

ORDINANCE NUMBER 1194

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 12.04.210 OF THE PAYETTE CITY CODE BY ESTABLISHING A METHOD TO OBTAIN A PERMIT TO TEMPORARILY BLOCK A CITY STREET, ALLEY OR OTHER RIGHT OF WAY; SETTING AN EFFECTIVE DATE; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; ESTABLISHING A PENALTY;

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

Section 1. Section 12.04.210 of the Payette City Code is hereby amended to read as follows:

12.04.210 Obstructions--Permission Required--Violation Declared A Misdemeanor-- Process of Obtaining A Permit.

(a) Any person who obstructs or causes to be obstructed any of the streets, alleys or other City rights of way, without having first obtained a permit from the City, shall be guilty of a misdemeanor.

(b) To obtain a permit, a person must first file an application with the Department of Public Safety. The application shall contain the following information; The reason for the request; the date and time of closure; the date and time of reopening; the type of barricades or devices which will be used to effect the closure; the exact location where barricades or other closing devices will be placed; the location of the event requiring closure; a diagram of the area of the requested closure; a statement indicating if police services will be needed for the event;

(c) Provide to the Director of the Department of Public Safety proof of liability insurance in amount not less than \$500,000.00 of coverage, which shows that the City is a named insured. This shall be provided no less than five (5) working days prior to the event.

(d) Within 10 days of receiving the application, the department head shall determine if the request should be granted or denied.

(e) Sidewalks shall remain so unobstructed that any pedestrian or disabled person shall be allowed to move freely through and beyond the activity.

(f) In the event the request for closure is denied, the applicant may appeal to the City Council. The appeal process shall be as simple and informal as applicant being placed on

the City Council agenda. The applicant shall then appear at the City Council meeting and explain why the request for closure should be granted. The Council may reverse or uphold the decision of the department head.

Section 2. This Ordinance shall be in full force and effect immediately upon passage and publication as required by law.

Section 3. Any ordinances or resolutions which are in conflict with this ordinance are hereby repealed, but only insofar as the conflict exists.

Section 4. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall constitute Ordinance Number 1194.

Section 5. Any violation of this Ordinance shall be a misdemeanor punishable in accordance with the general misdemeanor statutes of the State of Idaho.

Passed and approved by the Mayor and City Council this 20th day of November, 2000.

CITY OF PAYETTE

By *Ann Brasley*
Mayor

ATTEST: *John P. Franks*
City Clerk