

AMENDMENTS TO THE MUNICIPAL CODE NUMBER 161.

AN ORDINANCE OF DALTON GARDENS, IDAHO, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, amending the following sections of the Dalton Municipal Code: Title 4 Section 1-1A, reducing the number of copies of the Uniform Building Code, Title 5 Section 1-4, adding definitions for Spokane Valley-Rathdrum Prairie Aquifer, Title 5 Section 2-2 adding legal descriptions to the Commercial District, Title 5, adding Section 5 4-4, clarifying 110 feet of frontage.

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

Section 1	Title
Section 2	Authority
Section 3	Purpose
Section 4	Definitions
Section 5	Amendments to the Code Sections
Section 6	Severability
Section 7	Conflicting Ordinance Provisions
Section 8	Effective Date

SECTION 1 TITLE

This Ordinance shall be known as the AMENDMENTS TO THE MUNICIPAL CODE ORDINANCE of Dalton Gardens.

SECTION 2 AUTHORITY

This Ordinance is authorized under the provisions of Idaho Code Section 67-6509.

SECTION 3 PURPOSE

The purpose of this Ordinance shall be to protect the public health safety and welfare, and provide clarification of definitions and standards.

SECTION 4 DEFINITIONS

Spokane Valley-Rathdrum Prairie Aquifer Boundary – A boundary of the aquifer as delineated and determined by the Environmental Protection Agency and administered by the Department of Environmental Quality and the Panhandle Health District. The map is available at the City Hall.

Lot Size and Frontage: All lots shall have 110 feet of frontage on a publicly dedicated street, accepted and maintained by the City or the Lakes Highway District, and shall contain not less than one acre.

SECTION 5 AMENDMENTS TO CODE SECTIONS

- a. Title 4 Chapter 1-1A ~~three (3)~~ one (1)
- b. Title 5 Chapter 2-2A Commercial District, add: West 174 feet of Lot 10 and Block 1, Rudes 4th Addition

- c. Title 5 Chapter 2-2B Utility District, add: Lot 4 Block 4 Rude's 4th Addition, Dalton Lot 3 Block 4 Rude's 4th Addition.
- d. Title 5 Chapter 4 Adding Section 4: Lot Size and Frontage: All lots shall have 110 feet of frontage on a publicly dedicated street, accepted and maintained by the City or the Lakes Highway District, and shall contain not less than one acre.

SECTION 6 SEVERABILITY

Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, it shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7 CONFLICTING ORDINANCE PROVISIONS

The provisions of this Ordinance shall supersede the applicable provisions of Dalton Gardens Municipal Code.

If a conflict occurs between this Ordinance and the Municipal Code or other City ordinances, this Ordinance shall take precedence.

SECTION 8 EFFECTIVE DATE

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.

ADOPTED this

5th DAY OF September
2002


Roland "Ron" Koontz, Mayor

DALTON GARDENS

ATTEST:
CLERK



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai, } ss.

Debbie Magnusson 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 Tuesday issue of said newspaper for 1 consecutive day commencing on the 10th day of Sept, 2002, and ending on the 10th day of Sept, 2002, and such publication was made as often during said period as said daily newspaper was regularly issued.

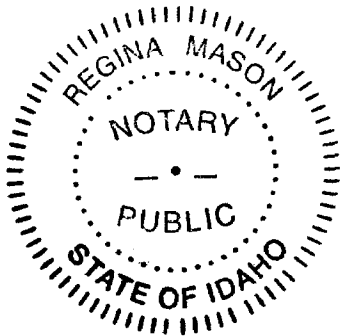
4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Debbie Magnusson

Personally appeared before me this 10th day of Sept, 2002

Regina Mason

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



MY COMMISSION EXPIRES 6/18/03

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- Section 1 Title
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- Section 3 Purpose
- Section 4 Definitions
- Section 5 Amendments to the Code Sections
- Section 6 Severability
- Section 7 Conflicting Provisions Ordinance
- Section 8 Effective Date

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ADOPTED this 5th day of September, 2002.

Roland "Ron" Koontz, Mayor
DALTON GARDENS

ATTEST:
Gayle K. Clayeux, CLERK
Legal 1753
Sept. 10, 2002