

ORDINANCE NO. 398

BY: COUNCILMAN FOX.

AN ORDINANCE PROVIDING FOR THE EXTENSION AND INSTALLATION OF AN EXTENSION OF THE MAIN SEWER PIPE LINES OF SEWER DISTRICT NO. 1 OF THE CITY OF PAYETTE, IDAHO, EASTWARD; AND THAT THE COST AND EXPENSE THEREOF BE ADVANCED AND SPENT OUT OF THE GENERAL FUND OF THE CITY OF PAYETTE, IDAHO; THAT THE OWNERS OF LANDS DESCRIBED IN SAID ORDINANCE IMMEDIATELY UPON THE INSTALLATION AND CONSTRUCTION OF SAID IMPROVEMENT CONNECT UP THEIR SEVERAL RESIDENCES WITH SAID EXTENSION SEWER PIPE LINE AND DESIST FROM THE FURTHER USE AND/OR OPERATION OF SEPTIC TANKS AND CESS POOLS AND/OR OTHER METHODS OF DISPOSAL OF SEWAGE AND/OR REFUSE; AND PROVIDING FOR A CONNECTION FEE AND FOR THE PAYMENT OF THE SUM OF 89¢ PER FRONT FOOT BY THE OWNERS OF ALL LANDS FRONTING, ABUTTING OR CONTIGUOUS TO SAID EXTENSION SEWER PIPE LINES; AND PROVIDING FOR A LIEN TO SECURE THE PAYMENT THEREOF; AND DECLARING THAT A VIOLATION OF THE TERMS OF THIS ORDINANCE SHALL CONSTITUTE A MISDEMEANOR; AND PROVIDING A PENALTY FOR A VIOLATION HEREOF; AND DECLARING AN EMERGENCY TO EXIST

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

SECTION 1. That the City of Payette, Idaho, immediately proceed to extend and install an extension of the main sewer pipe line of Sewer District No. 1 of the City of Payette, Idaho, from a point on Center Avenue approximately 308 feet East of the center of 16th Street Eastward approximately 1150 feet, and from a point located on First Avenue South approximately 485 feet East of the center of 16th Street Eastward approximately 775 feet, for the purpose of providing proper, adequate and sufficient sewerage facilities for the property hereinafter described, and for the purpose of protecting the water supply of the City of Payette Idaho, from becoming contaminated by the continued use of septic tanks, cess pools and/or other methods of disposal of sewerage and refuse, as same is now being disposed of on the following described lands, to-wit:

Block 1, 2, North One-half ($N\frac{1}{2}$) of Block 3, North One-half ($N\frac{1}{2}$) of Block 4 of Amended Plat of Payette Heights addition to the City of Payette, Idaho; North One-half ($N\frac{1}{2}$) Patch Addition to the City of Payette, Idaho; Also beginning a point located 50 feet North and 250 feet West of the corner of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Sec. 34, Twp 9 North of Range 5 West B. M.; running thence West 230 feet; thence North 150 feet; thence East 230 feet; thence South 150 feet to the place of beginning;

SECTION 2. That the City of Payette, Idaho, advance a

expend out of the general fund of the City of Payette, Idaho, such sum as may be necessary, but not to exceed the sum of \$2231.23, for the purpose of extending and installing such extension sewer pipe line.

SECTION 3. That said proposed improvement be constructed and installed under the supervision of the City Engineer of the City of Payette, Idaho; and that said extension sewer pipe line shall be of sufficient size, depth, grade, quality and condition so as to insure suitable, adequate and sufficient sewerage facilities to the above described lands and the inhabitants thereof.

SECTION 4. That immediately upon completion of said extension sewer pipe lines, all persons, firms and/or corporations now owning and/or hereafter owning, operating and/or controlling septic tanks and/or cess pools and/or operating and/or owning any other method of disposal of sewerage and/or refuse within the above described lands be and they are hereby required to desist from the further use and/or operation of said septic tanks and/or cess pools and/or other method of disposal of sewerage and/or refuse and to forthwith connect their and each of their residences with the said sewer system as extended and installed and pay therefor, to the City of Payette, Idaho, a connection fee in the sum of \$2.50, for each and every connection; and that each and every owner of any of the above described lands shall also pay to the City of Payette, Idaho, a sum equal to 89¢ for each and every front foot owned by such owners, fronting, abutting and/or contiguous to the sewer line as proposed to be extended and installed, PROVIDED, However, that said sum may be paid in cash at the time of the making of any such connection, or may be paid in ten equal installments, the first of such installments to be paid at the time of making of such connection and a like and equal yearly installment during each and every succeeding year thereafter until

the full amount of said sum shall have been fully paid. In case such sum is paid in installments, all deferred payments shall draw interest at the rate of six per cent per annum payable annually from the date of the making of such connection; and PROVIDING Further, that the payment of said deferred installment payments and interest shall be secured by a lien upon the property owned by the respective parties desirous of taking advantage of said installment plan.

SECTION 5. That each and every residence shall be charged and pay a connection fee even though two or more residences be so piped as to only use one connection into said sewer pipe line.

SECTION 6. That a violation of any of the provisions of this ordinance is hereby declared to constitute a misdemeanor. Any person, firm or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$10.00 or more than \$100.00 and costs, and upon failure to pay said fine and costs, shall be imprisoned in the City Jail in the City of Payette, Idaho, one day for each \$2.00 of such fine and costs and/or fraction thereof; and that each and every day any person, firm and/or corporation shall continue to violate any of the provisions of this ordinance shall constitute a separate offense and upon conviction thereof such person, firm and/or corporation shall be punished for each and every such offense and as above provided.

SECTION 7. An emergency is hereby declared to exist and this ordinance shall become effective immediately upon its passage by the Council, approval by the Mayor and publication in the official newspaper of the City of Payette, Idaho.

Passed by the City Council of the City of Payette, Idaho, this

6th day of August, A. D., 1934.

Approved by the Mayor of the City of Payette, Idaho, this 6th

day of August, A. D., 1934.

APPROVED:

J. J. Wood
Mayor.

ATTEST:

J. J. Williams
City Clerk.