

BY THE COUNCIL: BAILEY, BROGAN, ESTELL, JACKSON and JONES

AN ORDINANCE OF THE CITY OF IDAHO CITY, IDAHO, PROVIDING FOR THE RETAIL SALE OF WINE IN ACCORDANCE WITH CHAPTER 156 SESSION LAWS, FIRST REGULAR SESSION FORTY-FIRST LEGISLATURE, STATE OF IDAHO, BY PROVIDING DEFINITIONS; REQUIRING A CITY LICENSE; DEFINING THE QUALIFICATIONS OF A LICENSEE; ESTABLISHING THE LICENSE FEE; SETTING RESTRICTIONS ON TRANSFER OF LICENSES; REGULATING PLACES OF CONSUMPTION; SETTING FORTH CONDITIONS OF POSSESSION; PROHIBITING MISREPRESENTATION OF AGE FOR PURPOSES OF SALE, CONSUMPTION OR POSSESSION; PROHIBITING PERSONS FROM DRIVING UPON A PUBLIC HIGHWAY OR STREET WHILE CONSUMING OR IN POSSESSION OF AN OPEN CONTAINER OF WINE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The following terms as used in this act are hereby defined as follows:

(a) "Wine" shall mean any alcoholic beverage containing not more than fourteen percent (14%) alcohol by volume obtained by the fermentation of the natural sugar content of fruits or other agricultural products containing sugar.

(b) "Commissioner" means the commissioner of law enforcement of the State of Idaho

(c) "Retail Wine License" means a license issued by the commissioner, authorizing a person to sell wine at retail.

(d) "Retailer" means a person to whom a retail wine license has been issued.

(e) "Person" includes an individual, firm, copartnership, association, corporation, or any group or combination acting as a unit, and includes the plural as well as the singular unless the intent to give a more limited meaning is disclosed by the context in which it is used.

SECTION 2. LICENSE REQUIRED: It shall be lawful for any person to sell wine at retail within the corporate limits of the city after having first procured a license therefor.

SECTION 3. APPLICATION FOR LICENSE: Application for license shall be in writing, signed and sworn to by the applicant upon application forms furnished by the clerk. Such application shall be filed by the clerk and presented to the

meeting of the council for their approval, rejection, or further consideration.

SECTION 4 QUALIFICATIONS: The applicant for a license shall possess all of the qualifications necessary to obtain a license from the Commissioner of Law Enforcement of the State, as prescribed by the laws of the state, and maintain such qualifications throughout the period for which such license is issued. The possession of licenses regularly issued by the Department of Law Enforcement and the county in addition to a city beer license, shall be prima facie evidence of the applicant's qualifications to receive a license hereunder.

SECTION 5. LICENSE FEE: The license fee imposed and collected shall be the sum of FIFTY DOLLARS (\$50.00) per year. Such license year shall be from 12:01 A.M. January 1 thru December 31, provided, however, should a license be issued for less than a full calendar year, the license fee shall be prorated in accordance with the actual months of issuance.

SECTION 6. ISSUANCE OF LICENSE: Upon filing the application for a license and production of evidence as required by section 4 herein as to the qualifications of the applicant and by the payment of the required license fee, the clerk shall upon approval of the council, issue to the applicant a license to sell wine at retail within the municipality for such calendar year or the remainder thereof.

SECTION 7. LICENSE RESTRICTIONS: The assignment or transfer of a wine license shall be the same as provided by section number 1 of ordinance number 51-A for the assignment or transfer of a beer license.

SECTION 8. CONSUMPTION ON PREMISES: Retailers who do not possess a valid license for the retail sale of liquor by the drink shall not permit consumption of wine on the licensed premises and may sell the wine only in its original unbroken, sealed container. Wine sold for consumption on the retailer's premises may be sold only during hours that liquor by the drink may be

SECTION 8. (Continued) sold pursuant to the laws of this state. Wine sold by the retailer for consumption off the premises of the retailer may be sold only during the hours that beer may be sold pursuant to the laws of this state.

SECTION 9. POSSESSION: No person may, while operating or riding in or upon a motor vehicle upon a public highway of this state, have in his possession any wine in an open or unsealed container of any kind.

SECTION 10. MISREPRESENTATION OF AGE: (a) No person under the age of twenty-one (21) years may purchase, consume or possess wine.

(b) No person shall give, sell, or deliver wine to any person under the age of twenty-one (21) years.

(c) No person under the age of twenty-one (21) years shall by any means represent to any retailer or distributor or to any agent or employee of such retailer or distributor that he or she is twenty-one (21) years or more of age for the purpose of inducing such retailer or distributor, or his agent or employee, to sell, serve, or dispense wine to such person.

(d) No person shall, by any means, represent to any retailer or distributor or the agent or employee of such retailer or distributor, that any other person is twenty-one (21) years or more of age, when in fact such other person is under the age of twenty-one (21) years, for the purpose of inducing such retailer or distributor, or the agent or employee of such retailer or distributor, to sell, serve, or dispense wine to such other person.

SECTION 11. REVOCATION OF LICENSE: The right shall be and remain at all times vested in the mayor and council, and the mayor and council may, as hereinafter provided revoke or cancel any license for fraud or mis-representation in its procurement, or for a violation of any of the provisions of this

SECTION 11. (continued) ordinance, or for any conduct or act of the licensee or his employees or any conduct or act permitted by him or them on the premises where such business is conducted, or in connection therewith or adjacent thereto, tending to render such business or such premises where the same is conducted a public nuisance or a menace to the health, peace, safety or general welfare of the city; provided, that revocation or suspension of the state license by the Commissioner of Law Enforcement shall be deemed prima facie evidence for revocation or suspension of the license issued herein.

SECTION 12. PENALTY: Any person who violates any of the provisions of this act or fails to comply with any of the terms and conditions of this act shall be guilty of a misdemeanor.

SECTION 13. SEVERABILITY: The provisions of this act are hereby declared to be severable and if any provision of this act 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 act.

SECTION 14. This ordinance shall be in full force and effect the 13<sup>th</sup> day of July, 1971

Passed by the Council July 13, 1971

Approved by the Mayor July 15, 1971

Attest:

Norm D. Jackson  
Mayor, City of Idaho City

Russell D. Prince  
City Clerk

AN ORDINANCE ANNEXING CERTAIN LANDS AND TERRITORY TO THE CORPORATE LIMITS OF IDAHO CITY, WHICH LANDS AND TERRITORY ARE SITUATE IN BOISE COUNTY, IDAHO, AND ARE ADJACENT OR CONTIGUOUS TO IDAHO CITY, SAID LANDS AND TERRITORY BEING GENERALLY DESCRIBED OR REFERRED TO AS PROPERTY ALONG THE EASTERLY BOUNDARY AND WESTERLY BOUNDARY OF SAID IDAHO CITY; PROVIDING THAT A COPY OF THIS ORDINANCE BE FILED WITH THE COUNTY ASSESSOR AND COUNTY RECORDER OF BOISE COUNTY, STATE OF IDAHO, AND WITH THE STATE TAX COMMISSION OF IDAHO; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

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

Section 1. That the following described lands and territory which has heretofore been sold or begun to be sold in tracts, containing not more than five (5) acres each, and which lands and territory lie contiguous and adjacent to the corporate limits of Idaho City be, and the same are hereby, annexed to the corporate limits of Idaho City, and by such annexation the said territory and all lands included therein, are hereby annexed and included within the territorial limits of Idaho City, being described as follows, to wit:

Property along East Boundary of Townsite:

Beginning at the northeast corner of the Idaho City Townsite as now established, the same being the Northeast corner of the southeast quarter of the northwest quarter of Section 26, Township 6 North, Range 5 East, Boise Meridian, Boise County, State of Idaho;

thence north 0°08'40" west 20.0 feet to a point;  
thence north 89°51'20" east 200.00 feet to a point;  
thence south 0°08'40" east 818.66 feet to a point;  
thence north 78°02'30" east 14.51 feet to a point;  
thence south 6°50'20" west 233.1 feet to a point;  
thence south 19°47'30" east 88.05 feet to a point;  
thence south 84°27'40" east 158.07 feet to a point;  
thence south 72°36'40" east 176.93 feet to a point;  
thence south 4°40' east 177.39 feet to a point;  
thence south 89°51'20" west 348.37 feet to a point;  
thence south 14°21'00" east 98.01 feet to a point;  
thence south 0°06'20" west 225.05 feet to a point;  
thence south 22°59'50" west 80.00 feet to a point;  
thence east 185.00 feet to a point;  
thence south 70.00 feet to a point;

thence south 22°59'50" west 37.38 feet to a point;  
thence south 06°42'30" west 187.73 feet to a point;  
thence south 18°10'00" east 318.00 feet to a point;  
thence south 15°15'00" west 220.00 feet to a point;  
thence south 85°50'00" west 172.03 feet to a point;  
thence north 0°08'40" west along the west boundary  
of said Idaho City Townsite, 2,567.01 feet to the  
Point of Beginning.

Property along West Boundary of Townsite:

Beginning at the Southwest corner of the Idaho City Townsite as now established, the same being the Southwest corner of the northeast quarter of the southwest quarter of Section 26, Township 6 North, Range 5 East, Boise Meridian, Boise County, State of Idaho, and also corner No. 12 of the Elk Creek Placer, Tract B, U.S. Mineral Survey No. 1483;  
thence run south 88°30' West 477.18 feet to line 8-9 of said Elk Creek Placer;  
thence run north 9°43' east 2,289.13 feet, more or less, to corner No. 8 of said Elk Creek Placer;  
thence north 28°59' east 154.1 feet to corner No. 7 of said Elk Creek Placer; thence south 0°15' east along the west boundary of the Idaho City Townsite, which is also the west boundary of the southeast quarter of the northwest quarter of said Section 26, 1,063.3 feet to a point; thence south 0°31' east along the west boundary of the Idaho City Townsite, which is also the west boundary of the northeast quarter of the southwest quarter of said Section 26, 1,313.5 feet to the Point of Beginning.

Section 2. That from and after the effective date of this Ordinance, all property included within the boundaries of the territory described in Section 1 hereof, and annexed to Idaho City as provided by Section 1, and all persons residing therein shall be subject to all statutes pertaining to Idaho City and all ordinances, police regulations, taxation and other powers of Idaho City, and all persons within the said territories annexed shall be and are entitled to all rights and benefits as are other persons residing within the corporate limits of Idaho City.

Section 3. The City Clerk of Idaho City is hereby directed to file immediately after the passage and approval hereof a copy of this ordinance with the State Tax Commission and a copy with the County Recorder of Boise county, as provided by Sections 63-2215 and 50-223, Idaho Code, and this

PASSED by the Council of Idaho City, Idaho, this  
13<sup>th</sup> day of April, 1971.

APPROVED by the Mayor of Idaho City, Idaho, this  
13<sup>th</sup> day of April, 1971.

APPROVED:

Roger B. Jackson  
MAYOR

ATTEST:

Ruth H. Prince  
City Clerk



SCALE — 1" = 200'

PREPARED FROM FIELD SURVEYS  
& DESCRIPTIONS OF RECORD



PRICE: 15.00 DOLLARS

100 DOLLARS - FIVE DOLLARS

REV. A - CORRECTED WEST DES.  
26 DEC 70

PROPOSED ANNEXATION - 1970

SE  $\frac{1}{4}$  NW  $\frac{1}{4}$

ORIGINAL

IDAHO CITY

TOWNSITE

ANNEXATION - 1970

PROPOSED

NE  $\frac{1}{4}$  SW  $\frac{1}{4}$

MAIN ST.

ANNEXATION OF APRIL 17, 1961  
STATE HIGHWAY

PROPOSED ANNEXATIONS  
IDAHO CITY, IDAHO  
SEPTEMBER - 1970

N 700920A

Ordinance #114 - Correcting W. Boundary (4-11-70)



## CITY OF IDAHO CITY

ANNUAL APPROPRIATION ORDINANCE NO. 113

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

SECTION 1. That there should be and is hereby appropriated the total sum of TWENTY-FIVE THOUSAND, FIVE HUNDRED FOUR AND FORTY/100 (\$25,504.40) DOLLARS, out of the monies in the Treasury of the City of Idaho City, State of Idaho for the period from January 1, 1971 to January 1, 1972, for the following purposes:

GENERAL FUND:WATER DEPARTMENT:

Water Master's Salary	\$ 1,200.00	
Labor - Water Dept.	500.00	
Supplies - Water Dept.	550.00	
Power - Pump	<u>875.00</u>	
		\$ 3,125.00
Clerk's Salary	\$ 1,380.00	
Clerk's Supplies	100.00	
General Utilities	742.00	
Gas, Oil, Repairs	150.00	
Bonds - Insurance	370.00	
Printing - Publishing	175.00	
Audit	400.00	
Legal Fees	1,000.00	
Refunds	25.00	
Miscellaneous	152.00	
Salary - Marshal	375.00	
Social Security	187.00	
Capital Outlay	1,000.00	
Emergency Reserve	<u>1,000.00</u>	
		\$ 7,056.00
TOTAL BUDGET GENERAL FUND		\$ 10,181.00

STREET FUND:

Street Labor	\$ 2,400.00	
Extra Labor	900.00	
Street Supplies	520.00	
Gas, Oil, Repairs	1,900.00	
Street Lights - Power	1,275.00	
Insurance	351.40	
Miscellaneous	290.00	
Social Security	187.00	
Capital Outlay	5,000.00	
Emergency Reserve	<u>2,500.00</u>	
TOTAL BUDGET STREET FUND		\$ 15,323.40

SECTION 2. An emergency existing therefore, which emergency is hereby declared to exist, this ordinance shall take effect and be in force from and after the date of its adoption and approval.

ADOPTED AND APPROVED the 9<sup>th</sup> day of February, 1971.

CITY OF IDAHO CITY

By [Signature]  
Mayor

ATTEST:

[Signature]  
City Clerk

BY THE COUNCIL: BAILEY, BROGAN, ESTELLE, JACKSON and JONES

AN ORDINANCE ANNEXING CERTAIN LANDS AND TERRITORY TO THE CORPORATE LIMITS OF IDAHO CITY, WHICH LANDS AND TERRITORY ARE SITUATE IN BOISE COUNTY, IDAHO, AND ARE ADJACENT OR CONTIGUOUS TO IDAHO CITY, SAID LANDS AND TERRITORY BEING GENERALLY DESCRIBED OR REFERRED TO AS PROPERTY ALONG THE EASTERLY BOUNDARY AND WESTERLY BOUNDARY OF SAID IDAHO CITY; PROVIDING THAT A COPY OF THIS ORDINANCE BE FILED WITH THE COUNTY ASSESSOR AND COUNTY RECORDER OF BOISE COUNTY, STATE OF IDAHO, AND WITH THE STATE TAX COMMISSION OF IDAHO; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

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

Section 1. That the following described lands and territory which has heretofore been sold or begun to be sold in tracts, containing not more than five (5) acres each, and which lands and territory lie contiguous and adjacent to the corporate limits of Idaho City be, and the same are hereby, annexed to the corporate limits of Idaho City, and by such annexation the said territory and all lands included therein, are hereby annexed and included within the territorial limits of Idaho City, being described as follows, to wit:

Property along East Boundary of Townsite:

Beginning at the Northeast corner of the Idaho City Townsite as now established, the same being the Northeast corner of the southeast  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of Section 26, Township 6 North, Range 5 East, Boise Meridian, Boise County, State of Idaho;

thence North  $0^{\circ}08'40''$  West 20.0 feet to a point;  
thence north  $89^{\circ}51'20''$  east 200.00 feet to a point;  
thence south  $0^{\circ}08'40''$  east 818.66 feet to a point;  
thence north  $78^{\circ}02'30''$  east 14.51 feet to a point;  
thence south  $6^{\circ}50'20''$  west 233.1 feet to a point;  
thence south  $19^{\circ}47'30''$  east 88.05 feet to a point;  
thence south  $84^{\circ}27'40''$  east 158.07 feet to a point;  
thence south  $72^{\circ}36'40''$  east 176.93 feet to a point;  
thence south  $4^{\circ}40'$  east 177.39 feet to a point;  
thence south  $89^{\circ}51'20''$  west 348.37 feet to a point;  
thence south  $14^{\circ}21'00''$  east 98.01 feet to a point;  
thence south  $0^{\circ}06'20''$  west 225.05 feet to a point;  
thence south  $22^{\circ}59'50''$  west 80.00 feet to a point;  
thence east 185.00 feet to a point;

thence south 70.00 feet to a point;  
thence west 214.71 feet to a point;  
thence south 22°59'50" west 37.38 feet to a point;  
thence south 06°42'30" west 187.73 feet to a point;  
thence south 18°10'00" east 318.00 feet to a point;  
thence south 15°15'00" west 220.00 feet to a point;  
thence south 85°50'00" west 172.03 feet to a point;  
thence north 0°08'40" west along the west boundary  
of said Idaho City Townsite, 2567.01 feet to the  
Point of Beginning.

\* *Valid this  
further by  
Ord. #114*

\* Property along West Boundary of Townsite:

Beginning at the Southwest corner of the Idaho City Townsite as now established, the same being the Southwest corner of the northeast quarter of the southwest quarter of Section 26, Township 6 North, Range 5 East, Boise Meridian, Boise County, State of Idaho, and also corner No. 12 of the Elk Creek Placer Tract B, U. S. Mineral Survey No. 1483; thence run south 88°30' west 477.18 feet to line 8-9 of said Elk Creek Placer;  
thence run north 9°43' east 1,746.86 feet, more or less, to corner No. 8 of said Elk Creek Placer;  
thence north 28°59' east 154.1 feet to corner No. 7 of said Elk Creek Placer; thence south 0°15' west along the west boundary of the Idaho City Townsite, which is also the west boundary of the southeast 1/4 of the northwest 1/4 of said Section 26, 1,063.3 feet to a point;  
thence south 0°31' west along the west boundary of the Idaho City Townsite, which is also the west boundary of the northeast 1/4 of the southwest 1/4 of said Section 26, 1,313.5 feet to the Point of Beginning.

Section 2. That from and after the effective date of this Ordinance, all property included within the boundaries of the territory described in Section 1 hereof, and annexed to Idaho City as provided by Section 1, and all persons residing therein shall be subject to all statutes pertaining to Idaho City and all ordinances, police regulations, taxation and other powers of Idaho City, and all persons within the said territories annexed shall be and are entitled to all rights and benefits as are other persons residing within the corporate limits of Idaho City.

Section 3. The City Clerk of Idaho City is hereby directed to file immediately after the passage and approval.

hereof, a copy of this ordinance with the State Tax Commission and a copy with the County Recorder of Boise County, as provided by Sections 63-2215 and 50-223, Idaho Code, and this ordinance shall take effect September 28, 1970.

PASSED by the Council of Idaho City, Idaho, this 28<sup>th</sup> day of September, 1970.

APPROVED by the Mayor of Idaho City, Idaho, this 28<sup>th</sup> day of September, 1970.

APPROVED:

Roger B. Jackson  
MAYOR

ATTEST:

Ruth H. Prince  
City Clerk

State of Idaho)  
                  ) ss  
County of Boise)

On this 28th day of September, 1970, before me, the undersigned, a notary public in and for said State, personally appeared Roger B. Jackson, Mayor, and Ruth H. Prince, City Clerk, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

John D. Boyer  
Notary Public residing at Idaho City, Idaho

My commission expires August 25, 1974

BY THE COUNCIL: BAILEY, BROGAN, ESTELLE, JACKSON and JONES

AN ORDINANCE AUTHORIZING THE SALE AND CONVEYANCE OF REAL PROPERTY AT AND WITHIN THE BOUNDARIES OF IDAHO CITY IN EXCHANGE FOR REAL PROPERTY AND CASH REPRESENTING FULL VALUE OF THE PROPERTY SO SOLD; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE DEEDS TO THE PURCHASERS IN EXCHANGE FOR SAID REAL PROPERTY AND CASH; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of Idaho City as declared the following lands to be exchanged as surplus lands in Idaho City based upon the finding that it is in the best interests of the City that the following exchange and sale of lands be made and the consideration is adequate;

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

Section 1. That for and in consideration of the transfer and conveyance to Idaho City of the real property described as follows:

All of Block "X" of the townsite of the Village of Idaho City as shown on the official plat of said townsite recorded in the office of the Auditor and Recorder of Boise County, Idaho.

The transfer and conveyance of the below described property to Donald R. Reed and Carlyne E. Reed is hereby authorized and approved, to wit:

Lot 1 of Block 1 of GOLD HILLS SUBDIVISION according to the official plat thereof, filed and recorded in the official records of Boise County, State of Idaho.

Section 2. That for and in consideration of the sum of TWO THOUSAND DOLLARS (\$2,000.00) paid to Idaho City, Idaho, the transfer and conveyance of the below described property to the Mountain States Telephone and Telegraph Company, is hereby authorized and approved, to wit:

Lot 9 of Block 1 of GOLD HILLS SUBDIVISION according to the official plat thereof, filed and recorded in the official records of Boise County, State of Idaho.

Section 3. That the Mayor and City Clerk be, and they hereby are, authorized to respectively execute and attest Warranty Deeds, upon behalf of Idaho City, to Donald R. Reed and Carlyne E. Reed, and Mountain States Telephone and Telegraph Company, a copy of said deeds, marked exhibits "A" and "B" being attached hereto and made a part hereof by reference and attachment.

Section 4. That the transfer and conveyance to the aforementioned parties of the property described in Sections 1 and 2 hereof and in the Warranty Deeds attached hereto, constitutes a release and relinquishment of any interests Idaho City may have in and to the aforesaid property.

Section 5. That an emergency existing thereof, which emergency is hereby declared to exist, this ordinance shall be in full force and effect immediately upon its passage and approval hereof.

PASSED by the Council of Idaho City, Idaho, this 16<sup>th</sup> day of September, 1970.

APPROVED by the Mayor of Idaho City, Idaho, this 16<sup>th</sup> day of September, 1970.

APPROVED:

Roger B. Jackson  
MAYOR

ATTEST:

Ruth H. Prince  
City Clerk

THIS INDENTURE, Made this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord  
one thousand nine hundred and seventy between IDAHO CITY

**Municipal**

a/corporation duly organized and existing under the laws of the State of Idaho

and having its principal office in Idaho at Idaho City in the County of

Boise, party of the first part, and

DONALD R. REED and CARLYNE E. REED, husband and wife

of Idaho City, County of Boise, State of

Idaho parties of the second part,

WITNESSETH, That the said party of the first part, having been hereunto duly authorized by resolution of its Board of Directors, for and in consideration of the sum of

DOLLARS,

lawful money of the United States of America, to it in hand paid by the said part of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all

the following described real estate situated in Idaho City, County of Boise

State of Idaho, to-wit:

Lot 1 of Block 1 of GOLD HILLS SUBDIVISION  
according to the official plat thereof  
filed and recorded in the official records  
of Boise County, State of Idaho.

THIS INDENTURE, Made this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord  
one thousand nine hundred and seventy between IDAHO CITY

**Municipal**

a corporation duly organized and existing under the laws of the State of Idaho

and having its principal office in Idaho at Idaho City in the County of  
Boise, party of the first part, and

MOUNTAIN STATES TELEPHONE AND TELEGRAPH CO.,

of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_  
Idaho party of the second part,

WITNESSETH, That the said party of the first part, having been hereunto duly authorized by resolution of its Board of  
Directors, for and in consideration of the sum of TWO THOUSAND and no/100

DOLLARS,

lawful money of the United States of America, to it in hand paid by the said party of the second part, the receipt  
whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey  
and confirm unto the said party of the second part, and to its heirs and assigns forever, all  
the following described real estate situated in Idaho City, County of Boise

State of Idaho, to-wit:

Lot 9 of Block 1 of GOLD HILLS SUBDIVISION  
according to the official plat thereof,  
filed and recorded in the official records  
of Boise County, State of Idaho.



# Gold Hill Subdivision IN SE 1/4, NW 1/4, SECTION 25 T6N - R5E - B.M. BOISE COUNTY, IDAHO



Table of Curve Data

C	R	Δ	T	L	Chord	Chd. Bearing
6.1	125.00	9°16'34"	10.03	85.02	80.00	N32°35'18"E
6.2	125.00	9°16'34"	10.03	85.02	80.00	N32°35'18"E
6.3	125.00	9°16'34"	10.03	85.02	80.00	N32°35'18"E
6.4	125.00	9°16'34"	10.03	85.02	80.00	N32°35'18"E
6.5	125.00	9°16'34"	10.03	85.02	80.00	N32°35'18"E
6.6	125.00	9°16'34"	10.03	85.02	80.00	N32°35'18"E
6.7	125.00	9°16'34"	10.03	85.02	80.00	N32°35'18"E
6.8	125.00	9°16'34"	10.03	85.02	80.00	N32°35'18"E
6.9	125.00	9°16'34"	10.03	85.02	80.00	N32°35'18"E
6.10	125.00	9°16'34"	10.03	85.02	80.00	N32°35'18"E

## ANNUAL APPROPRIATION

ORDINANCE NO. 110-A

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

SECTION 1. That there should be and is hereby appropriated the total sum of TWENTY-THREE THOUSAND, FIVE HUNDRED EIGHTY THREE AND EIGHTY/100 (\$23,583.80) DOLLARS, out of the monies in the Treasury of the City of Idaho City, State of Idaho for the period from January 1, 1970 to January 1, 1971, for the following purposes:

GENERAL FUND:

## WATER WORKS:

Water Master's Salary	\$ 1,200.00	
Power - Pump	775.00	
Labor - Water Works	350.00	
Supplies - Water Works	<u>450.00</u>	
		\$ 2,775.00
Clerk's Salary	\$ 1,200.00	
Clerk's Supplies	200.00	
General Power	275.00	
Sewer - Com. Hall, City Hall	132.00	
Bond - Insurance	331.80	
Miscellaneous	300.00	
Audit	250.00	
Legal Fees	1,200.00	
Pipe	200.00	
Refunds	25.00	
Printing - Supplies	150.00	
Gas, Oil, Repairs	100.00	
Salary - Marshal	500.00	
Social Security	150.00	
Capital Outlay	1,000.00	
Emergency Funds	<u>\$ 1,000.00</u>	
		\$ 7,013.80
TOTAL BUDGET - GENERAL FUND		\$ 9,788.80

STREET FUND:

Supt. City Maintenance	\$ 3,650.00	
Street Lights	1,050.00	
Street Supplies	575.00	
Gas, Oil, Repairs	650.00	
Insurance	70.00	
Miscellaneous	100.00	
Social Security	200.00	
Capital Outlay	5,000.00	
Reserve - Emergency	<u>\$ 2,500.00</u>	
		\$ 13,795.00

SECTION 2 An emergency existing therefore, which emergency is hereby declared to exist, this ordinance shall take effect and be in force from and after the date of its adoption and approval.

ADOPTED and APPROVED the 10<sup>th</sup> day of February, 1970.

CITY OF IDAHO CITY

ATTEST:

Ruth H. Prince  
City Clerk

By

Roger B. Jackson  
Mayor

AN ORDINANCE TRANSFERRING A PORTION OF UNEXPENDED MONIES IN THE STREET IMPROVEMENT FUND OF THE BUDGET TO THE GENERAL FUND; SETTING FORTH THAT THE FUNDS THEREIN ARE UNENCUMBERED; REQUIRING THE TREASURER TO TRANSFER SAID MONIES TO MEET OUTSTANDING DEMANDS AND LIABILITIES; AND PROVIDING AN EMERGENCY THEREFOR.

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

SECTION 1. Whenever the Council, by appropriate action, during any fiscal year, authorizes and approves an expenditure of monies for a specific purpose, sufficient monies within the appropriate fund shall be set aside and encumbered by which to pay and meet the outstanding obligations, demands and liabilities so authorized and approved.

SECTION 2. That there is sufficient monies within the Street Improvement Fund to pay all of said outstanding obligations, demands and liabilities and, therefore, an unencumbered portion of said fund is deemed unencumbered in the amount of <sup>one</sup> ~~TWO~~ THOUSAND AND NO/100 (<sup>1,000.00</sup> ~~\$2,000.00~~) DOLLARS, and said amount shall be transferred by the Treasurer into the General Fund of the City of Idaho City, State of Idaho.

SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this ordinance shall take effect and be in force from and after the date of its adoption and approval.

ADOPTED and APPROVED this 12<sup>th</sup> day of November, 1969.

CITY OF IDAHO CITY

By Raymond G. Rahn  
Mayor

ATTEST:

Paul H. Prince  
City Clerk

CITY OF IDAHO CITY, BOISE COUNTY, IDAHO

No. 107

AN ORDINANCE

RELATING TO USE OF WATER FROM THE CITY WATER SYSTEM; FIXING PERMISSIBLE TIMES OF USE AND LIMITING THE SAME; PROHIBITING USE FOR SPRINKLING OR IRRIGATION WITHIN CERTAIN HOURS; PROVIDING PENALTIES AND DECLARING AN EMERGENCY.

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

Section 1. Except by express written permission of the City water-master, the drawing of water from the City Water System for sprinkling or irrigation purposes shall be, and the same is prohibited between the hours of 10:00 o'clock P. M. and 6:00 o'clock A. M., from July 1 to October 1 of each year.

Section 2. Violation of this ordinance shall be punished as follows:

(a) The watermaster finding water being drawn in violation hereof may summarily shut off the water at the shut-off supplying the tap or taps in unlawful use; (b) any violation hereof shall be a misdemeanor and any person convicted of such violation shall be punished by fine not to exceed \$100 or by imprisonment not to exceed 30 days, or by both such fine and imprisonment.

Section 3. An emergency existing therefor, which emergency is hereby declared to exist, this ordinance shall be in force and effect beginning on the 17 day of July, 1969.

Passed by the Council July 17, 1969.

Approved by the Mayor July 17, 1969.

Reginald G. Robinson  
Mayor

Gilman Vinton  
City Clerk

AN ORDINANCE DISCONTINUING THE USE OF PRIVY VAULTS AND CESSPOOLS; MAKING IT UNLAWFUL TO USE A SEPTIC TANK AND SUBSURFACE DISPOSAL SYSTEM BY INDIVIDUALS WHERE A PUBLIC SEWER SYSTEM IS AVAILABLE; MAKING CONNECTION TO THE IDAHO CITY SEWER SYSTEM MANDATORY; MAKING IT UNLAWFUL FOR ANY PERSON TO DAMAGE THE PUBLIC SEWER SYSTEM; SETTING FORTH A PENALTY THEREFOR, ALL IN THE CITY OF IDAHO CITY, COUNTY OF BOISE, STATE OF IDAHO, AND PROVIDING AN EMERGENCY

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

WHEREAS, the Council of Idaho City is aware of the serious sanitation problems within certain areas of Idaho City, and

WHEREAS, the Council of Idaho City has deemed it in the best interests of the City and the health and welfare of its inhabitants to discontinue the use of privy vaults, cesspools and septic tanks and make it mandatory that the inhabitants of said city connect to the public sewer;

NOW, THEREFORE, BE IT RESOLVED By the Mayor and Council of the City of Idaho City, Idaho:

SECTION 1. PRIVY VAULTS AND CESSPOOLS - DISCONTINUANCE: It shall be unlawful for the owner or owners of any property within this city, or his, her or their agent or agents, or other person or persons having charge of or occupying such property, said property being located upon any street, alley, court passageway or area, and within one hundred (100) feet of a sewer line along any street or alley, to neglect or refuse, for the period of thirty (30) days after notice from the Council in writing, signed by the Council President, to discontinue the use of,

clean out, disinfect and fill up all privy vaults and cesspools on such property.

SECTION 2. SEPTIC TANKS - DISCONTINUANCE: It shall be unlawful for the owner or owners of any property within this City, or his, her or their agent or agents, or other person or persons having charge of, or occupying such property, said property being located upon any street, alley, court passageway or area, and within one hundred (100) feet of a sewer along any street or alley, to neglect or refuse, for the period of ninety (90) days after notice from the City Council in writing, signed by the president to discontinue the use of, perforate the bottom and fill up all septic tanks on such property.

SECTION 3. CONNECTION TO PUBLIC SEWER MANDATORY: The owner or occupant of any house, building or property used for residential, commercial, or industrial use, or other purpose, situated within the City of Idaho City, Idaho, which is abutting on or having a permanent right of access to any street, alley or right-of-way in which there is now located or may in the future be located a public sewer of said city, is hereby required to cease using any other method of disposing of sewage, waste or polluted matter and at his expense to connect such building directly with the proper sewer in accordance with the provisions set forth by the City, within ninety (90) days after date of official notice from the City or its authorized representatives to do so, provided, however, that said sewer is within one hundred (100) feet of any property line.

SECTION 4. DAMAGE TO SEWER SYSTEM: It shall be unlawful for any person to break, damage, destroy, uncover,

deface or tamper with any structure, appurtenance, or equipment which is part of the sewer system, including house connections, except pursuant to the provisions set forth by ordinance.

SECTION 5. VIOLATION OF CHAPTER: Any person found to be violating any provision of this chapter shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the time stated in such notice, permanently cease all violations.

Any person who shall continue any violation beyond the time limit provided for in this section shall be guilty of a misdemeanor.

SECTION 6. CONSTITUTIONALITY: If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this chapter.

SECTION 7. EMERGENCY: An emergency existing therefor, which emergency is hereby declared to exist, this ordinance shall take effect and be in force from and after the date of its adoption and approval.

ADOPTED and APPROVED this 25 day of April, 1969.

CITY OF IDAHO CITY

By Ray Robinson  
Mayor

ATTEST:

Aileen Mathis  
City Clerk

AN ORDINANCE AUTHORIZING THE CITY OF IDAHO CITY TO CONTRACT WITH A COOPERATIVE ASSOCIATION FOR THE OPERATION, MAINTENANCE AND REPAIR OF A SANITARY SEWER AND SEWAGE TREATMENT PLANT; REGULATING THE USE OF PUBLIC AND PRIVATE SEWAGE DISPOSAL; INSTALLATION AND CONNECTION OF SAID SEWER, AND THE DISCHARGE OF WATERS AND WASTES INTO THE SEWER SYSTEM; AUTHORIZING CONSTRUCTION OF A SANITARY SEWER AND SEWAGE TREATMENT PLANT ON CITY-OWNED PROPERTY BY A COOPERATIVE ASSOCIATION, ALL IN THE CITY OF IDAHO CITY, COUNTY OF BOISE, STATE OF IDAHO, AND TO PROVIDE AN EMERGENCY.

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

Section 1. Definitions. For the purposes of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(1) "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments.

(2) "Sewer" shall mean a pipe or conduit for carrying sewage.

(3) "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

(4) "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

(5) "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.



(6) "Building Sewer" shall mean the extension from the building drain to the sewer.

(7) "Person" shall mean any individual, firm, company, association, society, corporation, or group.

Section 2. Use of Public Sewers Required.

(a) It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the City of Idaho City, or in any area under the jurisdiction of the City, any human excrement, garbage, or other objectionable waste.

(b) It shall be unlawful to discharge to any natural outlet within the City of Idaho City, or in any area under the jurisdiction of the City, any unsanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

Section 3. Contracting Authority. Authority is hereby granted the Mayor and City Council to agree upon the terms and contract with a cooperative association, as described in Section 4 of this Ordinance for the assistance by the City to such association for the operation, maintenance and repair of a sanitary sewer system and sewage treatment plant to be constructed by such association pursuant hereto and for the assistance by the City in collection of connection and service fees for such association and to receive a fee therefor, payable by such association.

Section 4. Construction Authority.

(a) Authority, easement and approval are hereby granted by the City to an incorporated nonprofit cooperative association by residents of the City and the construction of sanitary sewer lines and conduits upon City-owned property, including streets and alleys, by such association.

(b) Such sanitary sewer, and sewage treatment plant to be constructed in connection therewith shall be constructed and used as provided herein and according to the rules and regulations of the Idaho State Board of Health and standard construction practices in such cases.

Section 5. Building Sewers and Connections.

(a) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a permit from the City Clerk.

(b) All costs and expense incident to the installation and connection of the building sewer shall be borne by the owners. The owner shall indemnify the City from the loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(c) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and each such building shall be considered a separate connection and subject to sewer charges.

Section 6. Use of the Public Sewers. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters into any sanitary sewer.

Section 7. Validity.

(a) All ordinances or parts of ordinances in conflict herewith are hereby repealed.

(b) The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Section 8. Emergency. An emergency existing therefor, which emergency is hereby declared to exist, this Ordinance shall take effect and be in force from and after its passage and approval.

Adopted and approved this 12 day of August, 1968.

Raymond R. Korman  
Mayor

ATTEST:

William J. Nathan  
Clerk

Ordinance No. 10000  
August 12, 1968

**ORDINANCE NO. 105**  
**AN ORDINANCE AUTHORIZING THE CITY OF IDAHO CITY TO CONTRACT WITH A COOPERATIVE ASSOCIATION FOR THE OPERATION, MAINTENANCE AND REPAIR OF A SANITARY SEWER AND SEWAGE TREATMENT PLANT; REGULATING THE USE OF PUBLIC AND PRIVATE SEWAGE DISPOSAL; INSTALLATION AND CONNECTION OF SAID SEWER, AND THE DISCHARGE OF WATERS AND WASTES INTO THE SEWER SYSTEM; AUTHORIZING CONSTRUCTION OF A SANITARY SEWER AND SEWAGE TREATMENT PLANT ON CITY-OWNED PROPERTY BY A COOPERATIVE ASSOCIATION, ALL IN THE CITY OF IDAHO CITY, COUNTY OF BOISE, STATE OF IDAHO, AND TO PROVIDE AN EMERGENCY.**

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

Section 1. Definitions. For the purposes of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (1) "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments.
- (2) "Sewer" shall mean a pipe or conduit for carrying sewage.
- (3) "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
- (4) "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- (5) "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
- (6) "Building Sewer" shall mean the extension from the building drain to the sewer.
- (7) "Person" shall mean any in-

## LEGAL NOTICE

dividual, firm, company, association, society, corporation, or group.

### Section 2. Use of Public Sewers Required.

(a) It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the City of Idaho City, or in any area under the jurisdiction of the City, any human excrement, garbage, or other objectionable waste.

(b) It shall be unlawful to discharge to any natural outlet within the City of Idaho City, or in any area under the jurisdiction of the City, any unsanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

### Section 3. Contracting Authority.

Authority is hereby granted the Mayor and City Council to agree upon the terms and contract with a cooperative association, as described in Section 4 of this Ordinance for the assistance by the City to such association for the operation, maintenance and repair of a sanitary sewer system and sewage treatment plant to be constructed by such association pursuant hereto and for the assistance by the City in collection of connection and service fees for such association and to receive a fee therefor, payable by such association.

### Section 4. Construction Authority.

(a) Authority, easement and approval are hereby granted by the City to an incorporated nonprofit cooperative association by residents of the City and the construction of sanitary sewer lines and conduits upon City-owned property, including streets and alleys, by such association.

(b) Such sanitary sewer and sewage treatment plant to be constructed in connection therewith shall be constructed and used as provided herein and according to the rules and regulations of the Idaho State Board of Health and standard construction practices in such cases.

### Section 5. Building Sewers and Connections.

(a) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a permit from the City Clerk.

(b) All costs and expense incident to the installation and connection of the building sewer shall be borne by the owners. The owner shall indemnify the City from the loss or

## LEGAL NOTICE

damage that may directly or indirectly be occasioned by the installation of the building sewer.

(c) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and each such building shall be considered a separate connection and subject to sewer charges.

### Section 6. Use of the Public Sewers.

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters into any sanitary sewer.

### Section 7. Validity.

(a) All ordinances or parts of ordinances in conflict herewith are hereby repealed.

(b) The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

### Section 8. Emergency.

An emergency existing therefore, which emergency is hereby declared to exist, this Ordinance shall take effect and be in force from and after its passage and approval.

Adopted and approved this 13th day of August, 1968.

(s) Ray Robinson  
 Mayor

ATTEST:  
 (s) Aileen Mathis  
 Clerk

Pub. August 22, 1968.

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; AUTHORIZING CONSTRUCTION OF SANITARY SEWER LINES AND CONDUITS ON CITY OWNED PROPERTY OF A COOPERATIVE CORPORATION; AND AUTHORIZING THE CITY OF IDAHO CITY TO CONTRACT FOR THE OPERATION, MAINTENANCE AND REPAIR OF SUCH SANITARY SEWER AND SEWAGE TREATMENT PLANTS TO BE CONSTRUCTED IN CONNECTION THEREWITH; IN THE CITY OF IDAHO CITY, COUNTY OF POISE, STATE OF IDAHO; AND PROVIDING A PENALTY.

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

## ARTICLE I

### DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Section 101. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

Section 102. "Superintendent" shall mean the Superintendent of Sewage Works of the City of Idaho City, or his authorized deputy, agent or representative.

Section 103. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments.

Section 104. "Sewer" shall mean a pipe or conduit for carrying sewage.

Section 105. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and that is controlled by public authority.

Section 106. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

Section 107. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Section 108. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

Section 109. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 110. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

Section 111. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 112. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

Section 113. "Shall" is mandatory; "May" is permissive.

## ARTICLE II

### USE OF PUBLIC SEWERS REQUIRED

Section 201. It shall be unlawful for any person to place, deposit, or permit to be deposited in an insanitary manner upon public or private property within the City of Idaho City, or in any area under the jurisdiction of the City, any human excrement, garbage, or other objectionable waste.

Section 202. It shall be unlawful to discharge to any natural outlet within the City of Idaho City, or in any area under the jurisdiction of the City, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 203. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Section 204. The owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purpose, situated within the City and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the City, is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within 60 days after date of official notice to do so.

## ARTICLE III

### BUILDING SEWERS AND CONNECTIONS

Section 301. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a permit from the City Clerk.

Section 302. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owners. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 303. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an existing alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and

Section 304. The building sewer shall meet the requirements of the Idaho State Board of Health.

## ARTICLE IV

### USE OF THE PUBLIC SEWERS

Section 401. No person shall discharge or cause to be discharged

any storm water, surface water, ground water, roof runoff, sub-surface drainage, cooling water or unpolluted industrial process water to any sanitary sewer.

## ARTICLE V

### CONSTRUCTION AUTHORITY

Section 501. Authority, easement and approval are hereby granted by the City to the formation of an incorporated nonprofit cooperative association by the residents of the City and the construction of sanitary sewer lines and conduits upon City owned property including streets and alleys by such association.

Section 502. Such sanitary sewer and sewage treatment plant to be constructed in connection therewith, shall be constructed and used as provided herein and according to the rules and regulations of the Idaho State Board of Health and standard construction practices in such cases.

## ARTICLE VI

### CONTRACTING AUTHORITY

Section 601. Authority is hereby granted the Mayor and City Council to agree upon the terms and contract with a cooperative Association, as described in Article V above, for the assistance of the City to such Association for the operation, maintenance and repair of a sanitary sewer system and treatment plant to be constructed by such Association pursuant hereto and for the assistance of the City in collecting connection and service fees for such Association and to receive a fee therefor, payable by such Association.

## ARTICLE VII

### VALIDITY

Section 701. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 702. The invalidity of any section clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

## ARTICLE VIII

### PENALTY

Section 801. Any person, firm or corporation who shall violate any provision of this ordinance shall upon conviction thereof be punished by fine not to exceed \$100.00 or by imprisonment in the City Jail not to exceed 30 days, or by both fine and imprisonment.

## ARTICLE IX

### ORDINANCE IN FORCE

Section 901. This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

ARTICLE X  
REQUIRED HOOK-UP

Section 1001: All persons whose property line is situate within 100 feet of sewer collection lines shall be required to hook up to such sewer collection lines within the time hereinafter specified.

Passed and adopted by the Council of the City of Idaho City, State of Idaho, this 2nd day of July, 1968.

Attest:

Mayor  
Mayor

Clerk  
Clerk

Ord 104  
Referred to  
Ord 104  
6-13-68



ORDINANCE NO. 103

ANNUAL APPROPRIATION ORDINANCE

ADOPTED March 12, 1968

Filed in book with Quarterly Reports

This being the day to approve the Final Budget, same was approved unanimously by the Council, there being no one present and no objections having been made.

FINAL BUDGET- 1969  
GENERAL FUND

TOTAL BUDGET\*General & Street   \$   22,132.80

WATER WORKS:

Water Master's Salary	\$	1,200.00	
Power-Pump		675.00	
Labor-Water Works		400.00	
Supplies-Water Works		500.00	
			\$2,775.00

Clark's Salary		900.00	
Clark's Supplies		300.00	
Power		150.00	
Bond-Insurance		331.80	
Miscellaneous		400.00	
Audit		225.00	
Legal Fees		500.00	
Pipe		200.00	
Refunds		25.00	
Printing-Supplies		200.00	
Gas, Oil, Repairs		75.00	
Salary-Marshall		500.00	
Capital Outlay		1,000.00	
Emergency Funds		1,000.00	
			5,806.80

TOTAL BUDGET\*\*GENERAL FUND                   \$   8,581.80

STREET      FUND

Street Lights		1,000.00	
Street Labor		1,500.00	
Street Supplies		575.00	
Gas, Oil, Repairs		1,200.00	
Insurance		56.00	
Miscellaneous		20.00	
Capital Outlay		6,000.00	
Operator-Equipment		500.00	
Social Security.		200.00	
Reserve-Emergency		2,500.00	
			13,551.00

TOTAL BUDGET\*\* STREET FUND                   \$   13,551.00

OLD SCHOOL HOUSE\*FUND

Total for All purposes (Not included in Budget Total)	\$   22.07
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ORDINANCE NO. 162

Interim Appropriation Ordinance

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

Section 1. Pursuant to the provisions of Section 165 of Chapter 429 of the Idaho Session Laws of 1967, there is hereby appropriated the sum of \$4345.65 for the payment of expenses and salaries until the annual appropriation bill of the City of Idaho City is approved.

Dated this 9 day of January, 1968.

ATTEST:

Raymond S. Peterson  
Mayor

Gilbert Weather  
Clerk

IDAHO CITY, IDAHO

ORDINANCE NO. 101

AN ORDINANCE PROHIBITING PARKING ON MAIN STREET  
DURING CERTAIN HOURS AND PROVIDING A PENALTY.

#133

Rescinded

Be it ordained by the Mayor and Council of the C  
of Idaho City, Idaho, as follows:

Section 1. It shall be unlawful for any person to  
park a motor vehicle or any other vehicle upon Main Street  
between the hours of 1:00 A.M. and 8:00 A.M. of any day.

Section 2. Any person convicted of a violation of this  
ordinance shall be punished by a fine not to exceed \$25.00  
or imprisonment in the City or County jail not more than  
five (5) days, or by both such fine and imprisonment.

Passed and approved this 26 day of December, 1967.

ATTEST:

Ra  
Mayor

Gleason Mathis  
Clerk

Repealed 15th March 1972

AN ORDINANCE LICENSING THE RETAIL SALE OF LIQUOR BY THE DRINK IN THE VILLAGE OF IDAHO CITY, PROVIDING THE MANNER OF MAKING APPLICATION FOR SUCH LICENSES AND FORM AND CONTENT OF SUCH APPLICATION; PROVIDING THE PROCEDURE FOR THE CONSIDERATION OF APPLICATIONS AND THE ISSUANCE OF LICENSES; PROVIDING THE AMOUNT OF THE LICENSE FEE; PROVIDING THE PERIOD OF THE LICENSE AND THE PROPORTION OF THE LICENSE FEE WHEN ISSUED FOR A PORTION OF A CALENDAR YEAR; PROVIDING THE TERM OF THE LICENSE ISSUED; PROVIDING AND ENUMERATING UNLAWFUL PRACTICES IN CONNECTION WITH RETAIL SALE OF LIQUOR BY THE DRINK; PERMITTING OFFICERS TO EXAMINE PREMISES; PROHIBITING THE ADVERTISING OF HANDLING OR SALE OF LIQUOR; PROVIDING THE PENALTY FOR VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; PROVIDING THE EFFECTIVE DATE OF THIS ORDINANCE.

Section 1. Definitions:

- a. "Liquor" when used in this ordinance means all kinds of liquor sold by and in a State liquor store of the State of Idaho.
- b. "Person" means every individual, partnership, corporation, organization, or association holding a retail liquor license, whether conducting the business singularly or collectively.
- c. "Premises" means the room in which the sale of liquor by the drink at retail is authorized by the Commissioner of Law Enforcement of the State of Idaho.
- d. "Intemperate" person means a person to whom the sale of liquor is prohibited under the laws of the State of Idaho.

All other words or phrases used in this ordinance, the definitions of which are not herein given shall be given the ordinary and commonly understood and accepted meaning.

Section 2. It shall be lawful to sell liquor by the drink retail within the Village of Idaho City, Idaho, in accordance with the provision of Chapter 274, 1947 Session Laws and this ordinance, provided a license for the retail sale of liquor by the drink has been first obtained from the