had a banner year. The organization was formed from a small grass roots group of local business owners, elected officials and economic development professionals looking to improve their local economy by joining 3 counties in 2 states and marketing the area as a region. No one community had the financial means to market themselves, but by combining conservative amounts of dollars into one pot, they were able to assist in bringing new jobs and investment to the communities they serve.

In August SREDA made their first announcement that South Georgia Equipment Company, SGE, an agri-business that provides engineering, technical support and installation of fruit and vegetable equipment in processing plants, was going to expand into the area. The company is headquartered in Lyons, Georgia, but had many customers out west. They started looking for a location so they could open a new service and technical center to better serve their clients. Another local agri-business contacted SREDA about SGE's needs. SREDA was able to put together a list of over 13 buildings for lease in the area as well as provide them with the demographic information. SGE selected a building in Ontario.

SREDA worked with a local bank to secure a business development grant of \$5000 to help renovate the building for the company's needs. SREDA worked closely with the local economic developers and the City of Ontario during the process. By October, the business had hired 4 local veterans and was open for business.

A second company, Greenstar Building Systems from Mesa, Arizona, also announced their expansion to the Weiser Idaho area purchasing a 66,000 sq ft building for the manufacturing of workforce housing to be shipped to North Dakota and Canada. They are expected to hire 75 employees at about \$15/hour. The company has been busy retro-fitting the facility to meet their needs. SREDA had the opportunity to work with the site consultant on the project. The company had expressed concerns about being able to hire enough workers. SREDA was contacted by the consultant and provided valuable labor data on the regional workforce availability. Greenstar is delighted to be able to get many of their products used in the manufacturing process from other local companies here in the valley such as Robert Weed Plywood and Woodgrain.

### **SREDA Receives State Awards**

SREDA has been the recipient of two (2) state awards. The Idaho Economic Development Association (IEDA) awarded SREDA the 2012 Rural Marketing Award for their website, business videos and other marketing tools used by SREDA for promoting the region. This award was presented at the IEDA Spring Conference in Boise, Idaho.



The Oregon Economic Development Association (OEDA) presented the 2012 Outstanding Collaborative Partnerships Award to SREDA recognizing the successful efforts of bringing private and public partners together in a 3 county, 2 state region. This prestigious recognition was awarded at OEDA's fall conference in Pendleton, Oregon.

At the SREDA Annual Meeting Chairman Logan Hamilton, an owner of businesses in Vale and Nyssa, Oregon, as well as Marsing, Idaho, is shown below with the Idaho award. Nyssa City Council member Harry Flock and Nyssa Chamber Executive Director Susan Barton are shown displaying the Oregon glass award. Payette Idaho Mayor and local business owner Jeff Williams joins them in the photo on the right.



SREDA continues to move forward working on several projects that will help bring new investment and living wage jobs into our region. Additionally SREDA has been instrumental in working with existing companies that are growing and becoming more competitive in the global market place. Keeping our existing companies strong and healthy will help us recruit new business that is complementary to those existing businesses.

# **Public Records & Open Meetings: *Setting the Record Straight***

*What's a public document? What's not? What's open?*

This comprehensive session is intended for citizens, reporters, public officials and their staffs who are interested in the public's rights under Idaho law for access to public records and meetings.

**Session Leader:  
Idaho Attorney General  
Lawrence Wasden**



**Featuring:**

- \* Deputy Attorney General **Brian Kane**
- \* **Betsy Z. Russell**, reporter, Spokesman-Review; president, Idahoans for Openness in Gov't (IDOG)

**Dec. 12 – 6:30-9 p.m.**  
Portia Club, 225 N. 9th St., Payette

*Co-sponsored by The Idaho Press-Tribune,  
Emmett Messenger, the Ontario Argus Observer  
and the Payette Independent-Enterprise*

**FREE ADMISSION, FREE REFRESHMENTS**

***Please RSVP to Vickie Holbrook at [vholbrook@idahopress.com](mailto:vholbrook@idahopress.com)  
or 870-2782 ~ For more info, see [www.openidaho.org](http://www.openidaho.org)***

# IDOG

Idahoans for Openness in Government

November 30, 2012

Dear Opinion Leader,

You and your staff are cordially invited to a workshop designed to let you know what is covered--and what is not--by the state's open records and open meetings laws. Please plan to attend because we all benefit when the public, the media and government officials are fully aware of the public's rights to access government information and observe the conduct of the public's business. The session is recommended by the Office of the Attorney General, the Association of Idaho Cities, the Idaho Association of Counties, and the Idaho Press Club.

This workshop, developed by the Attorney General's office and Idahoans for Openness in Government (IDOG), features Idaho Attorney General Lawrence Wasden and promises to be both lively and informative. Enjoy the refreshments as you are entertained and educated about Idaho's public records and open meetings laws; there is no charge.

The session is from 6:30 to 9 p.m. on Wednesday, Dec. 12, at the Portia Club, 225 N. 9th St. in Payette. We also will be holding similar seminars on Dec. 6 in Boise and Jan. 9 in Nampa. Our Payette seminar is co-sponsored by the Idaho Press-Tribune, the Payette Independent Enterprise, the Ontario Argus Observer and the Emmett Messenger.

You'll find more information enclosed. Please let us know if you will attend. RSVP's may be submitted to Vickie Holbrook at [vholbrook@idahopress.com](mailto:vholbrook@idahopress.com) or (208) 870-2782. If you need more information, please feel free to call me at 336-2854. I look forward to seeing you there.

Sincerely,

*Betsy Russell*  
Betsy Russell, president  
IDOG

PO Box 9391

Boise, Idaho 83707

Phone: 208 336-2854

[www.openidaho.org](http://www.openidaho.org)

## Board of Directors

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Ben Ysursa  
Idaho Secretary of State



# CITY OF PAYETTE, IDAHO

## AGENDA STATEMENT

**To:** Honorable Mayor & Members of the Payette City Council  
**From:** Bobbie Black, Deputy City Clerk  
**Date:** 11/28/2012  
**Re:** Appointment of Airport Commissioner

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**BACKGROUND & JUSTIFICATION:** Duane Youngberg resigned from the Airport Commission and the Airport Commission has recommend Jan Zatloukal to fulfill his term on the Commission. Mr. Youngberg's term would have expired on 7-1-13.

**FISCAL IMPACT:** None

**RECOMMENDATION:** Recommend that Mayor appoint and City Council confirm the appointment of Jan Zatloukal to the Airport Commission with the term to expire 7-1-13.



**City of Payette  
Appointment Boards/Commissions Application**

Name: JAN ZATLOUKAL  
(First) (Middle) (Last)

Street: 104 N. 21 ST. STREET, PAYETTE, ID 83661  
(Street) (City) (Zip)

Are you a City Resident? YES Home Phone: 208-921-8532

Occupation: RELAY TECHNICIAN Work Phone: 208-447-0762

Employment: IDAHO POWER CO.  
(Name of Employer)

1550 N. MAIN ST., PAYETTE, ID 83661  
(Street) (City) (Zip)

Please list your qualifications for effective Board membership (Include all City Boards you serve on and any relevant experience/expertise in the area you wish to serve):

PILOT FOR 38 YEARS  
OPERATED HANGAR RENTAL BUSINESS AT NAMPA  
AIRPORT FOR 10 YEAR, OWN HANGARS IN PAYETTE  
AND COUNCIL

Reason for seeking appointment (Areas of interest, goals, etc.):

OWN HANGAR AND FLY AT PAYETTE AND  
FEEL I SHOULD CONTRIBUTE TO AIRPORT  
OPERATION

Are there any reasons you may have a conflict of interest if you were appointed to a Board of Commission which you listed? NO If yes, please explain.

References (Non-family, these may be personal or professional):

DICK THOMPSON, COUNCIL AIRPORT MANAGER 208-253-4299  
(Name) (Address) (Phone) P.O. BOX 606, COUNCIL ID 83612

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## ORDINANCE 1371

**AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 3.12.090, 5.04.080, 5.04.110, 5.08.180, 5.08.190, 5.12.020, 5.15.050, 5.16.050, 5.17.040, 5.20.040, 5.24.040, 5.28.033, 5.28.064, 5.29.030, 5.32.020, 5.34.020, 5.36.150, 5.40.030, 6.04.060, 6.08.020, 6.08.030, 6.08.040, 6.08.105, 6.08.107, 6.08.110, 8.08.110, 8.08.120, 8.12.030, 10.20.090, 10.32.050, 10.32.130, 12.16.020, 12.18.110, 13.04.200, 13.04.250, 13.04.260, 13.04.270, 13.08.070, 13.08.080, 13.08.090, 15.04.043, 15.33.010, 16.16.050, 16.16.060, 17.68.040, 17.80.050, 18.01.050 OF TITLES 2, 3, 5, 6, 8, 10, 12, 14, 15, 16, 17 & 18 OF THE PAYETTE MUNICIPAL CODE; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; ESTABLISHING A REPEALER.**

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

**Section 1.** Section 3.12.090, 5.04.080, 5.04.110, 5.08.180, 5.08.190, 5.12.020, 5.15.050, 5.16.050, 5.17.040, 5.20.040, 5.24.040, 5.28.033, 5.28.064, 5.29.030, 5.32.020, 5.34.020, 5.36.150, 5.40.030, 6.04.060, 6.08.020, 6.08.030, 6.08.040, 6.08.105, 6.08.107, 6.08.110, 8.08.110, 8.08.120, 8.12.030, 10.20.090, 10.32.050, 10.32.130, 12.16.020, 12.18.110, 13.04.200, 13.04.250, 13.04.260, 13.04.270, 13.08.070, 13.08.080, 13.08.090, 15.04.043, 15.33.010, 16.16.050, 16.16.060, 17.68.040, 17.80.050, 18.01.050 OF TITLES 2, 3, 5, 6, 8, 10, 12, 14, 15, 16, 17 & 18 of the Payette Municipal Code is hereby amended as follows:

### **3.12.090: FIRE PROTECTION; HOUSEHOLD CHARGE ESTABLISHED:**

All residents of the city shall pay and discharge their share of city fire protection and bonded indebtedness. The amount shall be computed upon a per household basis and shall be paid at the rate of **a fee set by resolution** ~~five dollars twenty five cents (\$5.25)~~ per household per month. Those residents who are receiving city water services shall continue to pay their share through their monthly water bills and those residents who are paying for sewer services only, shall have that amount added to their monthly sewer bill. Any resident who is not receiving either sewer or water services shall be billed annually by the city clerk. (Ord. 1037 § 1, 1992)

### **5.04.080: LICENSE; FEES; EXPIRATION:**

A. The annual license fees for the retail sale of "beer" or "wine", as defined in section [5.04.010](#) of this chapter, are fixed as follows:

1. Where such retailer sells bottled, canned or draft beer and such bottled, canned or draft beer is consumed on the premises where sold, **shall be set by resolution** ~~two hundred dollars (\$200.00) a year~~;
2. Where such retailer sells bottled, boxed, packaged, or by the drink wine and such bottled, boxed, packaged, or by the drink wine is consumed on the premises where sold, **shall be set by resolution** ~~one hundred dollars (\$100.00) a year~~;
3. Where such retailer sells only bottled or canned beer, none of which is consumed on the premises where sold, the license fee shall be **set by resolution** ~~fifty dollars (\$50.00) a year~~;
4. Where such retailer sells only bottled, packaged or boxed wine, none of which is consumed on the premises where sold, the license fee shall be **set by resolution** ~~fifty dollars (\$50.00) a year~~.

#### **5.04.110: LICENSE; TRANSFER PROCEDURE:**

If the council determines that all of the conditions required of a licensee under the provisions of this chapter have been met by the proposed transferee of said license, then the license shall be endorsed over to the proposed transferee by said licensee for the remainder of the period for which the license has been issued, and the council shall note its approval thereof upon such license. Such transferee shall accompany each application for transfer with, and shall pay a fee **set by resolution**, ~~tendollars (\$10.00)~~. Nothing in this action shall be construed to permit the transfer of a license to premises other than the premises originally designated in the license. (Ord. 951, 1984: prior code § 5-4-11)

#### **5.08.180: LICENSE; TRANSFER PROCEDURE:**

Application to transfer any license issued pursuant to this chapter shall be made in writing to the city clerk. Upon receipt of such an application, the city clerk shall make the same investigation and determination with respect to the transferee as are required by sections [5.08.040](#) and [5.08.050](#) of this chapter. Within four (4) days after the receipt of said application, the city clerk shall report his findings together with the original application to the mayor and council. If the council determines that all of the conditions required of a licensee under the provisions of this chapter have been met by the proposed transferee, then the license shall be endorsed over to the proposed transferee by said licensee for the remainder of the period for which the license has been issued, and the council shall note its approval thereof upon such license. Such transferee shall accompany each application for transfer with, and shall pay **fee as set by resolution** ~~seventy five dollars (\$75.00)~~. Nothing in this action shall be construed to permit the transfer of a license to premises other than the premises originally designated in the license. (Prior code § 5-5-18)

#### **5.08.190: CATERED EVENTS:**

A. Any person who holds a beer, wine or liquor license may apply to the director of the department of public safety for a permit to cater special events outside their licensed establishment. There shall be a fee **as set by resolution** ~~of twenty dollars (\$20.00)~~ for such a permit.

#### **5.12.020: PERMIT; REQUIRED; FEE; EXPIRATION:**

The city clerk shall be the health authority and, before a permit is issued to an applicant desiring to operate a food service establishment, a fee **as set by resolution**, ~~as established by the city council~~, shall be paid and the applicant shall have already secured a permit to operate a food service establishment from the state department of health. The permit issued shall expire on the date of the expiration of the permit issued by the state department of health. (Ord. 1357, 2012)

#### **5.15.050: FOOD AND DRINK CONCESSIONS:**

The proprietor of any mobile or temporary food service concession stand or operation shall be required to receive permission from the city clerk prior to receiving a concession license from the clerk's office, furnish proof of public liability insurance coverage in the minimum amount of five hundred thousand dollars (\$500,000.00) combined single limit, and to pay a concession

license fee **as set by resolution** of ~~fifty dollars (\$50.00)~~ for each location at which the concession will be operated. Additional requirements may be imposed by the clerk and shall be subscribed on the permit.

**5.16.050: LICENSE; FEE; EXPIRATION:**

The license fee to be paid to the city by the applicant for an itinerant merchant or peddler's license **fee as set by resolution** shall be ~~fifty dollars (\$50.00)~~. The license shall expire ninety (90) days after issuance. (Ord. 1321, 2010)

**5.17.040: LICENSE; FEES:**

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

**5.20.040: LICENSE; FEES; DURATION; DUE DATE:**

A. License fee shall be as follows:

1. For each and every pool table, **as set by resolution** ~~eight dollars (\$8.00)~~ per year
2. For each and every card table **as set by resolution** ~~ten dollars (\$10.00)~~ per year;
3. For each and every billiard table, **as set by resolution** ~~six dollars (\$6.00)~~ per year;
4. For one bowling alley, **as set by resolution** ~~ten dollars (\$10.00)~~ per year; and for each additional alley, **as set by resolution** ~~five dollars (\$5.00)~~ per year;
5. For each shuffleboard, **as set by resolution** ~~eight dollars (\$8.00)~~ per year;
6. ~~Eight dollars (\$8.00) per year~~ **Fee set by resolution** for each amusement device located in an establishment where minors are prohibited and licensee is authorized and permitted in the city to sell liquor by the drink or beer at retail, which upon the insertion of a coin, slug, token, or disc, may be operated by the public generally for use as a game, entertainment, or amusement, whether or not registering a score, which include, but are not limited to, pinball machines, foosball tables, electronic game machines, video game machines, air hockey games, and all games, or operations similar thereto under whatever name they may be indicated.

**5.24.040: LICENSE; FEES; DURATION:**

A. The annual license fees for operating taxicabs in the city shall be as follows:

1. For one vehicle, **fee set by resolution** ~~ten dollars (\$10.00)~~;
2. For each vehicle exceeding one, all owned and operated by the same party, **fee set by resolution** ~~five dollars (\$5.00)~~ per vehicle.

**5.28.033: MOBILE HOME PERMITS; APPLICATION REQUIREMENTS; RENEWALS:**

- A. Application for original permit shall be in writing, signed by the applicant, accompanied by an affidavit of the applicant as to the truth of the application, and by **a fee set by resolution** the deposit of a fee of ten dollars (\$10.00); and shall contain: the name and address of the applicant; the location and legal description of the mobile home park; and a site plan of the mobile home park showing all mobile home lots, structures, roads, walkways and other facilities. One tentative plat shall be drawn to a scale of one inch to fifty feet (1" = 50'), or larger, to accompany application.
- B. Applications for renewals of permits shall be made in writing by the holders of the permit, shall be accompanied by **a fee set by resolution** the deposit of a fee of ten dollars (\$10.00); and shall contain any change in the information submitted since the original permit was issued or the latest renewal granted. (Ord. 907, 1980)

**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:

- D. A temporary license or permit may be issued to any person found to be a tourist or visitor, which will permit such person to park his house trailer upon a lot, tract or parcel of land for a period not to exceed thirty (30) days; provided, however, that such temporary permit shall be issued only upon satisfactory evidence that proper sanitary facilities are available. Such temporary permit shall carry a fee **set by resolution** of one dollar (\$1.00) to be paid at the time the permit is issued.

**5.29.030: FEE LEVIED; AMOUNT; EFFECT UPON OTHER LICENSE FEE PROVISIONS:**

- A. There is hereby levied upon and shall be collected from every person engaged in any business or occupation within the city a license fee for the privilege of engaging in business in an amount to be determined by the application of the rates hereinafter set forth. Such license fee shall be a onetime fee **as set by resolution** of ten dollars (\$10.00) for the application.

**5.32.020: LICENSE REQUIRED:**

It shall be unlawful for any person to conduct or transact a Pawnbroker business or pawnshop in the city without first having applied and procured a city license therefore as provided in this chapter. **Annual license fee shall be set by resolution.**

**5.34.020: LICENSE REQUIRED:**

- A. It is unlawful for any person to conduct a private patrol service or private investigative service in the city unless that person has first applied for and been issued a license **and paid an annual fee as set by resolution** for that purpose.
- B. It is unlawful for any person to act or to offer to act as a private investigator or private patrolman unless that person has first applied for and been issued a license **and paid an annual fee as set by resolution** for that purpose.

C. It is unlawful for any private patrol service to employ the services of a private patrolman unless said private patrolman has been licensed **and paid an annual fee as set by resolution.** (Ord. 1108 § 1, 1995)

**5.36.150: LICENSE FEES:**

A. The following annual license fees must be paid to the city at the time the license application is submitted:

1. Class A license: **as set by resolution** ~~Three hundred dollars (\$300.00).~~
2. Class B license: **as set by resolution** ~~One hundred twenty five dollars (\$125.00).~~
3. Class C license: **as set by resolution** ~~Two hundred dollars (\$200.00).~~
4. Class D license: **as set by resolution** ~~Fifty dollars (\$50.00)~~ per adult arcade machine.
5. Class E license: **as set by resolution** ~~Three hundred dollars (\$300.00)~~ plus applicable fees for class A content and fees for each arcade machine under class D.

**5.40.030: LICENSE REQUIRED:**

C. There shall be a onetime city used car sales license fee **set by resolution** ~~in the amount of one hundred dollars (\$100.00)~~ paid when an application is filed. There shall be no other license fees as long as the lot remains in compliance with city codes. In the event the city clerk determines that the used car sales lot is out of compliance with city codes, the license shall become null and void, and before an applicant may recommence business, there shall be a renewal application filed. There shall be a **fee set by resolution for** ~~one hundred dollar (\$100.00)~~ renewal fee paid with the application for a renewal.

No city used car sales license issued under this chapter may be transferred except upon written application by the licensee and the proposed transferee on forms to be provided by the city clerk and the payment of a transfer fee **set by resolution** ~~in the amount of twenty five dollars (\$25.00).~~ Provided however, the transferee shall be required to furnish any and all information as may be contained in an initial application for a city used car sales license. Prior to transferring any city used car sales license, the city clerk shall determine that the established used car lot for which the city used car sales license has been issued is complying with all of the provisions of this chapter. (Ord. 1348, 2011)

**6.04.060: ANIMALS; SEIZED AND IMPOUNDED; FEES:**

The chief of police shall collect the following fees **actual and necessary expenses incurred for** seizing, impounding, keeping and selling any animal under the provisions of this chapter:

- A. For taking up and impounding cattle, horses, mules, per head, ~~one dollar (\$1.00);~~
- B. For hogs, sheep and goats, per head, ~~fifty cents (\$0.50);~~

~~C. For publishing notice of sale, ten cents (\$0.10) per line of the printed copy;~~

~~D. For each sale, one dollar (\$1.00) and the actual and necessary expenses incurred in the feeding and keeping of such animals. (Prior code § 6-2-6)~~

#### **6.08.020: LICENSE REQUIREMENTS:**

B. Nonvicious Dog Fees: The city clerk, or a designee, is hereby authorized to issue a license to any person showing veterinary certification of rabies vaccination and upon payment **as set by resolution** of twenty dollars (\$20.00) per head for each nonvicious dog. Owners presenting veterinary certification that the dog has been spayed or neutered will pay **as set by resolution** ten dollars (\$10.00). Persons who are at least sixty two (62) years of age as of January 1 will pay **as set by resolution** six dollars (\$6.00) per head to license their nonvicious and spayed/neutered dog(s). Vicious dogs and dogs which have not been spayed or neutered are not eligible for this reduced license fee. All licenses issued will be valid from the date of issue and will expire on December 31 of each year.

C. Vicious Dog Fees: The city clerk, or a designee, is hereby authorized to issue a license to any person showing veterinary certification of rabies vaccination, compliance with all requirements of this chapter, and upon payment **as set by resolution** of one hundred dollars (\$100.00) per head for each vicious dog which is of any breed other than those that meet the definition of pit bull, Presa Canario, Canary Island dog, Cane Corso, mountain dog, Russian wolfhound or wolf hybrid. Owners presenting veterinary certification that the dog has been spayed or neutered will pay **as set by resolution** seventy five dollars (\$75.00) per head. All licenses issued will be valid from the date of issue and will expire on December 31 of each year.

~~D. Pit Bull Fees: The city clerk, or any designee, is hereby authorized to issue a license to any person showing veterinary certification of rabies vaccination, and showing compliance with all sections of this chapter as verified by the chief of police, or a designee, and upon payment **as set by resolution** of five hundred dollars (\$500.00) per head for each pit bull. Owners presenting veterinary certification that the pit bull has been spayed or neutered will pay **as set by resolution** four hundred seventy five dollars (\$475.00) per head. All licenses so issued will be valid from the date of issuance and will expire on December 31 of each year.~~

D. Penalty And Exceptions: If any license fee is not paid on or before January 31 of each year, the city clerk shall collect a penalty in addition to said license fee in the sum **as set by resolution** of ten dollars (\$10.00); provided, however, that any dog born subsequent to January 31 of any year shall be licensed by the payment of the appropriate license fee, without penalty, within four (4) months after its birth, and thereafter the penalty shall be added as hereinbefore set forth, and any dog brought into the city subsequent to January 31 of any year shall be licensed by the payment of the appropriate license fee, without penalty, within thirty (30) days after being brought into the city, and thereafter the penalty shall be added as hereinbefore set forth. (Ord. 1270 § 2, 2006: Ord. 923, 1981: Ord. 903, 1980: Ord. 891, 1978: prior code § 6-3-2)

#### **6.08.030: LICENSE TAGS:**

B. Lost Tag: A duplicate or replacement tag shall be issued by the city clerk upon payment **as set by resolution** of ~~five dollars (\$5.00)~~ for each tag so issued to replace the original tag which was lost or destroyed.

**6.08.040: KENNEL LICENSE:**

A. It shall be unlawful to keep, maintain, harbor or possess upon any one premises more than three (3) dogs, unless the owner or person in charge thereof is engaged in the commercial business of buying, selling, breeding, boarding or training of dogs and has first obtained a commercial kennel license. Application for a commercial kennel license shall be made to the city clerk and shall be accompanied by an application fee **as set by resolution** of ~~seventy five dollars (\$75.00)~~. The kennel license shall not become effective until it is reviewed and approved by the city council.

**6.08.105: IMPOUNDING AND DESTRUCTION:**

When a ~~vicious~~ dog is impounded and held for more than three (3) days, the owner shall pay a fee **as set by resolution** of ~~ten dollars (\$10.00) per day~~ for each twenty four (24) hour period, or portion thereof that the dog is impounded. (Ord. 1270 § 2, 2006: Ord. 1095 § 4, 1995: prior code § 6-3-13)

**6.08.107: IMPOUNDMENT PROCEDURES:**

C. Impoundment Fees: For the first occurrence of impounding a dog running at large, the owner thereof shall pay to the city a fee **as set by resolution** of ~~thirty dollars (\$30.00)~~ for the taking up of such animal; for the second occurrence of impounding a dog running at large, the owner thereof shall pay to the city a fee **as set by resolution** of ~~fifty dollars (\$50.00)~~ for the taking up of such animal. For the third or any subsequent occurrence of impounding a dog running at large, the owner thereof shall pay the city a fee **as set by resolution** of ~~seventy five dollars (\$75.00)~~ for the taking up of such animal for each such occurrence. Said impoundment fees shall be paid to the city clerk's office. Prior to the release of any dog impounded for running at large, the owner shall provide proof that he has possession of a current city of Payette license tag for said dog.

**6.08.110: PENALTIES:**

A. Violations And Penalties: ~~Any person who violates any of the provisions of this chapter shall be fined not more than three hundred dollars (\$300.00) or imprisoned not more than one hundred eighty (180) days, or both for each offense.~~ **Any violation of this chapter shall be a misdemeanor punishable by fine and/or imprisonment up to, but not exceeding, the maximum penalties set forth in Idaho Code sections 18-113 and 50-302.** In addition, any dog which is prohibited by this chapter, or which attacks a human being, any domestic animal, or any livestock, may be ordered destroyed when, in the court's judgment, such dog represents a continuing threat of harm to human beings, domestic animals, or livestock. In addition, the judge may order any dog destroyed which habitually creates a nuisance to any neighborhood or person. The conviction of an owner for a second or subsequent offense of allowing a dog to bark or create noise which is a nuisance to the neighborhood or another person, shall be sufficient to establish that a dog habitually creates a nuisance.

**8.08.110: COLLECTION; FEES:**

Fees and rates for collection of refuse at residences shall be **a fee set by resolution** ~~ten dollars seventy five cents (\$10.75)~~ per month per dwelling unit, payable by the owner of the premises. Other rates are set as follows:

- A. **A fee set by resolution** ~~Two dollars thirty five cents (\$2.35)~~ per month for rental of a ninety five (95) gallon cart.
- B. Commercial rates are set as follows **by resolution**

~~TEMPORARY CONTAINER SERVICE~~

<del>Container Size (Cubic Yards)</del>	<del>Delivery Charge</del>	<del>On Call Service (Per Dump)</del>	<del>Rent (Per Month)</del>
<del>4</del>	<del>\$15.00</del>	<del>\$23.00</del>	<del>\$13.00</del>
<del>6</del>	<del>15.00</del>	<del>32.00</del>	<del>17.00</del>

<del>Size Of Container</del>	<del>Once/Week</del>	<del>Twice/Week</del>	<del>Three/Week</del>
<del>2 cubic yard</del>	<del>\$42.48</del>	<del>\$67.93</del>	<del>\$97.34</del>
<del>3 cubic yard</del>	<del>53.18</del>	<del>88.62</del>	<del>112.84</del>
<del>4 cubic yard</del>	<del>68.75</del>	<del>131.54</del>	<del>177.96</del>
<del>6 cubic yard</del>	<del>96.15</del>	<del>164.18</del>	<del>221.94</del>
<del>8 cubic yard</del>	<del>121.12</del>	<del>179.34</del>	<del>259.18</del>
<del>300 gallon tub</del>	<del>35.75</del>	<del>55.14</del>	<del>-</del>
<del>20 cubic yard compactor</del>	<del>\$178.00 per dump</del>		

**MONTHLY RENT ON CONTAINERS**

<del>Container Size</del>	<del>Cost</del>
<del>2 cubic yards</del>	<del>\$10.00</del>
<del>3 cubic yards</del>	<del>11.00</del>
<del>4 cubic yards</del>	<del>13.00</del>
<del>6 cubic yards</del>	<del>17.00</del>
<del>8 cubic yards</del>	<del>19.00</del>
<del>300-gallon tub</del>	<del>7.50</del>

~~Recycling container: \$28.50 includes service.~~

<del>Appliance Disposal</del>
<del>\$22.00 per nonfreon unit</del>
<del>\$44.00 per freon unit</del>

<del>Commercial Can Customer</del>
<del>One to four 32-gallon cans \$16.50</del>
<del>95-gallon cart \$14.50</del>

~~COMMERCIAL ROLL-OFF DROP BOXES PER DUMP~~

<del>Size Of Container</del>	<del>Daily Rent</del>	<del>Per Dump</del>
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<del>20 cubic yards</del>	<del>\$2.85</del>	<del>\$135.00</del>
<del>30 cubic yards</del>	<del>3.15</del>	<del>142.00</del>
<del>35 cubic yards</del>	<del>3.40</del>	<del>147.00</del>
<del>40 cubic yards</del>	<del>3.50</del>	<del>155.00</del>

**8.08.120: COLLECTION; BILLING AND PAYMENT PROCEDURE:**

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, a charge **as set by resolution** of ~~two dollars (\$2.00)~~ 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 foreclose the same in the manner provided for the foreclosure and collection of other special assessments. (Ord. 1266 § 6, 2006: prior code § 8-1-12)

**8.12.030: REMOVAL; NOTIFICATION; NONCOMPLIANCE; ACTION BY CITY:**

B. Upon the failure, neglect or refusal of any such owner, agent of owner, tenant or occupant to comply with said sections, the designated official is authorized and empowered to pay for and employ labor for the removal of the waste substances and/or the cutting and chopping of the weeds and grasses mentioned in said sections. The reasonable value of the services rendered in removing the waste substances and/or the cutting and chopping of the weeds and grasses, plus an administrative fee **set by resolution** of ~~one hundred dollars (\$100.00)~~, if not paid by the owner, agent of such owner, tenant or occupant of said real property within thirty (30) days after completion, shall be filed as a lien against the real property, and, may be declared delinquent and be certified to the tax collector of the county by the city clerk, and shall be, by said tax collector, placed upon the tax roll and collected in the same manner and subject to the same penalties as other city taxes. A copy of the recorded lien will be sent to the owner, agent of such owner, tenant or occupant at his last known address by return receipt requested mail. (Ord. 1238 § 1, 2005: prior code § 8-3-12)

**10.20.090: TIME RESTRICTION IN CERTAIN AREAS; DESIGNATED; PENALTY FOR VIOLATION:**

C. Any person convicted of a violation of ~~subsection B~~ of this section shall be fined **a fee set by resolution** ~~one dollar (\$1.00)~~. Upon a third or subsequent conviction of a violation of said subsection, within any ninety (90) day period, the fine shall be **set by resolution** ~~five dollars (\$5.00)~~.

**10.32.050: IMPOUNDED VEHICLES; UNREDEEMED; AUCTIONING PROCEDURE:**

If, at the expiration of thirty (30) days after mailing the notice provided for in section [10.32.030](#) of this chapter, such vehicle is not redeemed by the owner or his proper representative, the chief of police or his authorized agent shall proceed to sell the same at a public auction to the highest bidder after first giving at least ten (10) days' notice of said sale by publishing said notice at least once in a newspaper published in the city, stating the time and place of such sale. Such notice shall also describe the vehicle to be sold with reasonable certainty and shall state to whom, if anyone, the records of the office of the motor vehicles division of the state department of law enforcement show the same to belong, and, if the name of the owner is unknown, said fact shall be stated. If the name of the owner or recorded lienholder, if any, is known, the police department shall send such owner or recorded lienholder a copy of such notice, as published, immediately after the publication of same, which notice shall be mailed to their last known address or their address as shown on the records of the motor vehicle division of the Idaho department of law enforcement. A copy of this notice, as published, shall immediately, after publication, be mailed to the owner of the place of storage. The money received by the chief of police, or his authorized agent, from the sale of any such vehicle shall be applied first to the actual cost of towing and storage of such impounded vehicle, then to pay the cost of advertising the notice of sale in the amount **as set by resolution** of ten dollars (\$10.00) for each vehicle so impounded; and the balance if any, shall then be deposited into the city treasury to be used as provided in section [10.32.060](#) of this chapter. (Prior code § 10-8-1(E))

**10.32.130: SPECIAL PERMIT AND FEE:**

Upon application of any person for a special permit and the payment of **a fee set by resolution** ~~the sum of twenty five dollars (\$25.00)~~, the city clerk shall cause a permit to be issued to such applicant for salvage of parts from one vehicle for necessary repair of an existing vehicle. The permit shall be valid for not to exceed thirty (30) days. ~~If, on inspection by the city clerk, the chief of police or other appropriate city official, the unused salvage has been removed from the property by the permittee, the city shall cause to be returned the initial fee provided for in this section, but if such salvage has not been so removed as required herein, the city shall cause same to be removed and retain the permit fee for the cost thereof. (Ord. 940, 1982)~~

**12.16.020: PARKS; ASSEMBLIES; LICENSE REQUIRED; PROCEDURE:**

C. The license fee shall be **set by resolution** ~~one dollar (\$1.00)~~ for each multiple of fifty (50) persons for which the license is issued, and said license shall state generally the reason for the assembly and the time and date it shall be effective.

**12.18.110: PAYETTE CITY BUSINESS LICENSE REQUIRED:**

A. A Payette city business license, **fee set by resolution** is required for any person or business performing tree care or pruning for a fee and/or compensation within the Payette city limits. The Payette business license is to be renewed annually, **fee set by resolution**.

**13.04.200: UNLAWFULLY TURNING WATER ON; FINE:**

Should the owner or occupant of the premises turn on the water, or suffer or cause it to be

turned on, after it has been shut off at the curb cock, it will be turned off at the main and a charge of thirty dollars (~~\$30.00~~) **fee set by resolution** must be paid before the same shall be turned on again. (Res. 2009-05, 2009: prior code § 3-3-12)

#### **13.04.250: STATEMENT OF WATER CHARGES; TURN ON CHARGE:**

A. The city clerk shall furnish to each account holder or 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 account holder or property owner neglects to pay his water charges within ten (10) days of the date of mailing of the statement, his account shall be delinquent, and a charge **as set by resolution** of ~~five dollars (\$5.00)~~ shall be added to the account ten (10) days after the account becomes due. The delinquent account holder or property owner shall be notified by regular mail of this delinquency and, if the bill is not paid in full within five (5) days after service of this notification, the right to water shall cease and terminate. The city may require ~~a the one hundred twenty five dollar (\$125.00)~~ utility fund deposit **as set by resolution**, as a condition of receiving water service again, if the deposit has not previously been made, or if the same has been refunded.

B. In addition, the expense of turning the water on again, shall be set **by resolution** at a ~~minimum of thirty dollars (\$30.00)~~, or as may be determined by the council, must also be paid.

Until such time that the payments are made, the person who applied for the use of the water at the premises to which water service was terminated because of nonpayment will not be entitled to any water service at any other place or premises within the city.

#### **13.04.260: WATER CHARGES; DESIGNATED:**

A. Water charges will be determined on a monthly usage basis calculated on the volumetric amount of water passing through the city standard water meter, actual meter size, or number of living units and/or spaces. The city's minimum standard is thereby set as a three-fourths inch by three-fourths inch ( $3/4" \times 3/4"$ ) water meter. The following rates are hereby established:

##### **1. Single Occupant - Standard Meter:**

The base water rate for a single city standard water meter is **a fee set by resolution** \$6.17 per month.

The volumetric rate for any water consumed is charged at **a fee set by resolution** \$0.220 per 100 gallons of water used, rounded up to the next 100 gallons.

The monthly water rate is the addition of the base water rate and volumetric rate of **a fee set by resolution** \$0.220 per 100 gallons of water used, rounded up to the next 100 gallons.

##### **2. Single Occupant - Nonstandard Meter:**

The nonstandard base water rate is based on the size of the existing or requested new water meter. This rate is determined by comparing the city's standard water meter orifice area to the water user's requested water meter orifice area. This comparison would yield an adjustment

factor which is then multiplied to the previously defined base water rate. The nonstandard monthly water rate is the addition of the nonstandard base water rate and volumetric rate of **a fee set by resolution \$0.220** per 100 gallons of water used, rounded up to the next 100 gallons.

TABLE A2.1 - ADJUSTMENT FACTORS

Water Meter Size	Orifice Area	Adjustment Factor
3/4 inch	0.44 sq. in.	1.0
1 inch	0.79 sq. in.	1.8
2 inch	3.14 sq. in.	7
4 inch	12.57 sq. in.	28
6 inch	28.26 sq. in.	64

3. Multiple Unit User: Where more than one dwelling, space, or like unit is using the same meter, the following rates and basis for changes will apply:
  - b. The multi-unit monthly water rate is the addition of the multi-user base water rate and volumetric rate of **a fee set by resolution \$0.220** per 100 gallons of water used, rounded up to the next 100 gallons.

**13.04.270: UTILITY ACCOUNT DEPOSIT; REQUIRED; PLACEMENT; REFUND:**

A. From each owner, tenant or lessee of property, the clerk shall, before the city water, sewer, refuse collection and other such monthly services are furnished, collect and receive a utility account deposit of **a fee set by resolution one hundred twenty five dollars (\$125.00)**, which deposit shall be collected to secure the payment of all charges thereafter billed to the utility account for the premises occupied by that individual. For multi-unit dwellings and commercial units, the following rates apply:

Multi-living unit dwellings ~~– a fee set by resolution one hundred twenty five dollars (\$125.00)~~ per living unit.

Trailer courts ~~– a fee set by resolution one hundred twenty five dollars (\$125.00)~~ per space.

Restaurants - **a fee set by resolution three hundred dollars (\$300.00)** per unit.

Other commercial **Non residential** units – ~~twice the estimated monthly usage~~ **a fee set by resolution**

**13.08.070: SERVICE RATES AND CHARGES; DESIGNATED:**

Owners or occupants of all premises (residential and commercial) now served by the sanitary sewer of the city and of all premises to be furnished sewer service by the sewage collection system, except industrial users, shall pay the rates specified as follows:

- A. The monthly charge for city sewer service shall be determined by the amounts of city water delivered to and discharged at the premises, and shall be collected at the following rates for each meter service; however, in the event there is more than one "dwelling unit", as defined in section [17.08.010](#) of this code, connected to a water meter, then the charges shall be made and collected for each dwelling unit by determining the average discharge per dwelling unit.
1. The minimum monthly charge shall be ~~set by resolution fifteen dollars sixty one cents (\$15.61)~~ plus ~~a fee set by resolution twenty four and eight tenths cents (\$0.248)~~ per one hundred (100) gallons discharged or fraction thereof. From the monthly minimum charge of each user, the city treasurer shall place ~~an amount set by resolution two dollars fifty five cents (\$2.55)~~ of that monthly charge into a fund dedicated exclusively to the reconstruction or replacement of the city sewer system and plant. This money shall not be used for anything other than the reconstruction and replacement of the city sewer system and plant.
- B. Rates and charges for premises to which city water is not delivered or metered, shall be ~~set by resolution thirty one dollars twenty five cents (\$31.25)~~ per month.
- D. A fee ~~as set by resolution of one dollar (\$1.00)~~ per each one hundred (100) gallons, with a ~~fee set by resolution minimum of five dollars (\$5.00)~~ per each load, for emptying septic tank or cesspool pumping at the sewage treatment plant shall be charged.

**13.08.080: INDUSTRIAL CHARGES FOR LOADING OF SEWER SYSTEM:**

Users shall be monitored and the fees shall be based on the loading the user discharges into the city's sewer works. All charges are based on gallons of flow received daily, pounds of biochemical oxygen demand received daily, pounds of total suspended solids received daily, and daily settleable solids concentrations higher than seven milligrams per liter (7 mg/l). The charges shall become effective July 1, 1996. The charges shall be ~~set by resolution:~~

~~A. Biochemical Oxygen Demand (BOD):~~

- ~~0 - 3,000 pounds @ \$0.19 per pound~~
- ~~3,001 pounds and over @ \$0.38 per pound~~

~~Total suspended solids (TSS):~~

- ~~0 - 1,500 pounds @ \$0.13 per pound~~
- ~~1,501 pounds and over @ \$0.26 per pound~~

~~Flow:~~

- ~~0 - 500,000 gallons @ \$0.61 per 1,000 gallons~~
- ~~500,001 gallons and over @ \$1.22 per 1,000 gallons~~

~~Settleable solids:~~

- ~~Higher than 7 mg/l - \$100.00~~

**13.08.090: SERVICE RATES AND CHARGES; PAYMENT PROCEDURE:**

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 a charge **as set by resolution** of five dollars (~~\$5.00~~) shall be added to the account ten (10) days after the account becomes due. For failure to pay such fees, 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.

**15.04.043: BUILDING PERMIT FEE; PREFABRICATED BUILDING OR STRUCTURE:**

The building official or building inspector shall charge a fee **set by resolution** of one hundred fifty dollars (~~\$150.00~~) for the building permit for any mobile home, trailer house or other prefabricated building or structure. (Ord. 1237, 2004: Ord. 1067 § 3, 1993) .

**15.33.010: LICENSE FEE:**

Individuals and/or businesses may apply for a license to advertise on benches which are placed on the city rights of way. The cost for the annual license for the advertising space shall be **set by resolution** one hundred dollars (~~\$100.00~~) annually. All licenses shall expire on December 31 of the year the license was issued. (Ord. 1126 § 1, 1996)

**16.16.050: PRELIMINARY PLAT; FILING AND REVIEW FEES:**

At the time of submission of a preliminary plat, there shall be paid to the city clerk a **fee set by resolution** two hundred dollar (~~\$200.00~~) filing fee together with a **fee set by resolution** twenty dollar (~~\$20.00~~) per lot preliminary plat review fee. This fee structure shall also include plats in the impact area. (Ord. 1219 § 1, 2002: Ord. 1137 § 1, 1997: Ord. 874, 1977: prior code § 11-15-10(A))

**16.16.060: FINAL PLAT/CONSTRUCTION DRAWINGS; FILING AND REVIEW FEES:**

Upon submission of the final plat of the area, or any part thereof, there shall be paid to the city clerk a **fee set by resolution** two hundred dollar (~~\$200.00~~) filing fee together with a **fee set by resolution** twenty dollar (~~\$20.00~~) per lot final plat/construction drawings review fee. (Ord. 1219 § 1, 2002: Ord. 1137 § 2, 1997: Ord. 874, 1977: prior code § 11-15-10(B))

**17.68.040: FEE SCHEDULE FOR CERTAIN ZONING AND SUBDIVISION REQUESTS:**

The following fee schedule for certain types of applications is hereby created.

- A. Applications for conditional use permits or special use permits shall be accompanied by a fifty dollar (~~\$50.00~~) nonrefundable fee **set by resolution**.
- B. Applications for rezones, variances, annexation and nonconforming uses shall be accompanied by a one hundred dollar (~~\$100.00~~) nonrefundable fee **set by resolution**.
- C. All other applications shall be accompanied by a fifty dollar (~~\$50.00~~) nonrefundable fee **as set by resolution**.

**17.80.050: DEVELOPMENT IMPACT FEES IMPOSED:**

C. Fee Table And Calculation Of Amount Of Development Impact Fees:

Impact Fee Category	Amount
Police fees:	
Residential (per dwelling unit)	As set by resolution
Nonresidential (per square foot)	As set by resolution
Fire fees:	
Residential (per dwelling unit)	As set by resolution
Nonresidential (per square foot)	As set by resolution
Total city impact fees:	
Residential	As set by resolution
Nonresidential	As set by resolution

**18.01.050: SUBMITTAL REQUIREMENTS:**

P. Applicant will provide a municipal well and associated water rights sufficient to supply the land within the annexation in accordance with the Idaho administrative procedures act (IDAPA) and Idaho department of environmental quality (DEQ). In lieu of a municipal well, the applicant will pay a fee per lot **as set by resolution** of five hundred dollars (~~\$500.00~~) to the city for eventual development of a new well. (Ord. 1279 § 1, 2007)

**Section 2.** This Ordinance may be published in summary form as permitted 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.** Any violation of this ordinance shall be a misdemeanor punishable in accordance with the misdemeanor statutes of the State of Idaho.

**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.

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

CITY OF PAYETTE, IDAHO

\_\_\_\_\_  
Jeffrey T. Williams, Mayor

ATTEST:

\_\_\_\_\_  
Mary Cordova, City Clerk

RESOLUTION 2012-08

**A RESOLUTION OF THE  
PAYETTE CITY COUNCIL  
ADDING FEES**

WHEREAS, the City of Payette, Idaho ("City") is a municipal corporation operating under the laws of the State of Idaho and is authorized to fix rates and charges due to the additional costs of administration, operations and maintenance of various programs and take other actions incidental to the management and operation of the municipal water and sewer systems pursuant to Title 50, Chapter 10, Idaho Code; and

WHEREAS, the City has fees already established; and

WHEREAS, the City has determined that some fees should be amended to reflect the reasonable cost of providing the services; and

WHEREAS, after public hearing have been held prior to the adoption of this resolution, regarding new and increased city fees, it is deemed by the city council to be in the best interests of the City of Payette and the citizens thereof that the fee schedule be amended to include the new and increased fees which were addressed in the public hearing.

NOW, THEREFORE, Be It Resolved by the Mayor and City Council of the City of Payette, Idaho that the following fee schedule, which reflects the new and amended fees be adopted for the City of Payette, Idaho.

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**ADMINISTRATIVE FEES**

Beer License (off premises)	\$ 50.00	Annually
Beer License (on premises)	\$200.00	Annually
Wine License (off premises)	\$ 50.00	Annually
Wine License (on premises)	\$100.00	Annually
Liquor/Wine (on premises)	\$562.50	Annually
Liquor/Wine (Golf Course)	\$300.00	Annually
Liquor License Transfer	\$ 75.00	
Beer and/or Wine License Transfer	\$ 10.00	
Catering Permit	\$ 20.00	Per day
Door to Door Solicitation	\$ 50.00	Quarterly
Eating Establishment	\$ 50.00	Annually
Business License	\$ 25.00	One Time
Mobile Food Vendor	\$ 50.00	Quarterly
Gaming Devices	\$ 8.00	Per device
Pool Table	\$ 8.00	Per table
Card Table	\$ 10.00	Per year per table
Billiard Table	\$ 6.00	Per year per table

Bowling Alley	\$ 10.00	Per year
Each additional alley	\$ 5.00	Per year
Shuffleboard	\$ 8.00	Per year
Taxi Cab License	\$ 10.00	Per vehicle
Each addition vehicle owned and operated by same party	\$ 5.00	Per vehicle

~~Circus, Carnival, Exhibition Shows~~ \$75.00 Per day

Pawn Shop License	\$100.00	Annually
Dance Hall License	\$100.00	Annually
Used Car Dealer License	\$100.00	One-Time
Used Car Dealer Renewal (if not in compliance)	\$100.00	One-Time
Used Car Dealer License Transfer	\$ 25.00	
Mobile Home Park License	\$100.00	
Mobile Home Park Renewal	\$ 10.00	Annually
Tree Care Business License	\$ 25.00	Annually
Bench Advertising	\$100.00	Annually
Encroachment Permit	\$ 50.00	
Tie down Fees @ airport	\$ 10.00	Per month per plane
Non-sufficient funds fee	\$ 20.00	Per occurrence

(Returned check or electronic transaction)

(After 2 returned account holder checks or ACH returns, no account holder checks will be taken on the account for 1 year)

Administrative Fee for a lien	\$100.00	
Auctioned Impounded Vehicles-Notice of Sale	\$ 10.00	Per vehicle
Salvage Parts Permit	\$ 25.00	Annually
Parking Violation		
1 <sup>st</sup> Violation	\$ 5.00	
2 <sup>nd</sup> Violation	\$ 10.00	
3 <sup>rd</sup> Violation +	\$ 15.00	<90 days
Private Investigator License	\$ 50.00	Annually
Private Patrolman	\$ 50.00	Annually
Temporary Parking/ Camping License	\$ 1.00	<30 days
Civil Subpoena Service Fee	\$ 20.00	
Marriage ceremony performed by Mayor	\$ 5.00	
Copies	\$ .10	Per page (black & white)
	\$ .50	Per page (color)
Maps		At cost from supplier
Background Check	\$ 30.00	Per person

Adult Entertainment Business (annually)

1. Class A license: Three hundred dollars (\$300.00)
2. Class B license: One hundred twenty five dollars (\$125.00)
3. Class C license: Two hundred dollars (\$200.00)
4. Class D license: Fifty dollars (\$50.00) per adult arcade machine
5. Class E license: Three hundred dollars (\$300.00) plus applicable fees for class A content and fees for each arcade machine under class D

### Dog Licensing Fees

Dog License		\$ 20.00	Annually
	Unsexed	\$ 10.00	Annually
	Sr. Citizen Owner	\$ 6.00	Annually if unsexed
Vicious Dog		\$100.00	Annually
	Unsexed	\$ 75.00	Annually
Late Fee (after February 1 <sup>st</sup> )		\$ 10.00	
Kennel License		\$ 75.00	
Boarding Fee		\$ 10.00	Per Day
Impound Fee		\$ 30.00	1 <sup>st</sup> occurrence
		\$ 50.00	2 <sup>nd</sup> occurrence
		\$ 75.00	3 <sup>rd</sup> occurrence
Replacement Tag		\$ 5.00	

### **Planning & Zoning Fees**

Conditional Use Permit Application		\$100.00	
Variance Application		\$200.00	
Annexation Application		\$250.00	
Well Development		\$500.00	per lot
Rezone Application		\$300.00	
Decision Appeal		\$100.00	
Comprehensive Plan Amendments		\$300.00	
Short Plat Application		\$250.00	
Lot Line Adjustment Application		\$100.00	
Preliminary Plat Application		\$200.00	+ \$20.00 per lot
Final Plat Application		\$200.00	+ \$20.00 per lot
Miscellaneous Zoning Application		\$ 50.00	
Impact Fees			
Police Fees:			
Residential		\$457.00	per dwelling unit
Nonresidential		\$ 0.28	per sq. foot
Fire Fees:			
Residential		\$363.00	per dwelling unit
Nonresidential		\$ 0.22	per sq. foot
Building Permit- Prefabricated Building or Structure		\$150.00	
Sign Permit		\$ 50.00	
Engineering Review Deposit		\$1,000.00	

### **Fire Department Fees**

Fire Inspection		\$ 25.00	Per occurrence (no fee for first inspection)
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Daycare Inspection	\$ 25.00	Per occurrence
Fireworks Sale Permit	\$ 25.00	Annually
Fireworks Show Permit	\$ 25.00	Per show

**Park & Pool Fees**

Special Events Permit	\$200.00	(\$100.00 refundable)
Bandshell Rental	\$ 25.00	Per day
Power usage	\$ 25.00	Per day
Park Permit	\$ 1.00	Per 50 people
Swimming Lessons	\$ 30.00	<del>25.00</del> Per person
	\$ 27.50	<del>22.50</del> each add'l family member
Pool General Admission	\$ 3.00	Per person
Pool Passes		
Individual	\$ 50.00	1 month resident
	\$100.00	3 month resident
	\$ 80.00	1 month non-resident
	\$160.00	3 month non-resident
Family - Resident	\$100.00	1 month +
5 household members	\$ 15.00	Per person over 5 count
	\$200.00	3 month +
	\$ 30.00	Per person over 5 count
Family – Non-resident	\$130.00	1 month +
5 household members	\$ 15.00	Per person over 5 count
	\$260.00	3 month +
	\$ 30.00	Per person over 5 count
Pool Rentals	\$100.00	Per hour
School Groups		
Payette School District	\$ 1.25	Per person
Other School Districts	\$ 1.50	Per person
Shower @ the pool	\$ 3.00	Per shower

**Library Fees**

Non-Resident Library Card	\$ 40.00	Annually
Fines	\$ .25	Per day
Meeting Room Reservation	\$ 60.00	(\$50.00 refundable)

**Public Works Fees**

**WATER FEES**

Base Rate	¾ - inch	\$ 6.17	Per dwelling unit
	2-inch	\$ 43.15	
	3-inch	\$ 98.62	

	4-inch	\$172.58	
	6-inch	\$394.46	
Usage Fee		\$ .22	Per 100 gallons water
Tap Fees	¾ inch	\$1,500	
	1-inch	\$1,800	
	2-inch	\$3,000	
	4-inch	At city cost	
	6-inch	At city cost	
Permit Fee		\$750.00	Per unit
Meter Placement		\$125.00	Per meter
Utility Account Late Fee		\$ 5.00	
Utility Account Deposit		\$125.00	Per living unit
		\$300.00	Per commercial business Restaurant
		\$125.00	Per non-residential unit
Utility Account Deposit – Trailer Courts		\$125.00	Per space
Involuntarily shut off fee		\$ 30.00	
Turn on fee after involuntary shut off		\$ 30.00	
Voluntary shut-off		No fee for the first off/on cycle per calendar year.	
Voluntary turn-on		No fee for the first off/on cycle per calendar year.	
Commercial Purchase Water		\$ .01	Per gallon
<b>SEWER FEES</b>			
Base Rate		\$ 15.61	Per dwelling unit
		\$ .248	Per 100 gallons water
Sewer Permit		\$ 750.00	Per dwelling unit
Fire Protection Fee		\$ 5.25	per household/monthReconstruction/ Replacement Fund
		\$ 2.55	deducted from base rate of sewer charge/user
Sewer Only Users Base Rate		\$ 31.25	per month
Portable Toilet Waste		\$ 5.00	+ \$1.00/100 gallons
<b>INDUSTRIAL CHARGES- Loading Sewer System</b>			
Biochemical Oxygen Demand (BOD):			
0-3000 pounds		\$ 0.19	per pound
3001 pounds +		\$ 0.38	per pound
Total Suspended Solids (TSS):			
0-1500 pounds		\$ 0.13	per pound
1501 pounds +		\$ 0.26	per pound
Flow:			
0-500,000 gallons		\$ 0.61	per 1000 gallons
500,001 gallons +		\$ 1.22	per 1000 gallons

Settleable solids:  
Higher than 7 mg/l \$100.00

*REFUSE FEES*

Residential:  
Service \$ 10.75 per month  
Can \$ 2.35 per month

Commercial:

Temporary Container Service

Can-size: 4 cubic yards	Delivery Charge	\$ 15.00	
	On Call Service	\$ 23.00	per dump
	Rent	\$ 13.00	per month
6 cubic yards	Delivery Charge	\$ 15.00	
	On Call Service	\$ 32.00	per dump
	Rent	\$ 17.00	per month
2 cubic yards		\$ 42.48	once/week
		\$ 67.93	twice/week
		\$ 97.34	three/week
3 cubic yards		\$ 53.18	once/week
		\$ 88.62	twice/week
		\$112.84	three/week
4 cubic yards		\$ 68.75	once/week
		\$131.54	twice/week
		\$177.96	three/week
6 cubic yards		\$ 96.15	once/week
		\$164.18	twice/week
		\$221.94	three/week
8 cubic yards		\$121.12	once/week
		\$179.34	twice/week
		\$259.18	three/week
300 Gallon Tub		\$ 35.75	once/week
		\$ 55.14	twice/week
20 cubic yard compactor		\$178.00	per dump
Monthly Rent on Containers			
2 cubic yards		\$ 10.00	per month
3 cubic yards		\$ 11.00	per month

4 cubic yards		\$ 13.00	per month
6 cubic yards		\$ 17.00	per month
8 cubic yards		\$ 19.00	per month
300 gallon tub		\$ 7.50	per month
Recycling Container		\$ 28.50	per month
Appliance Disposal			
	Non-freon unit	\$ 22.00	per month
	Freon unit	\$ 44.00	per month
Commercial Can			
1-4	32-Gallon Cans	\$ 16.50	each per month
	95-Gallon Cart	\$ 14.50	per month
Commercial Roll-Off Drop Boxes Per Dump Container:			
	20 cubic yards	\$ 2.85	Daily Rent
		\$135.00	Per Dump
	30 cubic yards	\$ 3.15	Daily Rent
		\$142.00	Per Dump
	35 cubic yards	\$ 3.40	Daily Rent
		\$147.00	Per Dump
	40 cubic yards	\$ 3.50	Daily Rent
		\$155.00	Per Dump

City staff is directed to take all administrative actions necessary to implement the attached listing of effective City fees.

Any fee inconsistent with the provisions of this Resolution is hereby repealed or superseded to the extent of such inconsistency, as appropriate.

The revised fee schedule shall be effective beginning December 4th, 2012, unless another date is otherwise indicated in the resolution, and shall remain in force until revised by subsequent Resolution of the Payette City Council.

DATED this 3rd day of December, 2012.

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Jeff Williams, Mayor

ATTEST:

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Mary Cordova, City Clerk

**APPLICATION AND CERTIFICATE FOR PAYMENT DOCUMENT G702**

TO OWNER: City of Payette  
 700 Center Avenue  
 Payette, Idaho 83661

PROJECT: Traffic Signal @ Int. of US-95 & SH-52  
 Payette, Idaho

FROM CONTRACTOR: WF Construction and Sales  
 PO Box 575  
 Meridian, Idaho 83680

ENGINEER: Holladay Engineering  
 32 North Main  
 Payette, Idaho 83661

APPLICATION NO: 5  
 PERIOD TO: 11/30/2012  
 PROJECT NO: CP11-0326C

CONTRACT DATE: 7/16/2012

Distribution to:  
 OWNER  
 ENGINEER  
 CONTRACTOR  
 FIELD OFFICE  
 File, WBP 001 5.3

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the Contract, Continuation Sheet, and Absaroka Construction Invoice #40, as attached.

1. ORIGINAL CONTRACT ONE SUM..... \$324,858
2. Net change by change orders..... \$0
3. CONTRACT SUM TO DATE..... (Line 1 + 2)..... \$324,858
4. TOTAL COMPLETED & STORED TO DATE..... (Column G on G703)..... \$320,033

5. RETAINAGE: a. 5.0% of completed Work..... \$16,002  
 (Columns D + E on G703)

b. 5.0% of Stored Material..... \$0  
 (Columns F on G703)  
 Total Retainage (Line 5a + 5b or Total in Column I of G703)..... \$16,002

6. TOTAL EARNED LESS RETAINAGE..... \$304,031  
 (Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT..... \$304,031  
 (Line 6 from prior Certificate)

8. CURRENT PAYMENT DUE (release retainage only)..... \$16,002

9. BALANCE TO FINISH, INCLUDING RETAINAGE..... \$0

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		\$0	
Total approved this Month		\$0	
<b>TOTALS</b>		<b>\$0</b>	
NET CHANGES by Change Order		\$0	

**CONTRACTOR'S CERTIFICATE FOR PAYMENT**

The undersigned Contractor certifies that to the best of the his knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

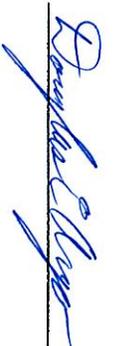
CONTRACTOR: WF Construction and Sales

By:  KEVIN WADE, LLC MEMBER  
 Kevin Wade

**PROJECT MANAGER'S CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the PM certifies to the Owner that to the best of the PM's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the amount indicated.

Doug Argo, Payette City Engineer

 Date: 11/30/12

Date:

# CONTINUATION SHEET

DOCUMENT 6703

PAGE 2 OF 2 PAGES

APPLICATION AND CERTIFICATE FOR PAYMENT:  
 containing Contractor's signed Certificate, is attached  
 in tabulations below, amounts are stated to the nearest dollar.  
 Use Column I on contracts where valuable retainage for line items may apply.

APPLICATION NO.: 5  
 APPLICATION DATE: 11/30/2012  
 PERIOD TO: 11/30/2012  
 PROJECT NO.: GP14-0326C

A	B	C	D		E	F	G		H	I
			WORK COMPLETED FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD			MATERIALS STORED (NOT IN D OR E)	TOTAL COMPLETED TO DATE (D+E+H)		
203-005A	Removal of Obstructions and Exc.	\$13,200.00	\$13,200.00	\$0.00	\$0.00		\$13,200.00	100%	\$0.00	\$660.00
203-070A	Excavation of Soft Spots	\$30.00	0	\$0.00	\$0.00		\$0.00	0%	\$330.00	\$0.00
301-005A	Granular Subbase	\$5,040.00	\$5,040.00	\$0.00	\$0.00		\$5,040.00	100%	\$0.00	\$252.00
303-022A	Aggregate Type B for Base	\$6,400.00	\$6,400.00	\$0.00	\$0.00		\$6,400.00	100%	\$0.00	\$320.00
405-025A	Superpave HMA CI SP-4	\$12,000.00	\$12,000.00	\$0.00	\$0.00		\$12,000.00	100%	\$0.00	\$600.00
613-005A	Concrete Sidewalks and Ramps	\$11,850.00	\$11,850.00	\$0.00	\$0.00		\$11,850.00	100%	\$0.00	\$592.50
615-430A	Comb. Curb & Gutter Ty A or C, 2	\$5,733.00	\$5,964.00	\$0.00	\$0.00		\$5,964.00	104%	-\$231.00	\$288.20
616-000	Sign Salvage & Install	\$3,650.00	\$3,650.00	\$0.00	\$0.00		\$3,650.00	100%	\$0.00	\$182.50
626-000	Traffic Control	\$8,750.00	\$8,750.00	\$0.00	\$0.00		\$8,750.00	100%	\$0.00	\$437.50
656-005A	Traffic Signal Installation	\$186,280.00	\$186,280.00	\$0.00	\$0.00		\$186,280.00	100%	\$0.00	\$9,314.00
S105-05A	Directed Surveying-Field	\$320.00	\$0.00	\$0.00	\$0.00		\$0.00	0%	\$320.00	\$0.00
S105-05B	Directed Surveying-Office	\$840.00	\$0.00	\$0.00	\$0.00		\$0.00	0%	\$840.00	\$0.00
S105-10A	Survey	\$2,525.00	\$2,525.00	\$0.00	\$0.00		\$2,525.00	100%	\$0.00	\$126.25
S203-20A	Obilitation of Pav. Markings	\$1,545.00	\$1,201.50	\$0.00	\$0.00		\$1,201.50	78%	\$343.50	\$60.08
S600-05A	Adjust Valve Covers	\$1,026.00	\$342.00	\$0.00	\$0.00		\$342.00	33%	\$684.00	\$17.10
S605-05A	Adjust Manhole	\$456.00	\$456.00	\$0.00	\$0.00		\$456.00	100%	\$0.00	\$22.80
S656-10A	Multiple Approach Video Det. Sys.	\$21,965.00	\$21,965.00	\$0.00	\$0.00		\$21,965.00	100%	\$0.00	\$1,098.25
S900-50B	Power Service	\$8,000.00	\$5,333.47	\$0.00	\$0.00		\$5,333.47	67%	\$2,666.53	\$266.67
S900-60A	Pav Marking	\$663.00	\$789.60	\$0.00	\$0.00		\$789.60	119.10%	-\$126.60	\$39.48
S900-65A	Special Pav Markings	\$870.00	\$871.00	\$0.00	\$0.00		\$871.00	100.11%	-\$1.00	\$43.55
S901-05A	Adjust Fire Hydrant	\$3,150.00	\$3,150.00	\$0.00	\$0.00		\$3,150.00	100.00%	\$0.00	\$157.50
S911-05B	Remove and Reset Sign	\$182.00	\$182.00	\$0.00	\$0.00		\$182.00	100.00%	\$0.00	\$9.10
S912-05A	Temporary Construction Fence	\$540.00	\$540.00	\$0.00	\$0.00		\$540.00	100.00%	\$0.00	\$27.00
Z629-05A	Landscape Repair Mobilization	\$5,000.00	\$5,000.00	\$0.00	\$0.00		\$5,000.00	100.00%	\$0.00	\$250.00
		\$24,543.00	\$24,543.00	\$0.00	\$0.00		\$24,543.00	100.00%	\$0.00	\$1,227.15
	GRAND TOTALS	\$324,858.00	\$320,032.57	\$0.00	\$0.00		\$320,032.57	98.51%	\$4,825.43	\$16,001.63