

# CITY OF DOVER

## ORDINANCE NO. 46

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DOVER, IDAHO, ADOPTING MITIGATION MEASURES REQUIRED BY THE USDA-RURAL DEVELOPMENT RESTRICTING PROVISION OF SEWER SERVICE, REQUIRING AN ARCHEOLOGY REPORT, REQUIRING PROVISION OF ADEQUATE SAFE WATER AND PROVIDING FOR AN EFFECTIVE DATE.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DOVER, IDAHO, THE FOLLOWING MITIGATION MEASURES ARE HEREBY ADOPTED TO COMPLY WITH USDA-RURAL DEVELOPMENT FUNDING REQUIREMENTS FOR THE PROPOSED WASTEWATER TREATMENT FACILITY:

### **SECTION 1: REQUIRED MITIGATION MEASURES**

1. The City shall prohibit the acceptance of septage from any structure constructed after the publication date of this ordinance, located within the 100-year floodplain or located within a wetland, or less than 5 meters from a wetland, and prohibiting sewer service to any new structure located within the 100-year floodplain or located in or within 5 meters of a wetland, as designated by NRCS or by the Corps of Engineers. Wetlands affected are outlined on the map in Attachment 19 of the Environmental Assessment and further identified by field delineation by NRCS or by the Corps of Engineers. The 100-year floodplain is defined as any land below the elevation 2070 feet NGVD. Man-made wetlands constructed in lieu of natural wetlands that a builder proposes to fill in would allow for a waiver of the above mitigation measure, provided the Corps of Engineers approves the proposal in writing.
2. Before the construction is started on the project, the City agrees to have the rapid infiltration site reviewed by a professional archaeologist. The City shall send a copy of the archaeologist's report to the Deputy State Historical Preservation Officer for consultation and shall abide by the Officer's recommendations.
3. The City shall comply with the application process for permitting and monitoring provisions set forth by EPA and IDEQ for sewer

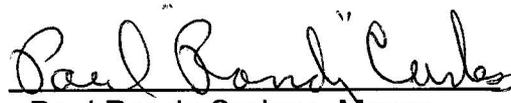
treatment facilities, and with those provisions set forth in the letter from IDEQ referenced in Attachment 10 to the Environmental Assessment. Should ground water monitoring and testing of existing drinking water wells identify an impact by the RI basins which exceeds Safe Drinking Water Standards levels for nitrates and/or other contaminants, the City shall provide those whose water sources are impacted with a source of adequate safe water.

**Section 2: EFFECTIVE DATE**

The Ordinance shall be and is effective from and after the date of its publication.

PASSED AND APPROVED by the Mayor and City council of Dover, Idaho on this 18th Day of June, 1998.

Randy Curless, Mayor	<u>Aye</u>
Margaret Becker	<u>Aye</u>
Neal Hewitt	<u>Aye</u>
Rick Hyde	<u>Aye</u>
Brad Littlefield	<u>Absent</u>

  
Paul Randy Curless, Mayor

ATTEST:

  
Karen Ames, Clerk

Passed and adopted as an Ordinance of the CITY OF DOVER, Idaho, on this 25 day of March, 1999.

Paul Randy Curless  
Paul Randy Curless, Mayor

ATTEST:

Connie Hinkle  
Connie Hinkle, Clerk

I, the undersigned, City Clerk of the City of Dover, of Bonner County, Idaho, hereby certify that the foregoing Ordinance is a full, true, and correct copy of an Ordinance duly adopted at a regular meeting of the City Council, duly and regularly held at the regular meeting place thereof on March 11, 1999, of which meeting all members of said Council had due notice and at which a majority thereof were present; and that at said meeting said Ordinance was adopted by the following vote:

AYES, and in favor thereof, Council members: Maggie Becker, Jenny Shulow, Brad Lettfield, Neal Hewitt

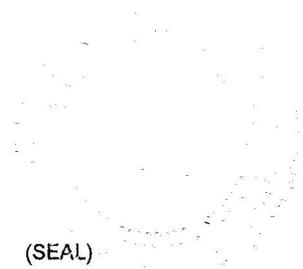
NAYS, Council members:

ABSENT, Council members:

ABSTAIN, Council members:

I further certify that I have carefully compared the same with the original Ordinance on file and of record in my office; that said Ordinance is a full, true, and correct copy of the original Ordinance adopted at said meeting; and that said Ordinance has not been amended, modified, or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the CITY on this 25 day of March 1999.



(SEAL)

Connie Hinkle  
Connie Hinkle, City Clerk