

ORDINANCE NO. 375

By Councilman Peuce

AN ORDINANCE ESTABLISHING LOCAL IMPROVEMENT DISTRICT No. 6, OF THE CITY OF PAYETTE, STATE OF IDAHO, FOR THE PURPOSE OF GRADING, OILING AND SURFACE DRAINING CERTAIN AVENUES, STREETS AND PARTS OF AVENUES AND STREETS WITH THE CITY OF PAYETTE, IDAHO; ORDERING THE MAKING OF SAID IMPROVEMENT, AND PROVIDING FOR THE PAYMENT OF THE EXPENSE THEREOF IN PART BY SPECIAL ASSESSMENT TO BE LEVIED UPON AND AGAINST THE ABUTTING, CONTIGUOUS AND TRIBUTARY PROPERTY, AND IN PART BY THE SAID CITY FROM ITS GENERAL FUNDS, AND DEFINING THE DUTIES AND POWERS OF THE COMMITTEE ON STREETS IN CONNECTION THEREWITH.

WHEREAS, the council of the City of Payette, Idaho, did on the 20th day of March, A.D. 1928, pass a resolution declaring its intention to create a local improvement district, within said city, for the purpose of grading, oiling and surface draining certain, avenues and streets within said city, and declaring its intention to make said improvement, and to pay for the same in part by assessments levied upon and against the abutting, contiguous and tributary property, and in part from the general funds of said city, and fixing a time when protests against the making of said improvement or the creation of said district would be heard, and fixing the time within which such protests might be filed, and,

WHEREAS, all protests against said proposed improvement and the creation of said local improvement district have been duly considered by the Mayor and Council of the said City of Payette, Idaho, and regularly disposed of, and said council has acquired jurisdiction to create said district and to order said improvement;

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

Section 1. That there be and hereby is established and created within the City of Payette, State of Idaho, Local Improvement District No. 6 for Oiling, consisting of the following avenues, streets, and parts of avenues and streets, within the said City of Payette, Idaho, to-wit:

Beginning at the intersection of Third Avenue North with the West side line of Eighth Street, thence West along Third Avenue North to the West side line of Sixth Street; thence North along Sixth Street to the North side line of Seventh Avenue North, the improvement thereon to be twenty feet (20) in width, ten feet on each side of the center line thereof; thence North on and along Sixth Street to the North boundary of the City of Payette, Idaho, the improvement thereon to be eighteen (18) feet in width, nine feet on each side of the center line thereof.

And including all property fronting, abutting, contiguous or tributary to said avenues and streets between the points above specified, and to the distance back from such streets and avenues, if platted in blocks to the center of the block, if platted in lots to the center of the lot, and if not platted to a distance of 125 feet.

Section 2. That such avenues and streets in said Local Improvement District No. 6, be graded, oiled and surface drained between the points hereinbefore specified, and for the widths hereinbefore specified, the said grading, oiling and surface draining to be done according to the general plans on file in the office of the City Clerk.

Section 3. That the said improvement be made and the costs and expenses thereof be assessed in proportion to the number of square feet of such lands and lots abutting, adjoining, contiguous and adjacent thereto included in the improvement district and in proportion to the benefits derived to such property by said improvement; provided, however, that the costs and expenses of improving the spaces formed by the junction or intersection of any of said avenues or streets with any other avenue, street or alley, and all other expense of said improvement, in excess of fortyeight (48) cents per linear foot, shall be paid from the general funds of the City of Payette, Idaho, it being the judgment of said city council that such portion should in equity and fairness be paid by said city in consideration of the benefits accruing to the general public by reason of such improvement.

Section 4. That upon the passage of this ordinance the committee on streets, together with the City Engineer, shall make out an assessment roll according to the provisions of this ordinance, and the laws of the state of Idaho relating to local improvement districts, which shall contain among other things, the number of each assessment, the name of the owner if known, or if not known that the name is unknown, a description of each tract assessed and the total amount of the assessment; and shall certify the same to the city council of the said city of Payette, Idaho.

Section 5. That all assessments hereinbefore provided for shall be known as special assessments for improvements, and shall be levied and collected in a single payment and shall not be payable in installments, and if not paid when due shall become delinquent and shall be collected in the manner and with the penalties and interest added thereto as is provided by Chapter 257 Idaho Session Laws for 1927, for other delinquent assessments.

2nd Passed by the Council of the City of Payette, Idaho, this day of April, A.D. 1928.

2nd Approved by the Mayor of the City of Payette, Idaho, this day of April, A.D. 1928.

S. R. W. W. W. W. W.  
Mayor

Attest:

Harriet L. Swanick  
City Clerk.