

**CITY OF DALTON GARDENS, IDAHO**

**ORDINANCE NO. 282**

AN ORDINANCE OF THE CITY OF DALTON GARDENS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 5, CHAPTER 1, SECTION 4 TO MODIFY THE DEFINITION FOR HEIGHT AND METHOD FOR DETERMINING STRUCTURE HEIGHT; PROVIDING FOR SEVERABILITY; PROVIDING REPEAL OF CONFLICTING ORDINANCES AND PROVIDING FOR THE PUBLICATION OF A SUMMARY AND AN EFFECTIVE DATE.

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

**SECTION 1: That Section 5-1-4 of the Dalton Gardens City Code be amended to read as follows:**

**5-1-4: DEFINITIONS:**

HEIGHT: A measurement of the distance from the bottom to the top of something which is upright. Structure height is the vertical distance measured from the average elevation of the proposed finished grade at the front of the building ~~measured from natural grade~~ to the highest ridgeline or peak on the roof. Appurtenances such as chimneys, cupolas, antennas, weather vanes and the like are not included in the height measurement. Chimneys, cupolas and similar encroachments above the ridgeline (not to include antennas, weather vanes and the like) shall be limited in height to ten feet (10') above the ridgeline and shall not exceed ten feet (10') in either horizontal dimension or one hundred (100) square feet in the aggregate.

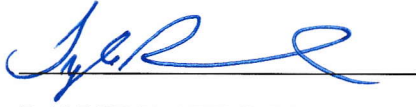
**SECTION 2.** This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

**SECTION 3.** All provisions of the current Dalton Gardens Municipal Code or ordinances of the City of Dalton Gardens which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION 4.** 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 8<sup>th</sup> day of December, 2022.

ATTEST:



~~DAN EDWARDS, Mayor~~  
TYLER DRECHER, ACTING MAYOR



TERESA JANZEN, Clerk

SUMMARY OF DALTON GARDENS ORDINANCE NO. 282

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THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. 282 IS AVAILABLE AT DALTON GARDENS CITY HALL, 6360 N. 4<sup>th</sup> STREET, DALTON GARDENS, ID 83815 IN THE OFFICE OF THE CITY CLERK.

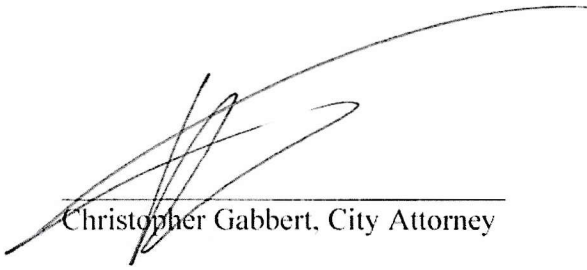
A handwritten signature in black ink, appearing to read 'Teresa Janzen', with a long horizontal flourish extending to the right.

Teresa Janzen, City Clerk

**STATEMENT OF LEGAL ADVISOR**

I, Christopher Gabbert, am the City Attorney for the City of Dalton Gardens, Idaho. I have examined the attached summary of the City of Dalton Gardens Ordinance No. 282 and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 21<sup>st</sup> day of December, 2022.



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Christopher Gabbert, City Attorney