

ORDINANCE 1336

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, REPEALING A PORTION OF PARAGRAPH 3 IN CHAPTER 12.17.010 OF THE PAYETTE MUNICIPAL CODE WHICH STATES YOU MUST OBTAIN A PERMIT FROM THE CITY CLERK OR HIS/HER DISGNEE; 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. The Payette Municipal Code is amended to hereby read as follows:

12.17.010: FENCE REGULATIONS

A. It shall be unlawful to construct a fence in any front yard, side yard, back yard or in any open space except as allowed by this chapter.

1. For purposes of this chapter, the word "fence" shall include fences, hedges, walls, berms or any other structures designed to separate or isolate an open area or a building.
2. No fence shall be constructed adjacent to a public street which would interfere with the free movement of pedestrian traffic over or along a public sidewalk.
3. No fence shall be installed, constructed, planted, created, maintained, or allowed on any city right of way ~~without first obtaining a permit from the city clerk or his/her designee.~~ If a fence or any structure is built upon or across any city easement or right of way ~~without first obtaining a permit,~~ the city may immediately remove the fence or structure. If the city allows a fence or other structure to be built over a public easement or right of way, in the event it becomes necessary to perform work upon that easement or right of way, the landowner shall be responsible for removal of the structure to ensure access by a city crew.

Section 2. This Ordinance may be published in summary form allowed by Idaho Code.

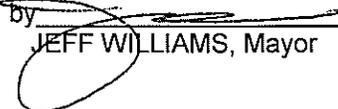
Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

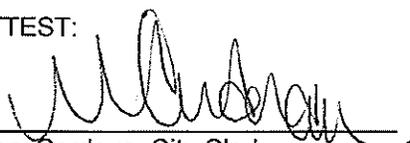
Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

21st PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this March, 2011.

CITY OF PAYETTE, IDAHO

by 
JEFF WILLIAMS, Mayor

ATTEST:


Mary Cordova, City Clerk