

ORDINANCE NO. 219 BY Boadward

AN ORDINANCE CREATING AND ESTABLISHING WITHIN THE CORPORATE LIMITS OF THE CITY OF PAYETTE, A LOCAL IMPROVEMENT DISTRICT, PROVIDING FOR THE APPOINTMENT OF A COMMITTEE AND ITS DUTIES, THE SPRINKLING OF STREETS WITHIN SAID DISTRICT AND PROVIDING FOR THE MAKING, ASSESSING AND COLLECTING OF SPECIAL ASSESSMENTS AGAINST THE PROPERTY WITHIN SAID DISTRICT FOR SAID IMPROVEMENT.

Be it ordained by the Mayor and Council of the City of Payette:

Section 1. That there is hereby created and established within the corporate limits of the City of Payette a local improvement district to be known as Local Sprinkling Improvement District No. 8 for the purpose of springkling certain streets and parts of streets located within said district; and the following is hereby designated as the streets and parts of streets ordered to be improved and included within said district, to-wit: All of the following streets and avenues lying and being within the corporate limits of the City of Payette, to-wit: River Street, Second Street, Fourth Street, Fifth Street, Sixth Street, Seventh Street, Eight Street, Ninth Street, Tenth Street, Eleventh Street, Twelfth Street, Thirteenth Street, Fourteenth Street, Fifteenth Street, Sixteenth Street, Eighteenth Street, Nineteenth Street and Twentieth Street, and the following named avenues, to-wit: Center Avenue First Avenue North, Second Avenue North, Third Avenue North, Fourth Avenue North, Fifth Avenue North, Sixth Avenue North, Seventh Avenue North and Eighth Avenue North and First Avenue South, Second Avenue South, Third Avenue South and Sixth Avenue South.

Section 2. The property included in the boundary of said district and which shall be assessed to defray the expenses of the improvement herein provided shall be all of the lots and parcels of land facing upon ~~any street or avenue facing upon~~ contiguous to or adjacent and abutting upon any street mentioned in Section one (1) of this ordinance lying within the corporate limits of the said City of Payette, and shall be assessed for said improvement according to the front footage and ben-

efits that shall accrue by reason of the sprinkling of said streets or parts thereof included in said district; Provided that the ~~space~~ cost of sprinkling the space formed by one street terminating in or crossing another street and street and alley crossings shall be paid for out of the General Funds of the City of Payette: Provided further that ^{the property fronting on any} ~~any~~ street or part of street that is not sprinkled for the sprinkling season of 1912 or any succeeding year in which the assessment is levied for the purpose of paying for such sprinkling, shall not be liable for any of the costs or charges for such improvement.

Section 3. The general character of the improvement herein provided for shall be the sprinkling of the streets within said district with water during the dry and dusty season of the year for such times as the committee herein~~xxx~~ provided for shall determine as necessary.

Section 4. The Mayor and Council shall appoint a sprinkling committee, which shall consist of the Street and Alley Committee, who shall act as such until their successors are appointed and they are empowered and directed to carry out and into effect the provisions of this ordinance, have power to contract for sprinkling the streets within said district, and levy assessments each year as hereinafter provided. Whenever any ~~any~~ expense or cost of sprinkling has been assessed on any lands or lots as herein provided, the amount of such cost and expense shall become a lien upon said lands or lots which shall take precedence of all other liens, which shall be collected in accordance with the laws of the state of Idaho and the ordinances of the City of Payette, Provided that no assessment shall be levied for sprinkling that part of the street at cross sections or interections thereof, and at street and alley crossings.

Section 5. The sprinkling^{committee} shall ascertain the cost for each sprinkling season, and said committee, together with the City Clerk shall make out an assessment roll as contained in said district which is to be assessed for said improvement and shall certify the same to the City Council. Upon receiving the assessment roll the City Clerk shall

give notice by three successive publications in the official newspaper of the City, that such assessment roll is on file in his office, the date of filing same, and such notice shall state a time at which the council will hear and consider objections to said assessment roll by the parties aggrieved by such assessments. And the owner or owners of any property which is assessed in such assessment roll, whether named or not in such roll, may within ten days from the last publication provided herein, file with the City Clerk, his objections in writing to said assessment.

Section 6. At the time appointed for hearing objections to such assessments, the council shall hear and determine all objections which have been filed by any party interested to the regularity of the proceedings in making such assessments and the correctness of such assessments, or of the amount levied on any particular lot or parcel of land; and the council shall have the power to adjourn such hearing from time to time and shall have power, in their discretion, to revise, correct, confirm or set aside such assessment and to order that such assessment be made de novo, and the council shall make an order approving and confirming said assessment by them and their decision and order shall be a final determination of the regularity, validity and correctness of said assessment to the amount thereof levied on each lot and parcel of land. All such assessment shall be known as "Special assessments for Improvements" and shall be levied and collected as a special tax in addition to the taxes for general revenue purposes to be placed on the tax roll for collection, subject to the same penalties and collected in the same manner as other city taxes.

Section 7. The sprinkling committee shall not increase the area sprinkled for the season of 1912, except upon the petition of residents of that street or part of street or streets which such ^{sprinkling} ~~petition~~ affects, which petition shall first be favorably acted upon by the Council of the City of Payette.

Section 8 Ordinances Nos. 95 and 203 of the City of Payette

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and all other ordinances or parts of ordinance in conflict with this ordinance are hereby repealed in so far as they ~~conflict therewith~~ conflict therewith.

Passed and Approved this 6th day of Sept 1912.

W. J. Brammoch
MAYOR.

ATTEST

Martin Luther
CITY CLERK.

Sept-12