

RESOLUTION R-134

RESOLUTION BY THE CITY OF MARSING, OWYHEE COUNTY, IDAHO, AMENDING RESOLUTION 124 TO ADD A PERMIT FEE FOR WORK IN THE STREET RIGHT OF WAY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Marsing desires to amend Resolution 124 to provide for a permit fee for construction in the City's rights of way;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MARSING, OWYHEE COUNTY, IDAHO:

Section 1: Section 2 of Resolution 124, adopted on April 11, 2012, is amended as follows:

Section 2: Additional Fees are set forth below:

FLOOD PLAIN DEVELOPMENT PERMIT

1 ACRE OR LESS \$ 250.00

1.1 – 10 ACRES \$ 500.00

10.1 – 20 ACRES \$ 750.00

10.1 – 100 ACRES \$1000.00

100.1+ ACRES \$2000.00

Note: No additional fees for review by the City Engineer will be charged for a flood plain development permit application. These fees are in addition to plat fees.

ZONING, SUBDIVISION, OR FLOOD CONTROL
ORDINANCE TEXT AMENDMENT \$ 500.00

VARIANCE \$300.00

VACATION \$300.00

APPEALS \$500.00

EXTENSION OF TIME \$ 100.00

LOT LINE ADJUSTMENT \$100.00

CONDOMINIUM PLAT \$200.00

LOT SPLIT \$200.00

DEMOLITION \$15.00

SIGN PERMITS \$50.00

STORAGE SHEDS \$10.00

FENCES \$10.00

RE-ROOFING \$10.00

ALL OTHER ZONING PERMITS \$ 50.00

RIGHT OF WAY PERMIT FEE \$50.00 + \$1 PER FOOT OVER 25 FEET

Section 3: This Resolution shall take effect and be in force from and after its passage and approval.

1. The business owner/partner must live in the home.
2. The business activities must not "take over" the home; that is, business activities must not significantly alter the appearance or function of the home.
3. The number of visitors, customers and deliveries is limited to that which is necessary and reasonable. The city council retains final authority to determine if activity is necessary and reasonable. (Ord. A-173, 8-12-2009, eff. 1-1-2010)

2-1-8: CATERING LICENSE:

- A. Any person or establishment meeting the definition of "caterer" in section 2-1-2 of this chapter and desiring to furnish catering services within the city must obtain a catering license for each discrete event. This license must be obtained in addition to any licenses required by other government entities.
- B. All caterers must abide by all applicable city, state and federal regulations and laws that pertain to food handlers. Violations of any applicable health or safety regulation or law will result in the immediate revocation of the license. (Ord. A-173, 8-12-2009, eff. 1-1-2010)

2-1-9: SPECIAL BUSINESS LICENSE FOR TRANSIENT MERCHANTS AND ITINERANT VENDORS:

- A. License Required: Any person, firm or corporation operating as a "transient merchant" or "itinerant vendor", as defined in section 2-1-2 of this chapter, must obtain a special business license rather than a general business license.
- B. Approval Of License: The special license is separate from the general license. It must be approved by the city council and, if the council requires, by the county sheriff's department. The city council may require the sheriff's approval if it has reasonable cause to believe that an applicant may jeopardize the health, welfare, safety or morals of its residents. Applicants will be advised if a visit to the county sheriff's department is required for activities such as fingerprinting, photographing, and/or background checks. The applicant must pay any and all costs associated with obtaining the county sheriff's approval. (Ord. A-173, 8-12-2009, eff. 1-1-2010)
- C. Security: The city may require a surety bond, cash, money order, or cashier's check in the amount of five hundred dollars (\$500.00) to ensure compliance with this chapter. After the expiration of the license, the city clerk-treasurer shall return the surety six (6) months after the expiration date of the license unless there is a pending violation. (Ord. A-173, 8-12-2009, eff. 1-1-2010; amd. 2012 Code)
- D. Nonresident Information: The city council requires "nonresidents", as defined in section 2-1-2 of this chapter, to furnish additional information and references for the special business license application with the purpose of locating such nonresidents if necessary in the administration of

the city without first paying the license fee which shall be established by resolution of the city council prescribed and procuring such a license from the city clerk-treasurer whenever the procuring of the license is required by the city. (Ord. A-173, 8-12-2009, eff. 1-1-2010; amd. 2012 Code)

B. All persons, firms or corporations required to obtain a license under this chapter shall submit a completed application with required license fees within ninety (90) days of the effective date hereof.

C. Each separate business, as identified by location, activity and/or federal tax identification number, shall be required to obtain its own business license. In the event that more than one business operates out of a single location or if a single person, firm, or corporation operates more than one type of business or uses more than one location, a business license shall be required for each federal tax identification number, location and/or activity under which income is earned. The city council shall have final authority to determine whether or not a separate business license is required for such activities. (Ord. A-173, 8-12-2009, eff. 1-1-2010)

2-1-5: APPLICATION FOR LICENSES; ISSUANCE:

Every person, firm or corporation desiring to do business in the city shall apply to the city clerk-treasurer for a license to operate such business. Upon approval by the city council, the city clerk-treasurer shall issue to the applicant a license that shall be signed by the clerk-treasurer. (Ord. A-173, 8-12-2009, eff. 1-1-2010; amd. 2012 Code)

2-1-6: GENERAL BUSINESS LICENSE:

Every person, firm or corporation desiring to do business in the city who is not required to obtain a home occupation business license, a special business license, or a catering license shall apply for a general business license. (Ord. A-173, 8-12-2009, eff. 1-1-2010)

2-1-7: HOME OCCUPATION BUSINESS LICENSE¹:

A. Every person desiring to do business in his place of residence, and such business is earning or will earn gross annual revenues in excess of ten thousand dollars (\$1,000.00), shall apply to the city clerk-treasurer for a home occupation business license. (Ord. A-173, 8-12-2009, eff. 1-1-2010; amd. 2012 Code)

B. Home occupation businesses are subject to special requirements as described in this chapter regarding the type and extent of business activity allowed. The purpose of these requirements is to protect the residential nature of the neighborhood and prevent nuisance complaints regarding noise, traffic, dust, etc.

C. Requirements for home occupation businesses:

1. See also subsection 8-6-5K of this code.

**Right of Way Permit
APPLICATION
CITY OF MARSING**

425 Main St., PO Box 125, Marsing, ID 83639
208-896-4122 ext. 2
Fax 208-896-4123
208-896-4122

Resolution R-134
PERMIT FEE
\$50.00 + \$1.00 FT OVER 25 FT

FOR OFFICE USE

Building Permit Number _____
Date: _____ Rec'd By: _____

Project Address: _____

Description of Work

Owner: _____

Address: _____

Phone: _____ Fax: _____ Cell: _____

Contractor: _____ Contractor's License Number _____

Address: _____

Phone: _____ Fax: _____ Cell: _____

Owner or Owners Authorized Agent: _____ **Date:** _____