

ORDINANCE # 241

AN ORDINANCE OF THE CITY OF DALTON GARDENS IDAHO, ADDING DEFINITIONS, STANDARDS, VIOLATIONS AND PENALTIES FOR PUBLIC PARKS AND HORSE ARENA IN TITLE 5 CHAPTER 5 SECTION 1 OF THE DALTON GARDENS MUNICIPAL CODE, PROVIDING SEVERABILITY, REPEALING CONFLICTING ORDINANCES AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1: Title 5 Chapter 5 of the Dalton Gardens Municipal Code is hereby amended:

Title 5 Chapter 5 Section 1: ALLOWED USES

In the residential district, no building or land located therein shall be used, nor any structure hereafter erected or altered, except for the following purposes:

Home gardens and gardening of vacant land.

Park, public. A public park is a tract of land owned by the city and maintained as a place for passive or active recreation programs to meet the recreational needs of the general public, including playgrounds and horse arenas.

A. Definitions

1. ATV – All terrain vehicle
2. UTV – Utility terrain vehicle

B. Standards for Use within Public Park or Horse Arenas:

1. Hours of Use – Sunrise to Sunset
2. NO Motorized Vehicles – Except in designated driving and parking areas
3. All Garbage must be packed out or placed in designated garbage receptacles.
4. Horse Arena: All ATV/UTV By City Permission Only

5. No overnight camping
6. Public Parks: (Title 7 Chapter 2 Section 5) Dogs Prohibited
7. Horse Arena: (Title 7 Chapter 2 Section 5): Dogs allowed but must be on a leash at all times.
8. Horse Arena: Gates on warm-up and performance ring shall remain closed at all times with the exception of entering and leaving ring. Access gates to arena from parking lot shall be closed at sunset.

C. Any violation of the provisions of this chapter shall be deemed an infraction and shall subject the offender to penalties in accordance with section 1-4-1 of this code.

Seasonal agricultural, horticultural and animal products. The sale of agricultural, horticultural and animal products that are grown and raised on site. The raising, breeding and maintaining of dogs, for the purposes of this chapter, is not an agricultural purpose.

Single-family dwellings.

The usual accessory buildings commonly appurtenant to a single-family dwelling.

Trailer houses and tandem trailers not used for human occupancy.

SECTION 2. SEVERABILITY. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed. If any provision of this chapter, or its application to any person or circumstances, be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter or the application of the provisions to other persons or circumstances.

Nothing in this chapter shall be construed as preventing the adoption of more restrictive provisions set forth in other sections of the Dalton Gardens Municipal Code. The more restrictive provisions of the code shall be enforced.

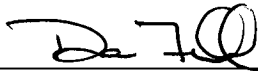
SECTION 3: EFFECTIVE DATE

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

SECTION 4. PUBLICATION

Upon passage and approval and publication in one (1) issue of the Coeur d'Alene Press, the official newspaper of the City of Dalton Gardens, Idaho, this Ordinance shall be in full force and effect.

PASSED under suspension of the rules at which a roll call vote was taken at regular meeting of the city council of the City of Dalton Gardens, Kootenai County, Idaho, this 6th of August, 2015.



DAN FRANKLIN, Mayor

ATTEST:



VALERIE ANDERSON, Clerk

AFFIDAVIT OF PUBLICATION

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

Holly Fredericks being first duly sworn upon oath deposes and says:

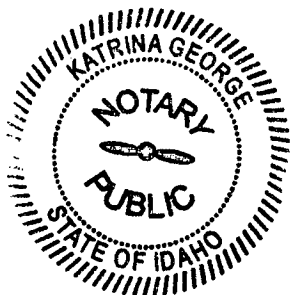
1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene News 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 Thursday issue of said newspaper for one consecutive week commencing on the 23 day of July, 2015, and such publication was made as often during said period as said daily newspaper was regularly issued.

Holly Fredericks 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 _____. On this 23 day of July in the year of 2015, before me, a Notary Public, personally appeared Holly Fredericks, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Katrina George

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

MY COMMISSION EXPIRES 8/29/17

**NOTICE OF PUBLIC
HEARING
August 6, 2015, 6 P.M.
DALTON GARDENS IDAHO
CITY COUNCIL**

The Dalton Gardens City Council will be conducting a public hearing and taking public testimony on the following:

AN ORDINANCE OF THE CITY OF DALTON GARDENS IDAHO, ADDING DEFINITIONS, STANDARDS, VIOLATIONS AND PENALTIES FOR PUBLIC PARKS AND HORSE ARENA IN THE RESIDENTIAL ZONING DISTRICT ALLOWED USES (TITLE 5 CHAPTER 5 SECTION 1) FOR THE DALTON GARDENS MUNICIPAL CODE, PROVIDING SEVERABILITY, REPEALING CONFLICTING ORDINANCES AND PROVIDING AN EFFECTIVE DATE.

The hearing will be held on August 6, 2015 at 6:00 p.m. at Dalton Gardens City Hall, 6360 N. 4th Street, Dalton Gardens

Idaho. All interested persons are invited to appear and show cause, if any, why such item should or should not be adopted. Copies of the amendments are available at City Hall during regular office hours (9:00 am to 5:00 pm, Monday through Thursday, Friday (9:00am to 4:00pm). City hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities related to these documents or to the hearing can contact the City Clerk, 772-3698 at least 48 hours prior to the public hearing.

Attest:
Valerie Anderson, City Clerk

LEGAL 3963
July 23, 2015

RESOLUTION # 2015-01

City of Dalton Gardens
Kootenai County, Idaho

REIMBURSEMENT RESOLUTION
Official Intent pursuant to Section 1.150-2, Code of Federal Regulations

WHEREAS, the City of Dalton Gardens, Kootenai County, Idaho (the "City") will pay, on and after the date hereof, certain expenditures related to the following improvements: **[the second phase of a sewer improvement project for commercial properties located on or near Government Way from Hanley Avenue to Aqua Circle]** (the "Project");

WHEREAS, the City intends to create a local improvement district, which will issue local assessment bonds or notes to finance all or a portion of the Project (the "Bonds");

WHEREAS, upon issuance of the Bonds, the City reasonably intends to reimburse itself for certain expenditures on the Project (the "Reimbursable Expenditures") incurred (i) within 60 days prior to the date hereof, or (ii) after the date hereof but prior to the issuance of the Bonds; and

WHEREAS, the District expects such reimbursement to occur not later than eighteen (18) months after the later of (i) the date of the Reimbursable Expenditures, or (ii) the date the Project is placed in service but no later than three years after the date of the Reimbursable Expenditures.

NOW, THEREFORE, IT IS RESOLVED as follows:

Section 1. The purpose of this Resolution is to permit the City to reimburse itself from the proceeds of the Bonds for Reimbursable Expenditures not exceeding \$2,280,000.00 plus costs relating to the Project incurred up to 60 days prior to the date of this Resolution, or after the date hereof but prior to the issuance of the Bonds.

Section 2. Prior to the issuance of the Bonds, the City intends to incur and pay for Reimbursable Expenditures with its available funds, and hereby declares its intent and reasonably expects to reimburse itself for those Reimbursable Expenditures from the proceeds of the issuance of the Bonds not later than 18 months after the later of (i) the date of the Reimbursable Expenditures, or (ii) the date the Project is placed in service but no later than three years after the date of the Reimbursable Expenditures.

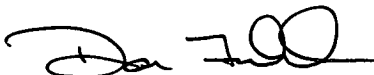
Section 3. The maximum principal amount of the Bonds expected to be issued to finance the Project is \$2,280,000.00 plus costs.

Section 4. This declaration of official intention is made pursuant to Section 1.150-2, Code of Federal Regulations.

Section 5. The officers of the City are hereby authorized and directed, for and in the name and on behalf of the City, to take any and all actions and execute, acknowledge and deliver any and all agreements, instruments or other documents and revisions or corrections thereof and amendments thereto, as may in their discretion be deemed necessary or desirable to carry out the terms, provisions and intent of this Resolution.

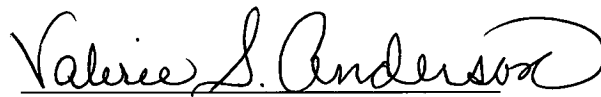
ADOPTED AND APPROVED this 2 day of April, 2015.

CITY OF DALTON GARDENS, KOOTENAI
COUNTY, IDAHO

By: 

Mayor Daniel Franklin

ATTEST:

By: 

Valerie S. Anderson, City Clerk

AFFIDAVIT OF PUBLICATION

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

Holly Fredericks 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.

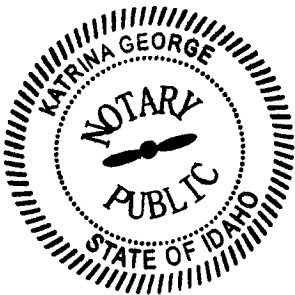
3. The legal notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for one consecutive week commencing on the 27 day of August 2015, and ending on the 27 day of August 2015, 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 Holly Fredericks. On this 27 day of August in the year of 2015, before me, a Notary Public, personally appeared Holly Fredericks, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Katrina George

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



MY COMMISSION EXPIRES 8/29/17

CITY OF DALTON GARDENS
APPROPRIATION ORDINANCE NO. 242

AN ORDINANCE OF THE CITY OF DALTON GARDENS, IDAHO ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015, AND ENDING ON SEPTEMBER 30, 2016, APPROPRIATING THE SUM OF \$809,222.00 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF DALTON GARDENS FOR SAID FISCAL YEAR, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE.

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

Section 1: That the sum of \$809,222.00 be, and the same is appropriated to defray the necessary expenses and liabilities of the City of Dalton Gardens, Kootenai County, Idaho for the fiscal year beginning October 1, 2015.

Section 2: The objects and purposes for which such appropriation is made, and the amount of each object and purpose is as follows:

ESTIMATED EXPENDITURES:

GENERAL FUND

Administration	\$ 237,607.00
Law Enforcement	\$ 21,700.00
Legal	\$ 42,779.00
Parks	\$ 58,220.00
Building Dept	\$ 13,620.00
Planning & Zoning	\$ 10,000.00

TOTAL GENERAL FUND \$ 383,926.00

STREET FUND

Street Department	\$ 249,825.00
LID Sewering Project	175,471.00

TOTAL STREET FUND \$ 425,296.00

TOTAL EXPENDITURES \$ 809,222.00

Section 3: That a general tax levy on all taxable property within the City of Dalton Gardens be levied in an amount allowed by law for the general purposes for said City, for the fiscal year beginning October 1, 2015.

Section 4: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5: This ordinance shall take effect and be in full force upon its passage, approval and publication in one issue of the Coeur d'Alene Press, a newspaper of general circulation in the City of Dalton Gardens, and the official newspaper of said City.

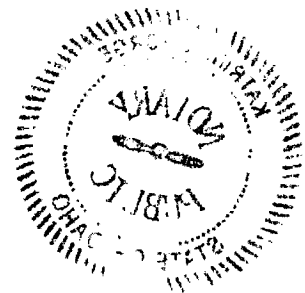
PASSES under suspension of rules upon which a roll call vote was taken and duly enacted an Ordinance of the City of Dalton Gardens, Kootenai County, Idaho at a convened meeting of the City of Dalton Gardens City Council held on the 6th day of August, 2015.

Dan Franklin, Mayor

ATTEST:

Valerie S. Anderson, City Clerk-Treasurer

LEGAL 4225
AUGUST 27, 2015



AFFIDAVIT OF PUBLICATION

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

Holly Fredericks 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.

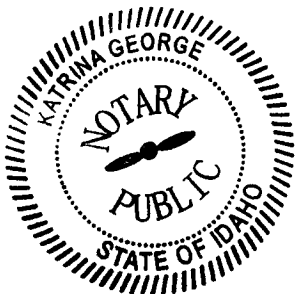
2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The legal notice

of which the annexed is a printed copy, was published in the regular Monday issue of said newspaper for one ~~consecutive~~ week commencing on the 17 day of August 2015, and ending on the 17 day of August 2015, 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 Holly Fredericks. On this 17 day of August in the year of 2015, before me, a Notary Public, personally appeared Holly Fredericks, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

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



MY COMMISSION EXPIRES 8/29/17