



Talk with the Mayor

**Discussion: Long-range City vision,
Code Enforcement, Urban Renewal District**

Tuesday April 9, 2013
10:00 a.m. City Hall
6:30 p.m. City Hall

Urban Renewal District (URD) Public Comment April 17, 2013 City Council Meeting 6:30 p.m.

Mayor Taylor recommended Council un-appoint current board of directors and appoint City Council as the board for the following reasons.

1. It is another layer of taxation: it is an entity of taxation without representation.
2. It incurred substantial debt without voter approval (like is required to pass a bond)
3. Like the City, the URD can incur debt, collect taxes, and spend money on infrastructure improvements.
4. Receives tax money that otherwise would go to the school district, highway district, city, fire district, and greater Middleton parks and recreation district



Volunteer to Help Clean-Up City Sidewalks and Gutters April 10, 7:00 p.m. Trolley Station

In coordination with Middleton Unplugged each year the City sets aside a day for the community to help clean up the trash and debris that has collected along streets, sidewalks, and gutters during the winter. Join the Mayor, City Council and staff on April 10th, 7:00 p.m. in front of the Trolley Station to help clean up Middleton. Trash bags and walking routes will be provided. Everyone is invited! Contact Becky Crofts at 585-3133 if you have a large group so that an appropriate route can be arranged.

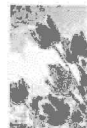
Middleton City Code Enforcement

The Idaho Constitution authorizes the State of Idaho to exercise police powers to maintain peace and safety of individuals and property in Idaho. The State of Idaho delegated some of its police powers to sheriffs and police chiefs (law enforcement), and delegated some of its police powers to counties and cities (code enforcement).

Law enforcement officers (county sheriff deputies and city policemen) enforce state laws, like laws prohibiting public nuisances, blocking allies, and parking vehicles or trailers the wrong direction on public streets/allies.

Code enforcement officers (from counties and cities) enforce local laws. Many of Middleton's former city councils have passed laws that together are referred to as the Middleton City Code, which was shortened and simplified in 2012-2013 and can be viewed at the City's website – www.middletonid.us.gov.

City laws have two main purposes: to maintain the peace and safety of individuals and property in Middleton. Generally, these laws require us to keep our properties cleaned up and to use our properties in a way that does not injure anyone else or damage their property. (Continued on pages 2 and 3)



City Resident Spring Clean-Up April 22-26

On your regular trash day, Republic Services, the City's trash provider, will pick up large/bulky trash items at no charge. Items must be placed out for collection with your regular trash. Bulky items and yard debris are collected FREE that week. For questions contact Republic Services at 345-1265.



Canyon County Landfill Free Dump Day Saturday April 27

Middleton City Code Enforcement (Continued)

"Cleaned up" generally means weeds are shorter than twelve inches (12"), and garbage and debris is picked up and properly disposed of: thrown away, enclosed in a building, or screened from public by a fence or vegetation.

"Injuring someone" else generally means doing something that causes noise, vibration, odor, light, or dust on your property that negatively affects someone else or damages their property.

The City code enforcement officer(s) initiate code enforcement actions when he or she observes a violation, or responds to written complaints received at City Hall. **Portions of the City's laws that are most-often violated are listed below.** Upon violation of the weed ordinance, the City will give written notice of the violation and, if the weeds are not cut to compliance, then the City can enter the property to cut the weeds, and then bill the landowner and occupant, including costs of collection.

Upon violation of other ordinances, the City will give written notice of the violation and, if not corrected by the landowner and occupant, then the City can issue a citation. If the violation is not fixed after a citation(s) is issued, the City can prosecute the landowner and occupant for a misdemeanor with up to a \$1,000 fine, up to six months in jail, or both.

8-4-52-1: ACCUMULATION OF REFUSE PROHIBITED:

A. Individual Responsibility: Every person residing, doing business, owning, managing, renting, or leasing property within the city limits shall be required to keep that property free from any accumulation or scattering of refuse (see definition of "refuse", section 8-4-3). This shall not only include all refuse on private property, but also any refuse blown from or scattered from private property onto public property adjacent to or contiguous with that property including areas behind curbs, sidewalks, parking areas, and property to the center of alleys and ditches.

C. Vehicles In Enclosure: It is not a violation of subsection A of this section for the owner(s) of junk vehicles to store those vehicles in an enclosed garage or to store the vehicles in such a manner that they are screened from view of the street and any neighbors.

REFUSE DEFINED: Undesirable matter including, but not limited to: all waste wood, tree trimmings, grass cuttings, dead plants, weeds, leaves, dead trees, chips, shavings, sawdust, printed matter, paper, used and discarded articles of clothing, combustible waste pulp, boxes and packaging materials, glass, ashes, construction debris, garbage, stable matter, junk or badly weathered building materials not currently in use, stoves, refrigerators, washers, dryers, furniture, mattresses, scrap metals, car parts, tires and junk vehicles.

8-4-63-1: ABANDONED MOTOR VEHICLES PROHIBITED:

A. No person shall abandon a vehicle upon any highway, street, alley, roadway, or right of way thereof.

B. No person shall abandon a vehicle upon public or private property without the express or implied consent of the owner or person in lawful possession or control of the property.

8-4-63-2: PRESUMPTION:

The abandonment of any vehicle shall create a presumption that the last registered owner of record is responsible for the abandonment and is, thereby, liable for the cost of removal and disposition of the vehicle.

8-5-31: PROHIBITED ACCUMULATION:

No owner or occupant of premises covered by this chapter shall permit any accumulation of garbage or rubbish on such premises.

8-5-108: UNLAWFUL DEPOSITS ON PUBLIC WAYS AND PROPERTY:

Except as provided in this chapter, it shall be unlawful for any person to place any grass trimmings, garbage or rubbish upon any street, alley, sidewalk, public place or open lot in the City.

8-6-74: PERMITTED OPEN BURNING:

A. Open burning of the following is permitted only in accordance with the provisions of this chapter and does not require a permit:

1. Fires used by organized firefighting personnel for the purpose of combating fire or training.

2. Barbecues or other fires used in the preparation of food, provided however, that the fire does not exceed three feet (3') in diameter and two feet (2') in height.

B. Open burning of the following is permitted only in accordance with the provisions of this chapter and shall require a permit from the Middleton fire protection district:

1. Fires used to keep irrigation ditches and fence rows clear of plant and weed growth.

2. Fires used to dispose of or reduce dry vegetative waste materials, such as, but not limited to, tree branches, gardening waste, weeds, or other dry vegetation, where mulching or other types of disposal are impractical.

C. Open burning for the purposes of agricultural activities is specifically exempt from the requirements of this chapter. However, burn permits are still required for these activities and must be obtained from the Middleton fire protection district prior to the ignition of any fire.

D. Burning permits are available through the Middleton fire protection district.

8-7-31: PUBLIC DISTURBANCE NOISE PROHIBITED:

A. Between the hours of ten o'clock (10:00) P.M. one day and seven o'clock (7:00) A.M. the next day, it shall be unlawful for any person or business to make or cause loud or offensive noise by means of voice, musical instrument, horn, radio, loudspeaker, automobile, machinery, other sound amplifying equipment, or any other means which disturbs the peace, quiet, and comfort of any reasonable person of normal sensitiveness residing in the area. "Loud or offensive noise" is that which is plainly audible within any residence or business other than the source of the sound, or upon a public right of way or street at a distance of one hundred feet (100') or more from the source of such sound.

B. Due to extreme heat during the summer months of June, July and August, construction and landscape maintenance noise may begin at six thirty o'clock (6:30) A.M.

8-7-42: LOUD AMPLIFICATIONS:

It shall be unlawful for any person to operate, or permit the operation of, any loud amplification device upon or within a motor vehicle in such a manner that the sound therefrom is plainly audible upon a public right of way or street at a distance of fifty feet (50') or more from the source of sound.

8-8-31: PROHIBITED ACTS:

A. Defacement: It is hereby declared to be unlawful and a nuisance for any person to deface or place or put, by any means, graffiti on any natural or manmade surface without the permission of the owner of the premises on which the surface is located.

B. Possession of Graffiti Implements:

1. It shall be unlawful for any person to possess any graffiti implement while in or upon any public facility, park, playground, swimming pool, recreational facility, or other public building or structure owned or operated by the city or while in or within fifty feet (50') of an underpass, bridge abutment, storm drain, or similar types of infrastructure unless otherwise authorized by the city.

2. It shall be unlawful for any person under the age of eighteen (18) years to possess any graffiti implement while on any school property, grounds, facilities, buildings, or structures, or in areas immediately adjacent to those specific locations upon public property, or upon private property without the prior written consent of the owner or occupant of such private property. The provisions of this section shall not apply to possession of a graffiti implement by a minor attending or traveling to or from a school at which the minor is enrolled if the minor is participating in a class at the school that formally requires possession of said implement at that time. This exception serves as an affirmative defense and the burden of proof in any prosecution rests with the student to establish the need for said implement at that particular time and location.

8-9-5: STORM WATER MANAGEMENT PLANS AND COMPREHENSIVE DRAINAGE PLANS:

A.1. Storm water management plans or comprehensive drainage plans are required for industrial, commercial, and institutional developments which require a building permit and all residential developments, as well as subdivision projects that have private access, which also require a building permit.

8-9-6: DISCHARGE REGULATIONS AND REQUIREMENTS:

A. Any illicit discharge to any storm drain, including both the MS4 and private storm drains, is a violation of this article unless exempted by other provisions.

B. Parking Lots and Similar Structures: Persons owning or operating a paved parking lot, gas station pavement, paved private street or road, or similar structure or conducting routine building wash downs, shall clean and maintain those structures consistent with the Idaho Department of Environmental Quality disposal best management practices. Direct discharge to a storm drain is not allowed.

C. Construction Sites: Any person performing construction work in the city shall comply with the provisions of this article.

E. Compliance with NPDES Permits: Any discharge that would cause a violation of a municipal NPDES permit and any amendments, revisions or reissuance thereof, either separately considered or when combined with other discharges, is prohibited. All persons in charge of a facility are to comply with applicable federal and state laws including facility personnel, training, training record maintenance, training records, maintenance of notification procedures, and implementation of notification requirements for spill response to assure containment, cleanup, and immediate notification to the city of Middleton. Individuals responsible for spills are to comply with applicable state and federal notification requirements to assure containment, cleanup, and immediate notification to the city of Middleton.

8-3-32: CROSS CONNECTIONS:

No water service connection to any premises shall be installed or continued in use by the purveyor unless the water supply is protected by backflow prevention devices as may be required by this chapter. The installation or maintenance of a cross connection which will endanger the water quality of the potable water supply of the city shall be unlawful and is prohibited.

8-3-43: USE OF BACKFLOW PREVENTION DEVICES:

A. Premises Requiring Devices: Backflow prevention devices shall be installed at the ties on the premises, or the materials used in connecting with service connection, or within any premises, where, in the judgment of the purveyor and/or health officer, the nature and extent of the activities, or materials stored on the premises, would present an immediate and dangerous hazard to health and/or be deleterious to the quality of the water should a cross connection occur

New Board Appointed to Middleton Historic Preservation Society

At the March 20, 2013 City Council meeting, the City Council appointed the following new board members to the Middleton Historic Preservation Society: Claudia Moberly, Becky O'Meara, Angie Young, Becky Crofts, and Tim O'Meara. The newly-formed society will be responsible for administering the \$47,000 Canyon County grant awarded to the City of Middleton. The grant funds were awarded to help create an Art and History Museum at the Civic Center in downtown Middleton.

Travel the Historic Interurban Loop

Did you know that an electric railway system once linked towns in Ada and Canyon counties? Are you curious and want to learn more about the history of the Interurban? Sign up for a historical bus tour and discover what it meant to "Loop the loop."

Historians Barbara Perry Bauer and Elizabeth Jacox will lead a unique bus tour that follows the old route. Stops include Canyon County Museum, Nampa Train Depot, Middleton Civic Center, and therolley Station.

Departure dates: April 20 from Boise or April 27 from Nampa/Caldwell. Tickets are \$35.00 and include: four-hour tour, picnic lunch, comfortable bus from Boise Shuttle Service, entrance into museums, and a souvenir item. Seating is limited. For more information call 208-338-1014 or go to www.taghistory.com and click on the facebook link.

DON'T TEXT AND **DRIVE**: "It Can Wait"

No Text is worth dying for!

Middleton Unplugged, the City of Middleton, and the Mayor's Youth Advisory Council are proud to support AT&T's campaign to stop texting while driving.



Open House
April 24th 7:00-8:00 p.m.
Middleton Middle School Gym

Everyone is invited - parents, teens, pre-teens - to learn about the dangers of texting while driving, and sign the pledge. Free t-shirts, wrist bands, car magnets, etc. will be given away. Let's join together as a community and keep each other safe.

Upcoming Events:

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| City Council/MYAC
MYAC 5:30 p.m. City Hall
Council 6:30 p.m. City Hall | Apr 3 |
| Talk with the Mayor
City Hall 10:00 a.m.
City Hall 6:30 p.m. | Apr 9 |
| City Clean Up
Trolley Station 7:00 p.m. | Apr 10 |
| MYAC Committee Meeting
City Hall 5:30 p.m. | Apr 10 |
| Planning and Zoning
City Hall 7:00 p.m. | Apr 15 |
| City Council/MYAC
MYAC 5:30 p.m. City Hall
Council 6:30 p.m. City Hall | Apr 17 |
| Run4Fun Race and Health Fair
Middleton Middle School
9:00 - 1:00 p.m. | Apr 20 |
| Don't Text and Drive Open House
Middleton Middle School Gym 7:00 p.m. | Apr 24 |
| Republic Services - Spring Clean Up
Place extra garbage and debris at curb for pick up on normal trash day. | Apr 22-26 |
| Canyon County Landfill Free Dump Day | Apr 27 |

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