

ORDINANCE No. 324 BY SWANSON.

AN ORDINANCE GRANTING PRIVILEGE, WHERE PROPERTY LIES OUTSIDE THE BOUNDARY OF LOCAL SEWERAGE IMPROVEMENT DISTRICT #1, OF THE CITY OF PAYETTE, IDAHO, ABBUTTING UPON OR ADJACENT TO THE BOUNDARY OF SAID DISTRICT TO BE CONNECTED WITH THE SEWER SYSTEM IN SAID DISTRICT, AND FIXING THE TOLLS, RENTS, RATES, RULES, AND REGULATIONS FOR THE USE THEREOF.

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

Section No. 1.

That the owner or owners of any property situate, lying and being within the following described boundary, to-wit:

"Commencing at the section corner common to Sections 27, 28, 33 and 34, Township 9 North Range 5 W. B. M.; thence north 200 feet more or less to a point where the section line between Sections 27 and 28 intersect with the East line of the Oregon Short Line Railroad Company's right-of-way; thence Northeasterly along the east line of said Oregon Short Line Railroad Company's right-of-way a distance of 123 feet more or less to a point which is 300. feet measured at right angles north from the South side line of said Section 27.; thence East a distance of 998.2 feet more or less to a point which is 300. feet East and 300. feet North of the intersection of said South line of said Section 27 with the center line of Eleventh Street according to the Official Map of the City of Payette; thence South parallel to and 300. feet east from the center line of said Eleventh Street a distance of 2520. feet to the center of 1st Avenue North in the City of Payette; thence east 2295 feet more or less to the West boundary line of the Lower Payette Ditch Company's Canal; thence Southwesterly

along said Lower Payette Ditch Company's right-of-way 1120 feet more or less to an intersection with the north side line of second avenue South of said City of Payette; thence West to the Southeast corner of Block 20 of Melcher's Addition to the City of Payette, Idaho; thence South to the Southeast corner of Block 19 of said Melcher's Addition to the City of Payette, Idaho; thence West along the North side line of Third Avenue South a distance 1525 feet to the center of 9th Street of said City of Payette where such line intersects with the boundary line of Local Sewerage Improvement District #1.; thence following the said boundary line of said Local Sewerage Improvement District #1 to the place of beginning as follows: North along the center line of 9th Street a distance of 150 feet; thence East through the center of Blocks 12, 13 and 18 of Master's Addition to the City of Payette, Idaho, to the center of 12th Street in the City of Payette; thence North to a point directly West of the center of Block 20 of Melcher's Addition to the City of Payette, Idaho; thence East through the center of Blocks 20 and 23 of said Melcher's Addition to the City of Payette, Idaho, to a point in the center of 14th street in the City of Payette, Idaho; thence North through the center of said 14th street to a point in the center of Center Avenue in the City of Payette thence West through the Center of said Center Avenue to a point in the center of said 11th street; thence North through the center of said 11th street to a point in the center of 7th Avenue North in the City of Payette; thence West through the center of said 7th Avenue North to the place of beginning. Also, commencing at the center of the intersection of Third Avenue South with Ninth street; thence South 350 feet; thence West 1084.5 feet more or less to the East side of 6th St produced South; thence North to the Center of Third Avenue South; thence East through the center of Third Avenue South 1084.5 feet more or less to the place of beginning."

shall have the right to connect up their respective properties with the Sewer System now installed and established within the boundaries of Local Sewerage Improvement District #1, upon complying with the rules and regulations hereinafter set forth and the payment of the rates and charges hereinafter prescribed.

Section #2.

Any person, firm or corporation desiring to connect his or its property with said Sewer System, as herein provided, shall make application to the City Clerk of the said City of Payette, Idaho, and must obtain a license so to do and pay a fee in the sum of \$2.50. All connections must be made by a licensed plumber under the supervision of the Water Master of the said City of Payette, Idaho, and such connection must be approved by him.

Section #3.

At the time of making such application, such person, firm or corporation, shall also pay to the said City Clerk of the said City of Payette, Idaho, a sum which shall be equal in amount to the full amount required to be paid by the owner or owners of a lot, piece or parcel of land of the same size and dimension and in the same relative location to, situate immediately within the boundaries of said District where the said lot, piece or parcel of land sought to be connected with said Sewer System, under the provisions of this Ordinance, abbutts or is adjacent to the said boundary line of said Local Sewerage Improvement District #1 as shown by the Assessment Roll of Local Sewerage Improvement District #1, filed in the office of the City Clerk of the City of Payette, Idaho, on the 21st day of January A. D. 1910. Such full amount shall be

ascertained by the City Clerk of the said City of Payette, Idaho, and must be paid in one payment and in advance before sewer permit shall be granted by the said City Clerk of the said City of Payette, Idaho, to any applicant whomsoever.

Section #4.

All expenses of whatsoever nature required, incurred or expended by such applicant, or by any other person whomsoever, in making such connection with said Sewer System, shall be borne and paid for by such applicant or applicants. Provided, that when any Lateral Pipe line has been fully paid for, as herein provided, the City of Payette will maintain such Lateral Pipe line the same as if said lateral pipe line was situate within the boundaries of Local Sewerage Improvement District #1. Provided further, that the owner or owners of any lot, piece or parcel of land situate, lying and being within the boundary hereinabove set forth, who have paid assessments upon such lot, piece or parcel of land as required by the Assessment Roll of Local Sewerage Improvement District #1, filed with the City Clerk of the City of Payette, Idaho, on the 21st day of January 1910, under the belief that such lots, pieces or parcels of land were included within the boundaries of Local Sewerage Improvement District #1, and shall hereafter make all payments required by such Assessment Roll, shall not be required to make the payments called for under the provisions of this Ordinance.

Section #5.

Any person, firm or corporation owning any lot, piece or parcel of land, situate, lying and being within the boundary hereinabove set forth, except such lots, pieces or parcels of land, the owners of which, have made payments into Local Sewerage Improvement District #1, under the provisions of said Assessment Roll, filed with the City Clerk of the City of

Payette, Idaho, on the 21st day of January, A. D. 1910, who shall connect or attempt to connect any lot, piece or parcel of land owned by them, without fully complying with all the terms and conditions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof be fined in a sum not less than \$50.00 nor more than \$100.00, together with costs of prosecution and upon failure to pay such fine and costs, shall be imprisoned in the City Jail of the City of Payette, Idaho, one day for each \$2.00 of such said fine and costs; and each day's failure to fully comply with the provisions of this Ordinance, shall be deemed a separate offence and for each separate offence such person shall be fined not less than \$50.00, nor more than \$100.00 recoverable with costs, and in default of payment thereof he shall be confined in the City jail and may be compelled to work at hard labor upon the streets of said city or else where for the benefit of the said city, one day for each two dollars of such fine and costs.

Section #6.

All Ordinances or parts of Ordinances in conflict herewith, are hereby expressly repealed; provided, however, that all offences committed and all penalties or forfeitures entered prior to said repeal, may be prosecuted in the same manner and with the same effect as if said repeal had not been made and said repeal shall not effect suits pending, either civil or criminal, or costs of prosecution of actions already accrued.

Section #7.

Be it further ordained by the Mayor and City Council of the City of Payette, that any property which is situated within the boundaries of Local Sewer Improvement District No. 2 of the City of Payette, upon which the owner or owners thereof have

paid all assessments and charges due thereon as required under Local Sewer Improvement District #2 Assessment Roll may be connected up with the Sewer System situated in Local Sewer Improvement District #1 by the owner or owners of such property if more convenient so to do, but at their own costs; and provided, that such connections must be made in the same manner, and under the same rules and regulations except as herein provided as if said lands were situate in Local Sewer Improvement District #1; and provided further that the privilege herein granted shall in no way, manner nor degree relieve or release such property from the lein of said Local Sewer Improvement District #2.

Section #8.

This Ordinance shall be in full force and effect, from and after its passage, approval and publication.

Passed and approved this 10th day of November, A. D. 1919.

J. P. [Signature] Mayor.

Attest

[Signature] City Clerk.

Nov. 13