

NOTICE OF PUBLIC MEETING

Monday, December 6, 2021

City Council Chambers

680 Park Avenue

Idaho Falls, ID 83402

3:00 p.m.

The public is invited to observe City Council Work Sessions. However, to observe appropriate social distancing guidelines, as recommended by the Centers for Disease Control and Prevention (CDC), seating in the Council Chambers has been limited. Seats will be available on a first-come, first-serve basis. The public also may view this meeting via livestream on the City's website at <https://www.idahofallsidaho.gov/429/Live-Stream>. The agenda does not include an opportunity for public interaction.

This meeting may be cancelled or recessed to a later time in accordance with law. If you need communication aids or services or other physical accommodations to participate or access this meeting or program of the City of Idaho Falls, you may contact City Clerk Kathy Hampton at 612-8414 or the ADA Coordinator Lisa Farris at 612-8323 as soon as possible and they will accommodate your needs.

CITY COUNCIL WORK SESSION

Times listed in parentheses are only estimates.

Call to Order and Roll Call

Mayor and Council:

- Calendars, Announcements, and Reports (5)
- Liaison Reports and Councilmember Concerns (10)
- 2022 Calendar, Training, and Liaison Assignments (15)
- Overview: Legislative Issues Impacting Cities (20)

Human Resources, Municipal Services:

- Discussion: Resolution regarding Employee Bonus Program (30)

Human Resources, Police Department:

- Discussion: Idaho Falls Police Department Personnel Manual-- adoption of new Fair Labor Standards Act (FLSA)-approved work cycle for Sworn Officers (30)

Police Department:

- License Appeal Hearing and Council Deliberation (20)
Action Desired: Affirm or reverse original decision (or take other action deemed appropriate)

Parks and Recreation:

- Report: War Bonnet Round Up Rodeo 2021 (15)

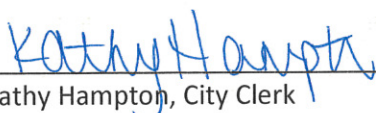
Office of the Attorney:

- Discussion: Ordinance amending Title 4, Chapter 6 (15)

Council Discussion:

- Review of Committee Report and Discussion: Connecting Us, Sustaining Progress (CUSP) (30)

DATED this 3rd day of December, 2021


Kathy Hampton, City Clerk

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City License No.: 10797
Entered: 10-27-2021
H & W Mailed: 10-27-2021
H & W Received: 11-2-2021
Approved/Denied By and Date: J. GALBREATH 11-9-2021

APPLICATION FOR CHILD CARE WORKER CERTIFICATION

Application Fee: \$20
Fingerprint Fee: \$45
Consent to Release: \$20

Receipt No.: 346

Applicant Name: Vega Jennifer
Last First Middle

Date of Birth: _____ Social Security Number: _____

Residence Address: 1297 Abby Ct. Idaho Falls 83402
Street City Zip

Mailing Address: _____
(If Different from Above) Street City Zip

Email: VegaJenniss36@gmail.com

Telephone Number: 208-541-6794 Alternate Telephone Number: _____

Other Names and Nicknames Known By (Including Maiden Name): ~~Wanda~~ Jenni

All Addresses for Immediate Past Five (5) Years (may continue on separate page): _____

Name of Child Care Facility Where Employed: Papa Bear

SELF DECLARATION STATEMENT

I hereby certify that by my initials next to each statement that the following has not occurred in Idaho or in any other State or U.S. Territory:

- JV 1. Denial, revocation, or suspension of a Child Care Facility License, Child Care Worker License or other similar permit or license. If yes, explain when/circumstances: _____
- JV 2. Outstanding warrants, receipt of a Withheld Judgment, or conviction or admission of the elements of any felony or misdemeanor crime. If yes, explain when/circumstances: _____
- JV 3. Admitted to, been convicted of, or had a Withheld Judgment for any crime committed against children, child pornography or any offense involving sexual misconduct, pandering or prostitution. If yes, explain when/circumstances: _____
- JV 4. Registered, failed to register, or required to register as a sex offender in the State of Idaho (as provided by Idaho Code Title 18, Chapter 83) or in any other State or U.S. Territory.
- JV 5. Diagnosed by a Licensed Counselor, Psychologist, Psychiatrist, or court appointed examiner as a pedophile or a danger to children.
- JV 6. Admitted to, been convicted of, or had a Withheld Judgment of any felony or misdemeanor crime involving the use of alcohol or the sale, possession, or use of drugs, including use or possession of drug paraphernalia. If yes, explain when/circumstances: _____

I hereby authorize the City of Idaho Falls, its Agents and Employees, to seek information and conduct an investigation related to the statements set forth in this application and any disqualifying event set out in Idaho Falls City Code Title 6, Chapter 3.

I hereby authorize any investigator, agent, or other duly appointed representative of the authorized Federal agency conducting my background investigation to receive any criminal history record information pertaining to me, which may be in the files of any Federal, State, or Local Criminal Justice Agency. I understand my fingerprint form may be provided to other Federal, State, or Local Agency in conjunction with the application process, and I consent to such disclosure.

THIS RECORD IS SUBJECT TO THE FOLLOWING USE AND DISSEMINATION RESTRICTIONS:

Under provisions set forth in Title 28, Code of Federal Regulations (CFR), Section 50.12, both governmental and non-governmental entities authorized to submit fingerprints and receive FBI Identification Records must notify the individuals fingerprinted that the fingerprints will be used to check the criminal history records of the FBI. Identification records obtained from the FBI may be used solely for the purpose requested and may not be disseminated outside the receiving department, related agency, or other authorized entity. If the information on the record is used to disqualify an applicant, the official making the determination of suitability for licensing or employment shall provide the applicant the opportunity to complete, or challenge the accuracy of, the information contained in the FBI Identification Record. The deciding official should not deny the license or employment based on the information in the record until the applicant has been afforded a reasonable time to correct or complete the information, or has declined to do so. An individual should be presumed not guilty of any charge/arrest for which there is no final disposition stated on the record or otherwise determined. If the applicant wishes to correct the record as it appears on the FBI's CJIS Division Records System, the applicant should be advised that the procedures to change, correct or update the record are set forth in Title 28, CFR, Section 16.34.

PRIVACY ACT STATEMENT:

The Privacy Act of 1974, 5 U.S.C. § 552a, Public Law No. 93-579, (Dec. 31, 1974) establishes a Code of Fair Information Practice that governs the collection, maintenance, use, and dissemination of personally identifiable information about individuals that is maintained in systems of records by federal agencies. A system of records is a group of records under the control of an agency from which information is retrieved by the name of the individual or by some identifier assigned to the individual. The Privacy Act requires that agencies give the public notice of their systems of records by publication in the Federal Register. The Privacy Act prohibits the disclosure of information from a system of records absent the written consent of the subject individual, unless the disclosure is pursuant to one of twelve statutory exceptions. The Act also provides individuals with a means by which to seek access to and amendment of their records, and sets forth various agency record-keeping requirements.

STATEMENT OF OATH

I swear or affirm that the statements contained in this application for a Child Care Worker Certification are true and correct.

Jennifer Vega

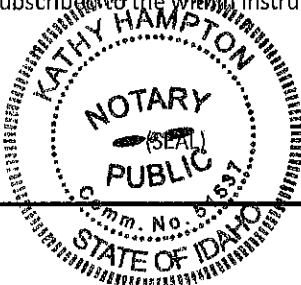
Signature of Applicant

10/27/2021

Date

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 27 day of OCTOBER, in the year 2021, before me the undersigned, a Notary Public, personally appeared JENNIFER VEGA known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.



Kathy Hampton

Notary Public for the State of Idaho

Residing at IDAHO FALLS, Idaho

My Commission Expires: 01-03-2026



MEMORANDUM

TO: City Clerk's Office

FROM: Captain Jeremy Galbreath

DATE: November 9, 2021

RE: Denial – Jennifer Vega – Papa Bear Daycare

Jennifer Vega applied for a Childcare Worker Certification for Papa Bear Daycare. After receiving the background check on 11/09/2021, it is the City of Idaho Falls Police Department's recommendation to deny the license. The background check showed that Jennifer Vega does not qualify under City Code 6-3-8 C 3:

6-3-8: LICENSES/CERTIFICATION, DENIAL, SUSPENSION OR REVOCATION: A license or certification applied for or issued under this Chapter shall be denied, suspended, or revoked:

C. Where Applicant; Licensee; Owner; Operator; Child Care Worker; Resident; Volunteer, On- Site Non-Provider; spouse or significant other of an Owner has been found guilty of, plead guilty to, or received a withheld judgment, or admitted to the elements of any of the following enumerated crimes, or any substantially similar provision of foreign criminal violation, notwithstanding the form of judgment(s) for any offense involving neglect, any physical injury to, or other abuse of a child, or any of the following offenses or a similar provision in another jurisdiction, for a period of five (5) years immediately preceding the date of application for license or renewal:

3. A misdemeanor controlled-substance related offense.

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DENIAL MEMO-031.2021 Jennifer Vega

IDAHO FALLS

CITY OF IDAHO FALLS

City Clerk's Office

City Clerk's Office: (208) 612-8415

FAX: (208) 612-8560

APPLICATION TO APPEAL A DECISION TO THE CITY COUNCIL

Appellant Information:

Contact Name: Jennifer Vega	Phone Number: 208-541-6794	
Address: 1297 Abby Ct.	Email: vegajenni836@gmail.com	
City: Idaho Falls	State: ID	Zip: 83402

Reason for Appeal:

I'm asking for a chance to get my license so I can do what I love to take care of kids and to be involved in all that daycare provides I've learned from my mistake I also was underage and I have learned from my consequences so please give me a chance to become a successful person in life.

City of Idaho Falls Code of Ordinances:

4-1-2: (C) Any applicant may appeal a denial of his or her application by filing a notice of appeal with the City Clerk, within ten (10) days after the date the denial is delivered to the applicant. The notice of appeal shall be in such form as may be approved by the City Clerk and shall in summary form set forth the reasons for the appeal. Such notice of appeal shall be accompanied by a filing fee in the amount of fifty dollars (\$50.00). Such filing fee shall be non-refundable. Upon timely delivery of a notice of appeal and payment of the filing fee, the City Clerk shall schedule a hearing before the City Council within thirty (30) days after the delivery of the notice of appeal. The City Clerk shall also deliver a written notice of hearing to the applicant not less than seven (7) days prior to the date of such hearing. A copy of the notice of hearing shall likewise be sent to the Chief of Police. At the hearing, the City Clerk shall keep a transcribeable, verbatim record of the hearing, including any exhibits or documentary evidence and shall retain such transcript for a period of not less than six (6) months following the conclusion of the hearing. At the conclusion of the hearing, the City Council shall render a decision, which may be verbal or in writing. Such decision shall succinctly state the reasons for the denial or affirmation of the decision of the City Clerk.

Date: 11/17/2021

Jennifer Vega
Signature of Appellant

\$50.00 Filing Fee for Appeal
607 Receipt Number

11-17-21P03:16 RCVD

Legal - City Code, Title 4, Chapter 6

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 4, CHAPTER 6 TO CLARIFY CONDITIONS FOR ISSUANCE OF A PRIVATE PATROL SERVICES LICENSE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City currently licenses companies and individuals who provide private patrol services within City limits; and

WHEREAS, conditions and disqualifications for licensing are set out in Title 4, Chapter 6; and

WHEREAS, recently the Council has reviewed the current conditions and qualifications and has determined that there are clarifications and improvements that should be made; and

WHEREAS, the Council has determined that a licensee should be at least eighteen (18) years of age due to the maturity and reasonable decision making required to carry out the activities permitted by the private patrol license, and because the minimum age requirement promotes the health, safety, and welfare of the general public; and

WHEREAS, the Ordinance sets out City private patrol services license conditions in a thorough and clear manner so that applicants, licensees, and members of the public understand them.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, THAT:

SECTION 1: Title 4, Chapter 6 of the City Code of the City of Idaho Falls, Idaho, is hereby immediately amended as follows:

...

4-6-5: QUALIFICATIONS, PRIVATE PATROL PERSON: No person shall be issued a license as a private Patrol Person who:

(A) Is not at least ~~twenty-one (21)~~ eighteen (18) years of age.

(B) ~~Is not a citizen of the United States.~~ Where the applicant or licensee has:

1. Been found guilty of, plead guilty to, received a withheld judgment, or admitted to the elements of any of the following enumerated crimes, or admitted that sufficient evidence exists which could be likely to convince a judge or jury to find the applicant or licensee to be guilty beyond a reasonable doubt, or any substantially similar provision of foreign criminal violation, notwithstanding the form of judgment(s):

- a. Felony injury of a child, Section 18-1501, Idaho Code.
- b. The sexual abuse of a child under sixteen years of age, Section 18-1506, Idaho Code.
- c. The ritualized abuse of a child under eighteen years of age, Section 18-1506A, Idaho Code.
- d. The sexual exploitation of a child, Section 18-1507 or 18-1507A, Idaho Code.
- e. Lewd conduct with a child under the age of sixteen years, Section 18-1508, Idaho Code.
- f. The sale or barter of a child for adoption or other purposes, Section 18-1511, Idaho Code.
- g. Murder in any degree, Section 18-4001 or 18-4003, Idaho Code.
- h. Assault with intent to murder, Section 18-4015, Idaho Code.
- i. Voluntary manslaughter, Section 18-4006, Idaho Code.
- j. Rape, Section 18-6101 or 18-6108, Idaho Code.
- k. Incest, Section 18-6602, Idaho Code.
- l. Forcible sexual penetration by use of foreign object, Section 18-6608, Idaho Code.
- m. Abuse, neglect or exploitation of a vulnerable adult, Section 18-1505, Idaho Code.
- n. Aggravated, first degree, second degree and third-degree arson, Sections 18-801 through 18-805, Idaho Code.
- o. Crimes against nature, Section 18-6605, Idaho Code.
- p. Kidnapping, Sections 18-4501 through 18-4503, Idaho Code.
- q. Mayhem, Section 18-5001, Idaho Code.
- r. Poisoning, Section 18-4014 or 18-5501, Idaho Code.
- s. Robbery, Section 18-6501, Idaho Code.
- t. Stalking in the first degree, Section 18-7905, Idaho Code.
- u. Video voyeurism, Section 18-6609, Idaho Code.

v. Enticing of children, Section 18-1509 or 18-1509A, Idaho Code.

w. Inducing individuals under eighteen years of age into prostitution, Section 18-5609, Idaho Code.

x. Inducing a person under eighteen years of age to patronize a prostitute, Section 18-5611, Idaho Code.

y. Any felony punishable by death or life imprisonment.

z. Attempt, Section 18-306, Idaho Code, conspiracy, Section 18-1701, Idaho Code, or accessory after the fact, Section 18-205, Idaho Code, to commit any of the crimes designated in this subsection.

2. Been classified as a voluntary patient or involuntary patient pursuant to Chapter 3, Title 66, Idaho Code, or similar provision in another jurisdiction, unless:

a. Such person has been released from, and is no longer under, any form of treatment in relation to such classification, and

b. Such person has been examined by at least one (1) professional licensed to evaluate mental health and such professional certifies that the person is no longer mentally ill and presents no threat or danger to any child. Such examination shall not be at City expense.

(C) ~~Has been convicted of a felony or of any crime or offense involving violence or moral turpitude, or of any offense concerning the sale or transportation of intoxicating or alcoholic liquor.~~ Where the applicant or licensee has:

1. Been found guilty of, plead guilty to, or received a withheld judgment, or admitted to the elements of any of the following enumerated crimes, or any substantially similar provision of foreign criminal violation, notwithstanding the form of judgment(s) for any offense involving neglect or any physical injury to, or other abuse of a child, or any of the following offenses or a similar provision in another jurisdiction, for a period of five (5) years immediately preceding the date of application for license or renewal:

a. Aggravated assault, Section 18-905, Idaho Code.

b. Aggravated battery, Section 18-907(1), Idaho Code.

c. Burglary, Section 18-1401, Idaho Code.

d. Felony theft, Sections 18-2403 and 18-2407(1), Idaho Code.

e. Forgery of a financial transaction card, Section 18-3123, Idaho Code.

f. Fraudulent use of a financial transaction card or number, Section 18-3124, Idaho Code.

- g. Forgery or counterfeiting, Chapter 36, Title 18, Idaho Code.
- h. Misappropriation of personal identifying information, Section 18-3126, Idaho Code.
- i. Insurance fraud, Section 41-293, Idaho Code.
- j. Damage to or destruction of insured property, Section 41-294, Idaho Code.
- k. Public assistance fraud, Section 56-227, Idaho Code.
- l. Provider fraud, Section 56-227A, Idaho Code.
- m. Attempted strangulation, Section 18-923, Idaho Code.
- n. Misdemeanor injury to a child, Section 18-1501(2), Idaho Code.
- o. Felony domestic violence, Section 18-918, Idaho Code.
- p. Any violation (felony or misdemeanor) of the Uniform Controlled Substances Act, Chapter 27, Title 37, Idaho Code.
- q. Grand theft, section 18-2407(1), Idaho Code.
- r. Disseminating obscene material to minors, as defined in Sections 18-1513 through 18-1515, Idaho Code.
- s. Arson, as defined in Sections 18-801 through 18-804, Idaho Code.
- t. Transporting a minor in a motor vehicle while under the influence, Section 18-1501(3), Idaho Code.
- u. Driving without privileges, Section 18-8001, Idaho Code.
- v. Driving under the influence of alcohol, drugs, or other intoxicating substances, Section 18-8004, Idaho Code.
- w. Persons under twenty-one (21) years of age with at least point zero two (0.02) but less than point zero eight (0.08) alcohol concentration, Section 18-8004A, Idaho Code.
- x. Driving under the influence with excessive alcohol concentration, Section 18-8004C, Idaho Code.
- y. Any person who pleads guilty to or is found guilty of a violation of the provisions

of Section 18-8004(1)(a), Section 18-8005, Idaho Code.

z. Aggravated driving while under the influence of alcohol, drugs, or any other intoxicating substances, Section 18-8006, Idaho Code.

aa. Leaving scene of accident resulting in injury or death, Section 18-8007, Idaho Code.

bb. Reckless driving, Section 49-1401(1), Idaho Code.

cc. Any person who is eighteen (18) years of age or older who sells, gives, or furnishes, or causes to be sold, given, or furnished, alcoholic beverages, including any distilled spirits, beer or wine, to a person under the age of twenty-one (21) years, Section 23-603, Idaho Code.

dd. Misdemeanor theft as defined in Title 18, Chapter 24 of the Idaho Code.

ee. Any felony as defined by Idaho Code, Sections 18-111 and 18-111A, other than those listed in Subsection A.1. hereinabove.

ff. Any crime of physical violence against persons, other than those listed in Section A.1. hereinabove.

gg. Attempt, Section 18-306, Idaho Code, conspiracy, Section 18-1701, Idaho Code, or accessory after the fact, Section 18-205, Idaho Code, to commit any of the crimes designated in this subsection.

(D) Has supplied false or misleading information, failed or refused to provide or to disclose information required on the application form or by this Chapter, failed to disclose a suspension or revocation of a driver's license, or refused to authorize the investigation required herein. No such applicant or licensee shall be able to apply to receive a license under this Chapter for a period of less than six (6) months following the date of the denial or revocation of the license under this Subsection or for a period of six (6) months following the date that the Clerk became aware of disqualifying information, whichever is later in time.

(E) Has violated any of the provisions of this Chapter during licensure. Violation of any provision of this Chapter during licensure, shall result in immediate and automatic revocation of the license. Such revocation of the license shall be effective as of the date of such violation. No such person shall be qualified to apply to receive a license under this Chapter for a period of less than six (6) months following the date of the revocation of the license under this Subsection or for a period of six (6) months following the date the Clerk became aware of such information, whichever is later in time, unless otherwise provided in this Chapter.

(F) Where an applicant or licensee does not meet the conditions of licensure in this Chapter.

...

4-6-7: QUALIFICATIONS, PRIVATE PATROL SERVICE: A private patrol service license

shall not be issued to any individual, firm, partnership or corporation under any of the following conditions:

(A) If the individual, any member of the firm or partnership, or any officer of the corporation is less than ~~twenty-one (21)~~eighteen (18) years of age.

(B) ~~If the individual, any member of the firm or partnership or any officer of the corporation is not citizen of the United States.~~ Where the applicant or licensee has:

1. Been found guilty of, plead guilty to, received a withheld judgment, or admitted to the elements of any of the following enumerated crimes, or admitted that sufficient evidence exists which could be likely to convince a judge or jury to find the applicant or licensee to be guilty beyond a reasonable doubt, or any substantially similar provision of foreign criminal violation, notwithstanding the form of judgment(s):

a. Felony injury of a child, Section 18-1501, Idaho Code.

b. The sexual abuse of a child under sixteen years of age, Section 18-1506, Idaho Code.

c. The ritualized abuse of a child under eighteen years of age, Section 18-1506A, Idaho Code.

d. The sexual exploitation of a child, Section 18-1507 or 18-1507A, Idaho Code.

e. Lewd conduct with a child under the age of sixteen years, Section 18-1508, Idaho Code.

f. The sale or barter of a child for adoption or other purposes, Section 18-1511, Idaho Code.

g. Murder in any degree, Section 18-4001 or 18-4003, Idaho Code.

h. Assault with intent to murder, Section 18-4015, Idaho Code.

i. Voluntary manslaughter, Section 18-4006, Idaho Code.

j. Rape, Section 18-6101 or 18-6108, Idaho Code.

k. Incest, Section 18-6602, Idaho Code.

l. Forcible sexual penetration by use of foreign object, Section 18-6608, Idaho Code.

m. Abuse, neglect or exploitation of a vulnerable adult, Section 18-1505, Idaho Code.

n. Aggravated, first degree, second degree and third-degree arson, Sections 18-801 through 18-805, Idaho Code.

o. Crimes against nature, Section 18-6605, Idaho Code.

p. Kidnapping, Sections 18-4501 through 18-4503, Idaho Code.

q. Mayhem, Section 18-5001, Idaho Code.

r. Poisoning, Section 18-4014 or 18-5501, Idaho Code.

s. Robbery, Section 18-6501, Idaho Code.

t. Stalking in the first degree, Section 18-7905, Idaho Code.

u. Video voyeurism, Section 18-6609, Idaho Code.

v. Enticing of children, Section 18-1509 or 18-1509A, Idaho Code.

w. Inducing individuals under eighteen years of age into prostitution, Section 18-5609, Idaho Code.

x. Inducing a person under eighteen years of age to patronize a prostitute, Section 18-5611, Idaho Code.

y. Any felony punishable by death or life imprisonment.

z. Attempt, Section 18-306, Idaho Code, conspiracy, Section 18-1701, Idaho Code, or accessory after the fact, Section 18-205, Idaho Code, to commit any of the crimes designated in this subsection.

2. Been classified as a voluntary patient or involuntary patient pursuant to Chapter 3, Title 66, Idaho Code, or similar provision in another jurisdiction, unless:

a. Such person has been released from, and is no longer under, any form of treatment in relation to such classification, and

b. Such person has been examined by at least one (1) professional licensed to evaluate mental health and such professional certifies that the person is no longer mentally ill and presents no threat or danger to any child. Such examination shall not be at City expense.

~~(C) If the individual, any member of the firm or partnership or any officer of the corporation has been convicted of a felony or of any crime or offense involving violence or moral turpitude, or of any offense concerning the sale or transportation of intoxicating or alcoholic liquor. Where the applicant or licensee has:~~

1. Been found guilty of, plead guilty to, or received a withheld judgment, or admitted to the elements of any of the following enumerated crimes, or any substantially similar provision of foreign criminal violation, notwithstanding the form of judgment(s) for any offense involving neglect or any physical injury to, or other abuse of a child, or any of the following offenses or a similar provision in another jurisdiction, for a period of five (5) years immediately preceding the date of application for license or renewal:

- a. Aggravated assault, Section 18-905, Idaho Code.
- b. Aggravated battery, Section 18-907(1), Idaho Code.
- c. Burglary, Section 18-1401, Idaho Code.
- d. Felony theft, Sections 18-2403 and 18-2407(1), Idaho Code.
- e. Forgery of a financial transaction card, Section 18-3123, Idaho Code.
- f. Fraudulent use of a financial transaction card or number, Section 18-3124, Idaho Code.
- g. Forgery or counterfeiting, Chapter 36, Title 18, Idaho Code.
- h. Misappropriation of personal identifying information, Section 18-3126, Idaho Code.
- i. Insurance fraud, Section 41-293, Idaho Code.
- j. Damage to or destruction of insured property, Section 41-294, Idaho Code.
- k. Public assistance fraud, Section 56-227, Idaho Code.
- l. Provider fraud, Section 56-227A, Idaho Code.
- m. Attempted strangulation, Section 18-923, Idaho Code.
- n. Misdemeanor injury to a child, Section 18-1501(2), Idaho Code.
- o. Felony domestic violence, Section 18-918, Idaho Code.
- p. Any violation (felony or misdemeanor) of the Uniform Controlled Substances Act, Chapter 27, Title 37, Idaho Code.
- q. Grand theft, section 18-2407(1), Idaho Code.
- r. Disseminating obscene material to minors, as defined in Sections 18-1513

through 18-1515, Idaho Code.

s. Arson, as defined in Sections 18-801 through 18-804, Idaho Code.

t. Transporting a minor in a motor vehicle while under the influence, Section 18-1501(3), Idaho Code.

u. Driving without privileges, Section 18-8001, Idaho Code.

v. Driving under the influence of alcohol, drugs, or other intoxicating substances, Section 18-8004, Idaho Code.

w. Persons under twenty-one (21) years of age with at least point zero two (0.02) but less than point zero eight (0.08) alcohol concentration, Section 18-8004A, Idaho Code.

x. Driving under the influence with excessive alcohol concentration, Section 18-8004C, Idaho Code.

y. Any person who pleads guilty to or is found guilty of a violation of the provisions of Section 18-8004(1)(a), Section 18-8005, Idaho Code.

z. Aggravated driving while under the influence of alcohol, drugs, or any other intoxicating substances, Section 18-8006, Idaho Code.

aa. Leaving scene of accident resulting in injury or death, Section 18-8007, Idaho Code.

bb. Reckless driving, Section 49-1401(1), Idaho Code.

cc. Any person who is eighteen (18) years of age or older who sells, gives, or furnishes, or causes to be sold, given, or furnished, alcoholic beverages, including any distilled spirits, beer or wine, to a person under the age of twenty-one (21) years, Section 23-603, Idaho Code.

dd. Misdemeanor theft as defined in Title 18, Chapter 24 of the Idaho Code.

ee. Any felony as defined by Idaho Code, Sections 18-111 and 18-111A, other than those listed in Subsection A.1. hereinabove.

ff. Any crime of physical violence against persons, other than those listed in Section A.1. hereinabove.

gg. Attempt, Section 18-306, Idaho Code, conspiracy, Section 18-1701, Idaho Code, or accessory after the fact, Section 18-205, Idaho Code, to commit any of the crimes designated in this subsection.

(D) Has supplied false or misleading information, failed or refused to provide or to disclose information required on the application form or by this Chapter, failed to disclose a suspension or revocation of a driver's license, or refused to authorize the investigation required herein. No such applicant or licensee shall be able to apply to receive a license under this Chapter for a period of less than six (6) months following the date of the denial or revocation of the license under this Subsection or for a period of six (6) months following the date that the Clerk became aware of disqualifying information, whichever is later in time.

(E) Has violated any of the provisions of this Chapter during licensure. Violation of any provision of this Chapter during licensure, shall result in immediate and automatic revocation of the license. Such revocation of the license shall be effective as of the date of such violation. No such person shall be qualified to apply to receive a license under this Chapter for a period of less than six (6) months following the date of the revocation of the license under this Subsection or for a period of six (6) months following the date the Clerk became aware of such information, whichever is later in time, unless otherwise provided in this Chapter.

(F) Where an applicant or licensee does not meet the conditions of licensure in this Chapter.

...

4-6-16: LICENSE; AUTHORITY: The issuance of any license under this Chapter shall not be construed as granting any power of arrest other than that granted a private person under Idaho Code and this Code. Nor shall the provisions of this Chapter be construed as authority to carry weapons contrary to the Idaho Code.

~~4-6-17: GROUNDS FOR LICENSE REVOCATION: Any license issued under this Chapter may be revoked by the City Council for any of the following reasons:~~

~~(A) Any violation of any provision of this Chapter.~~

~~(B) The conviction of the licensee in any court of any crime or offense involving violence or moral turpitude.~~

~~(C) Obtaining the license under any false or fraudulent pretense or statement.~~

~~(D) The conviction of the licensee in any court of any felony or any offense involving or concerning the sale or transportation of intoxicating or alcoholic liquor.~~

4-6-18:17: AUTOMATIC REVOCATION OF LICENSE: Any license issued under this Chapter shall be revoked immediately and without notice to the licensee upon the cancellation or termination of the bond or insurance required by this Chapter unless the licensee posts a new comparable bond or obtains comparable insurance and files a certificate of such insurance with the Clerk prior to the date on which the original bond or insurance is canceled or terminated.

SECTION 2. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

SECTION 3. Codification Clause. The City Clerk is instructed to immediately forward this Ordinance to the codifier of the official municipal code for proper revision of the Code.

SECTION 4. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this _____ day of _____, 2021.

ATTEST:

CITY OF IDAHO FALLS, IDAHO

KATHY HAMPTON, CITY CLERK

REBECCA L. NOAH CASPER, Ph.D., MAYOR

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO
HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, “AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 4, CHAPTER 6 TO CLARIFY CONDITIONS FOR ISSUANCE OF A PRIVATE PATROL SERVICES LICENSE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.”

KATHY HAMPTON, CITY CLERK

(SEAL)

DRAFT