

ORDINANCE 1378

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, REPEALING SECTION 13.04.252 OF TITLE 13, AMENDING SECTIONS 3.12.080 AND 3.12.090; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

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

Section 1. Section 13.04.252 of Title 13, Chapter 13.04 of the Payette Municipal Code is repealed as follows:

~~13.04.252: DELINQUENT CHARGES A LIEN ON PROPERTY:~~

~~All delinquent charges or fees, as provided by section 13.04.250 of this chapter, not paid after the final determination of the delinquent account shall be imposed as a lien against and upon the property or premises against which such charge or fee is levied or assessed, and the clerk shall, at the time of certifying the city taxes, certify such delinquencies together with all penalties to the tax collector of Payette County and, when so certified, the same shall be a lien upon the property. All monies collected by the clerk under the provisions of this section shall be paid over to the city treasurer in the same manner as is required for the payment of other city monies.~~

Section 2. Section 3.12.080 of Title 3, Chapter 3.12 of the Payette Municipal Code is amended as follows:

3.12.080: DISPOSITION OF WATER CHARGES:

All water charges provided for in chapter 13.04 of this code shall be placed in the utility fund. ~~and paid into the general fund; provided, however, that such amounts as the council from time to time determines to be necessary to fulfill the obligations of the city shall be paid into the sewer fund for payment into the sewer revenue bond redemption fund of 1958.~~

Section 3. Section 3.12.090 of Title 3, Chapter 3.12 of the Payette Municipal Code is 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 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 ~~monthly~~ **annually** by the city clerk.

Section 4. This ordinance may be published in summary form allowed by Idaho Code.

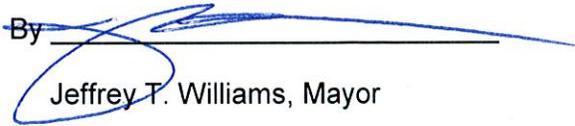
Section 5. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 6. Any ordinances or resolutions 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 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 19th day of August, 2013.

CITY OF PAYETTE, IDAHO

By 
Jeffrey T. Williams, Mayor

ATTEST


Mary Cordova, City Clerk

SUMMARY OF ORDINANCE 1378

Ordinance 1378 is an ordinance of the City Of Payette, Idaho, adopted August 19, 2013. The ordinance may be descriptively known as the Payette City repealer Ordinance. Ordinance 1378 repeals section 13.04.252 and a portion of section 3.12.090. The ordinance removes that section of the city code which allows the city to file a lien on property for delinquent charges. The ordinance also repeals that section of the city code which allows for transfer of funds into the sewer revenue bond redemption fund of 1958. The Ordinance provides a severability clause, provides for publication by summary, sets an effective date and establishes a repealer.

I, Bert L. Osborn, City Attorney for the City of Payette Idaho, certify that I am familiar with Ordinance 1378 of the City of Payette, Idaho and with the foregoing summary. The summary is true and complete and provides adequate notice to the public. The full text is on file with the Payette City Clerk and shall promptly be made available to any citizen upon request.

Dated this 20th day of August, 2013.



Bert L. Osborn