

AN ORDINANCE

AMENDING SECTION 3-3-8 OF THE MUNICIPAL CODE OF THE CITY OF PAYETTE, IDAHO, BY REPEALING THE EXISTING PROVISIONS CONTAINED IN SAID SECTION AND SUBSTITUTING THEREFORE PROVISIONS TO REQUIRE A PERMIT FOR THE CONSTRUCTION OF WATERWORKS, TO PROVIDE FOR THE PARTICIPATION IN THE COST OF CONSTRUCTION BY PERSONS CONNECTING TO EXISTING WATERWORKS AND THOSE CONSTRUCTED IN THE FUTURE, TO PROVIDE FOR THE FILING OF CERTIFICATES OF COMPLETION AND AFFIDAVITS CONCERNING THE CONSTRUCTION OF WATERWORKS.

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

Section 3-3-8: CONSTRUCTIONS OF WATERWORKS BY PRIVATE PERSONS:

- (A) Definition: The word waterworks includes water mains, laterals, or interceptors for transportation of water furnished by the City.
- (B) Waterworks Construction Permit Required: Any person desiring to construct waterworks on, or below any street or alley, or any extension of the waterworks in the City shall first obtain from the City Clerk a permit for such construction upon application being filed with the City Clerk. The application shall state the name of the person applying, the approximate location of the waterworks and the legal description of the land or lots to be served by the waterworks, and the owners of the said lots so served, together with the proposed size and type of pipe to be laid, and the approximate cost.
- (C) Certificate of Completion: Upon completion, the person constructing the waterworks, and the City Engineer, must file a certificate of completion with the Clerk setting forth the location of the waterworks, the lots served, the owner of the said lots, and the cost per lot, or the cost per front foot served by the waterworks.
- (D) Affidavit of Owners Participating in Cost: The person constructing the waterworks must file with the Clerk an affidavit stating the legal description of the lots and the owners thereof who have participated in the cost of the construction of the waterworks.
- (E) Owners Not Participating in Cost: No person owning property which can be served by the waterworks, and who has not participated in the construction costs or does not have an affidavit of payment as hereinafter provided shall be served by the waterworks or connect any building waterworks or house waterworks thereto, unless a period of five years has elapsed from the date of the completion of the waterworks, or unless said person, after the completion of the waterworks, became a successor in interest of the owner of the property who caused said waterworks to be constructed.
- (F) Affidavit of Payment Required: All persons desiring to connect to said waterworks must make application to the City Administrator or the City Clerk and such application must be accompanied by an affidavit of payment. The person constructing the said waterworks that such land or person or has paid such pro rata charge, if such land description or name is included in the original certificate of completion. If no affidavit of payment is filed with the application, the City Administrator shall not until the applicant has received a receipt of payment of the amount from either the original constructor, his assigns or the Clerk. If a person desiring such connection is unable to secure an affidavit of payment

from the person constructing the waterworks, the connection can be made by the applicant tendering to the Clerk the pro rata cost for such lot as set forth in the completion certificate to be payable to and delivered by the Clerk to the original constructor or his assigns.


(G) Waterworks Already Constructed: All persons having heretofore constructed waterworks, may file with the Clerk a certificate of completion hereafter, shall be effective on the waterworks already constructed, of pro rata costs shall not be required for Extension: An affidavit of payment

That this ordinance shall take effect and be in force from and after its publication in the Independent Enterprise, a newspaper of general circulation in the City and County of Payette, Idaho.

Passed and approved by the Mayor and Council this 4th day of February, 1974.

February, 1974.

ATTEST:


Barbara A. Millard, Clerk of the
City of Payette, Idaho


Wesley O. Roehr, Mayor of the City of
Payette, Idaho