

0 # 232

NOTICE OF PUBLIC HEARING OF THE PROPOSED
ORDINANCE FOR THE CITY OF DUBOIS,
CLARK COUNTY, IDAHO

Notice is hereby given that a public hearing on the proposed
Junk Containment or Removal Ordinance will be held on
June 23, 1993 at 7:00 PM at the City of Dubois Office.

JUNK CONTAINMENT OR REMOVAL ORDINANCE #232
AN ORDINANCE DECLARING ITS PURPOSE TO BE TO IMPROVE THE LOOK
OF THE CITY OF DUBOIS BY IDENTIFYING AND LIMITING THE JUNK ON
PRIVATE PROPERTY.

WHEREAS, the City has the power to regulate and establish rules
for the health and safety and well being of its people; and

WHEREAS, the exercise of all such powers vested in the City
is appropriately exercised by passage of this ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF DUBOIS, CLARK COUNTY, IDAHO:

This ordinance shall be in full force and effect after its
approval, passage and publication as required by law.

SECTIONS:

- Section 1: Definition
- Section 2: Prohibition
- Section 3: Notice of Violation
- Section 4: Penalty
- Section 5: Remedy Against Property Owner

SECTION 1: DEFINITION

The term Junk is defined as articles that have outlived
thier usefulness in thier original form such as car bodies,
parts of machinery, and iron, material, glass, paper, bottles
or any other articles which may generally be regarded as having
little value, worthless or merely trash that may be treated
or prepared so as to be used again in some form.

SECTION 2: PROHIBITION

It shall be unlawful for any person to store or keep any
old articles or materials which may be classified as junk
adjacent to any school house, church, public park, public
grounds, business building or residence without providing proper
and tight buildings for the storage of the same.

SECTION 3: NOTICE OF VIOLATION

In the event any person shall store or keep any old articles
or materials which may be classified as junk adjacent to any
school house, church, public park, public grounds, business
buildings or residence without first providing proper and tight

buildings for the storage of the same, the Clerk shall prepare a notice to be served upon the person in charge of the property directing such person in possession to either take said materials from said premises or to provide proper buildings for the storage of the same within (10) days of the date of the notice and report the performance to the City Clerk. Such notice shall be served by the County Sheriff or any other policeman of the municipality, but if not found within the municipality then if his place of residence be known, by mailing a copy of the notice to such owner at his place of residence.

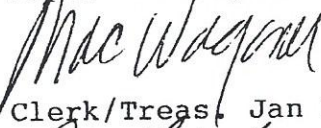
SECTION 4: PENALTY

Any person who shall fail to remove junk from the premises or to provide proper buildings for the storage of the same within (10) days after the receipt of notice to comply with the provisions of the Ordinance shall be guilty of a misdemeanor and shall be punished by a fine not to exceed Twenty-five (\$25.00) Dollars, or jail sentence of ten (10) days, or both a fine of Twenty-five (\$25.00) Dollars and jail sentence of ten (10) days.

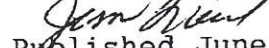
SECTION 5: REMEDY AGAINST PROPERTY OWNER

If the owner, agent, tenant or occupant in charge fails to comply with said notice within the time limited therein, the County Sheriff may order the said work done at the expense of the City of Dubois, and the same shall be charged against and be a lien on the property until paid. Said lien shall be filed the same as is provided for the filing liens for any special improvements against property.

Mayor Mac Wagoner



Clerk/Treas. Jan Laird



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SPECIAL MEETING JUNE 23, 1993

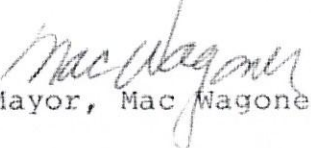
A special meeting was held by the City Council on June 23, 1993 at 7:00 PM at the City Hall. Presiding was Mayor Mac Wagoner, attended by Councilmen Lester Henman, Royce Holmes, Virgil Valentine, Keith Tweedie, Superintendent Hunter and Clerk/Treas. Laird. Visitors were Marcia Speas, John Kidd, Floyd White, Clyde Stone and Everett Mortenson.

This meeting was as a public hearing regarding passage of Ordinance 232 Junk Containment and Ordinance 233 Vehicle Restoration Ordinance.

Those in attendance were asked for thier comments and Floyd White v~~o~~iced concern over the person having a complaint against them having an opportunity of being given a fair hearing by the Council. The Council and Mayor decided an amendment to Ordinance 232 Section 3 to read that there could be a hearing to determine the validity of the complaint at the next regular council meeting. Both ordinances and the amendment as published are attached.

Councilman Tweedie motioned to approve both ordinances and the amendment, Councilman Valentine seconded the motion and the roll call passed into law both ordinances.

The meeting was adjourned at 8.00 PM.


Mayor, Mac Wagoner

Clerk/Treas. Jan Laird
