

ORDINANCE NO. 1178

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING ORDINANCE 1177 WHICH ORDINANCE CREATED A NEW TITLE 12 IN CHAPTER 18 AND WHICH ORDINANCE IS KNOWN AS THE CITY OF PAYETTE COMMUNITY FOREST ORDINANCE; ESTABLISHING SEVERABILITY; PROVIDING THAT THIS ORDINANCE BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW; ALLOWING FOR PUBLICATION BY SUMMARY;

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

Section 1. That Section which is designated as Section 12.18.110 in Section 1 is hereby amended to read as follows:

12.18.110. RECOMMENDED CARE OF PRIVATE TREES

A. Persons or businesses licensed by the City of Payette should do maintenance on private trees.

B. Private property owners may adopt Section 12.18.070 of this ordinance for the maintenance of private trees.

C. Private property owners should report any violations or omissions by licensed professionals concerning the maintenance of private trees to the Community Forestry Committee.

D. Nothing contained within this ordinance shall prohibit a property owner from trimming, topping, cutting, maintaining or pruning any tree located upon that persons property.

E. Nothing contained within this ordinance shall be construed as requiring the city to maintain trees which are on private property, or which are located on privately owned property but which are within a street, alley, highway or public utility right of way or which have not been the responsibility of the City prior to the passage of this ordinance.

Section 2. Section 3 of Ordinance 1177 which Section is titled REPEALER is hereby amended by deleting the reference to Section 12.16.060, thereby restoring that Section of the Payette City Code as if it had never been repealed.

Section 3. This ordinance shall be effective immediately upon passage and publication as provided by law.

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 Any ordinances or resolutions which are in conflict with this ordinance are hereby repealed, but only insofar as the conflict exists.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 constitute Ordinance Number 1178.

Section 6. This Ordinance may be published by summary in accordance with the Statutes of the State of Idaho.

Dated this 6th day of December, 1999.

CITY OF PAYETTE

by *Alan Brasby*
Mayor

Attest:

by *John P. Franks*
City Clerk