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ORDINANCE NO. _____

By Councilman Paul E. ...

AN ORDINANCE PROVIDING FOR THE FIRE LIMITS OF THE CITY OF PAYETTE, IDAHO, PROVIDING FOR THE TYPE OF BUILDINGS PERMISSIBLE THEREIN, DEFINING TERMS, REQUIRING A PERMIT FOR BUILDING, ENLARGING OR ALTERING ANY BUILDING WITHIN THE CITY OF PAYETTE, IDAHO, CREATING THE OFFICE OF BUILDING INSPECTOR, DEFINING HIS DUTIES, PROVIDING A PENALTY FOR VIOLATION OF THE ORDINANCE, PLACING LIMITATIONS UPON THE REPAIRING OF FRAME BUILDINGS WITHIN THE FIRE LIMITS, PROHIBITING CERTAIN OCCUPANCIES WITHIN THE FIRE LIMITS, PROVIDING THE TYPE AND THICKNESS OF WALLS WITHIN THE FIRE LIMITS, PROVIDING THE REQUIREMENTS FOR ISSUANCE OF BUILDING PERMITS, PROVIDING RESTRICTIONS AS TO THE USE OF TRAILER HOUSES, PROHIBITING THE USE OF OUTSIDE TOILETS AND PRIVIES UNLESS LICENSED, AND MAKING SUCH LICENSES REVOCABLE AT THE PLEASURE OF THE CITY COUNCIL, PROVIDING FOR THE DISTANCE FROM THE SIDEWALK LINE WHICH RESIDENCES AND GARAGES MAY BE CONSTRUCTED, PROVIDING THAT ALL ELECTRICAL INSTALLATIONS SHALL CONFORM WITH THE NATIONAL CODE, PROVIDING THAT ALL PLUMBING INSTALLATIONS SHALL CONFORM WITH THE NATIONAL PLUMBING CODE, PROVIDING FOR THE CONDEMNATION OF BUILDINGS HAZARDOUS TO PUBLIC SAFETY OR FIRES.

Be it Ordained by the Mayor and the City Council of the City of Payette, Idaho, as follows:

SECTION 1.- FIRE LIMITS. The West half of Blocks 6, 7 and 15 and all of Blocks 1, 2, 3, 5 and 8 in Gorrie's Addition to the City of Payette, Idaho; also all of Blocks 3, 4 and 9 and the East half of Blocks 5 and 6, and the West half of Block 8 in Master's Original Townsite as shown on the official plat of the City of Payette, Idaho, be, and said blocks are hereby declared to be within the fire limits of the City of Payette, Idaho.

SECTION 2.- DEFINITIONS. Dwelling--A residence building, designed for, or used as, the home or residence of not more than two separate and distinct families.

Fireproof Material-- The term "Fireproof Materials", as herein used, shall include only incombustible fire and waterproofed materials that will withstand the action of conflagration without serious deformation. Plastering, unless of Portland cement mortar,

shall not be considered as fireproof covering. Cinder concrete shall not be used as fireproofing.

Incombustible-- Materials or construction which will not ignite and burn when subjected to fire.

Residence-- Residence buildings shall be construed to mean and include all buildings in which sleeping accommodations (other than janitor or watchman) are provided.

Shed-- A roofed structure, open on one or more sides, which does not exceed 15 feet in height nor more than 500 square feet in area.

Structure-- Includes the terms building, appurtenance, wall, platform, staging, or flooring used for standing or seating purposes; a shed, fence, sign, or billboard on public or private property, or on, above or below a public highway.

SECTION 3.- PERMIT REQUIRED. No wall, structure, building or part thereof within the City of Payette, shall hereafter be build, enlarged, or altered, until a plan of the proposed work together with a statement of the materials to be used, shall have been submitted to the Building Inspector or other designated official, who shall, if in accordance with the provisions herein contained, issue a permit for the proposed construction.

Structures hereafter erected without permit, or not in conformity with this ordinance, shall be removed.

No building shall be moved until a permit has been obtained from the designated official; and such official shall not issue such permit if in his judgment the proposed new location of the building would seriously increase the fire hazard of the surrounding buildings.

Each building permit shall recite this section.

The fees for building permits shall be paid to the Building Inspector at the time application is made for such building permit; and

shall be at the following rates: for any improvement costing

<p>15-2000 100 2000</p>	<p>Up to \$15.00 - - - - - No charge \$15.00 to \$1000.00 - - - - - \$3.00 \$1000.00 to \$2000.00 - - - - - \$5.00 <i>additional</i> All above \$2000.00 - - - - - \$1.00 per thousand.</p>
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SECTION 4.- BUILDING INSPECTOR. There is hereby created the office of Building Inspector whose duty shall be as follows:

1. To enforce all ordinances relating to the construction, equipment, management, and condition of all property within the City of Payette, Idaho.
2. To supervise the construction of reconstruction of all buildings.
3. To report monthly to the Mayor or City Council regarding the condition of the City on all matters pertaining to fire prevention.
4. To prosecute all violations of the Building Ordinance of the City of Payette, Idaho.

The Building Inspector shall be appointed by the Mayor, which appointment shall be confirmed by the City Council; the Building Inspector may be removed from office at the pleasure of the Mayor and City Council; the salary of the Building Inspector shall be fixed by the City Council.

SECTION 5.- DUTIES OF ENFORCING OFFICER. The Building Inspector is hereby authorized and empowered:

- First: To enforce all ordinances relating to the construction, equipment, management and condition of all property within said city;
- Secton: To supervise the construction or reconstruction of all buildings;
- Third: To report monthly to the Mayor or City Council regarding the condition of the city on all matters pertaining to fire prevention.

SECTION 6.- PENALTY FOR VIOLATIONS. Any and all persons who shall violate any of the provisions of this ordinance or fail to comply therewith; or who shall violate or fail to comply with any order or regulation made thereunder; or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder; or any certificate or permit issued thereunder; shall be guilty of a misdemeanor and upon conviction thereof shall be fined a sum not to exceed \$100.00.

The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions, as provided in Sections 3 and 18 of this ordinance.

SPECIAL REQUIREMENTS

SECTION 7.- INCOMBUSTIBLE WALLS, CORNICES, AND ROOFS, REQUIRED WITHIN THE FIRE LIMITS. Every building hereafter erected or enlarged within the fire limits, shall be enclosed on all sides with walls, the exterior of which walls shall be of stone, brick, terra cotta, concrete, or other incombustible materials; and shall have the roof, including roof of dormer windows, covered with incombustible material.

repealed → SECTION 8.- PROHIBITING NEW GASOLINE FILLING STATIONS WITHIN THE FIRE LIMITS. No new gasoline filling station shall hereafter be constructed within the fire limits of the City of Payette, Idaho.

SECTION 9.- CORNICES, GUTTERS AND PROJECTIONS. On all buildings hereafter erected within the fire limits, the exterior cornices, inclusive of those on show windows, shall be of some fireproof material and shall be secured to the wall with iron anchors.

All exterior wooden cornices within the fire limits that are now, or may hereafter become damaged by fire to the extent of one-

half shall be taken down and if replaced, shall be constructed of some fireproof material, but if not damaged to the extent of one-half, may be repaired with the kind of material of which they were originally constructed. All party fire walls hereafter constructed shall be not less than 3 feet above either adjoining roof at the lowest point.

SECTION 10.- REPAIRING FRAME BUILDINGS WITHIN FIRE LIMITS. Any existing frame building within the fire limits, which may hereafter be damaged by fire, or otherwise, to an amount greater than one-half of its present value, exclusive of the foundation, shall not be repaired or rebuilt, but shall be removed.

SECTION 11.- BUILDINGS, HAVING PROHIBITED OCCUPANCIES WITHIN FIRE LIMITS. No building shall be used for public garage, coffee roaster, bakery, or dry cleaning establishment, within the fire limits unless it be of fire-resistant construction.

SECTION 12.- WALLS. All exterior, or division walls of buildings hereafter erected, shall be of sufficient thickness to support the load to be carried, but in no case shall a brick, stone, concrete, or hollow block wall be less than 8 inches thick.

SECTION 13.- FURTHER REQUIREMENTS FOR BUILDING PERMIT. The Building Inspector shall not issue any permit for the construction of any building within the City of Payette, Idaho, the value of which proposed building does not exceed 75 per cent. of the average value of all buildings existing in the block wherein the proposed construction is to be made, such value for the purpose of this ordinance to be determined by the Building Inspector, whose decision shall be final and conclusive in the premises; provided that this restriction shall not limit the construction of out-houses, warehouses, or garages, and provided further that the valuation of out-houses, ware-

houses, or garages shall not be taken into consideration in determining the average value of the buildings in any block; unless such application shall be accompanied by the signed consent of three-fourths of the property owners within such block, consenting to the proposed construction and then only if such proposed building shall conform to all fire and other regulations.

Provided that if the block whereon the proposed building is to be erected be vacant, then the Building Inspector shall not issue any permit for the construction of such building unless the proposed building exceeds 75 per cent. of the average value of all buildings existing in all blocks adjoining the block wherein such proposed building is to be situate, such value to be determined, for the purpose of this ordinance, by the Building Inspector, whose decision shall be final and conclusive in the premises; unless such application shall be accompanied by the signed consent of three-fourths of the property owners in all blocks adjoining the block wherein such proposed building is to be constructed, and then only if such proposed building shall conform to all fire and other regulations.

SECTION 14.- TRAILER HOUSES. No trailer house or house on wheels or similar structure, while occupied as living or sleeping quarters, shall be situate for more than forty-eight hours upon the same lot of block within the city of Payette, Idaho, unless two-thirds of the owners of the property of the block within which the same is situate shall consent in writing thereto, and such consent be placed on file with the Building Inspector. This section shall not be applicable to properly equipped trailer house camps where unlimited parking shall be permitted.

SECTION 15.- OUTSIDE TOILETS AND PRIVIES. It shall hereafter be unlawful for any person, firm, or corporation to have, maintain, or construct any outside toilet or privy within the corporate limits

of the City of Payette, excepting such as may be specially permitted by the City Council of the City of Payette, All outside toilets and privies now existing within the City of Payette shall immediately be inventoried, examined and listed by the Building Inspector and the list thereof shall be filed with the City Clerk, and only such outside toilets and privies as may be found to be in a suitable condition may be licensed by the City Council. Such licenses shall be revocable at the pleasure of the City Council without notice or hearing, when any such outside toilet or privy shall be found to be injurious to the public health, safety or welfare.

SECTION 16.- All residences and private garages hereinafter constructed within the city of Payette, Idaho, shall be situate not less than twenty-five feet from the inside of the sidewalk line along the block wherein such residences or garages are to be constructed, unless special permission from the City Council of the City of Payette is first had and obtained; no residence, outbuilding or private garage shall be hereafter constructed closer than within 8 feet of any adjoining residence, outbuilding or private garage, without special permission from the City Council so to do.

SECTION 17.- All electrical installations within the City of Payette, Idaho, shall conform with the National Electric Code.

SECTION 18.- All plumbing installations within the City of Payette, Idaho, shall conform with the National Plumbing Code.

SECTION 19.- The building Inspector shall, upon the application of the City Council, inspect any building within the City of Payette, Idaho, as to its condition with reference to public safety or with reference to its being a fire hazard.

If any building within the City of Payette, Idaho, shall be found by the Building Inspector to be a fire hazard or to be a hazard to public safety, the owner of such building, after such finding by

the Building Inspector, shall be notified thereof in writing and be given thirty days within which to correct such fault. If, at the end of thirty days, the fault has not been corrected, the building may be torn down and removed by the City of Payette, Idaho, and the expense of such tearing down and removal shall become a lien upon the property whereon such building is situate until paid.

SECTION 20.-- CONFLICTING ORDINANCES REPEALED. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION 20.-- DATE OF EFFECT. This ordinance shall be in full force and effect from and after its passage approval and publication.

Passed and approved this 23rd day of August. A. D., 1937.

ATTEST:

J. P. Williams
City Clerk.

[Signature]
Mayor.