

SUMMARY OF
CITY OF DALTON GARDENS, IDAHO
ORDINANCE NO. 195

AN ORDINANCE OF DALTON GARDENS, IDAHO, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, ADDING A NEW CHAPTER (TO BE ENTITLED ABANDONED AND INOPERABLE VEHICLE ORDINANCE) TO THE MUNICIPAL CODE OF THE CITY OF DALTON GARDENS, IDAHO.

In accordance with Idaho Code §50-901A, the following is a Summary of Ordinance 195 of the City of Dalton Gardens, Idaho:

1. Ordinance 195 is an ordinance adding a new chapter to the municipal code of the City of Dalton Gardens, Idaho providing for the abatement of abandoned and inoperable vehicles, repealing Title 8, Chapter 3, ABANDONED, WRECKED VEHICLES, and providing for severability and conflicting ordinances.
2. Ordinance 195 shall be known as the ABANDONED AND INOPERABLE VEHICLE ORDINANCE.
3. The Ordinance sets forth the findings of necessity and purpose of the ordinance as it relates to the safety and welfare of the general public and protection of property values and community appearance, and declares the accumulation and/or storage of abandoned or inoperable vehicles or parts thereof to be a public nuisance within the meaning of Idaho Code section 50-334.
5. The Ordinance further sets forth the definitions of "abandoned vehicle", "highway", "inoperable", "nuisance", "public property" and "vehicle", and sets forth exceptions from the chapter provisions.
6. Persons employed or engaged by the City to enforce the Ordinance may enter upon private or public property to examine, obtain information, remove or cause to be removed any vehicle or part declared to be a nuisance.
7. The City shall notify in writing the property owner and occupant of the building of any violation of the ordinance, public hearing and appeal procedures, and time limits for removal.
8. The Ordinance incorporates a provision regarding penalties concerning real property as follows:

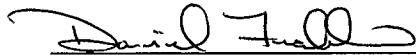
The cost of removal plus actual costs sustained by the City associated with administration of this ordinance shall be paid by the party found to

have caused or maintained the nuisance within thirty (30) days of the hearing.

Should it appear at the hearing that the party permitting or causing the nuisance is the owner of the property from which the vehicle was removed, either as record owner or contract buyer, and the costs provided for in this section are not paid within thirty (30) days, the costs shall be levied as a special assessment against such property and certified to the tax collector of the county by the clerk as provided by Idaho Code section 50-1008. Whether or not the costs are levied as a special assessment, the council in its discretion may order such costs to be collected by civil action.

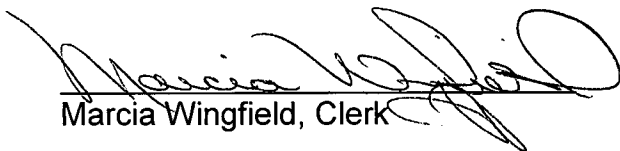
9. The Ordinance takes effect upon publication of this Summary in the Coeur d'Alene Press.
10. The full text of Ordinance 195 is available at the Dalton Gardens City Hall.

DATED this 6th day of March, 2008.



Daniel Franklin, Mayor

ATTEST:



Marcia Wingfield, Clerk

Publish: CDA Press Wednesday March 12, 2008