

CITY OF IDAHO CITY

ANNUAL APPROPRIATION ORDINANCE NO. 153

BE IT ORDAINED BY the Mayor and Council of the City of Idaho City, Boise County, State of Idaho:

SECTION 1. That there should be and is hereby appropriated the sum of ONE HUNDRED EIGHTY-SIX THOUSAND SEVEN HUNDRED FIFTEEN AND 94/100 (\$186,715.94) DOLLARS, out of the monies in the Treasury of the City of Idaho City, Boise County, State of Idaho, for the period from October 1, 1978 to September 30, 1979 for the following purposes:

GENERAL FUND:

Administration:

Salaries	\$ 1,200.00
Clerk Salary & extra help	1,160.00
Personnel Benefits	240.00
Office Supplies	550.00
Professional Services (audit)	1,800.00
Legal Atty Fees	5,000.00
Publishing & Printing	1,380.00
Insurance Policies	2,000.00
Dues, Subscriptions	200.00
Utilities	1,650.00
Property Repair & Maintenance	400.00
Miscellaneous	400.00
Capital Outlay	600.00
Elections	300.00
	<u>          </u>
	\$16,880.00

Law Enforcement:

Salaries: Chief of Police	\$ 9,600.00
Deputies	1,800.00
Personnel Benefits	500.00
Supplies	480.00
Local Transportation & Maint.	1,100.00
Miscellaneous	100.00
Capital Outlay	500.00
	<u>          </u>
	\$14,080.00

Fire Department:

Salaries	\$ 600.00
Personnel Benefits	40.00
Supplies, motor fuels	300.00
Equipment Repair & Maintenance	1,500.00
Capital Outlay	500.00
	<u>          </u>
	\$ 2,940.00

Payroll Taxes	\$ 2,500.00
Capital Projects Fund	500.00
Emergency Reserve Account	13,468.18
	<u>          </u>
	\$16,468.18

Water Department:

Salary & labor	\$ 2,800.00
Salary-clerk's	1,980.00
Personnel Benefits	150.00
Supplies, motor fuels	500.00
Power	2,000.00
Maintenance & Operation	7,000.00
Water Bonds	7,000.00
New Water System Project Fund	16,261.29
Emergency Reserve Account	8,000.00
	<u>          </u>
	\$45,691.29

GENERAL FUND CON'T

Land Fund:

Salaries	\$ 1,200.00	
Professional Services	2,000.00	
Miscellaneous	1,000.00	
Capital Outlay	5,000.00	
Emergency Reserve Account	<u>5,444.00</u>	
		\$14,644.00

CETA Program:

Salaries	<u>\$10,500.00</u>	\$10,500.00
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TOTAL BUDGET GENERAL FUND

\$121,203.47

STREET FUND:

Construction	\$ 250.00	
Street Maintenance	750.00	
Snow & Ice Control	900.00	
Street Lighting	2,000.00	
Street Cleaning	600.00	
Personnel Benefits	100.00	
Insurance	960.00	
Equipment Rental Operator	100.00	
Equipment Maintenance	2,000.00	
Street Supplies	500.00	
Miscellaneous	400.00	
Capital Outlay	500.00	
Emergency Reserve Account	<u>9,500.00</u>	

TOTAL BUDGET STREET FUND

\$ 18,560.00

REVENUE SHARING FUND:

Legal Publishing	\$ 500.00	
Health & Public Safety	2,000.00	
Police & Corrections	800.00	
Fire Protection	500.00	
General Public Building	<u>1,646.72</u>	

TOTAL BUDGET REVENUE SHARING FUND

\$ 5,446.72

SEWER FUND:

Accounting Fees	\$ 210.00	
Auditing Fees	800.00	
Legal Fees	500.00	
Insurance	600.00	
Repairs & Maintenance	3,000.00	
Chemicals	600.00	
Office Supplies	50.00	
Gas for burning	300.00	
Sewer Bonds	5,582.00	
Emergency Reserve Account	<u>29,863.75</u>	

TOTAL BUDGET SEWER FUND

\$ 41,505.75

SECTION 2. This ordinance shall be in force and effect from and after passage, approval and publication.


PASSED by the City Council this 12<sup>th</sup> day of October 1978.

APPROVED by the Mayor this 12<sup>th</sup> day of October 1978.

Approved:

  
John B. Brogan, Mayor

Attest:

  
Rora A. Phillips, City Clerk

CITY OF IDAHO CITY  
 EXPECTED REVENUE  
 1978 - 1979

GENERAL FUND:

TAXES

Real, Pers., Pen. & Int.	\$10,859.57	
State Sales Tax	296.80	
Amusement & Recreation	250.00	
Beer Licenses	300.00	
Liquor Licenses	675.00	
Wine Licenses	300.00	
Animal Licenses	<u>200.00</u>	
		\$12,881.37

LIQUOR

State Liquor Fund-State	\$ 696.42	
State Liquor Fund-County	<u>1,271.19</u>	
		\$ 1,967.61

Fines	\$ 2,500.00	
Interest Earnings	150.00	
Other	210.00	
Cash on Hand(bank & certificates)	<u>32,659.20</u>	
		\$35,519.20

WATER REVENUE

Revenue	\$17,038.80	
Hook-Up Fees	600.00	
Water Bonds	7,000.00	
Grants & Loans	16,261.29	
Cash on Hand (bank)	<u>4,791.20</u>	
		\$45,691.29

LAND FUND

Payments	\$14,644.00	
		\$14,644.00

CETA Program  
Funds

	\$10,500.00	
		\$10,500.00

TOTAL GENERAL FUND REVENUE

\$121,203.47

STREET FUND:

Highway Users	\$ 3,537.52	
Interest Earnings	522.64	
Bank Certificates	9,500.00	
Cash on Hand (bank)	<u>4,999.84</u>	

TOTAL STREET FUND REVENUE

\$ 18,560.00

REVENUE SHARING FUND:

Regular Funds	\$ 2,798.00	
Antirecession Funds	1,500.00	
Cash on Hand (bank)	<u>1,148.72</u>	

TOTAL REVENUE SHARING FUND REVENUE

\$ 5,446.72

SEWER FUND:

Revenue	\$16,200.00	
Bonds	5,582.00	
Cash on Hand (bank)	<u>19,723.75</u>	

TOTAL SEWER FUND REVENUE

\$ 41,505.75

GRAND TOTAL OF ALL EXPECTED REVENUE

\$186,715.94

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 1-29, AS AMENDED BY ORDINANCE NO. 120, AS AMENDED BY ORDINANCE NO. 125, AS AMENDED BY ORDINANCE NO. 127, AS AMENDED BY ORDINANCE NO. 135, AS AMENDED BY ORDINANCE NO. 137; PROVIDING FOR AMENDED RATES, CHARGES AND FEES FOR SERVICES RENDERED BY THE MUNICIPAL WATER SYSTEM OF IDAHO CITY ON A MONTHLY BASIS; PROVIDING FOR A CANCELLATION OF SERVICES IN THE EVENT OF NON-PAYMENT; PROVIDING FOR A CONNECTION FEE TO THE MUNICIPAL WATER SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1: That Section 1 of Ordinance No. 1-29 as amended by Ordinance No. 120 as amended by Ordinance No. 125, as amended by Ordinance No. 127, as amended by Ordinance No. 135 as amended by Ordinance No. 137, be, and the same is hereby amended so that Section 1 of said Ordinance No. 1-29, as amended by Ordinances No. 120, 125, 127, 135 and 137, shall read as follows:

"Section 1. It is hereby determined and declared to be necessary and conducive to and for the protection of the health, safety and welfare of the inhabitants and the public of Idaho City, and for the purpose of providing an equitable distribution of the costs and expenses of maintenance, operation, upkeep and repair of the municipal water system of Idaho City, that a system of monthly service charges, rates and fees be established for the use of and services rendered by said water system and facilities.

Therefore, in addition to being a personal obligation, the rates, charges, fees and penalties provided by this Ordinance are hereby levied and assessed against each lot, parcel of land, building or the property (including trailer houses) connected to, or using, the municipal water system of Idaho City.

The following monthly water rates, charge or fee is hereby established in the amount of not less than ~~\$6-90~~ \$7.00 per month for any single dwelling residence; churches and lodges, ~~\$6-90~~ \$7.00 per month; restaurant or bar ~~\$8-90~~ \$10.50 per month; restaurant and bar combination ~~\$13-90~~ \$17.50 per month; with a minimum rate for vacant residences and buildings of ~~\$2-50~~ \$2.50 per month; laundromats ~~\$20-00~~ \$3.50 per washer in each such laundromat per month; motel, hotel and boarding houses ~~\$3-45~~ \$3.50 per unit without kitchen units; vacant trailer spaces, no charge, overnight trailer space \$3.50 per unit per month if occupied at all: school

house \$ 32.00 per month; forest service \$ 118.90 per month, it being understood that other businesses and associations will have to be appraised by the City Council to establish applicable rates and said Council shall meet with the business or agency being rated, charged with said water rate or fee to approve the appraisal and assessment and establish the rate, charge or fee, levied and assessed against such property. The rates for businesses outside the City will be 20% above corporate rates for those inside the city provided that the hookup is allowed by the city council.

All applications for new water services connections must be made in writing by the owner or occupant of the premises to be served, on a form provided by the City for that purpose. Where the City has in place water distribution mains of sufficient size and adjacent to the applicant's premises to furnish the service desired, the City shall install at the applicant's expense, together with a connection fee of ~~\$150.00~~ \$200.00 and thereafter maintain at City expense, a service connection of proper size to the applicant. The property owner or occupant shall pay one-half of the excavation costs and shut-off valves to be placed on the City property.

Except as otherwise provided by these rules and regulations and rates, the City will refuse (a) to install a service connection of a larger size than in its opinion is adequate to properly serve the premises; (b) to install a service connection which, in its opinion, will work an undue hardship on the City or its existing consumers; (c) to connect a service connection to a customer's plumbing where the depth of his service line is less than necessary to prevent freezing under normal conditions; (d) to connect to any service, main or other appurtenance that in its opinion does not conform to good engineering design, or meet the standard specifications of the City; (e) to accept an application for a service connection if it requires an extension of the City's mains, unless said mains can be to the City's specifications with the owner or occupant paying the cost of installation plus the cost of a one inch line. Any larger line than a one inch main will be paid for by the City; (f) no service from the municipal water system will be rendered to any applicant outside the corporate limits of said City of Idaho City until, in the judgment of the City Council, those requiring service within the corporate limits have been properly served and there is available water supply for outside users, and then only under the following conditions: The applicant must submit his application for service to the City Council of Idaho City and secure its approval and then the applicant himself must install, or pay the cost of installing, the service connection in compliance with the rules and regulations and under the supervision of a City engineer, and title to the right of way, pipeline, and other connections must be properly secured to the City.

such special rate for service and maintenance charge and possible ultimate refund because of other services rendered through the same line, or for the same reason as may be mutually agreed upon between such outside water user and the City Council prior to the rendering of such service."

Section 1(a): The water supply may be shut off from any premises for which the water bill remains unpaid for a period of ten days after the bill is rendered and mailed. When shut off, water shall not be turned on except upon the payment of the usual fee for turning on water.

Section 2(b): Charges for water shall be a lien upon the premises, as provided by statute or ordinance. Whenever a bill for water services remains unpaid for 60 days after it has been rendered the clerk may file with the Recorder of Boise County, a statement of lien claim. This statement shall contain the legal description of the premises charged, the amount of the unpaid bill, and a notice that the city claims a lien for this amount as well as for all charges for water served subsequent to the period covered by the bill.

If the consumer whose water bill is unpaid is not the owner of the premises and the clerk has notice of this then notice shall be mailed to the owner of the premises if his address is known to the Clerk whenever such bills remain unpaid for a period of 60 days after it has been rendered.

The failure of the Clerk to record such lien claim or to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for unpaid water bills as mentioned in the following section.

Section 1(c): Property subject to a lien for unpaid water charges shall be sold for non-payment of the same, and the proceeds of such sale shall be applied to pay the charges after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be by bill in equity in the name of the city..

Section 1(d): The City Attorney is hereby authorized and directed to institute such proceedings in the name of the city in any court having jurisdiction over such matter, against any property for which a water bill has remained unpaid 60 days after it has been rendered.

Section 2: This Ordinance shall be in full force and effect on the 25<sup>th</sup> day of September, 1978.

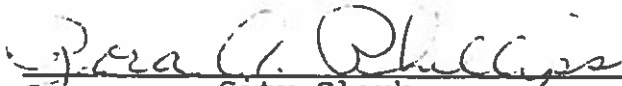
PASSED By the Council of the City of Idaho City, Idaho  
this 25<sup>th</sup> day of September, 1978.

APPROVED by the Mayor of the City of Idaho City,  
Idaho, this 25<sup>th</sup> day of September, 1978.

APPROVED:

  
MAYOR

ATTEST:

  
City Clerk



appurtenances, sites, places and elements of historic interest within the area of Idaho City a historic district is hereby established by the City Council and Mayor of Idaho City.

The boundaries of the historic district shall be as follows:

Beginning at the intersection of the centerline of State Highway 21 and Montgomery Street; thence easterly along the centerline of said Highway 21 to its intersection with High Road; thence northwesterly along High Road to Bear Run Street; thence westerly along Bear Run Street to Main Street; thence northerly along Main Street to FS 3825 (known as the Placerville, Centerville Road); thence westerly along FS 3825 to Montgomery Street; thence southerly along Montgomery Street to the place of beginning.

The historic district shall also include all lots fronting the above described boundaries from outside said boundaries except those lots fronting Highway 21 from the south, those lots fronting High Road from the east and those lots fronting on FS 3825 from the north.

The historic district shall also include all lots fronting either side of Wall Street from Montgomery Street up to and including the Boise County Territorial Jail.

#### Section 4. Interpretation of Terms or Words.

Certain terms or words used herein shall be interpreted as follows:

a. The word "person" includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual;

b. The present tense includes the future tense, the singular number includes the plural and the plural number includes the singular;

c. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement and the word "should" is a preferred requirement;

d. The words "used" or "occupied" include the words "intended, designed or arranged to be used or occupied"; and

e. The word "lot" includes the words "plot", "parcel" and "tract".

Section 5. Meaning of Terms or Words.

a. Building: Any structure having a roof supported by columns or walls, and designed or intended for shelter, support, enclosure or protection of persons, animals or chattels.

b. Commission: Idaho City Historic Preservation Commission.

c. Exterior features: The architectural style, general design and general arrangement of the exterior of a building or structure, including the color, the kind and texture of the building material and the type and style of all windows, doors, light fixtures, signs, other appurtenant fixtures.

d. Exterior features (Outdoor advertising signs): The style, material, size and location of all such signs.

e. The historic district: The historic district established in Section 3 of this ordinance.

f. Historic preservation: The research, protection, restoration and rehabilitation of buildings, structures, landmarks, signs, appurtenances, objects, districts, areas and sites significant in the history, architecture, archeology, education or culture of the city, state or nation.

g. Person-in-charge: The person or persons possessed of the freehold, or a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any person directly or indirectly in control of a property located in the historic district.

h. Outdoor Advertising signs: Any card, cloth, paper, painted, plastic, glass, wooden, plaster, stone or other sign of any kind or character whatsoever, placed for outdoor advertising purposes on the ground or any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. The term "placed" as used in the definition shall include erecting, constructing, posting, painting, printing, tacking, nailing, glueing, sticking, carving or other fastening, affixing or making visible in any manner whatsoever.

i. Structural alterations: Any change which would prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders.

j. Structure: Anything constructed or erected, which requires location on the ground or attached to something having location on the ground.

k. Mobile home: A vehicle designed to be used for human habitation, including a trailer coach or trailer house.

l. Use: The purpose for which land or a building therein is designed, arranged, or intended, or for which it is occupied or maintained, let or leased.

Section 6. Regulations and Approval Required:

a. Certificate of appropriateness required.

No building or structure to be used for a residence, business or storage building, including the walls thereof, appurtenant fences, steps and paving shall be erected, reconstructed, altered, restored, painted, moved in or out or demolished within the

historic district; and no outdoor advertising sign, light, fences, wall or other appurtenant fixture, hereafter called appurtenant fixtures, shall be erected or displayed within the district on any lot or that is visible from the exterior of any building or structure, located within said zone, until an application for a certificate of appropriateness shall have been approved by the Commission.

All plans, elevations, colors, materials, textures, landscaping and such other information deemed necessary by the Commission to determine the appropriateness of the exterior features, buildings, or structures, placed on property within said district, shall be made available to it by the applicant.

The Commission shall review all such plans submitted to it and shall approve those for exterior features which are in conformity with the atmosphere of Idaho City as prevailed generally from the 1860s through the end of the nineteenth century, which are wood framed or red brick construction, which may be painted or unpainted, and which in general, do not have any adornments, lettering, outdoor advertising signs, or other devices that would be utterly inconsistent with the atmosphere of Idaho City during the aforementioned historic period, except that approved outdoor advertising signs, devices and adornments may be lighted by indirect lighting.

b. Future road development. Roadway development shall conform to the historic heritage of the historic district.

c. Road and street signs and lighting. Sign lettering should be consistent with that which prevailed generally in Idaho City from the 1860's through the end of

the nineteenth century and may be painted or carved in wood. Street lighting fixtures, materials of lettering, and accessory outdoor advertising signs shall be visibly compatible with the aforementioned historic period.

d. Conservation of existing trees, shrubs and other landscaping. Retention of the trees, shrubs and other landscaping presently within the historic district is encouraged.

e. Mobile homes. The exterior appearance of mobile homes must conform with the atmosphere of Idaho City which prevailed generally from the 1860's through the end of the nineteenth century. Facing of wood or red brick or imitations thereof must be acquired at the time the mobile home is moved onto the lot and the mobile home must be completely faced with this material within sixty (60) days after the mobile home is placed on a lot. Any mobile home presently occupying a lot within the historic district, once moved from said lot, or once ownership has changed, must then conform with this paragraph, in the event it remains in the historic district.

f. Weed and rubbish abatement. County codes pertaining to fire shall be complied with in all respects, especially those pertaining to requirements of removal of dry grass, weeds and dead brush.

#### Section 7. Maintenance and Repair.

Neither the owner of nor the person-in-charge of a building, structure, area or site within the historic district shall permit such building, structure, area or site, to fall into a state of disrepair which may result in the deterioration of any exterior feature so as to produce or tend to produce, in the judgment of the Commission, a detrimental effect upon the

character of the historic district as a whole or the life and character of a building or structure in the historic district. Nothing herein shall be construed to prevent the ordinary maintenance or repair of any exterior feature of a building of a building or property that does not involve a change in design, building material, or outer appearance thereof, which is not inconsistent with the historic atmosphere of the historic district, nor to prevent the construction, reconstruction, alteration, demolition or removal of any such feature when such is required for the public safety because of unsafe or dangerous conditions, or for structural preservation.

Section 8. Continuance of Existing External Appearances, Occupancy and Uses.

Nothing in this ordinance shall affect the external appearance or prevent the continuance of the existing occupancy or existing lawful use of any structure as it existed on the effective date of this ordinance. In the event any such structure changes ownership or use after the effective date of this ordinance, it must conform to all provisions of this ordinance.

Section 9. Certificate of Appropriateness.

a. Contents of application. An application for a certificate of appropriateness shall be signed by the owner or the applicant attesting to the truth and exactness of all information supplied on the application. At a minimum the application shall contain the following information:

- (1) Name, address, and phone number of applicant.
- (2) Location of property.
- (3) Existing use; proposed use.
- (4) Plan of project drawn to scale showing

actual dimensions and the shape of the lot to be built upon.

(5) Proposed architectural design.

(6) Proposed landscaping.

(7) Proposed construction materials for exterior features.

b. Approval of application. Within thirty (30) days after the receipt of an application, the Commission shall either approve or disapprove the application in conformance with the provisions of this ordinance. All certificates shall, however, be conditions upon the commencement of work within one (1) year. One (1) copy of the plans shall be returned to the applicant by the Commission after the Commission shall have marked such copy either as approved or disapproved and attested to same by the signature of the chairman of the Commission on such copy. One (1) copy of plans, similarly marked, shall be retained by the Commission. The Commission shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with these provisions.

c. Expiration of certificate. If the work described in any certificate of appropriateness has not begun within one (1) year from the date of issuance thereof, said certificate shall expire; it shall be rescinded by the Commission and written notice thereof shall be given to the persons affected.

d. Record of certificates of appropriateness. The Commission shall maintain a record of all certificates of appropriateness and copies shall be furnished upon request to any person.

e. Failure to obtain a certificate. Failure to obtain a certificate of appropriateness as required hereinabove shall be in violation of this ordinance.

f. Construction and use to be as provided in applications, plans and certificates. Certificates of appropriateness issued on the basis of plans and applications approved by the Commission authorize only the construction and uses set forth in such approved plans and applications or amendments thereto, and no other.

Section 10. Complaints Regarding Violations.

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Commission. The Commission shall properly record such complaint, immediately investigate and recommend that the City Council take action thereon as provided hereinafter.

Section 11. Penalties.

Allowing deterioration by willful neglect of any property within the historic district, failing to comply with this ordinance, or violating this ordinance shall constitute a misdemeanor punishable by a fine not exceeding three hundred dollars (\$300). Each day such violation continues shall be considered a separate offense. The landowner, tenant, subdivider, builder, public official or any other person who commits, participates in, assists in or maintains any such violation may be found guilty of a separate offense. Nothing herein contained shall prevent the City Council or any other public



official or private citizen from taking such lawful action as is necessary to restrain or prevent any deterioration by willful neglect or any violation of this ordinance.

Section 12. Appeals.

a. General. The City Council shall consider administrative appeals where it is alleged that an error has been made by the Commission in considering any application for a certificate of appropriateness or variances from the terms of this ordinance.

b. Administrative Appeals. Appeals to the City Council concerning interpretation or administration of these provisions may be taken by any person aggrieved or by any officer or bureau of the legislative authority affected by any decision of the Commission. Such appeal shall be taken within twenty (20) days after the decision of the Commission by filing with the Commission and with the City Council a notice of appeal specifying the grounds upon which the appeal is being taken. The Commission shall transmit to the City Council all the papers constituting the record upon which the appeal is based.

c. Stay of proceedings. An appeal stays all proceedings in furtherance of the action taken unless the Commission certifies to the City Council after the notice of appeal is filed with it that by reason of facts stated in the application, a stay would, in its opinion, cause imminent peril to life and property within the historic district. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the City Council or by a court based upon an application, with notice to the Commission showing due cause.

d. Procedure on appeal. Upon receipt of an appeal from the action of the Commission, the City Council shall set a hearing date to consider all information, testimony and Commission's minutes to reach a decision to uphold, conditionally uphold or overrule the action of the Commission. The City Council may overrule the Commission only by a favorable vote of one-half (1/2) plus one (1) of the full Council.

Section 13. Variances.

a. Authorized. The Commission may authorize in specific cases such variance from the terms of this ordinance as will not be contrary to the historic preservation of the historic district, where, owing to special conditions, a literal enforcement of the provisions of these provisions would result in unnecessary hardship. No non-conforming condition of neighboring lands, structures or buildings in the historic district shall be considered grounds for issuance of a variance. Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of these provisions would result in unnecessary hardship.

b. Application and standards for variances.

A variance from the terms of these provisions shall not be granted by the Commission unless and until a written application for a variance is submitted to the Commission containing:

- (1) Name, address, and phone number of applicant.
- (2) Location of the property.
- (3) Description of nature of variance requested.
- (4) A narrative statement demonstrating that the

requested variance conforms to the following standards:

(a) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the historic district;

(b) That a literal interpretation of these provisions would deprive the applicant of rights commonly enjoyed by other properties in the historic district under the terms of this ordinance;

(c) That special conditions and circumstances do not result from the actions of the applicant;

(d) That granting the variance requested will not confer on the applicant any special privilege that is denied by these provisions to other land, structures or buildings in the historic district.

A variance shall not be granted unless the Commission makes specific findings of fact based directly on the particular evidence presented to it which support conclusions that the above mentioned standards and conditions have been met by the applicant.

c. Public hearing. Upon receipt of the application for a variance, the Commission shall hold a public hearing, publish notice in a newspaper and give written notice to the applicant.

d. Action by commission. Within thirty (30) days after the public hearing the Commission shall either approve, conditionally approve or disapprove the request for a variance.



#149

AN ORDINANCE PROHIBITING THE EXCRETION UPON, PLACING UPON OR CAUSING TO BE PLACED UPON THE GROUND OF ANY RAW OR UNTREATED SEWAGE OR HUMAN WASTE WITHIN THE CORPORATE LIMITS OF THE CITY OF IDAHO CITY, IDAHO AND PROVIDING FOR THE ENFORCEMENT OF, PENALTY FOR AND FOR THE EFFECTIVE DATE.

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

Section 1. Purpose. The purpose of this ordinance is to promote and protect the public health of the citizens of the City of Idaho City, Idaho.

Section 2. Prohibited Acts. The following acts are hereby prohibited and the doing of same declared illegal, to wit:

(a) The excretion of human waste upon the ground within the corporate limits of the City of Idaho City, Idaho.

(b) The placing or causing to be placed upon the ground of human waste or raw or untreated sewage, within the corporate limits of the City of Idaho City, Idaho.

(c) The failure to remove raw or untreated sewage, or human waste or human vomit from the ground, within one hour of having excreted, placed, having caused said matter to be placed, or vomiting upon the ground within the corporate limits of the City of Idaho City any raw or untreated sewage, human waste or human vomit.

Section 3. Definitions. Certain words and phrases used in Section 2, are defined for the purposes of this ordinance as follows:

(a) "Causing to be placed" means allowing any guest or customer to do any of the acts prohibited in sub-sections 2, (a) and 2, (b) when facilities required by Idaho City Ordinance 1-106 as amended by 1-121 are not available to said guest or customer upon the host's or proprietor's property, OR by aiding, abetting, encouraging, soliciting, requesting or hiring another to do an act prohibited by Section 2.

(b) "Excretion" means the discharge of any form of human waste from the body, including the acts of defecation, ejaculation, or urination.

(c) "Ground" means the surface of the earth and anything attached to or setting upon said surface such as, but not limited to: sidewalks, benches, fences, buildings, trees, or the like.

(d) "Human Vomit" means the matter from the digestive tract of a human being excreted through the mouth.

(e) "Human Waste" means and is limited to the following: human ejaculate, human feces or human urine.

(f) "Raw or Untreated Sewage" means the liquid and/or solid matter consisting of human waste, human vomit and/or other effluence normally found within the sewage system of Idaho City and which has not been treated at all or to the standard used and required by the Idaho City Sewer Association, Inc., sewage system or its successors in function.

(g) "Vomiting" means the act of discharging human vomit from the body.

(h) All other words or phrases used are meant to be used in their ordinary and common usage.

#### Section 4. Penalties.

(a) Any person violating the provisions of sub-section 2,(a) or 2,(b) shall be punished upon conviction by a fine of up to \$300.00 and/or incarcerated in the Boise County Jail located in Idaho City for up to six (6) months or by both said fine and incarceration.

(b) Any person violating the provisions of sub-section 2,(c) shall be punished upon conviction by a fine of up to \$100.00.

Section 5. Severability. In the event any portion of this ordinance or part thereof shall be determined by any Court of Competent jurisdiction, to be invalid, void or otherwise unenforceable, the remaining provisions hereunder or parts thereof, shall remain in full force and effect, and shall in no way be affected, impaired or invalidated thereby.

Section 6. EFFECTIVE DATE. This ordinance shall be in full force and effect upon the signing, approval and publication of the same.

PASSED by the Council of Idaho City, Idaho, this 9 day of May, 1978.

APPROVED:

John B. Brogan  
Mayor

ATTEST:

Rora A. Phillips  
City Clerk

Published in the "Idaho World" in the May 12, 1977, 1978 issue of said newspaper.

ATTEST:

Rora A. Phillips  
City Clerk

BY THE COUNCIL:

AN ORDINANCE PROVIDING FOR FEDERALLY SUBSIDIZED FLOOD INSURANCE AS AUTHORIZED BY THE NATIONAL FLOOD INSURANCE ACT OF 1968

WHEREAS, the City of Idaho City, Idaho, wishes to establish eligibility in the National Flood Insurance Program and in order to do so must meet the requirements of 1910.3(b) of the Federal Insurance Administration regulations;

NOW, THEREFORE, the following measures shall be required within Zone A of the Flood Hazard Boundary Map issued by the Federal Insurance Administration for this community.

Section 1. Permit Requirements: No person shall erect, construct, enlarge, alter, repair, improve, move or demolish any building or structure without first obtaining a separate permit for each building or structure from the designated responsible person.

No man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations shall be commenced until a separate permit has been obtained from the designated responsible person for each change.

No mobile home shall be placed on improved or unimproved real estate without first obtaining a separate permit for each mobile home from the designated responsible person.

Section 2. Application: To obtain a permit, the applicant shall first file a permit application on a form furnished for that purpose. The form must be completed and submitted to the designated responsible person before the issuance of a permit will be considered.

Section 3. Review of Applications: The Watermaster

\_\_\_\_\_, hereinafter referred to as the responsible person,



is appointed as the "person" responsible for receiving applications and examining the plans and specifications for the proposed construction or development.

After reviewing the application, the responsible person shall require any additional measures which are necessary to meet the minimum requirements of this document.

Section 4. The responsible person shall review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

Section 5. The responsible person shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood prone area, all new construction and substantial improvements (including the placement of prefabricated buildings and mobile homes) shall: (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structures, (ii) be constructed with materials and utility equipment resistant to flood damage and (iii) be constructed by methods and practices that minimize flood damage.

Section 6. The responsible person shall review subdivision proposals and other proposed new development to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood prone area, any such proposals shall be reviewed to assure that: (i) all such proposals are consistent with the need to minimize flood damage within the flood prone area (ii) all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided to reduce exposure to flood

Section 7. The responsible person shall require within flood prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the system; and

Section 8. The responsible person shall require within flood prone areas (i) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and (ii) onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

Section 9. The responsible person shall require that all subdivision proposals and other proposed new developments greater than 50 lots or five acres, whichever is the lesser, include within such proposals base flood elevation date.

Section 10. The responsible person shall obtain, and reasonably utilize any base flood elevation data available from a Federal, State or other source, until such other data has been provided by the Administrator, as criteria for requiring that (i) all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood level and (ii) all new construction and substantial improvements of nonresidential structures have the lowest floor (including basement) elevated or floodproofed to or above the base flood level.

Section 11. For the purpose of the determination of applicable flood insurance risk premium rates within Zone A on a community's FHBM, the responsible person shall (i) obtain or require the applicant to furnish, the elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or

not such structures contain a basement (ii) obtain, or require the applicant to furnish, if the structure has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed, and (iii) maintain a record of all such information.

Section 12. The responsible person shall notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Insurance Administration.

Section 13. The responsible person shall assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

Section 14. The responsible person shall require that all mobile homes to be placed within Zone A on the community's Flood Hazard Boundary Map shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that (i) over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations and mobile home less than 50 feet long requiring one additional tie per side (ii) frame ties be provided at each corner of the home with five additional ties per side at intermediate points and mobile homes less than 50 feet long requiring four additional ties per side; (iii) all components of the anchoring system be capable of carrying a force of 4,800 pounds; and (iv) any additions to the mobile home be similarly anchored.

Section 15. The Flood Hazard Boundary Map issued by the Federal Insurance Administration for this community dated December 24, 1976 with Panel Numbers One and any officially published revisions to this map is adopted as the official map

for the enforcement of this document. Zone A on this map delineates the area within which the requirements of this document will be enforced.

Section 16. Definitions: Unless specifically defined below, words or phrases used in this document shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this document its most reasonable application.

"Base Flood" means the flood having a one percent chance of being equalled or exceeded in any given year.

"Development" means any man-made change to improved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

"Flood" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters;
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Plain" or "flood prone area" means any land area susceptible to being inundated by water from any source (see definition of "flood").

"Floodproofing" means any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Habitable floor" means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation or a combination thereof. A floor used only for storage purposes is not a "habitable floor."

"Mobile home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers. The term includes but it is not limited to, the definition of "mobile home" as set forth in regulations governing the Mobile Home Safety and Construction Standards Program (24 CFR 3282.7(a)).

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Structure" means for flood plain management purposes, a walled and roofed building including a gas or liquid storage tank, that is principally above ground, as well as a mobile home.

"Substantial improvement" means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (i) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or (ii) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Variance" means a grant of relief by a community from the terms of a flood plain management regulation.

Section 17. This Ordinance shall be in full force and effect, from and after its passage, approval and publication.

PASSED by the Council of the City of Idaho City, Idaho, this 14th day of February, 1978.

APPROVED By the Mayor of the City of Idaho City, Idaho, this 14th day of February, 1978.

APPROVED:

John B. Bogan  
MAYOR

ATTEST:

Gene A. Phillips  
City Clerk

147

Idaho City, Idaho

October 11, 1977

The City Council of the City of Idaho City, Boise County, Idaho, met in regular public session at the regular meeting place of the Council in the City Hall in the City of Idaho City, Idaho, at 8:00 o'clock P.M., on October 11, 1977.

The roll was called and the following found to be present:

- John Brogan, Mayor
- Forrest D. Read, Councilman
- Roger Jackson, Councilman
- Barbara Jean Dixon, Councilwoman
- Edwin Svancara, Councilman

Absent: Edwin Svancara

There were also present Rora A. Phillips, City Clerk, and David Samuelson, City Attorney.

After the meeting had been duly called to order and the minutes of the preceding meeting read and approved, the following ordinance was introduced in written form by

Roger Jackson and was read by title. Councilman

Forrest D. Read moved that the rule requiring the reading of the ordinance three different days be dispensed with and the motion was adopted by the vote of not less than three-fourths of the Council, to wit:

- Aye: Roger Jackson, Councilman
- Forrest D. Read, Councilman
- Barbara Jean Dixon, Councilwoman
- \_\_\_\_\_, Councilman

Nay: None.

The ordinance was thereupon read again by title and was then read in full, after which pursuant to motion made by Forrest D. Read and seconded by Barbara Jean Dixon, the ordinance was adopted by the following vote:

Aye: Roger Jackson, Councilman  
Forrest D. Read, Councilman  
Barbara Jean Dixon, Councilwoman  
\_\_\_\_\_, Councilman

Nay: None.

The ordinance was thereupon signed by the Mayor in evidence of his approval, was attested by the City Clerk, was ordered recorded, and is as follows:

ORDINANCE NUMBER 147

AN ORDINANCE ordering that the municipal water system of the City of Idaho City, Idaho be improved and extended and that a sewerage system be acquired by said city by the purchase of the existing sewerage system now located therein; estimating the cost thereof; directing subject to the approval of the qualified elector's of said city that revenue bonds of said city in the amount of \$195,000 be issued to pay part of the cost thereof; calling an election for the purpose of submitting to the qualified electors of said city the proposition of the issuance of such bonds; providing for submission to the Department of Health and Welfare; and providing for the issuance of such bonds in the event they are voted at such election.

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WHEREAS it is considered by the Mayor and Council to be necessary and essential to the health and well-being of the inhabitants of Idaho City, Idaho, that the municipal water system of said city be improved and extended, including installation of water meters, replacement of water lines, drilling a well, refurbishing existing wells and the acquisition of all appurtenances necessary or useful in connection therewith, together with the acquisition of any lands, rights of way and easements necessary for the same, and that a sewerage system be acquired, by the



sewers, lateral sewers, force mains, collecting sewers, pumping stations, ejector stations, treatment facilities, structures, buildings, machinery, equipment, connections and all other appurtenances necessary, useful or convenient for the collection and transportation of sewerage or the treatment, purification and disposal thereof, together with all lands or rights in land in connection therewith, including easements, rights of way, contract rights, leases, franchises, and other property owned or operated by said association, the whole to constitute and be operated as a single revenue producing public utility for said city; and

WHEREAS said city does not have funds available to pay the cost of the foregoing and has determined it advisable to finance such cost in part through the issuance of the revenue bonds of the city pursuant to the provisions of the Revenue Bond Act of the State of Idaho, Sections 50-1027 to 50-1042, inclusive, of the Idaho Code, as amended, and in order to do so desires to provide for the holding of the election required by said act;

NOW, THEREFORE, Be It Ordained by the Mayor and Council of the City of Idaho City, Boise County, Idaho, as follows:

Section 1. (a) That it is necessary in the City of Idaho City that the municipal water system of said city be improved and extended, including installation of water meters, replacement of water lines, drilling a well, refurbishing existing wells and the acquisition of all appurtenances necessary or useful in connection therewith, together with the acquisition of any lands, rights of way and easements necessary for the same, and that a sewerage system be acquired by the purchase of the existing sewerage system located in said city and owned by Idaho City Sewer Association, including intercepting sewers, lateral sewers, force mains, collecting sewers, pumping stations, ejector stations,

connections and all other appurtenances necessary, useful or convenient for the collection and transportation of sewerage or the treatment, purification and disposal thereof, together with all lands or rights in land in connection therewith, including easements, rights of way, contract rights, leases, franchises, and other property owned or operated by said association, the whole to constitute and be operated as a single revenue producing public utility for said city, and that said improvements and extensions to the municipal water system shall be constructed pursuant to a preliminary report therefor which has been prepared and filed by J-U-B Engineers, Inc. of <sup>Nampa</sup>~~Twin Falls~~, Idaho, engineers heretofore selected by the Mayor and Council for such purpose, and on file in the office of the City Clerk.

(b) That the total cost of the acquisition of the existing sewerage system, in the amount of \$95,000.00, and of the construction of the improvements and extensions to said municipal water system, in the amount of \$100,000.00, all described in subparagraph (a) above as estimated by the above described engineers, including the payment of all expenses properly incident thereto and properly incident to the issuance of the bonds, as such expenses are set forth in the Revenue Bond Act, is \$195,000.00.

(c) That the acquisition of the existing sewerage system and the construction of the improvements and extensions to said municipal water system as more fully described in subparagraph (a) above is hereby ordered.

(d) That, subject to the approval thereof by the qualified electors voting at the election for which provision is hereinafter made, the revenue bonds of the City of Idaho City shall be issued pursuant to the provisions of the Revenue Bond Act in the amount of \$195,000 to pay part of the cost thereof and incidental expenses as above provided.

Section 2. That a special election is hereby called to be held in the City of Idaho City on November 15, 1977, for the purpose of submitting to the qualified electors of said city the proposition set forth in the form of ballot appearing in Section 4 hereof.

Section 3. That the polls at said election shall open at the hour of 12:00 o'clock Noon and remain open continuously until the hour of 8:00 o'clock P.M. and then close. Said election shall be held at the voting place specified in the form of notice of election set out in Section 7 hereof.

Section 4. That all persons who at the time of the election are qualified electors of the City, properly registered and possessing the qualifications of residents, shall be qualified to vote at said election, and that the ballots to be used at said election shall be in substantially the following form:

OFFICIAL BALLOT

SPECIAL REVENUE BOND ELECTION

CITY OF IDAHO CITY, BOISE COUNTY

STATE OF IDAHO

November 15, 1977

INSTRUCTIONS TO VOTERS: To vote on the following question, place a cross (X) in the square to the right of the words "In favor of issuing revenue bonds for the purposes provided by Ordinance Number 147" or "Against the issuance of revenue bonds for the purposes provided by Ordinance Number 147," according to the way you desire to vote on the question. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void. If you, by mistake or accident, mark, tear, deface, or otherwise mutilate this ballot, return it to the election judges and obtain another ballot.

QUESTION: Shall the City of Idaho City, Idaho, issue and sell its revenue bonds to the amount of \$195,000 for the purpose of providing funds with which to acquire a municipal sewerage system and with which to construct improvements and extensions to the municipal water system, the whole to constitute and be operated as a single revenue producing public

utility, as more fully provided in Ordinance Number 147 adopted on October 11, 1977?

IN FAVOR OF ISSUING REVENUE BONDS FOR THE PURPOSES PROVIDED BY ORDINANCE NUMBER 147

: \_\_\_\_\_ :  
: \_\_\_\_\_ :

AGAINST THE ISSUANCE OF REVENUE BONDS FOR THE PURPOSES PROVIDED BY ORDINANCE NUMBER 147

: \_\_\_\_\_ :  
: \_\_\_\_\_ :

The City Clerk shall, in accordance with the provisions of Section 50-413, Idaho Code, cause to be printed sample ballots, which sample ballots shall be in the same form as the official ballot above set forth, except that such sample ballots shall have printed thereon the words "Sample Ballot", shall be on paper of a different color than the official ballots and shall not be numbered. The sample ballots shall be available in the office of the City Clerk to be furnished to such persons applying therefor to the City Clerk. The City Clerk shall cause the form of the sample ballot to be published once a week for two consecutive weeks in The Idaho World, the official newspaper of the City, the last publication of which shall be not less than five (5) days preceding the date fixed for said special revenue bond election.

Section 5. That notice of said election shall be given by the City Clerk by publication of a notice in substantially the following form in the official newspaper of the City of Idaho City, being The Idaho World, a newspaper published and having general circulation within the City of Idaho City, once a week on the same day of five successive weeks, the first of which publications shall be not less than thirty (30) days prior to the date fixed for the holding of said election:

NOTICE OF SPECIAL REVENUE BOND ELECTION

Pursuant to the laws of the State of Idaho and Ordinance Number 147 of the City of Idaho City, County of Boise, State of Idaho, notice is hereby given that a special revenue bond election

will be held in said city on November 15, 1977, beginning at the hour of 12:00 o'clock Noon and closing at the hour of 8:00 o'clock-P.M. of said day, for the purpose of taking a vote upon the following question, to wit:

QUESTION: Shall the City of Idaho City, Idaho, issue and sell its revenue bonds to the amount of \$195,000 for the purpose of providing funds with which to acquire a municipal sewerage system and with which to construct improvements and extensions to the municipal water system, the whole to constitute and be operated as a single revenue producing public utility as more fully provided in Ordinance Number 147 adopted on October 11, 1977?

Said election shall be held at the City Hall in Idaho City, Idaho.

Notice is further given that only qualified electors of said city, eighteen (18) years of age or older, bona fide residents thereof, and who are registered as provided by law are entitled to vote at said election. No qualified elector who is duly registered as a voter at the last preceding general municipal election shall be required to register so long as he remains, or has remained continuously after such registration, a duly qualified elector of the City of Idaho City, but those electors who have failed or neglected heretofore to vote at any general biennial election in said city or who removed from the City and remained away for a period of one year (provided they shall again have resided in the City as required by law) must reregister.

Rora A. Phillips, City Clerk, is ex officio Registrar of said city. The place of registration is the office of said City Clerk in the City Hall, Idaho City, Idaho.

Persons may register on each day at any time during the office hours of said City Clerk, beginning with the day that the notice of election is given and continuing until and including the Saturday next preceding the election, and on Thursday, Friday and Saturday next preceding the election, persons may register

between the hours of 9:00 o'clock A.M. and 5:00 o'clock P.M. and between the hours of 7:00 o'clock P.M. and 9:00 o'clock P.M.

The voting at said election shall be by ballot. The ballot to be supplied the voters for their use at said election shall be in the form set forth in Ordinance Number 147.

If at said election a majority of the qualified electors voting at such election assent to the issuance of said bonds for the purposes set forth in Ordinance Number 147, and designated on the aforesaid ballot, the revenue bonds of the City will be issued for the above described purposes, which bonds, or any issue thereof, will mature annually over a period commencing at the expiration of two (2) years from their date and ending thirty (30) years from their date, and will bear interest at a rate or rates not in excess of eight per cent (8%) per annum. The terms "water system" and "sewerage system" shall be used as construed and shall include all things specified in the Revenue Bond Act of the State of Idaho, and the bond proceeds may be applied to the purposes set forth in said act, including the payment of proper incidental expenses and interest during construction and for six months thereafter. Principal of and interest on such bonds shall be payable solely out of and from the income, earnings and revenues of the combined municipal water system and sewerage system as said water system is improved and extended in part with a portion of the proceeds of said bonds and said sewerage system is acquired in part with a portion of the proceeds of said bonds (including improvements, betterments and extensions to said combined system thereafter constructed or acquired), all as to be more fully and particularly provided and set forth in an ordinance or ordinances to be hereafter adopted by the Mayor and Council.

Dated at Idaho City, Idaho, this 11th day of October, 1977.

Rosa A. Phillips

Section 6. If at said election a majority of the qualified electors of the City voting thereat assent to the issuance of said bonds, the revenue bonds of the City shall be issued as hereinabove provided and shall mature and bear interest at not more than the maximum rate or rates set forth in the foregoing notice of election. Principal of and interest on such bonds shall be payable solely out of and from the income, earnings and revenues of the combined municipal water system and sewerage system as said water system is improved and extended in part with a portion of the proceeds of said bonds and said sewerage system is acquired in part with a portion of the proceeds of said bonds (including improvements, betterments and extensions to said combined system thereafter constructed or acquired), all as to be more fully and particularly provided and set forth in an ordinance or ordinances to be hereafter adopted by the Mayor and Council. Such bonds shall not be a debt of the City of Idaho City and the City shall not be liable thereon, nor shall they be payable out of any funds other than the revenue above specified.

Section 7. That the following persons are hereby appointed to act as judge and as clerks of said election:

Judge Martina Erickson

Clerk May Gumm

Clerk Katherine Nelson

Clerk Estal Lansing

Alternates

The City Clerk is directed to notify said appointees of their appointment within five days of the date hereof.

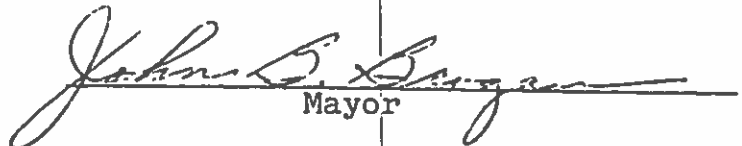
Section 8. That the Mayor and Council shall meet on November 15, 1977, within five (5) days following said election, at the hour of 9 o'clock P.M., at the regular meeting place of

the Mayor and Council in the City Hall in said city for the purpose of canvassing the results of the election and thereupon the result shall be entered in the minutes of the Clerk and proclaimed as final.

Section 9. That in accordance with the provisions of Section 39-118, Idaho Code, as amended, J-U-B Engineers, Inc., engineers employed by said city, shall arrange for the submission to the Department of Health and Welfare of the State of Idaho of all plans and specifications for the construction of the improvements and extensions to said municipal water system, to the end that said Department may issue its approval of said plans and specifications before construction shall commence.

Section 10. That all ordinances or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and that this ordinance shall be published in one issue of The Idaho World, the official newspaper of said city, and shall take effect and be in full force immediately upon its passage, approval and publication.

Adopted and approved October 11, 1977.

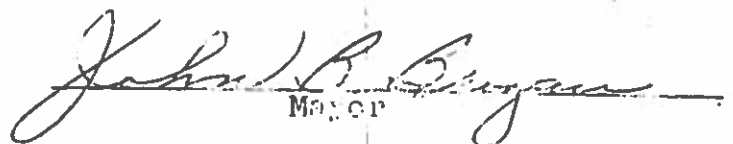
  
Mayor

Attest:

  
City Clerk

(Other business not pertinent to the above appears in the minutes of the meeting.)

Pursuant to motion made and carried, the meeting adjourned.

  
Mayor

Attest:

  
City Clerk



STATE OF IDAHO )  
 )  
COUNTY OF BOISE )

I, Rora A Phillips, do hereby certify that I am the duly qualified and acting Clerk of the City of Idaho City, Boise County, Idaho.

I further certify that the above and foregoing constitutes a true and correct copy of the minutes of a regular public meeting of the Mayor and Council of said city held on the 11th day of October, 1977, and of an ordinance adopted at said meeting, as said minutes and ordinance are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the seal of said city, this 11th day of October, 1977.

Rora A. Phillips  
City Clerk

[SEAL]

The undersigned being first duly sworn, each for himself does say:

That he is one of the duly appointed, qualified, and acting election officials for the special revenue bond election duly called and held in the City of Idaho City, Boise County, Idaho, on Tuesday, the 15th day of November, 1977, for the purpose of voting upon the question of whether the City of Idaho City should be authorized to issue and sell revenue bonds of the City in the amount of \$195,000 for the purposes set forth in the question set forth below.

That said special revenue bond election was in all respects conducted in the manner prescribed by the laws of the State of Idaho and pursuant to the Ordinance Number 147 of the City Council of said city passed on October 11, 1977, calling said special revenue bond election.

That before entering into our duties as election officials we were each one duly sworn as election officials in accordance with law.

That at said special revenue bond election only registered electors eighteen (18) years of age or older residing in said city were permitted to vote, and that no person so qualified and offering himself on November 15, 1977, at the polling place at which he was entitled to vote was denied the privilege of voting at said special revenue bond election.

That at said special revenue bond election, the polls were opened at the hour of 12:00 o'clock noon and remained open to and including the hour of 8:00 o'clock P.M. on said November 15, 1977. The polling place at which said special election was by us conducted in said city was at City Hall.

We further certify that immediately after the closing of the polls, we proceeded to count and canvass the ballots cast and make return thereof to the Mayor and Council of the City of Idaho City, Idaho, upon the question voted upon at said election as follows:

QUESTION: Shall the City of Idaho City, Idaho, issue and sell its revenue bonds to the amount of \$195,000 for the purpose of providing funds with which to acquire a municipal sewerage system and with which to construct improvements and extensions to the municipal water system, the whole to constitute and be operated as a single revenue producing public utility, as more fully provided in Ordinance Number 147 adopted on October 11, 1977?

In favor of issuing revenue bonds in the amount of \$195,000	<u>71</u>
Against issuing revenue bonds in the amount of \$195,000	<u>12</u>
Mutilated ballots	<u>0</u>
Total	<u>103</u>

IN WITNESS WHEREOF, we have hereunto subscribed our hands as of the date below written.

Martin G. ... Judge      Estal Lansing Clerk      Mildred Fleck Clerk

Katherine E. ... Clerk

Subscribed and sworn to before me this 15th day of November, 1977.

Robert J. Taffel  
Notary Public  
Clerk of Dist. Court.

[SEAL]

My Commission Expires \_\_\_\_\_, 197\_.

STATE OF IDAHO )  
 )  
COUNTY OF BOISE )

I, Rora A. Phillips, the duly chosen, qualified and acting City Clerk of the City of Idaho City, Boise County, Idaho, do hereby certify that the foregoing affiants were the duly appointed, qualified and acting election officials for the polling place established at City Hall in said city for the special revenue bond election held in said city on Tuesday, the 15th day of November, 1977, as set forth in said affidavit.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said city, this 15<sup>th</sup> day of November, 1977.

Rora A. Phillips  
City Clerk

[SEAL]

PCM:lh  
11/7/77

STATE OF IDAHO            )  
                                  :SS.  
County of Boise            )

I, RORA A. PHILLIPS, do hereby certify that I am the duly qualified and acting Clerk of the City of Idaho City, Boise County, Idaho. I do further certify that preliminary plans and specifications for the project to be financed in part with the proceeds of the sale of \$195,000.00 Water and Sewer Revenue Bonds of said City were on file in my office for examination by the public at least 760 days prior to the Special Bond Election held in said City on November 15, 1977.

IN WITNESS WHEREOF I have hereunto subscribed my official signature and impressed hereon the seal of said City this 1st day of March, 1978.

Rora A. Phillips  
City Clerk

(SEAL)

BY THE COUNCIL:

AN ORDINANCE SETTING THE COMPENSATION FOR THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF IDAHO CITY, IDAHO:

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

Section 1: Compensation of Mayor: The compensation of the Mayor shall be \$ 20.00 per month, payable on the 1st day of each month, beginning with the month of January 1, 1978.

Section 2: Compensation of Council Members: The compensation of each Council Member shall be \$ 20.00 per month, payable on the last day of each month, beginning with the month of January, 1978.

Section 3: This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED BY THE COUNCIL OF THE CITY OF IDAHO CITY, IDAHO this 14 day of September, 1977.

APPROVED BY THE MAYOR OF THE CITY OF IDAHO CITY, IDAHO, this 14 day of September, 1977.

APPROVED:

James B. Boyer  
Mayor

ATTEST:

Eric A. Phillips  
City Clerk



STREET FUND

Construction	\$ 200.00
Street Maintenance	750.00
Snow & Ice Control	855.00
Street Lighting	1,600.00
Street Cleaning	600.00
Personal Benefits	50.00
Insurance	225.00
Equipment Rental Operator	50.00
Equipment Maintenance	2,000.00
Street Supplies	300.00
Miscellaneous	300.00
Capital Outlay	400.00
Emergency Reserve Acct.	<u>1,000.00</u>

TOTAL BUDGET STREET FUND

\$8,330.00

REVENUE SHARING FUND

Publishing	\$ 100.00
Public Safety	9,759.34
CETA Program	<u>3,600.00</u>

TOTAL BUDGET REVENUE SHARING FUND

\$13,459.34

SECTION 2. This ordinance shall be in force and effect from and after passage, approval and publication.

PASSED by the City Council this 1st day of September 1977.

APPROVED by the Mayor this 1st day of September 1977.

John B. Brogan, Mayor

ATTEST:

Nora A. Phillips  
Nora A. Phillips, City Clerk



## CITY OF IDAHO CITY

## EXPECTED REVENUE

1977 - 1978

GENERAL FUND

## TAXES

Real, Personal Property Tax	
Penalties & Interest	\$8,007.57
State Sales Tax	280.00
Amusement & Recreation	270.00
Beer Licenses	286.00
Liquor Licenses	675.00
Wine Licenses	150.00
Animal Licenses	<u>213.00</u>
	\$9,881.57

## LIQUOR

State Liquor Fund-State	\$ 550.88
State Liquor Fund-County	<u>1,175.20</u>
	\$1,726.08

Fines	700.00
Interest Earnings	000.00
Other - collection fees	<u>840.00</u>
	\$1,540.00

## WATER REVENUE

Revenue	\$15,963.00
Hook-Up Fees	450.00
Grants-Water Project	389,000.00
Bonds-Water Project	<u>75,000.00</u>
	\$480,413.00

## LAND FUND

Payments	<u>\$16,674.40</u>
	\$16,674.40

CASH ON HAND (Bank)	\$16,012.35
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<u>TOTAL GENERAL FUND REVENUE</u>	<u>\$526,247.40</u>
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STREET FUND

Highway Users	\$2,793.00
Road & Bridge Tax	15.00
Interest Earnings	522.64
Cash on Hand (bank)	<u>4,999.36</u>

<u>TOTAL STREET FUND REVENUE</u>	<u>\$8,330.00</u>
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REVENUE SHARING FUND

Regular Funds	\$2,290.00
Antirecession	2,664.00
CETA Program	3,600.00
Cash on Hand (bank)	<u>4,905.34</u>

<u>TOTAL REVENUE SHARING FUND REVENUE</u>	<u>\$13,459.34</u>
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GRAND TOTAL

548,036.74