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CHRIS YAMAMOTO

CANYON COUNTY RECORDER

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ORDINANCE

CITY OF CALDWELL

**BILL NO. 3  
ORDINANCE NO. 3029**

**ORDINANCE TO CREATE LID 16-1 FOR  
UTILITY EXTENSIONS AND CONNECTIONS  
IN THE CITY OF CALDWELL**

**AN ORDINANCE OF THE CITY OF CALDWELL IDAHO, CREATING LOCAL IMPROVEMENT DISTRICT NO. 16-1 FOR UTILITY CONNECTIONS IN SAID CITY, PROVIDING FOR THE LEVYING OF ASSESSMENTS UPON THE PROPERTY TO BE BENEFITED BY SUCH IMPROVEMENTS AND FOR THE BASIS OF MAKING SAID ASSESSMENTS; SETTING FORTH THE PROPERTIES TO BE INCLUDED IN SAID DISTRICT; PROVIDING FOR MAKING THE ASSESSMENT ROLL, AUTHORIZING THE PUBLICATION OF A CALL FOR CONSTRUCTION .**

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CALDWELL, IDAHO:**

**Section 1:** There is hereby created, a local improvement district in the City of Caldwell, Idaho, to be called Local Improvement District No. 16-1, for City Utility Connections in the City of Caldwell; the boundaries of the real property included herein are in accordance with the resolution of intention, which was heretofore and hereby is adopted, ratified and approved; and the boundaries of said district and the real property included therein, all within the corporate limits of the City of Caldwell. The boundaries of said district are defined by the corporate limits of the City of Caldwell at time of utility connection.

**Section 2:** The district is in the best interests of both the property affected and the City of Caldwell and there is reasonable probability that the obligations of the district will be paid.

**Section 3:** The value of the property within the district, including the proposed improvements, is sufficient.

**Section 4:** Each lot and parcel of land that connects to City services under the terms of this Local Improvement District shall be separately assessed for said debt or cost and expense of said connection fees in proportion to the benefits derived to such property by said improvements. The cost and expenses to be assessed as herein provided shall include only sewer and /or water and/or irrigation connection fees as adopted by City Council.

Property owners may not include the cost of construction needed to connect the property to sewer and/or water and/or pressure irrigation and the decommissioning of septic tanks. In the case of a sewer connection the connection fee allows the property owner to be connected onto the City sewer system. The property owner shall hire a licensed plumber to make the tap to the City main sewer line. In the case of a water connection, the City of Caldwell Water Department will install a water meter and service for the residence to the property line. The property owner may connect the house to the water meter or hire a licensed plumber to connect the residence to the water meter. In the case of irrigation, the property owner shall hire an appropriate contractor to provide the irrigation service line.

**Section 5:** The property shall be assessed for sewer and/or water connection fees and/or irrigation fees for the connection of private residences and/or commercial building to City Services. Said amount is estimated to be \$30,000; provided however, said costs shall not exceed the actual cost of the connection fees together with expenses set forth in Section 6.

**Section 6:** The cost and expense assessed herein provided shall include the cost of the connection fees and permits including reasonable administration costs such as engineering, clerical services, advertising, inspection, collecting of assessments, bonding, and legal services for preparing the proceedings in regard thereto.

**Section 7:** The City Engineer is hereby appointed as the official engineer for this project and shall prepare the necessary plans and specification for the construction of improvements and an assessment roll for the L.I.D.

**Section 8:** After construction of the improvements and at such time as the Council shall authorize, the Engineer shall prepare a duly certified report to the Council including an assessment roll according to provisions of Idaho Code 50-1712.

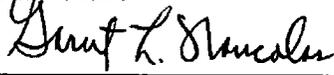
**Section 9:** Should the court having jurisdiction declare any part of this Ordinance invalid, unauthorized or unconstitutional or in conflict with any other part of this Ordinance, then such decision shall affect only the part declared to be unconstitutional, unauthorized or invalid, and shall not affect any other part whatsoever of this Ordinance. The Mayor and City Council of the City of Caldwell, Idaho, declare that it would have passed this Ordinance, and each part hereof, irrespective of parts declared invalid, unauthorized or unconstitutional.

**Section 10:** This Ordinance shall take effect and be in full force upon its passage, approval and publication.

**PASSED BY THE COUNCIL** of the City of Caldwell, Idaho, this 19<sup>th</sup> day of January, 2016.

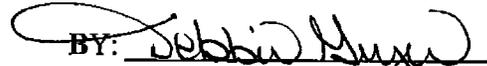
**PASSED BY THE MAYOR** of the City of Caldwell, Idaho, this 19<sup>th</sup> day of January, 2016.

**APPROVED:**

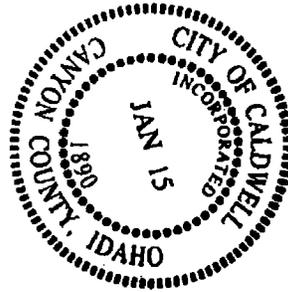


Garret Nancolas, Mayor

**ATTEST:**



BY: Debbie Geyer, City Clerk



**RESOLUTION NO. 212-15**  
**RESOLUTION OF INTENTION TO FORM LID 16-1 FOR**  
**UTILITY EXTENSIONS AND CONNECTIONS**  
**IN THE CITY OF CALDWELL**

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF CALDWELL, IDAHO, TO CREATE A LOCAL IMPROVEMENT DISTRICT NO. 16-1 FOR CALDWELL, IDAHO, FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS BY SPECIAL ASSESSMENTS TO BE LEVIED AND ASSESSED UPON THE PROPERTY BENEFITED BY SUCH IMPROVEMENTS; DECLARING SAID IMPROVEMENTS TO BE FURTHER AND ADDITIONAL IMPROVEMENTS; STATING THE ESTIMATED TOTAL COST OF SUCH IMPROVEMENTS AND THE KIND OF CHARACTER THEREOF; FIXING A TIME IN WHICH PROTESTS AGAINST THE PROPOSED IMPROVEMENTS OR THE CREATION OF SUCH DISTRICT MAY BE FILED IN THE OFFICE OF THE CITY CLERK; FIXING A TIME WHEN SUCH PROTESTS SHALL BE HEARD AND CONSIDERED BY THE COUNCIL; AND DIRECTING NOTICE THEREOF TO BE GIVEN.

**WHEREAS**, the City Council of the City of Caldwell, Idaho, deems it to be in the best interests of the City to create "Local Improvement District No. 16-1 for Utility Connections in the City of Caldwell " for the purpose of extending City services and making sewer, water, and pressure irrigation connections within the corporate limits of the City; and related work to connect said homes to sewer, water, and pressure irrigation; and

**WHEREAS**, the maximum total cost of said improvements, including all legal, printing, and bonding fees, is thirty thousand dollars;

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF CALDWELL, IDAHO:**

**Section 1.** The City of Caldwell, does hereby declare its intention to extend City services and make utility connections to water main, sewer main, and pressure irrigation main lines within the corporate limits of the City of Caldwell.

**Section 2.** The general characteristics of the improvements shall be to extend City services and make utility connections.

**Section 3.** That said improvements are further and additional improvements.

**Section 4.** That the total maximum cost of the improvements per applicant is \$30,000.

**Section 5.** That an improvement district be formed for the purpose of making these improvements to be known as "Local Improvement District 16-1 for Utility Extensions and Connections in the City of Caldwell".

**Section 6.** That boundaries of the improvement district to be formed shall be the corporate limits of the City of Caldwell on the day of approval of this resolution.

All improvements are to be restricted to locations which meet the following criteria:

- (1) Property owners will sign a form approved by the City Attorney which shall bind them to the payment provisions of the Local Improvement District.
- (2) Properties do not qualify as all or part of a subdivision under the City of Caldwell's current subdivision ordinance as adopted and in place on the day of approval of this resolution; excepting subdivisions of 4 lots or fewer.

**Section 7.** That the portion of the cost to be levied against the benefited property shall be assessed against the benefited parcels in the following manner:

Property owners will be assessed the cost of the connection fees in accordance with standard water, sewer, and pressure irrigation connection fee policies adopted by the City at the time of connection. Property owners may not include the cost of construction needed to connect the property to sewer and/or water and/or pressure irrigation and the decommissioning of septic tanks.

**Section 8.** Protests against said improvements or the creation of such improvement district to be formed shall be in writing and filed in the Office of the Caldwell City Clerk, at the City Hall in the City of Caldwell on or before 5:00 p.m., January 18, 2016 and such protests shall be heard and considered by the City Council at a meeting of the City Council to be held at 7:00 p.m. on said day.

**Section 9.** That the City Clerk be and is hereby directed to give notice of the passage of this Resolution and the time within which protests will be heard and considered by the City Council as herein provided, describing in such the general character of the improvements to be made and the estimated total cost thereof and refer in said notice to the said Resolution on file in their office for further information in regard thereto, and shall cause such notice to be published in the Idaho Press Tribune, a daily newspaper of general circulation within said City and the official newspaper thereof, in three consecutive issues with the first issue being no less than 10 days prior to the hearing.

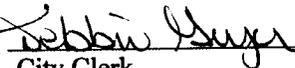
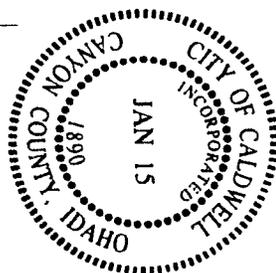
**PASSED BY THE CITY COUNCIL** of the City of Caldwell, Idaho, this 21<sup>st</sup>, day of December, 2015.

**APPROVED BY THE MAYOR** of the City of Caldwell, Idaho, this 21<sup>st</sup>, day of December, 2015.



\_\_\_\_\_  
Mayor

ATTEST:

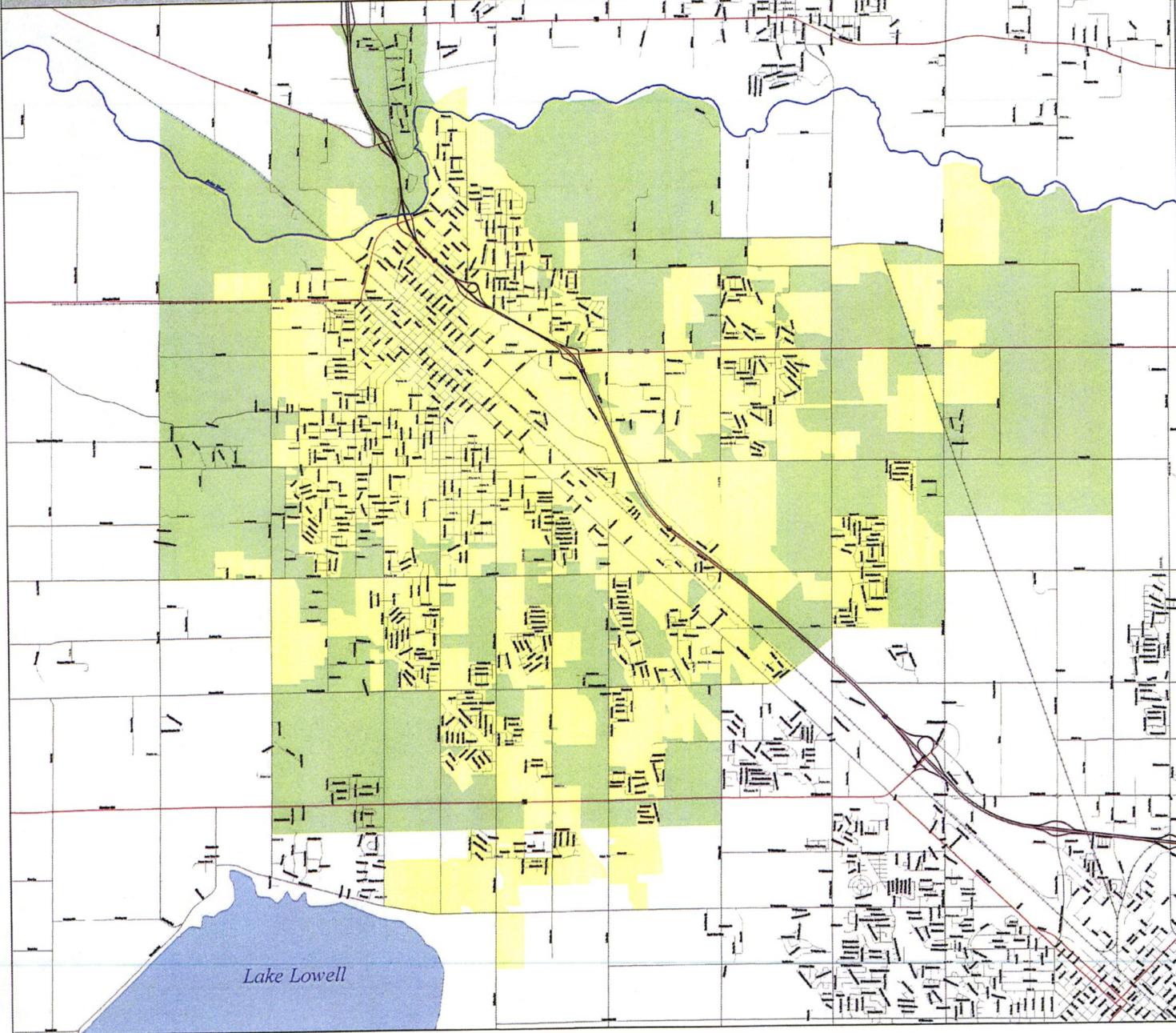
  
\_\_\_\_\_  
City Clerk

# City of Caldwell

## City of Caldwell

### Legend

- Interstate
- Highway
- Major Road
- Local Road
- Boise River
- Railroad
- City Boundary
- Impact Area
- Lake Lowell



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