

**ORDINANCE 1345**

**AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 6.04.090 IN CHAPTER 6.04 OF TITLE 6, TO AMEND POULTRY; REQUIRED CONFINEMENT; AND SECTION 17.24.050 IN CHAPTER 17.24 OF TITLE 17, TO AMEND BUILDING AND USE RESTRICTIONS; 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.** Section 6.04.090 of Title 6, Chapter 6.04 of the Payette Municipal Code is hereby amended to read:

**6.04.090: POULTRY; REQUIRED CONFINEMENT:**

It is unlawful for any person to keep any chickens, ducks, geese, turkeys or other poultry within the city limits, except the same shall be confined within a shed or other enclosure sufficient to retain the same and prevent them from trespassing upon the streets, alleys and other property within the city limits. **A limit of no more than 6 chickens, ducks, geese, turkey or other poultry is allowed, except as outlined in T-Transitional District. No roosters are allowed in the corporate city limits. (Prior code § 6-2-9)**

**17.24.050: BUILDING AND USE RESTRICTIONS:**

- A. The roofs of buildings shall not project to within four feet (4') of the side property line.
- B. If garages open on side streets, they shall be at least ten feet (10') from the side property line, and, if the opening is on an alley, the setback shall be eight feet (8') from the property line.
- C. No building of more than two (2) stories, except public shall be permitted except by approval of the planning and zoning commission.
- D. No permanent signboards of any kind shall be permitted.
- E. No animals, other than household pets, shall be permitted **except as outlined in 6.04.090, Poultry; Required Confinement.**
- F. Sidewalks shall be constructed in all residential areas either adjacent to street curbs or set back away from the curb so the outer edge of the sidewalk lies adjacent to the property line. The planning and zoning commission shall designate which option may be utilized. If the sidewalk is set back from the curb, a planting strip shall be maintained between the sidewalk and street curb. A planting strip is an area between a curb and sidewalk which is landscaped or maintained as a lawn.
- G. All dwelling units shall be at least twenty feet (20') in width and forty feet (40') in length. (Ord. 1204, 2002: Ord. 971 § 9, 1987: Ord. 887, 1978: Ord. 847, 1976: prior code § 11-6-1(C))

**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.

PASSED and APPROVED by the Mayor and City Council of the  
City of Payette, Idaho this 13 day of June, 2011.

CITY OF PAYETTE, IDAHO

BY  \_\_\_\_\_

Jeffrey T. Williams, Mayor

ATTEST:

  
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Mary Cordova, City Clerk