

ORDINANCE NO. 637

AN ORDINANCE AMENDING CHAPTER 1, TITLE 3, REVISED CODE OF PAYETTE 1946, BY ADDING A NEW SECTION DESIGNATED 3-128, REQUIRING THE CONSTRUCTION OF CURBS IN FRONT OF ALL NEW CONSTRUCTION, REGULATING THE CONSTRUCTION OF CURBS AND SIDEWALKS, REGULATING THE CUTTING OF CURBS FOR DRIVEWAYS, AND PROVIDING FOR CONSTRUCTION OF THE SAME BY THE CITY IF THE OWNER FAILS TO DO SO.

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

Section 1. That Chapter 1, Title 3, Revised Code of Payette, 1946, be, and the same is, amended by adding thereto a new section designated 3-128, reading as follows:

"3-128. (a) That hereafter when residences are constructed on lots within the City of Payette where there is no curb; or when structures are moved to such lots for dwelling purposes, the persons constructing such dwelling or removing structures to said lots to be used as dwellings shall construct curbs as follows: Curbs shall be constructed across the entire front of said lot. If such structure is constructed on a corner lot, curbs shall extend around the radius and along entire length of lot. Curbs shall be standard curb and gutter, not over 6 inches high above gutter, and constructed to specifications set down by the City of Payette. 'Roll Curbs' or 'Standard Curbs without gutter' will not be allowed except by special permission of the Planning Commission, and permission will be given only if request is made so that these curbs may conform to existing curbs adjacent to said lots.

"(b) Sidewalks shall be required on all new residential construction where sidewalks exist in the neighborhood, and where lack of sidewalks would break an existing pattern. Sidewalks in residential areas shall be 4 feet wide and constructed to specifications of the City of Payette. Any deviation in width must have the permission of the Planning Commission, and will only be allowed in order for sidewalks to conform to existing sidewalks adjacent to said lots.

"(c) Standard curb and gutter shall be constructed in front of all commercial property development, and along the side street of said property. Sidewalks in commercial areas shall be 5 feet minimum width, and wider if necessary to conform with sidewalks already in existence, or from curb to property line.

"(d) Requests for curb cuts must be made in writing to the City Council. Curb cuts up to 20 feet may be allowed on 50 foot lots, and to 35% on lots above 50 feet. No curb cut may be longer than 35 feet, and 21 feet of curb must be left between any two curb cuts, except where there are adjoining driveways. A request for any deviation in these regulations must be referred to the Planning Commission for approval before the City Council will consider such request. Every application for a building permit shall show where the curb cut will be, and must have the approval of the City Engineer or building official.

"(e) If the property owner shall fail, neglect or refuse to construct sidewalks or curbs as in this section required, then the City of Payette may proceed to construct the same in accordance with the provisions of Section 3-109 of this Code."

PASSED By the Council this 21st day of December, 1959.

APPROVED By the Mayor this 21st day of December, 1959.

*B. H. H. H.*