

ORDINANCE NUMBER 1202

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 12.04.250 OF THE PAYETTE CITY CODE BY CHANGING THE REQUIREMENT OF CONSTRUCTING CURB, GUTTER SIDEWALK AND STREET WHEN A REMODEL INCREASES A STRUCTURE'S SIZE BY MORE THAN THREE HUNDRED NINETY-NINE SQUARE FEET; AND BY ADDING THAT THE REQUIREMENT FOR CONSTRUCTING CURB, GUTTER, SIDEWALK AND STREET SECTION SHALL NOT APPLY TO REMODEL AS A RESULT OF FIRE DAMAGE OR OTHER CAUSES OF NATURE; SETTING AN EFFECTIVE DATE; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; CREATING A PENALTY;

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

Section 1. Section 12.04.250 of the Payette City Code is hereby amended to read as follows:

12.04.250 Specifications Designated; A. When any structure which is over three hundred and ninety nine (399) square feet is built on or moved onto a lot within the City or when any remodel increases a structure's size by more than three hundred and ninety nine (399) square feet, and where there is no curb, gutter or sidewalk, the person constructing, remodeling or relocating such structure to said lot shall construct curbs, gutters and sidewalks across the entire front of said lot. If such structure is placed upon a corner lot, curbs, gutters and sidewalks shall extend around the radius and along the entire length of the lot. This requirement shall not apply to remodeling required because of fire damage or because of catastrophic damage resulting from other causes of nature. Curbs shall be standard curb and gutter, not over six inches (6") high above the gutter, and constructed to specifications set down by the City. Roll curbs or standard curbs without gutters shall not be allowed. If the placement of any curb, gutter or sidewalk damages the pavement edge or leaves an undeveloped street section between the curb and gutter and the existing pavement, the property owner shall install base and final aggregate into the damaged or undeveloped portion in accordance with the City's standard street cross section and a minimum of 2 1/2" asphalt mat for residential streets and 3" asphalt mat for collector / commercial streets. All aggregates and asphalt mixes shall be subject to density testing and asphalt content testing.

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 Any ordinances or resolutions which are in conflict with this ordinance are hereby repealed, but only insofar as the conflict exists.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 1202.

Section 5. Any violation of this ordinance shall be a misdemeanor punishable in accordance with the misdemeanor statutes of the State of Idaho. In the event there is any installation in violation of this ordinance, in addition to any other penalties provided herein, the City may perform the required work and recover the cost from the owner, installer, developer or other responsible person.

Passed and approved by the Mayor and City Council this 16th day of April, 2001.

CITY OF PAYETTE

By *Ann Brasby*
Mayor

ATTEST:

John P. Franks
city Clerk