

- (6) To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- (7) To ensure that potential buyers are notified that property is in an area of special flood hazard; and,
- (8) To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

#### 1.4 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for;

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- (4) Controlling filling, grading, dredging and other development which may increase flood damage; and
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas.

#### SECTION 2.0 DEFINITIONS

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

"APPEAL" means a request for a review of the Watermaster's interpretation of any provision of this ordinance or a request for a variance.

"AREA OF SHALLOW FLOODING" means a designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

"AREA OF SPECIAL FLOOD HAZARD" means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

"BASE FLOOD" means the flood having a one percent chance of being equalled or exceeded in any given year. Also referred to as the "100-year flood." Designation on maps always includes the letters A or V.

"DEVELOPMENT" means any man-made change to improve or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

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

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

"FLOOD INSURANCE RATE MAP (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"FLOOD INSURANCE STUDY" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

"FLOODWAY" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"LOWEST FLOOR" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance found at Section 5.2-1(2).

"MANUFACTURED HOME" means a structure, transportable in or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

"MANUFACTURED HOME PARK OR SUBDIVISION" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"NEW CONSTRUCTION" means structures for which the "start of construction" commenced on or after the effective date of this ordinance.

"START OF CONSTRUCTION" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing,

grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

"STRUCTURE" means a walled and roofed building including a gas or liquid storage tank that is principally above ground.

"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:

- (1) before the improvement or repair is started, or
- (2) 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:

- (1) 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
- (2) 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 from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

## SECTION 3.0 GENERAL PROVISIONS

### 3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of Idaho City.

### 3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the City of Idaho City," dated September 10, 1988, with accompanying Flood Insurance Maps is hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file at City Hall in Idaho City.

### 3.3 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$300 or imprisoned for more than thirty (30) days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent Idaho City from taking such other lawful action as is necessary to prevent or remedy any violation.

### 3.4 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this ordinance and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

### 3.5 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and,
- (3) Deemed neither to limit nor repeal any other powers granted under State statutes.

### 3.6 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Idaho City, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that resulted from reliance on this ordinance or any administrative decision lawfully made hereunder.

## SECTION 4.0 ADMINISTRATION

### 4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

#### 4.1-1 Development Permit Required

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. The permit shall be for all structures

including manufactured homes, as set forth in the "DEFINITIONS", and for all development including fill and other activities, also set forth in the "DEFINITIONS."

#### 4.1-2 Application for Development Permit

Application for a development permit shall be made on forms furnished by the Watermaster and may include but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage or materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- (1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- (2) Elevation in relation to mean sea level to which any structure has been floodproofed;
- (3) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 5.2-2; and
- (4) Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

#### 4.2 DESIGNATION OF THE WATERMASTER

The Watermaster is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

#### 4.3 DUTIES AND RESPONSIBILITIES OF THE WATERMASTER

Duties of the Watermaster shall include, but not be limited to:

##### 4.3-1 Permit Review

- (1) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- (2) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
- (3) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 5.3(1) are met.

##### 4.3-2 Use of Other Base Flood Data

When base flood elevation data has not been provided in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Watermaster obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Sections 5.2, SPECIFIC STANDARDS, and 5.3 FLOODWAYS.

#### 4.3-3 Information to be Obtained and Maintained

- (1) Where base flood elevation data is provided through the Flood Insurance Study or required as in Section 4.3-2, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- (2) For all new or substantially improved floodproofed structures:
  - (i) verify and record the actual elevation (in relation to mean sea level), and
  - (ii) maintain the floodproofing certifications required in Section 4.1(3).
- (3) Maintain for public inspection all records pertaining to the provisions of this ordinance.

#### 4.3-4 Alteration of Watercourses

- (1) Notify adjacent communities and the Department of Water Resources, State of Idaho prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- (2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

#### 4.3-5 Interpretation of FIRM Boundaries

Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 4.4.

### 4.4 VARIANCE PROCEDURE

#### 4.4-1 Appeal Board

- (1) The City Council as established by Idaho City shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- (2) The City Council shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Watermaster in the enforcement or administration of this ordinance.
- (3) Those aggrieved by the decision of the City Council, or any taxpayer, may appeal such decision to the Magistrate Court of the Fourth Judicial District of the State of Idaho.
- (4) In passing upon such applications, the City Council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:

- (i) the danger that materials may be swept onto other lands to the injury of others;
  - (ii) the danger to life and property due to flooding or erosion damage;
  - (iii) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (iv) the importance of the services provided by the proposed facility to the community;
  - (v) the necessity to the facility of a waterfront location, where applicable;
  - (vi) the availability of alternative locations for the proposed use of which are not subject to flooding or erosion damage;
  - (vii) the compatibility of the proposed use with existing and anticipated development;
  - (viii) the relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
  - (ix) the safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (x) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
  - (xi) the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (5) Upon consideration of the factors of Section 4.4-1(4) and the purposes of this ordinance, the City Council may attach such conditions to the granting of variances as it deems necessary to further the purpose of this ordinance.
- (6) The Watermaster shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

#### 4.4-2 Conditions for Variances

- (1) Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (i-xi) in Section 4.4-1(4) have been considered. As the lot size increases the technical justification required for issuing the variance increases.
- (2) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this section.

- (3) Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
- (4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Variances shall only be issued upon:
  - (i) a showing of good and sufficient cause;
  - (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant;
  - (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in Section 4.1-4(4), or conflict with existing local laws or ordinances.
- (6) Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevation should be quite rare.
- (7) Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except 4.4-2(1), and otherwise complies with Sections 5.1-1 and 5.1-2 of the GENERAL STANDARDS.
- (8) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

## SECTION 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION

### 5.1 GENERAL STANDARDS

In all areas of special flood hazards, the following standards are required:

#### 5.1-1 Anchoring

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.



- (2) All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

#### 5.1-2 Construction Materials and Methods

- (1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- (3) Electrical, heating, ventilation, plumbing and air-condition equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

#### 5.1-3 Utilities

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

#### 5.1-4 Subdivision Proposals

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,
- (4) Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).

#### 5.1-5 Review of Building Permits

Where elevation data is not available either through the Flood Insurance Study or from another authoritative source (Section 4.3-2), Applications for building permits shall be reviewed to assure that

proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

## 5.2 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or Section 4.3-2, Use of Other Base Flood Data, the following provisions are required.

### 5.2-1 Residential Construction

- (1) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation.
- (2) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
  - (i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
  - (ii) The bottom of all openings shall be no higher than one foot above grade.
  - (iii) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

### 5.2-2 Nonresidential Construction

New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

- (1) be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- (2) have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- (3) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such

certifications shall be provided to the official as set forth in Section 4.3-3(2).

- (4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in 5.2-1(2).
- (5) Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building constructed to the base flood level will be rated as one foot below that level).

#### 5.2-3 Manufactured Homes

All manufactured homes to be placed or substantially improved within Zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subsection 5.1-1(2).

#### 5.3 FLOODWAYS

Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions apply:

- (1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase flood levels during the occurrence of the base flood discharge.
- (2) If Section 5.3(1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.0, PROVISIONS FOR FLOOD HAZARD REDUCTION.

Passed by the council of the City of Idaho City, Idaho on November 10, 1987.

Approved by the Mayor of the City of Idaho City, Idaho on ~~December~~ <sup>November 18</sup>, 1987. ~~November 10,~~

APPROVED:

  
Raymond G. Robison, Mayor

ATTEST:

  
City Clerk

ORDINANCE # 200

AN ORDINANCE AMENDING SECTION 20 OF THE IDAHO CITY WATER ORDINANCE #186 TO PROVIDE FOR AN INCREASE IN THE MONTHLY WATER USER CHARGE.

Be it ordained by the mayor and council of the City of Idaho City, Idaho that the Idaho City Water Ordinance, section 20 shall be amended as follows, effective October 22, 1987:

Section 20. WATER USER CHARGES AND CONNECTION FEES: The monthly water user rates for water service in the City, as hereafter developed in accordance with Section 19 of this ordinance, are based on a flat rate as determined by present expenses plus additional capital improvement, depreciation or replacement charges, and operating costs of the water system facilities. Residential homeowners' water user charges will be based on a flat rate charge per dwelling. Multiple living units user charges shall be based on a flat rate per living unit. All other users such as commercial and industrial shall be based on the number of equivalent connections associated with that business. Any change in use shall be subject to application of appropriate fees under this Ordinance. The property owner or agent shall notify the City of any change in use. The user charge system is based on the following:

(A) The water user charge shall be ~~\$7.00~~ \$11.50 per month per equivalent connection.


(B) The water user charge for a portion of a month shall be the same as for a full month, and shall not be prorated except as specified elsewhere in this Ordinance.


(C) An equivalent connection shall be defined as one (1) single dwelling residential unit with approximately twenty-one (21) fixture units as defined in the Uniform Building Code.

(D) The water user charges are based on the following schedule. All other users will require special appraisal and will be computed on an individual basis.

Single Family Residence.....	\$ 7.00	\$11.50
Churches and Lodges.....	\$ 7.00	\$11.50
Restaurants or Bars.....	\$10.50	\$17.25
Restaurant and Bar Combination.....	\$17.50	\$28.75
Laundromat (per washer).....	\$ 3.50	\$ 5.75
Motel, Hotel, Rooming House, etc. (without cooking facilities), per unit.....	\$ 3.50	\$ 5.75
Motel, Hotel, Rooming House, etc. (with cooking facilities), per unit.....	\$ 7.00	\$11.50
Overnight camper or trailer spaces (less than 30 days occupancy), per space.....	\$ 3.50	\$ 5.75
Mobile Homes and Mobile Home Parks, per space	\$ 7.00	\$11.50
Schools.....	\$32.00	\$52.50
Forest Service.....	\$118.90	\$195.00

ATTEST:

  
City Clerk

  
Raymond G. Robison  
Mayor, Idaho City, Idaho

ORDINANCE # 199

AN ORDINANCE AMENDING SECTION 24 OF THE IDAHO CITY SEWER ORDINANCE #183 TO PROVIDE FOR AN INCREASE IN THE MONTHLY SEWER USER CHARGE.

Be it ordained by the mayor and council of the City of Idaho City, Idaho that the Idaho City Sewer Ordinance, section 24 shall be amended as follows, effective October 22, 1987:

Section 20. SEWER USER CHARGES AND CONNECTION FEES: The monthly sewer user rates for sanitary sewer service in the City, as hereafter developed in accordance with Section 23 of this ordinance, are based on a flat rate as determined by present expenses plus additional capital improvement, depreciation or replacement charges, and operating costs of the upgraded sewer and treatment facilities. Residential homeowners' sanitary sewer user charges will be based on a flat rate charge per dwelling. Multiple living units user charges shall be based on a flat rate per living unit. All other users such as commercial and industrial shall be based on the number of equivalent connections associated with that business. Any change in use shall be subject to application of appropriate fees under this Ordinance. The property owner or agent shall notify the City of any change in use. The user charge system is based on the following:


(A) The sanitary sewer user charge shall be ~~ten~~ thirteen dollars (~~\$10.00~~) (\$13.00) per month per equivalent connection.

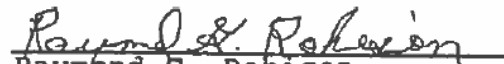
(B) An equivalent connection shall be defined as one (1) single dwelling residential unit with approximately twenty-one (21) fixture units as defined in the Uniform Building Code.

(C) The sewer connection fees and charges are based on the following schedule. All other users will require special appraisal and will be computed on an individual basis.

[No changes to existing schedule]

ATTEST:

  
Justin A. Larkell  
City Clerk

  
Raymond G. Robison  
Mayor, Idaho City, Idaho

ORDINANCE NO. 198

AN ORDINANCE TO BE KNOWN AS THE ANNUAL APPROPRIATION BILL PROVIDING FOR THE APPROPRIATION OF FUNDS TO DEFRAY THE NECESSARY EXPENSES OF THE CITY OF IDAHO CITY, BOISE COUNTY, IDAHO FOR THE PERIOD OF OCTOBER 1, 1987 TO SEPTEMBER 30, 1988.

BE IT ORDAINED BY THE Mayor and the City Council of Idaho City, Idaho:

SECTION I: That there be and is hereby appropriated the total sum of \$900,017.58 out of money in the Treasury of the City of Idaho City, Idaho to defray the necessary expenses of said City from October 1, 1987 to September 30, 1988, for the following purposes:

GENERAL FUND EXPENDITURES:

General Administration	\$ 23,094.58	
Law Enforcement	18,100.00	
Fire Department	3,358.00	
Tax Levy	17,684.00	
Reserve Accounts	<u>3,500.00</u>	
		<u>\$ 65,736.58</u>

SEWER FUND EXPENDITURES

Operation and Maintance	41,212.00	
Federal Grants	200,000.00	
State Grants	415,000.00	
Reserve Accounts	<u>2,000.00</u>	
		<u>\$658,212.00</u>

WATER FUND EXPENDITURES

Operation and Maintance	32,587.00	
State Grant	100,000.00	
Reserve Account	<u>1,232.00</u>	
		<u>\$133,819.00</u>

STREET FUND EXPENDITURES

Operation and Maintance	\$ 28,750.00	
Reserve Account	<u>1,000.00</u>	
		<u>\$ 29,750.00</u>

REVENUE SHARING EXPENDITURES

Public Buildings	\$ 1,000.00	
Miscellaneous	700.00	
Reserve Account	<u>800.00</u>	
		<u>\$ 2,500.00</u>

LIABILITY INSURANCE

\$ 10,000.00	
	<u>\$ 10,000.00</u>



SECTION II

This Ordinance shall take effect and be in full force upon its passage, approval and publication in two (2) issue of the Idaho World. A newspaper of general circulation published within the City of Idaho City and the official newspaper thereof.

PASSED BY THE COUNCIL and approved by the Mayor, this 17<sup>th</sup> day of September, 1987.

APPROVED:

Raymond G. Robison  
Raymond G. Robison Mayor

ATTEST:

Leslie A. Barkell  
Leslie A. Barkell City Clerk/Treasurer

APPROPRIATION ORDINANCE AMENDMENT

ORDINANCE NO. 197

AN ORDINANCE OF THE CITY OF IDAHO CITY, IDAHO, AMENDING ORDINANCE NO. 192, THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1986 AND ENDING SEPTEMBER 30, 1987:

APPROPRIATING ADDITIONAL MONIES THAT ARE TO BE RECEIVED BY THE CITY OF IDAHO CITY, IDAHO, IN THE FORM OF A E.P.A., E.D.A., H.U.D., STATE R.V. GRANTS IN THE SUM OF \$223,807.00 AND PROVIDING A EFFECTIVE DATE.

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

SECTION 1. That Ordinance no. 192, the appropriation ordinance for the City of Idaho City, Idaho, for the fical year commencing October 1, 1986, and ending September 30, 1987, be and the same is hereby amended as follows:

THAT THE ADDITIONAL SUM OF \$223,807.00 be appropriated out of the revenues from the E.D.A., E.P.A., H.U.D., State R.V. Grants in the sum of \$223,807.00, to be used for activities authorized by said grants.

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

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho City, Idaho, This 16<sup>th</sup> DAY OF July, 1987.

APPROVED:

Raymond G. Robison  
Raymond G. Robison Mayor

ATTEST:

Leslie A. Barkell  
Leslie A. Barkell City Clerk

ORDINANCE # 196

AN ORDINANCE AMENDING SECTIONS 28 AND 30 OF THE IDAHO CITY WATER ORDINANCE #160 TO PROVIDE FOR THE COLLECTION OF WATER USER CHARGES; FOR THE APPLICATION OF PAYMENTS; AND FOR PENALTIES INCLUDING TERMINATION OF SERVICE IN THE EVENT OF DELINQUENCY OF PAYMENT.

Be it ordained the by mayor and council of the city of Idaho City, Idaho that the Idaho City Water Ordinance, sections 28 and 30 shall be amended as follows, effective \_\_\_\_\_:

Section 28. MONTHLY USER CHARGES; WHEN DUE AND PAYABLE; APPLICATION OF PAYMENTS: All monthly water charges shall be due and payable from the owner to the City Clerk within fifteen days of the issuance of the bill for services. In the case of new construction, a monthly charge will begin when the service connection has been inspected and approved or when the building being served is substantially completed, whichever is the latest date. Upon the water user's failure to pay the monthly charges within fifteen days as prescribed, the water bill will be considered delinquent. A water user may obtain an extension of the specified time for payment from fifteen days to thirty days upon certification in writing to the City Clerk that payment within the time specified creates a hardship due to the particular date on which he or she receives funds. A water user's payment will be applied first to the oldest balance of that customer's account.

\* \* \*

Section 30. DELINQUENCY NOTICE; PENALTIES FOR NONPAYMENT; TERMINATION OF SERVICE: If a water user has not paid his monthly charges within fifteen days of issuance of the bill for service

as required by Section 28 above, it shall be deemed delinquent and a penalty charge of ONE DOLLAR \$1.00 or ten percent 10% of charges due, whichever is greater, shall be added to the water user's charges. In the event of a delinquent account, the city may then proceed with any or all of the following courses of action which the City in its discretion determines to be appropriate:

(A) TERMINATION OF SERVICE; If the amount of the water user's delinquent account is equal to or greater than the lesser of \$25 or two monthly service charges, then pursuant to Rule 3.1 of the Idaho Public Utilities Commission Rules of Customer Relations -- Gas, Electric & Water (a copy of which may be examined upon request to the City Clerk) the City may provide the water user with written notice that the city intends to terminate running water service to the user, which notice must be mailed at least seven calendar days prior to termination and which notice shall include the following information: that the grounds for termination are nonpayment of delinquent bills; the date for termination; actions the water user may take to avoid or delay termination including filing of a physician's certificate as to the existence of a medical emergency or the filing of an informal or formal complaint concerning the termination with the Idaho Public Utilities Commission; and a statement of the City's willingness to make payment arrangements to assist customers having difficulty paying their utility bill. Upon such notice and an additional diligent attempt by the City to provide oral notice of termination to the water user at least 24 hours prior

to actual termination, the city may terminate running water service to the water user. Water service will be restored upon payment in full of the water user's delinquent account or when agreement is reached as to a payment arrangement.

(B) LIEN; In the event of delinquency, the City shall notify the water user of the delinquency (in the event the City elects to terminate service under subsection (A) above, such written notice of intent to terminate shall also serve as a delinquency notice under this provision) and if the charges are not paid within ten (10) days after the delinquency notice, an additional penalty of ONE DOLLAR AND FIFTY CENTS (\$1.50) or fifteen percent (15%) of charges due, whichever is greater, will be added to the account. All delinquent charges or fees, as provided by this Ordinance, not paid after the final determination of the water user's account shall be imposed as a lien against and upon the property or premises against which such charge or fee is levied or assessed, and the Clerk shall certify such delinquencies together with all penalties to the Tax Collector of Boise County, Idaho and when so certified the same shall be a lien upon the property and will be collectable as other taxes.

(C) RESTRICTIONS ON FUTURE SERVICE; The owner of any property leaving a delinquency in water fees at any location shall not be entitled to the use of the water system at any new location until all fee delinquencies are paid.

This Ordinance shall be in full force and effect from and after its passage,  
approval and publication according to law.

PASSED AND APPROVED THIS 9<sup>th</sup> DAY OF June, 1987.

CITY OF IDAHO CITY, a municipal  
corporation of the State of Idaho

By: Raymond H. Robinson  
MAYOR

ATTEST:

Leslie A. Barkell  
CITY CLERK

PUBLISHED: June 17, 1987

ORDINANCE NO. 195

AN ORDINANCE FOR THE CITY OF IDAHO CITY, A MUNICIPAL CORPORATION OF IDAHO; PROVIDING DEFINITIONS; PROVIDING FOR THE ESTABLISHMENT OF THE HISTORIC PRESERVATION COMMISSION; PROVIDING FOR DUTIES AND FUNDING FOR THE SAID COMMISSION; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Chapter 46 of Title 67 of the Idaho Code empowers cities to make provisions for the identification and preservation of historic sites; and,

WHEREAS, the City Council of the City of Idaho City deems it in the best interest of the community to establish a historic preservation ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO CITY THAT AN ORDINANCE BE, AND THE SAME HEREBY IS, ENACTED WHICH SHALL READ AS FOLLOWS:

SECTION I: PURPOSE:

The purpose of this ordinance is to promote the educational, cultural, economic and general welfare of the public of the City of Idaho City through the identification, evaluation, designation, and protection of those buildings, sites, areas, structures, and objects which reflect significant elements of the City's, the state's, and the nation's historic, architectural, archaeological, and cultural heritage.

## SECTION II: DEFINITIONS:

The following words and phrases when used in this Ordinance shall have, unless the context clearly indicates otherwise, the following meanings:

City. The City of Idaho City.

Commission. The Historic Preservation Commission of the City of Idaho City.

Historic property. Any building, structure, area or site that is significant in the history, architecture, archaeology or culture of this community, the state, or the nation.

Historic preservation. The research, documentation, protection, restoration and rehabilitation of buildings, structures, objects, districts, areas, and sites significant in the history, architecture, archaeology or culture of this state, its communities or the nation.

## SECTION III: HISTORIC PRESERVATION COMMISSION:

(1) There is hereby created a Historic Preservation Commission which shall consist of five members who shall be appointed by the Mayor with the advice and consent of the Council.

(2) All members of the Commission shall have a demonstrated interest, competence, or knowledge in history or historic preservation. The Mayor and Council shall endeavor in good faith to appoint at least two (2) members with professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, law, or other historic preservation related disciplines.

(3) Initial appointments to the Commission shall be made as follows: One (1) one-year term; two (2) two-year



terms; two (2) three-year terms. All subsequent appointments shall be made for three (3)-year terms. Commission members may be reappointed to serve additional terms. Vacancies shall be filled in the same manner as original appointments and the appointee shall serve for the remainder of the unexpired term.

SECTION IV: ORGANIZATION, OFFICERS, RULES, MEETINGS:

(1) The Commission shall have the power to make whatever rules are necessary for the execution of its duties as set forth in this Ordinance. Rules of procedure and bylaws adopted by the Commission shall be available for public inspection.

(2) The Commission shall elect officers from among the Commission members. The chairman shall preside at meetings of the Commission. The vice chairman shall, in the absence of the chairman, perform the duties of the chairman.

(3) All meetings of the Commission shall be open to the public, and follow the requirements of Idaho's open meeting laws. The Commission shall keep minutes and other appropriate written records of its resolutions, proceedings, and actions.

(4) The Commission may recommend to the Council, within the limits of its funding, the employment of or the contracting with other parties for the services of technical experts or other persons as it deems necessary to carry on the functions of the Commission.

SECTION V: POWERS, DUTIES, AND RESPONSIBILITIES:

The Commission shall be advisory to the Council and shall be authorized to:

- (1) Conduct a survey of local historic properties.
- (2) Recommend the acquisition of fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequests, or donation.
- (3) Recommend methods and procedures necessary to preserve, restore, maintain and operate historic properties under the ownership or control of the City.
- (4) Recommend the lease, sale, other transfer or disposition of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property.
- (5) Contract, with the approval of the Council, with the state or federal government, or any agency of either, or with any other organization.
- (6) Cooperate with the federal, state, and local governments in the pursuance of the objectives of historic preservation.
- (7) Make recommendations in the planning processes undertaken by the county, the city, the state, or the federal government and the agencies of these entities.
- (8) Recommend ordinances and otherwise provide information for the purposes of historic preservation in the City.

(9) Promote and conduct an educational and interpretive program on historic preservation and historic properties in the City.

(10) Commission members, employees or agents of the Commission may enter private property, buildings, or structures in the performance of its official duties only with the express consent of the owner or occupant thereof.

(11) Review nominations of properties to the National Register of Historic Places for properties within the City's jurisdiction.

SECTION VI: SPECIAL RESTRICTIONS:

Under the provisions of Idaho Code 67-4612, the City may provide by ordinances, special conditions or restrictions for the protection, enhancement and preservation of historic properties.

SECTION VII: SEPARABILITY:

If any section, subsection, sentence, clause or phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION VIII: EFFECTIVE DATE:

This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED AND APPROVED this 24<sup>th</sup> day of March, 1987.

CITY OF IDAHO CITY, a municipal  
corporation of the State of Idaho

By: Raymond G. Robinson  
Mayor

ATTEST:

Suzie A. Barkell  
City Clerk

PUBLISHED: April 15, 1987

CITY OF IDAHO CITY  
ORDINANCE NO. 194

AN ORDINANCE OF THE CITY OF IDAHO CITY, IDAHO, AMENDING ORDINANCE NO. 168, AS AMENDED BY ORDINANCE NO. 181, BY INCREASING THE INITIAL FEE AND RENEWAL FEE FOR OBTAINING A BUSINESS LICENSE FROM \$10.00 TO \$20.00.

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

SECTION 1. That Ordinance No. 168, as amended by Ordinance No. 181 of the City of Idaho City, be, and the same hereby is, AMENDED to read as follows:

SECTION 5. LICENSE FEE:

1. Subject to Council approval, the license issued by the Clerk shall be for the remainder of the calendar<sup>year</sup> in which the license is first issued, subject to revocation as provided below.

2. During December of each year, licensee shall submit a renewal application to the Clerk upon a form provided by the Clerk, for licenses for the next calendar year. Renewal license fee shall be ~~\$10.00~~ \$20.00.

3. The initial license issued to licensee pursuant to this Ordinance shall be for the period from date of issuance to December 31, <sup>of that same Calendar Year;</sup> ~~1982~~, and fee for same shall be ~~\$10.00~~ \$20.00.

SECTION 2. SEVERABILITY. The provisions of this ordinance are hereby declared to be severable and if any provisions of this ordinance or the application of such provision to any person or

circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. EFFECTIVE DATE.

This ordinance shall be and hereby is declared to be in full force and effect upon its passage, approval and publication as provided by law.

PASSED By the Council: December 19, 1986.

APPROVED By the Mayor: December 19, 1986.

Ramond G. Robison  
Mayor, City of Idaho City

ATTEST:

Leslie A. Barkell  
City Clerk

CITY OF IDAHO CITY, IDAHO  
ORDINANCE NO. 195

AN ORDINANCE OF THE CITY OF IDAHO CITY, IDAHO, AMENDING ORDINANCE NO. 176 OF THE CITY OF IDAHO CITY (FIVE PERCENT MUNICIPAL NON-PROPERTY TAX), PROVIDING FOR THE INITIAL ISSUANCE AND ANNUAL RENEWAL OF A MUNICIPAL NON-PROPERTY TAX PERMIT, SETTING FORTH CONDITIONS OF RENEWAL, PROVIDING FOR THE LIABILITY OF SUCCESSORS, PROVIDING FOR PAYMENT OF ALL MUNICIPAL NON-PROPERTY TAXES AS A CONDITION FOR ISSUANCE OF AN INITIAL PERMIT, PROVIDING THAT VIOLATIONS OF THE ORDINANCE ARE MISDEMEANORS, PROVIDING FOR THE SUSPENSION OR REVOCATION OF MUNICIPAL NON-PROPERTY TAX PERMITS FOR VIOLATIONS OF THE ORDINANCE, PROVIDING FOR THE SUSPENSION OR REVOCATION OF LICENSES FOR THE RETAIL SALE OF BEER, WINE OR LIQUOR FOR VIOLATIONS OF THE ORDINANCE, PROVIDING A SEVERABILITY CLAUSE AND FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and City Council of the City of Idaho City, Boise County, Idaho;

SECTION 1. That Section 8 of Ordinance No. 176 of the City of Idaho City be, and the same hereby is, AMENDED to read as follows:

SECTION 8. PERMITS--ISSUANCE--RENEWAL--CONDITIONS OF RENEWAL.

(a) Every person desiring to engage in or conduct business of renting a hotel-motel room, and/or selling liquor-by-the-drink within this City shall file with the City Clerk an application for a municipal non-property tax permit for each place of business. A separate permit is required for each place of business within the City. Every application for said permit shall be made upon a form prescribed by the City Clerk and shall set forth the name under which the application transacts or intends to transact business, the location of the business or places of business, and such other information as the City Clerk may require. The application shall be signed by the owner, if he is a natural person; or in the case of an association or partnership, by a member or partner; in the case of a corporation, by an executive officer or other person authorized by the corporation to sign the application. Initial permits shall be issued upon completion of the application and payment of a Ten Dollar (\$10.00) application fee for each permit sought. Permits shall expire on December 31 of each year and be renewed annually on or before expiration.

(b) Upon filing an application meeting the requirements as set out above, the City Clerk shall issue to each applicant a permit for each place of business. A permit shall not be assignable, and shall be valid only for the person in whose name it is issued and for the transaction of business at the place designated therein. It shall at

all times be conspicuously displayed at the location for which it was issued. Issuance of a permit may be subject to additional requirements as set forth in this ordinance.

(c) On the face of the permit shall be fixed a municipal tax number which shall be used by the applicant as an identifying number on all filing, payment and correspondence with regard to the non-property tax imposed under this ordinance.

(d) Renewal of any municipal non-property tax permit required under this ordinance, together with renewal of municipal licenses for the retail sale of beer, wine or liquor-by-the-drink shall be subject to such conditions as may be imposed by the City Council, including payment of any and all municipal non-property taxes due under this ordinance through and including the date the permit and licenses are renewed or such other date as may be established by the City Council.

SECTION 2. That Section 17 of Ordinance No. 176 of the City of Idaho City be, and the same hereby is, AMENDED to read as follows:

SECTION 17. SUCCESSOR'S LIABILITY-- PROPERTY OWNERS' LIABILITY.

(a) If a vendor liable for any amount of tax under this ordinance sells out his business or stock in goods or otherwise discontinues sales, rentals or leases under this ordinance the vendee, other successor in interest or owner of the real property generating the tax imposed hereunder shall make an inquiry to the City Clerk and withhold from the purchase, lease or rental price or any other amounts paid to or due the vendor any amount of tax that may be due under this ordinance until such time as the vendor produces receipt stating that no amount is due.

(b) If the purchaser, lessee or other successor in interest of business or stock of goods fails to withhold from the purchase, lease or rental price as above required, he is personally liable for the payment of the amount required to be withheld by him to be extended as purchase price valued in money.

(c) Issuance of an initial permit as provided in Section 8 of this ordinance as well as the initial issuance of any license required by the City for the retail sale of beer, wine or liquor-by-the-drink shall be conditioned upon receipt by the City of all municipal non-property taxes due hereunder and generated by any predecessor in interest or business operating from the same premises as the applicant for the initial permit.

SECTION 3. That Section 19 of Ordinance No. 176 of the City of Idaho City be, and the same hereby is, AMENDED to read as follows:



SECTION 19. PENALTIES-- VIOLATION A MISDEMEANOR--SUSPENSION OR REVOCATION OF MUNICIPAL NON-PROPERTY TAX PERMIT, RETAIL LICENSES FOR BEER, WINE AND LIQUOR.

(a) Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, punishable by up to six (6) months in the county jail, and/or Three Hundred Dollars (\$300.00) fine, or both. Furthermore, each month in which a person fails to report, or wilfully fails to accurately compute, or wilfully fails to accurately disclose the total amount of sales or rentals or the amount of tax to be paid, as imposed under this ordinance, shall be considered a separate offense.

(b) Any person who violates any provision of this ordinance shall have his municipal non-property tax permit suspended or revoked. The City Clerk upon determining that a violation of this ordinance has occurred, shall send written notice of suspension or revocation of said permit and tax number to the permit holder by mailing same certified mail to the address given on the permit application. The permit holder shall have ten (10) days from the date said notice is mailed to file a written request of appeal with the City Council, challenging said suspension or revocation. If no appeal is timely made said suspension or revocation becomes final. Whenever a person subject to this ordinance has had said permit and tax number suspended or revoked, the City Clerk shall not re-issue said permit nor issue a new permit to said person until person places with the City Clerk a bond or other sufficient security in the amount equal to three (3) times the actual, determined or estimated average monthly amount of tax payable by such person pursuant to this ordinance.

(c) The City Clerk, whenever it is deemed necessary to insure compliance with this ordinance, may require any person subject to this ordinance to place with it such security as it may determine. The amount of said security shall not be greater than three (3) times the estimated average monthly amount payable by such persons pursuant to this ordinance. The amount of the security may be increased or decreased by the City Clerk at any time, subject to the limitations set forth above.

(d) Any person who violates any provision of this ordinance shall have all municipal beer license(s), and wine license(s), and retail liquor-by-the-drink license(s) suspended or revoked.

(e) Any amount of tax due under this ordinance for which a person fails to report or accurately compute shall become a lien upon the property of said taxpayer or on the real property generating said tax on the date that the same becomes due, and the City may seek to enforce said lien and collect all taxes and interest due together with the reasonable costs of collection, including attorney fees, in a court of competent jurisdiction.

(f) For the purposes of proper administration of this ordinance, and to prevent evasion of said non-property taxes, the burden of proving that a sale of liquor-by-the-drink or rental of a hotel-motel room is not a sale under this ordinance is upon the person who makes the sale or rental in question.


SECTION 4. SEVERABILITY. The provisions of this Ordinance are hereby declared to be severable and if any provisions of this ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective upon its passage, approval and publication in the manner provided by law.

PASSED by the City Council and APPROVED by the Mayor this  
9th day of December, 1986.

  
\_\_\_\_\_  
Raymond G. Robison  
Mayor

ATTEST:

  
\_\_\_\_\_  
Leslie Barkell  
City Clerk

ORDINACE NC. 192

AN ORDINACE TO BE KNOWN AS THE ANNUAL APPROPRIATION BILL PROVIDING FOR THE APPROPRIATION OF FUNDS TO DEFRAY THE NECESSARY EXPENSES OF THE CITY OF IDAHO CITY, IDAHO, FOR THE PERIOD FROM OCTOBER 1, 1986 TO SEPTEMBER 30, 1987.

BE IT ORDAINED BY THE Mayor and the City Council of Idaho City, Idaho:

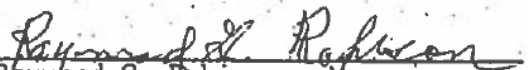
SECTION I: That there be and is hereby appropriated the total sum of \$152,568.00 out of any money in the Treasury of the City of Idaho City, Idaho to defray the necessary expenses of said City of October 1, 1986 to September 30, 1987, for the following purpose:

GENERAL FUND	\$ 22,365.00
LAW ENFORCEMENT	18,100.00
FIRE DEPARTMENT	4,648.00
STREET DEPARTMENT	29,750.00
FEDERAL/STATE GRANTS	8,500.00
SEWER FUND	33,150.00
WATER FUND	24,455.00
LIABILITY INSURANCE	10,000.00
RESERVE FUND	<u>1,600.00</u>
TOTAL	\$ 152,568.00

SECTION II: This Ordinance shall be in full force and effect from the date of its passage and Publication.

Passed by the City Council of the City of Idaho City, Idaho 27<sup>th</sup> day of September, 1986.

APPROVED:

  
Raymond G. Robison Mayor

ATTEST:

  
Leslie A. Barkell City Clerk

CITY OF IDAHO CITY

ORDINANCE NO. 191

AN ORDINANCE OF THE CITY OF IDAHO CITY, IDAHO, SETTING FORTH LEGISLATIVE FINDINGS REGARDING THE CITY'S ACCEPTANCE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND ECONOMIC DEVELOPMENT ADMINISTRATION FUNDS AND ACCEPTING A RECORD OF SURVEY FOR MAIN STREET WITHIN IDAHO CITY AND DETERMINING THE WIDTH OF MAIN STREET AS ESTABLISHED IN THAT RECORD OF SURVEY PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and City Council of the City of Idaho City, Idaho:

SECTION 1. STATEMENT OF LEGISLATIVE INTENT. The City of Idaho City is the recipient of funds both from the Community Development Block Grant program and the Economic Development Administration for the purposes of remodeling and restoring the City Hall, construction of Rupert Thorne Park and a visitors' center at the park, construction and replacement of boardwalks, improvement of the City's subsurface drainage and placement of numerous informational signs throughout the City. As a part of the construction and replacement of the boardwalks within the City, the City, through its project engineers, determined that it was necessary to establish the actual alignment and width of Main Street in Idaho City, as Main Street is shown on the 1915 Filing Plat for Idaho City, which plat is recorded as Instrument No. \_\_\_\_\_, records of Boise County, Idaho. Accordingly, the City authorized the preparation of a Record of Survey, which survey is entitled Record of Survey for the City of Idaho City Main Street Right of Way and recorded as Instrument No. 121401, records of Boise County, Idaho. Said survey establishes the width of Main Street in Idaho City as 66.0'.

SECTION 2. ACCEPTANCE OF RECORD OF SURVEY. Based upon the above facts, the City of Idaho City hereby accepts in all respects the above-reference Record of Survey and in particular the determination as set forth on that survey that the width of Main Street in Idaho city, as shown on the survey is 66.0' and all future easements, right-of-way, encroachments, licenses and the like for that portion of Main Street included with the Record of Survey shall be based upon that Record of Survey.

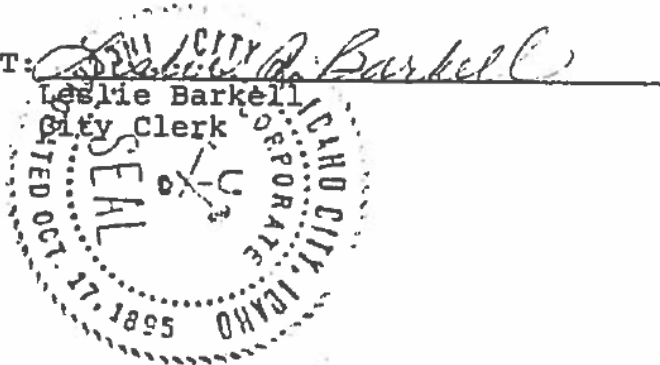
SECTION 3. SEVERABILITY. The provisions of this ordinance are hereby declared to be severable and if any provisions of this ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective upon its passage, approval and publication in the manner provided by law.

PASSED by the City Council and APPROVED by the Mayor this  
28 day of July, 1986.

Raymond G. Robison  
Raymond G. Robison  
Mayor

ATTEST:



Boise County Idaho ss  
Request of

LESLIE BARKELL

Time 14:30 M. T.

Date 8/7/86

121258

Arlene C. Kolar

By Wonna E. Roddy  
Deputy

Fee \$4.00