



Memo

To: Mayor and Hayden City Council

From: Alan Soderling, Public Works Director

Date: 5.12.2026

Agenda Item: Ordinance amending Title 7, Section 7-2-15 Surface Restoration and Title 6, Section 6-1-3 Parking Enforcement

Agenda Item Location

New Business

Summary

This action amends Hayden City Code Title 7, Section 7-2-15 Surface Restoration and Title 6, Section 6-1-3 Parking Enforcement.

The proposed amendments to Hayden City Code Title 7, Section 7-2-15 Surface Restoration codifies the Hayden Pavement Cut Policy as the guiding City standards for restoration of public rights-of-way by utilities and contractors. The Hayden Pavement Cut Policy will be adopted by Resolution of the City Council in a subsequent action.

The proposed amendments to Hayden City Code Title 6, Section 6-1-3 Parking Enforcement clarify conditions under which the Public Works Director or their designee may impose temporary parking restrictions, and clarifies vehicle removal authority and owner responsibility for costs.

These code changes were properly noticed for Public Hearing, scheduled for May 12, 2026.

Recommended Action or Motion

Motion: Move to adopt the ordinance enacting amendments to Hayden City Code Title 7, Section 7-2-15 Surface Restoration and Hayden City Code Title 6, Section 6-1-3 Parking Enforcement.

Budget Impact

None.

Attachments

Ordinance amending Title 7, Section 7-2-15 and Title 6, Section 6-1-3

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF HAYDEN, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, PROVIDING AMENDMENTS TO HAYDEN CITY CODE TITLE 7, CHAPTER 2, SECTION 15, REPLACING LANGUAGE ESTABLISHING CITY OF HAYDEN PAVEMENT CUT POLICY AND ENCROACHMENT PERMIT REQUIREMENTS, PROVIDING FOR AMENDING HAYDEN CITY CODE TITLE 6, CHAPTER 1 SECTION 3 PARKING REGULATIONS, CLAIRIFYING CONDITIONS UNDERWHICH TEMPORARY PARKING RESTRICTIONS MAY BE IMPOSED; PROVIDING FOR VEHICLE REMOVAL AUTHORITY AND OWNER RESPONSIBILITY FOR ASSOCIATED COSTS AND REPEALING CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; PROVIDING REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Hayden finds it necessary to develop road pavement standard and encroachment permits requirements for all public streets in Hayden and;

WHEREAS, clarity is necessary to establish responsibility for the removal and payment of costs associated with vehicles stored on city streets.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of HAYDEN, Kootenai County, Idaho, that Title 7, Chapter 2, Section 15 Surface Restoration, and Title 6, Chapter 1, Section 3 Parking Regulations, are hereby amended as shown below as ~~stricken~~ and new shown as underlined:

Section 1. That Section 7-2-15 of the Hayden City Code shall be, and the same is, amended to read as follows:

7-2-15: Surface Restoration:

~~—A. Required: The permittee shall be required to restore all injured and/or damaged surfaces within the public right of way and other public places in accordance with the lines and dimensions shown on the plans and in accordance with the specifications which together describe the work to be performed under the permit.~~

~~—B. Unpaved Surfaces: Restoration of unpaved surfaces shall include, but shall not be limited to, grading, placement of topsoil, seeding, fertilizing, watering, sodding, protecting, repairing and maintaining the area between the edge of the traveled way and the right of way line.~~

~~—C. Gravel, Concrete And Asphalt Surfaces: Restoration of gravel, concrete and asphalt surfaces shall include, but not be limited to, grading, compaction and placement of crushed rock, repair and/or replacement of concrete curbs, walks, driveways and the repair and/or replacement of asphalt surfaces.~~

~~—D. Cutting Surfaces: All concrete and asphalt surfaces requiring repair or replacement shall first be cut with a power saw to form neat perpendicular and/or parallel lines to the right of way lines.~~

~~—E. Full Width Restoration: Where fifty percent (50%) or more of the surface area of pavement has been removed or damaged, full width restoration shall be required. Any strip of remaining pavement less than four feet (4') in width along curb and gutter or pavement edge shall be removed and replaced.~~

~~—F. Cold Joint Surface Tacking: All cold joint surfaces shall be in accordance to ISPWC and tacked with emulsion which has been properly applied and cured prior to the patching.~~

~~—G. Deviation From Existing Surface: The completed patch shall not deviate from existing surface more than 0.025 feet/10 feet in profile or 0.025 feet/10 feet in cross section when measured with a ten foot (10') straight edge.~~

~~—H. Water Ponding Prohibited: Completed patches shall not pond water.~~

~~—I. Compaction: Backfill, subgrade, ballast and base course shall be compacted to a minimum of ninety five percent (95%) of the maximum dry density as determined by AASHTO T 99 (standard proctor). Asphalt shall be compacted to a minimum of ninety two percent (92%) of the Rice density (max theoretical density).~~

~~—J. Standards: Materials and constructions of structural repair shall conform to the standards set by the City.~~

~~—K. Trimming: Street surfacing shall be trimmed to a neat straight line with the edges free of dust, moisture or loose material. (Ord. 591, 3-26-2019)~~

A. City of Hayden Pavement Cut Policy: Pavement on any City right-of-way that has been cut or damaged shall be restored according to the City of Hayden Pavement Cut Policy as adopted and amended by resolution of the City Council.

B. Encroachment Permit Required

1. Any pavement cut in a City roadway requires an approved Encroachment Permit approved by the City Engineer, Public Works Director or their designee.

2. The permittee shall be required to restore all injured and/or damaged surfaces within the public right-of-way and other public places in accordance with the lines and dimensions shown on the approved plans and in accordance with the specifications which describe the work to be performed under the permit.

Section 2. That Section 6-1-3 of the Hayden City Code shall be, and the same is, amended to read as follows:

6-1-3: PARKING REGULATIONS:

A. Authority:

1. The city council and/or the public works director hereby authorized to indicate zones where vehicles shall not be parked or stopped for any purpose, including deliveries or pick ups, loading or unloading, when, in the opinion of the city council or the public works director, based upon his professional judgment, it is necessary to prevent parking, standing and/or stopping of vehicles on any street or portion of such street. The city council and/or public works director may do so by either placing appropriate signs or placing barricades or officers at such places. The city may designate an agent who is authorized to remove illegally parked vehicles and the owner thereof shall pay the cost of such removal and storage.

2. Upon approval from the city administrator, the public works director or the director's designee is authorized to indicate temporary zones or locations where vehicles shall not be parked, when, in the opinion of the public works director or the director's designee, it is necessary to temporarily prevent the parking of vehicles to avoid public harm or inconvenience or to prevent the vehicles from impeding ~~snowplowing~~ activities necessary to serve the public. Such activities may include but are not limited to snow plowing, construction, right of way and underground utility maintenance, and publicly sanctioned events. The public works director or the director's designee may do so either by placing appropriate signs or placing barricades at such places where parking is to be restricted or by publishing such notice of the parking restrictions in the official newspaper of the city and placing it on the city's website. It shall be unlawful for any person to park any vehicle at such time and at such designated places in violation of the restrictions established by the public works director or the director's designee. Any law enforcement officer or an agent of the City designated agent of the city by the Public Works Director is authorized to remove such illegally parked vehicles and the owner thereof shall pay the cost of such removal and storage.

a. Removal: The enforcement official, upon finding any motor vehicle or major recreational equipment parked in violation of any provision of this section, may have the same removed from such street, alley, parking lot, or park and the owner shall pay the cost of such removal and all other associated costs, including storage.

Section 3. This ordinance is hereby declared to 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. All provisions of the current Hayden Municipal Code or ordinances of the city of Hayden which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 5. This ordinance shall be effective upon its passage and publication as provided by law.

ENACTED by the City Council as an Ordinance of the city of Hayden on the ___ day of _____, 2026.

APPROVED by the Mayor on the ___ day of _____, 2026.

CITY OF HAYDEN

By: _____
Alan Davis, Mayor

ATTEST:

Abbi Sanchez, City Clerk