

CITY OF DALTON GARDENS, IDAHO

ORDINANCE NO. 128 -A

AN ORDINANCE ANNEXING TO AND DECLARING PROPERTY TO BE A PART OF THE CITY OF DALTON GARDENS, IDAHO, AMENDING DALTON GARDENS MUNICIPAL ORDINANCE, BY DECLARING SUCH PROPERTY TO BE A PART OF THE CITY OF DALTON GARDENS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH: PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED, by the Mayor and City Council of the City of Dalton Gardens, Kootenai County, Idaho:

SECTION 1: That the following described property contiguous and adjacent to the City of Dalton Gardens, Kootenai Countyt, Idaho, to-wit:

Dalton Avenue from the East boundary of the intersection with 4th Street to the East boundary of the intersection with 17th Street lying contiguous to the present City of Dalton Gardens Southern boundary

be, and the same is, hereby annexed to and declared to be a part of the City of Dalton Gardens, Kootenai County, Idaho.

SECTION 2: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3: Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to

the effective date of this ordinance or be constructed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Dalton Gardens City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

SECTION 4: The provisions of this ordinance are severable and if any provision, clause, sentence, subsection word or part thereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsection, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, word or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is inapplicable had been specifically exempt therefrom.

SECTION 5: This ordinance shall take effect and be in full force upon its passage, approval and publication in one

(1) issue of the Coeur d'Alene Press.

APPROVED by the Mayor this 10th day of January, 1994.

CITY OF DALTON GARDENS, IDAHO

James C. Howard
James C. Howard, Mayor

ATTEST:

Gayle K. Clayeux
Gayle K. Clayeux, Clerk

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Kootenai, } ss.

Ken Alexander

being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal Notice

of which the annexed is a printed copy, was published in the regular *Friday* issue of said newspaper for *1* consecutive *day*, commencing on the *14th* day of *January*, 19 *94*, and ending on the *14th* day of *January*, 19 *94*, and such publication was made as often during said period as said *daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Ken Alexander

Subscribed and sworn to before me this *14th* day of *January*, 19 *94*.

Roberta Manley

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

ROBERTA MANLEY
My commission expires *2-5-99*

CITY OF DALTON GARDENS, IDAHO
ORDINANCE NO. 129 *128-A*
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PART OF THE CITY OF DALTON GAR-
DENS, IDAHO, AMENDING DALTON
GARDENS MUNICIPAL ORDINANCE,
BY DECLARING SUCH PROPERTY TO
BE A PART OF THE CITY OF DALTON
GARDENS; REPEALING ALL ORDI-
NANCES IN CONFLICT HERewith;
PROVIDING A SAVINGS CLAUSE; PRO-
VIDING FOR SEVERABILITY; AND PRO-
VIDING AN EFFECTIVE DATE HERE-
OF.

BE IT ORDAINED, by the Mayor and
City Council of the City of Dalton Gar-
dens, Kootenai County, Idaho:

SECTION 1: That the following
described property contiguous and adja-
cent to the City of Dalton Gardens, Koot-
enai County, Idaho, to-wit:

Dalton Avenue from the East boundary
of the intersection with 4th Street to the
East boundary of the intersection with
17th Street lying contiguous to the pre-
sent City of Dalton Gardens Southern
boundary

be, and the same is, hereby annexed to
and declared to be a part of the City of
Dalton Gardens, Kootenai County, Idaho.

SECTION 2: All ordinances and parts
of ordinances in conflict with this ordi-
nance are hereby repealed.

SECTION 3: Neither the adoption of
this ordinance nor the repeal of any ordi-
nance shall, in any manner, affect the
prosecution for violation of such ordi-
nance committed prior to the effective
date of this ordinance or be construed
as a waiver of any license or penalty due
under any such ordinance or in any man-
ner affect the validity of any action hereto-
fore taken by the City of Dalton Gardens
City Council or the validity of any such
action to be taken upon matters pending
before the City Council on the effective
date of this ordinance.

SECTION 4: The provisions of this
ordinance are severable and if any provi-
sion, clause, sentence, subsection word or
part thereof is held illegal, invalid or
unconstitutional or inapplicable to any per-
son or circumstance, such illegality, inva-
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remaining provisions, clauses, sentences,
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nance would have been adopted if such
illegal, invalid or unconstitutional provi-
sions, clause, sentence, word or part had
not been included therein, and if such per-
son or circumstance to which the ordi-
nance or part thereof is inapplicable had
been specifically exempt therefrom.

SECTION 5: This ordinance shall take
effect and be in full force upon its pas-
sage, approval and publication in one (1)
issue of the Coeur d'Alene Press.

APPROVED by the Mayor this 6th day
of January, 1994.

CITY OF DALTON GARDENS, IDAHO
James C. Howard, Mayor

ATTEST:
Gayle K. Clayeux, Clerk
Legal 514
Jan. 14, 1994