

ORDINANCE NUMBER 1170

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 13.04.040 OF THE PAYETTE MUNICIPAL CODE BY REQUIRING THAT A PERSON CONSTRUCTING WATER WORKS MUST FILE THEIR CERTIFICATE OF COMPLETION WITHIN 90 DAYS OF COMPLETION OR FORFEIT THE RIGHT TO SEEK CONTRIBUTION; SETTING AN EFFECTIVE DATE; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER;

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PAYETTE, IDAHO;

Section 1. Section 13.04.040 of the Payette Municipal Code is hereby amended to read as follows:

13.04.040 Certificate of Completion. Upon completion of the waterworks, the developer of the waterworks shall deliver to the City Clerk, the City Engineer or their designee a certificate of completion. The certificate shall set forth a description of the waterworks, addresses of abutting lots, the cost of the waterworks and the cost per lot or the cost per frontage foot and the names of the owners of adjoining lots who have participated in the cost of the construction. In the event the City Clerk, the City Engineer or their designee has not received the certificate of completion within 90 days after completion, the developer shall forfeit the ability to recover development costs allowable under this title.

In the event a water works is already completed, a developer shall have 90 days from the date of this ordinance to submit a certificate of completion or shall forfeit the right to recover costs allowable under this title.

Section 2. This Ordinance shall be in full force and effect immediately upon passage and publication as required by law.

Section 3. Any ordinances or resolutions which are in conflict with this ordinance are hereby repealed, but only insofar as the conflict exists.

Section 4. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall constitute Ordinance Number 1170.

Section 5. This Ordinance may be published by summary in accordance with the Statutes of the State of Idaho.

Passed and approved by the Mayor and City Council this 16th day of August, 1999.

CITY OF PAYETTE

By *Alan Brasley*  
Mayor

ATTEST: *John P. Franke*  
City Clerk