

Ordinance No. 291-2

AN ORDINANCE OF THE CITY OF CLARK FORK, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, AMENDING WHEN USER CHARGES ARE DUE AND PAYABLE, DECLARING UNPUBLISHED ORDINANCE #291-1 INEFFECTIVE; PROVIDING FOR SEVERABILITY AND REPEALING PROVISIONS IN CONFLICT WITH THE ORDINANCE, AND PROVIDING AN EFFECTIVE DATE UPON PASSAGE AND PUBLICATION.

WHEREAS, the city of Clark Fork passed a Water Ordinance (Ordinance #251) on the 8th day of December, 2008, repealing previous ordinances regulating water systems within the city of Clark Fork, including Ordinances #214, #240, and #249, as well as sections of Ordinances #221, #223, and #225.

WHEREAS, the city of Clark Fork, having implemented Ordinance #251, identified the necessity for further revisions to the Water Ordinance, resulting in the passage of Ordinance #291 on the 19th day of September, 2022.

WHEREAS, one of the amendments incorporated within Ordinance #291 was intended to change the water billing frequency for consistency and efficiency to reflect other monthly billing statements within the city of Clark Fork.

WHEREAS, after implementation of the new water billing structure contemplated in Ordinance #291, the city of Clark Fork has identified that further revision to said structure is necessary.

WHEREAS, the city of Clark Fork attempted to make such revisions by adopting city of Clark Fork Ordinance #291-1, but has identified that certain deficiencies existed in such ordinance, therefore it has not been published or become effective, and is contemplated to be superseded by this Ordinance #291-2.

THEREFORE, BE IT ORDAINED by the Mayor and City Council of the city of Clark Fork, Bonner County, Idaho:

Section 1 - Repeal: That the following provision within City of Clark Ordinance #291 be repealed:

Section 3 - Amendment: That SECTION 17 – “USER CHARGES; WHEN DUE AND PAYABLE” of Clark Fork City Ordinance #251 is hereby amended to read as follows:

All base rate and user charges shall be due and payable to the City Clerk on the ~~first-twentieth (20th)~~ of each calendar ~~quarter~~ month and upon failure to pay the same within thirty (30) days ~~of the first of each quarter~~, as prescribed, each user shall pay, in addition to the amount due, a delinquent fee as set forth in a resolution of the City Council.

Section 2 - Amendment: That SECTION 17 – “USER CHARGES; WHEN DUE AND PAYABLE” of Clark Fork City Ordinance #251 is again amended to now read as follows:

All base rate and user charges shall be due and payable to the City Clerk ~~on by the first last day~~ of each calendar ~~quarter month~~. ~~and u~~Upon failure to pay the ~~same within thirty (30) days of the first of each quarter~~, amount owing by the last day of each calendar month as prescribed, each user shall ~~pay~~, in addition to the amount due, pay a delinquent fee as set forth in a resolution of the City Council.

Section 3 - Severability: This ordinance shall be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

Section 4 – Repealer: This ordinance shall supersede previously enacted ordinances governing the same matter, including the past but unpublished Ordinance #291-1. All provisions of the current ordinances of the city of Clark Fork which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 5 - Effectiveness: This ordinance and the amendments contained herein shall be effective upon its passage and publication as provided by law. All other provisions within Ordinance #251 and Ordinance #291 which have not been amended or repealed shall remain in full force and effect.

PASSED under suspension of the rules upon which a roll call vote was taken, duly enacted at a convened meeting of the city of Clark Fork City Council as an Ordinance of the city of Clark Fork, Bonner County, Idaho, and APPROVED by the Mayor on the ___ day of _____, 2026.

CITY OF CLARK FORK:

By: _____
Russ Schenck, Mayor

ATTEST:

Kat King, City Clerk