

ORDINANCE 1010

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, CREATING A NEW CHAPTER IN TITLE 8, WHICH SHALL BE DESIGNATED AS CHAPTER 29 OF TITLE 8; AND CHAPTER WHICH SHALL BE ENTITLED SPRAYING; SAID ORDINANCE SHALL PROHIBIT CHEMICAL SPRAYING FROM THE PAYETTE AIRPORT; PROVIDING A PENALTY; PROVIDING SEVERABILITY; REPEALER; EFFECTIVE DATE; ALLOWING PUBLICATION BY SUMMARY.

Be it Ordained by the Mayor and City Council of the City of Payette, Idaho:

Section 1: That the Payette City Code is hereby amended by adding the following Sections.

8.29.010: The following acts are hereby prohibited:

A. Landing or taking off from the Payette Airport before or after spraying any crops with any chemical spray.

B. Using the Payette Airport as a base for spraying operations.

C. Transporting any hazardous material over, along or upon the airport property in any type of conveyance or container.

8.29.020: Any violation of this Section, chapter or Ordinance shall be a misdemeanor. In addition to being a misdemeanor, any entity, either public or private, may sue to enforce the terms of this Ordinance, and may obtain an injunction against any conduct which violates any State, Federal or County rules or regulations pertaining to use of hazardous chemicals for aerial application of chemicals.

Section 2: If any portion of this Ordinance is found to be unenforceable or unconstitutional for any reason, the remaining portion of this Ordinance shall remain in full force and effect.

Section 3: Any portions of any existing Ordinances which are in direct conflict with this Ordinance are hereby repealed insofar as the conflict exists.

Section 4: The Ordinance may be published by summary as provided by Idaho Code.

BE IT ORDAINED AND RESOLVED THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER IT APPROVAL, PASSAGE AND PUBLICATION AS REQUIRED BY LAW.

This Ordinance shall be in full force and effect on the 30th day of October, 1990.

City of Payette, Idaho

Frederick L. May
Mayor

ATTEST:

John P. Frank
City Clerk