

SPIRIT LAKE

ORDINANCE NO. 624

AN ORDINANCE OF THE CITY OF SPIRIT LAKE, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROHIBITING NEW CONNECTIONS TO THE CITY OF SPIRIT LAKE WASTEWATER TREATMENT SYSTEM; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, the City of Spirit Lake operates a wastewater treatment facility which serves the wastewater treatment needs of the City of Spirit Lake;

WHEREAS, building activity has increased significantly in the City of Spirit Lake;

WHEREAS, the wastewater treatment facility is nearing capacity;

WHEREAS, the City of Spirit Lake does not have funding to expand the wastewater treatment system;

WHEREAS, the City of Spirit Lake enacted an emergency moratorium and enacted an emergency moratorium ordinance imposing an immediate moratorium on the acceptance of building permit applications requiring a sewer service connection Chapter 65 of Title 67 of Idaho Code;

WHEREAS, it is in the best interest of the City of Spirit Lake and its citizens, and the environment, that the City halt new connections to the wastewater treatment system;

WHEREAS, the City Council finds that the conditions imposed by this ordinance is necessary for the protection of the public health, safety, or welfare.

NOW THEREFORE, the Mayor and City Council of the City of Spirit Lake do ordain as follows:

Section 1: No new connection permits to the City of Spirit Lake wastewater treatment system shall be issued upon the effective date of this ordinance. The City of Spirit Lake shall not accept building permit applications requiring sewer service connections to the City of Spirit Lake following adoption of this ordinance. The City of Spirit Lake shall not accept site plan applications requiring sewer service connections after adoption of this ordinance.

Section 2: The moratorium set forth in Section 1 of this Ordinance shall remain in effect until it is subsequently repealed or modified. The continuation on this Ordinance shall be placed upon the City Council Agenda no less frequently than every six (6) months in order to determine the progress being made to obtain funding to complete capacity upgrades to the wastewater

treatment facility. It is the intent of the City Council to amend or repeal this ordinance once funding has been obtained and capacity upgrades have been completed.


Section 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this moratorium or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this moratorium, or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

Section 4. This Ordinance shall be in effect immediately upon its passage, approval, and publication.

APPROVED, ADOPTED and SIGNED this 9 day of November, 2021.


Renee Eastman, Mayor

ATTEST:


Michelle Wharton, City Clerk

SUMMARY OF SPIRIT LAKE ORDINANCE NO. 624

AN ORDINANCE OF THE CITY OF SPIRIT LAKE, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROHIBITING NEW CONNECTIONS TO THE CITY OF SPIRIT LAKE WASTEWATER TREATMENT SYSTEM; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. 624 IS AVAILABLE AT SPIRIT LAKE CITY HALL, 6042 W. MAINE STREET, SPIRIT LAKE, IDAHO IN THE OFFICE OF THE CITY CLERK.

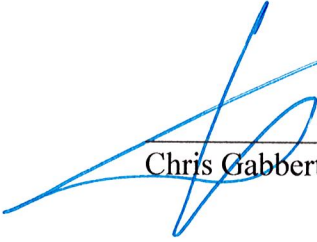


Michelle Wharton City Clerk

STATEMENT OF LEGAL ADVISOR

I, Chris Gabbert, am the City Attorney for the City of Spirit Lake, Idaho. I have examined the attached summary of Spirit Lake Ordinance No.624 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 9 day of Nov, 2021.



Chris Gabbert, City Attorney