

ORDINANCE 1435

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 17.34.050 BUILDING RESTRICTIONS GENERALLY, IN CHAPTER 17.34 OF TITLE 17, BY ADDING A NEW SUBSECTION C, REQUIRING REPAIR OF BROKEN GLASS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; ESTABLISHING A PENALTY.

WHEREAS, the City Council finds that the maintenance of a safe and attractive downtown business area is necessary for the economic health and future development of the City of Payette; and,

WHEREAS, the City Council finds that unattended vacant properties within the historic downtown area of Payette have a negative effect upon commerce and the economic well-being of the City; and,

WHEREAS, the nature of downtown's historic development pattern, with buildings built to the street and sharing common walls, combined with the age and method of construction of older buildings, creates an increased risk of property damage in the event of fire; and,

WHEREAS, buildings which are allowed to remain vacant for extended periods of time tend to deteriorate at an accelerated rate, creating added risk of fire to adjoining properties and decreasing the value of properties throughout the district and thus are public nuisances; and,

WHEREAS, the City Council has determined that regulation of unattended vacant properties is necessary for the health, safety and welfare of the property and persons of the City of Payette and that the amendments to the municipal code contained herein are appropriate therefor;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO, that:

Section 1. Section 17.34 of Title 17, Chapter 17.34.050 of the Payette Municipal Code is hereby amended as follows:

Chapter 17.34 C-1 COMMERCIAL DISTRICT - DOWNTOWN

17.34.050: BUILDING RESTRICTIONS GENERALLY:

- A. No window or door while in an open position or during opening shall project into any street or alley.
- B. No new structure shall occupy more than eighty percent (80%) of the total lot size.
- C. Broken glass shall be secured by replacement or re-glazing within thirty (30) days of notice from City to property owner. An administrative extension may be granted upon receipt of written request, and upon justifiable cause demonstrated.

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.

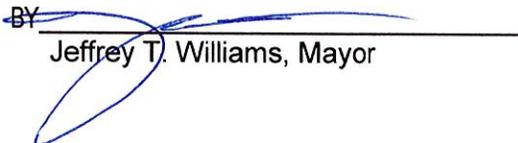
Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

Section 6. Any violation of this ordinance shall be a misdemeanor punishable in accordance with the misdemeanor statutes of the state of Idaho. Each day a violation is allowed to exist shall be a separate violation.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho

this 5th day of December, 2017.

CITY OF PAYETTE, IDAHO

BY 
Jeffrey T. Williams, Mayor

ATTEST:


City Clerk