ORDINANCE 1233

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING ARTICLE 17.28.050 BY ADDING THE ABILITY TO HAVE A LIMITED NUMBER OF POULTRY IN B-RESIDENTIAL BY PERMIT; ESTABLISHING A REPEALER; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; AND SETTING AN EFFECTIVE DATE.

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

SECTION 1. There is hereby an amendment to Title 17 by adding the ability to have a limited number of poultry in B-Residential, which shall read as follows:

17.28.050   Building Area And Use Restrictions:
C. No more than one horse, or three (3) sheep or one cow with calf or six (6) poultry kept as required in 6.04.090 may be maintained on the lot, provided there is at least twenty one thousand eight hundred (21,800) square feet of fenced irrigated pasture area for the animals and the landowner obtains a permit from the Planning and Zoning Commission and only so long as the animals do not cause offensive odors or create a disturbance to the people of the neighborhood. After notice and hearing, pursuant to Section 030 of this Chapter, the Planning and Zoning Commission may further limit or expand the number of animals which may be kept. Swine and goats are prohibited.

SECTION 2. Any ordinances which are in conflict with this ordinance are hereby repealed, but only insofar as the conflict exists.

SECTION 3. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall remain in effect and shall constitute Ordinance 1233.

SECTION 4. Any person found guilty of violating the provisions of this chapter shall be guilty of a misdemeanor and may be punished in accordance with the misdemeanor laws of the State of Idaho.

SECTION 5. This Ordinance shall be in full force and effect immediately upon passage and publication as required by law.

Passed and approved by the Mayor and City Counc
_____, 2004.

not completed yet

CITY OF P/

BY_____
        Mark

ATTEST: _____
         John P. Franks, City Clerk