
The public is invited to observe City Council Work Sessions. However, the agenda for Work Sessions does not include an opportunity for public interaction. Seating in the Council Chambers may be limited. All seating is 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>.

This meeting may be canceled 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 of the City of Idaho Falls, you may contact City Clerk Corrin Wilde at 612-8414 or the ADA Coordinator Lisa Farris at 612-8323 not less than 48 hours prior to the meeting. They can help accommodate special needs.

CITY COUNCIL WORK SESSION

Times listed in parentheses are only estimates.

Call to Order and Roll Call

Public Works

Presentation and Discussion: Idaho Transportation Department (ITD)—US20/US26 Connector Grant and Strategic Initiatives Grant (for Bridge infrastructure and other projects) (30)
Action: Council Direction to Staff (or take other appropriate action)

Public Works and Police Department

Construction Update: Idaho Falls Law Enforcement Complex (20)
Action: Council Direction to Staff (or take other appropriate action)

Police Department and Municipal Services

Presentation and Discussion: 2023-24 Fleet Leasing Schedule for Law Enforcement Vehicles. (30)
Action: Council Direction to Staff (or take other appropriate action)

Police Department

Presentation and Discussion w/Q&A: Opportunities for Online Filing and/or Reporting for Select PD Service Calls (20)

City Attorney

Presentation and Discussion: Proposed changes to Idaho Falls City Code—Revisions to Title 4 and Clean-up and Clarification to Titles 1, 2, 8, and 9 (60)
Action: Council Direction to Staff (or take other appropriate action)

Mayor and Council

Acceptance or Receipt of Minutes (5)
Action: To receive recommendations from the Planning and Zoning Commission

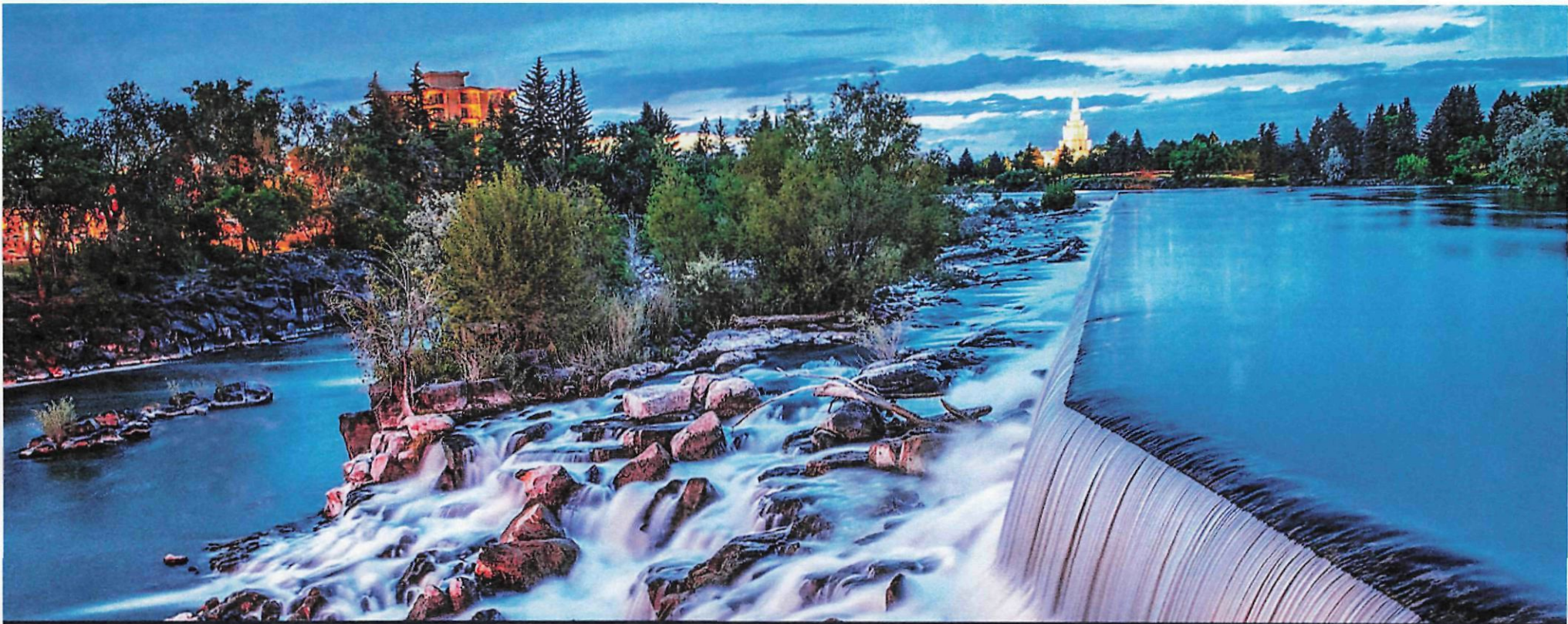
Mayor and Council Reports: Calendars, Announcements Events, Reports, Updates, Concerns, Questions, and Discussion (20).
Action: Council Direction to Staff (or take other appropriate action)

DATED this 8th, day of September 2023



Corrin Wilde, City Clerk

Public Works and Police Department



IDAHO FALLS POLICE DEPARTMENT

Council Work Session Update 06/05/23

Submitted by:

Architects Design Group
Winter Park, FL | Dallas, TX

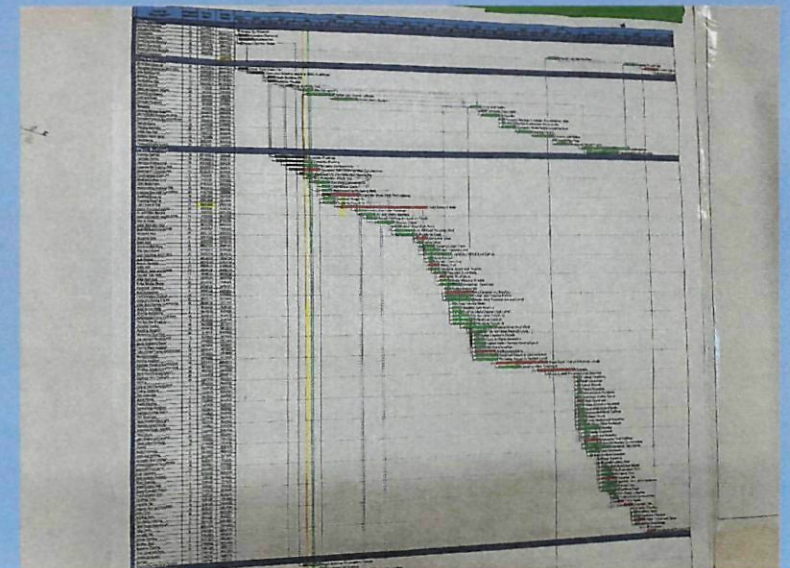
in association with

NBW Architects
Idaho Falls, ID

Project Schedule



- Design completed and bid documents in February/March 2022
- Executed Construction Contract April 14, 2022
- NTP & Construction Began April 25, 2022
- Scheduled Completion Date: Jan 2024
 - (72 days added via 17 Change Orders)



Idaho Falls Police Complex Update



- Construction Schedule
 - Main building
 - Site work paving complete.
 - Site concrete work and landscaping ongoing
 - Interior first floor painting completed.
 - Interior second sheet rock completed and painting.
 - Work at entry ongoing
 - Mill work to be forthcoming
 - Aux Building
 - Roof and exterior walls/Insulation complete.
 - Interior framing/elec/mech ongoing

Idaho Falls Police Complex Update



- Construction Budget Status
 - Original Contract = \$23,847,576
 - CO's & Cont = \$385,527
 - Current Construction Contract = \$24,329,163
 - Work Complete thru January = \$19,160,122
 - Complete = 79%
 - Contract time thru May 2023 = 82%

Layout



Main Building



Main Building Interior



Break room



IDAHO FALLS

Ready for
HD Storage



2nd Floor

Back Entrance



IDAHO FALLS

2nd Floor Entry



Budget 09/11/23

Project "Hard Costs" Construction

Building & Site Construction (with CO's & Cont items)	\$24,329,163
Off Site Utilities/Fiber	\$65,000
Total Construction	\$24,394,163

Project "Soft Costs"

FF & E

Furniture Allowance (Main Building @ 48,734 SF)	\$1,900,000
Moving Costs / Audited Evidence	By City

Additional Soft Costs

Professional Service Fees	\$2,405,769
Permits/Utility Connection Fees/3rd Party	
Testing/Commissioning/Historic	\$131,672
	\$4,437,441

Owner's Project Contingency (Construction) 5%	\$744,156
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Total Project Cost	\$29,575,760
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City Attorney

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 1, CHAPTER 3, TO DEFINE "QUORUM" AND CONFORMING TITLE 2, CHAPTERS 1 THROUGH 12 WITH SUCH DEFINITION; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, all public meetings associated with the City Council, and its Boards, Commissions, and Committees; and other groups affiliated or associated with City functions are governed by the Idaho Open Meetings Act; and

WHEREAS, the City wishes to comply with all requirements of the Idaho Open Meetings Act; and

WHEREAS, what comprises a "quorum" for purposes of determining whether and when a lawful meeting may be held or may continue can sometimes be a difficult task; and

WHEREAS, the purpose of this Ordinance is to clearly define what is a "quorum" and to consistently apply that definition throughout the City Code.

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

SECTION 1. Title 1, Chapter 3, Section 2 of the City Code of the City of Idaho Falls, Idaho is hereby amended as follows:

1-3-2: GENERAL CODE DEFINITIONS: Whenever the following words or terms are used in this Code, they shall have the meanings ascribed below:

...

QUORUM: Unless otherwise specifically provided in this Code, a quorum shall be comprised of one half plus one of the total number of the voting members of a Council, Board, Committee, or Commission, regardless of whether all positions comprising such Council, Board, Committee, or Commission are filled at the time of a public meeting that requires a quorum in order to conduct business pursuant to Idaho law.

...

SECTION 2. Title 2, Chapter 1 of the City Code of the City of Idaho Falls, Idaho, in reference to the Idaho Falls Library Board of Trustees is hereby amended as follows:

...

~~2-1-8: ATTENDANCE: Three (3) trustees of the Board shall constitute a quorum for the purpose of conducting business. All actions by the Board shall require an affirmative vote of at~~

~~least three (3) trustees. A quorum of Board members shall be present in order for purposes of conducting the business of the Board. Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.~~

...

SECTION 3. Title 2, Chapter 2 of the City Code of the City of Idaho Falls, Idaho, in reference to the Idaho Falls Planning and Zoning Commission is hereby amended as follows:

...

2-2-8: ATTENDANCE: ~~A majority of voting Commission members present at a meeting shall constitute a quorum for purposes of conducting the business of the Commission.~~ A quorum of Commission members shall be present in order for purposes of conducting the business of the Commission. Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

...

SECTION 4. Title 2, Chapter 3 of the City Code of the City of Idaho Falls, Idaho, in reference to the Idaho Falls Board of Adjustment is hereby amended as follows:

...

2-3-8: ATTENDANCE: ~~A majority of voting Board members present at a meeting shall constitute a quorum for purposes of conducting the business of the Board.~~ A quorum of Board members shall be present in order for purposes of conducting the business of the Board. Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

...

SECTION 5. Title 2, Chapter 4 of the City Code of the City of Idaho Falls, Idaho, in reference to the War Bonnet Round Up Advisory Committee is hereby amended as follows:

...

2-4-8: ATTENDANCE: ~~A majority of voting Committee members shall constitute a quorum for purposes of conducting the business of the Committee.~~ A quorum of Committee members shall be present in order for purposes of conducting the business of the Committee. Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

...

SECTION 6. Title 2, Chapter 5 of the City Code of the City of Idaho Falls, Idaho, in reference to the Parks and Recreation Commission is hereby amended as follows:

...

2-5-8: ATTENDANCE: ~~A majority of voting Commission members present at a meeting shall constitute a quorum for purposes of conducting the business of the Commission.~~ A quorum of Commission members shall be present in order for purposes of conducting the business of the Commission. Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

...

SECTION 7. Title 2, Chapter 6 of the City Code of the City of Idaho Falls, Idaho, in reference to the Golf Advisory Board is hereby amended as follows:

...

2-6-8: ATTENDANCE: ~~A majority of voting Board members present at a meeting shall constitute a quorum for purposes of conducting the business of the Board.~~ A quorum of Board members shall be present in order for purposes of conducting the business of the Board. Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

...

SECTION 8. Title 2, Chapter 7 of the City Code of the City of Idaho Falls, Idaho, in reference to the Americans with Disabilities Act Advisory Board is hereby amended as follows:

...

2-7-8: ATTENDANCE: ~~A voting Board member may be removed by the Board following two (2) consecutive absences which are not excused by the Chair, or where the Board members absent for more than two (2) consecutive Board meetings in any calendar year. Following either of these occurrences, the Chair may request that the Mayor remove such Board member.~~ A quorum of Board members shall be present in order for purposes of conducting the business of the Board. Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

...

SECTION 9. Title 2, Chapter 8 of the City Code of the City of Idaho Falls, Idaho, in reference to the Sister Cities Advisory Committee is hereby amended as follows:

...

2-8-8: ATTENDANCE: ~~A majority of voting Committee members shall constitute a quorum for purposes of conducting the business of the Committee.~~ A quorum of Committee members shall be present in order for purposes of conducting the business of the Committee. Non-voting members present at meetings shall not be considered when determining the number required for a quorum or whether a quorum is present.

...

SECTION 10. Title 2, Chapter 9 of the City Code of the City of Idaho Falls, Idaho, in reference to the Idaho Falls Civic Center for the Performing Arts Committee is hereby amended as follows:

...

2-9-8: ATTENDANCE: ~~A majority of voting Committee members present at a meeting shall constitute a quorum for purposes of conducting the business of the Committee.~~ A quorum of Committee members shall be present in order for purposes of conducting the business of the Committee. Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

...

SECTION 11. Title 2, Chapter 10 of the City Code of the City of Idaho Falls, Idaho, in reference to the Shade Tree Committee is hereby amended as follows:

...

2-10-8: ATTENDANCE: ~~A majority of Committee members present at a meeting shall constitute a quorum for purposes of conducting the business of the Committee. A quorum of Committee members shall be present in order for purposes of conducting the business of the Committee.~~ Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

...

SECTION 12. Title 2, Chapter 11 of the City Code of the City of Idaho Falls, Idaho, in reference to the Historic Preservation Commission is hereby amended as follows:

...

2-11-9: ATTENDANCE: ~~A majority of voting Committee members present at a meeting shall constitute a quorum for purposes of conducting the business of the Committee. A quorum of Commission members shall be present in order for purposes of conducting the business of the Commission.~~ Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

...

SECTION 13. Title 2, Chapter 12 of the City Code of the City of Idaho Falls, Idaho, in reference to the Development Impact Fee Advisory Committee is hereby amended as follows:

...

2-12-8: ATTENDANCE: ~~A majority of voting Committee members shall constitute a quorum for purposes of conducting the business of the Committee. A quorum of Committee members shall be present in order for purposes of conducting the business of the Committee.~~ Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

...

SECTION 14. 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 15. Codification Clause. The Clerk is instructed to immediately forward this Ordinance to the codifier of the official municipal code for proper revision of the Code.

SECTION 16. Publication and Effective Date. 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.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this _____ day of _____, 2023.

ATTEST:

CITY OF IDAHO FALLS, IDAHO

CORRIN WILDE, CITY CLERK

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

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, CORRIN WILDE, 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 1, CHAPTER 3, TO DEFINE "QUORUM" AND CONFORMING TITLE 2, CHAPTERS 1 THROUGH 12 WITH SUCH DEFINITION; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

CORRIN WILDE, CITY CLERK

(SEAL)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 1, CHAPTER 3, TO CLARIFY USE OF PRONOUNS IN CITY CODE; AMENDING TITLE 1, CHAPTER 4, TO CLARIFY EXEMPTION FROM PROSECUTION FOR CITY CODE VIOLATIONS FOR CITY EMPLOYEES AND AGENTS ACTING REASONABLY WITHIN COURSE AND SCOPE OF AUTHORITY; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City is committed to diversity, equity, inclusivity, accessibility, fair treatment, and nondiscrimination of all those who are present in or engage with the City; and

WHEREAS, in order to more clearly establish such values, the Council, by this Ordinance, redefines the interpretation of the Code to remove potentially offensive or misunderstood language around the topic of gender; and

WHEREAS, an important purpose of the City Code is to inform the public of expected behavior within City limits; and

WHEREAS, another purpose of the City Code is to maintain order and consistency related to the delivery of City services; and

WHEREAS, first responders, City employees, lawful and authorized agents and representatives of the City, and others who are acting in behalf of the City should not be subject to prosecution, limitation, or censure when acting reasonably and within the course and scope of their agency or authority when advancing City objectives; and

WHEREAS, exempting such public servants from strict adherence to various Code provisions that directly related to their execution of duties is reasonable, fair, desirable, and efficient.

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

SECTION 1. Title 1, Chapter 3, Section 1 of the City Code of the City of Idaho Falls, Idaho is hereby amended as follows:

1-3-1: GENERAL CITY CODE RULES OF GENERAL CONSTRUCTION:

...

C. GENDER USAGE: When any person is referred to in any provision of this Code by use of the masculine gender, then such reference shall be deemed to include all genderspersons, regardless of sex, gender, gender identity, or gender expression.

...

SECTION 2. Title 1, Chapter 4, Section 6 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and replaced with the following:

...

1-4-6: EXEMPTION FOR CITY EMPLOYEES: Unless the Code specifically and clearly states a contrary intention, it shall be a defense to any violation of this Code that the person accused of the violation was a City employee or agent of the City who was acting reasonably within the course and scope of their City employment or agency or that such person was legally authorized or permitted to perform the activity that is the basis of the alleged violation.

SECTION 3. 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 4. Codification Clause. The Clerk is instructed to immediately forward this Ordinance to the codifier of the official municipal code for proper revision of the Code.

SECTION 5. Publication and Effective Date. 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.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this _____ day of _____, 2023.

ATTEST:

CITY OF IDAHO FALLS, IDAHO

CORRIN WILDE, CITY CLERK

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

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, CORRIN WILDE, 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 1, CHAPTER 3,
TO CLARIFY USE OF PRONOUNS IN CITY CODE; AMENDING TITLE 1,
CHAPTER 4, TO CLARIFY EXEMPTION FROM PROSECUTION FOR CITY CODE
VIOLATIONS FOR CITY EMPLOYEES AND AGENTS ACTING REASONABLY
WITHIN COURSE AND SCOPE OF AUTHORITY; AND PROVIDING
SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND
ESTABLISHING EFFECTIVE DATE.”

CORRIN WILDE, CITY CLERK

(SEAL)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 2, CHAPTER 3, TO ESTABLISH THE BOARD OF ADJUSTMENT AS THE BODY TO CONSIDER APPEALS OF THE BUILDING OFFICIAL'S DECISIONS; REDUCE BOARD MEMBERSHIP TO FIVE; ELIMINATE THE REQUIREMENT THAT AT LEAST ONE BOARD MEMBER ALSO BE A MEMBER OF PLANNING AND ZONING COMMISSION; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City Board of Adjustment performs an important but historically infrequent role related to land use decisions and decisions made by the City Building Official; and

WHEREAS, reducing the number of Board of Adjustment members from seven (7) to five (5) simplifies the scheduling of necessary Board meetings and increases the likelihood of an available quorum; and

WHEREAS, the requirement in the current Code that no fewer than one (1) member of the Board must also be a member of the City Planning and Zoning Commission has not been effective in providing helpful or meaningful input into topics or processes that are part of the Board's authority or jurisdiction; and

WHEREAS, elimination of this dual membership requirement does not preclude appointment by the Mayor, with the consent of Council, from occurring, should such dual membership be considered at some time to be worthwhile; and

WHEREAS, the City has adopted a number of standardized and widely used and -accepted codes related to building and structural safety (such as those authored by an International Code Council or by another construction-related code body); and

WHEREAS, where the Council, by the adoption of such code(s), grants to the City Building Official authority to make binding decisions about conformance of the construction and/or development; and

WHEREAS, the Council desires, by the Ordinance, to make the process of an appeal of the Building Official's decision clear; and

WHEREAS, because, historically, appeals of the Building Official's decisions are infrequent, use of the City Board of Adjustment as the appellate body for exploring the correctness of the Building Official's decision when disputed is an effective, neutral, and efficient path for due process that is likely to yield an acceptable result.

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

SECTION 1. Title 2, Chapter 3, Section 1 of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

2-3-1: **ESTABLISHMENT:** The Idaho Falls Board of Adjustment ("Board") is hereby established. The Mayor, with the consent of the Council, shall appoint ~~seven (7)~~five (5) members to serve on the Board. Members of the Board shall be residents and electors of the City. A member of the Council, the Mayor, or an appointed officer of the City shall not serve as a member of the Board. ~~No fewer than one (1) member of the Board shall also be a member of the Planning and Zoning Commission.~~

2-3-2: **PURPOSE:** The purpose of the Board is to act as an independent fact-finding and decision-making body in order to uphold the principles of the Zoning Code and other City Codes; to act as an appellate body, when directed, or act as the City's Board of Appeals where provided for by an International Code Council building or another construction-related code that has been adopted by the Council; and to provide insight and adjustment when the Code is applied to a specific parcel of land, where necessary, and within the law.

2-3-3: **DUTIES:** The Board shall have such duties and authority as set forth in the Zoning Code and this Code, including when it is acting as the City's Board of Appeals where provided for by an International Code Council building or another construction-related code that has been adopted by the Council, and shall perform all other duties as required by State law or as directed by the Council.

...

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 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 and Effective Date. 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.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this day of _____, 2023.

ATTEST:

CITY OF IDAHO FALLS, IDAHO

CORRIN WILDE, CITY CLERK

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

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, CORRIN WILDE, 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 2, CHAPTER
3, TO ESTABLISH THE BOARD OF ADJUSTMENT AS THE BODY TO
CONSIDER APPEALS OF THE BUILDING OFFICIAL’S DECISIONS; REDUCE
BOARD MEMBERSHIP TO FIVE; ELIMINATE THE REQUIREMENT THAT AT
LEASE ONE BOARD MEMBER ALSO BE A MEMBER OF PLANNING AND
ZONING COMMISSION; AND PROVIDING SEVERABILITY, CODIFICATION,
PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.”

CORRIN WILDE, CITY CLERK

(SEAL)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 2, CHAPTER 4, REVISING THE STRUCTURE OF THE WAR BONNET ROUNDUP RODEO ADVISORY COMMITTEE; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the War Bonnet Roundup Advisory Committee renders a valuable service to City elected officials and staff by offering the hard work and expertise of its members to sustain and improve the rodeo; and

WHEREAS, experience regarding the Advisory Committee since its establishment suggests that some minor adjustments to the Advisory Committee will give it more flexibility to continue to serve City needs; and

WHEREAS, broadening the description of the expertise and membership of Advisory Committee members will allow for a greater diversity of opinion and breadth of experience offered to City staff; and

WHEREAS, the presence in our greater community of the Shoshone Bannock Tribes is a treasure; and

WHEREAS, the Tribes' support and participation in the War Bonnet Roundup brings to the event an irreplaceable richness, context, and heritage; and

WHEREAS, it is Council's strong and sincere desire that the Tribes continue to contribute their wisdom, passion, cultural richness, talents, and enthusiasm to the City, the greater community, and to the War Bonnet Roundup Rodeo, in perpetuity; and

WHEREAS, the City, by these changes, desires to grant to the Shoshone Bannock Tribes their request to remain an essential contributor to the War Bonnet while being relieved from the task of providing a permanent member on the Advisory Committee; and

WHEREAS, these changes to the permanent Tribal position on the Advisory Committee, shall in no way be interpreted to restrict or prohibit the appointment of a Tribal member to the Advisory Committee.

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

SECTION 1. Title 2, Chapter 4 of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

2-4-1: ESTABLISHMENT: The War Bonnet Roundup Rodeo Advisory Committee

("Committee") is hereby established. The Mayor, with the consent of the Council, shall appoint seven (7) voting members to the Committee. Those appointed should be individuals with a demonstrated interest, competence, or knowledge of various rodeo, western, and War Bonnet Round Up ("WBRU")-related interests, ~~including but not limited to, sponsorship; hospitality; rodeo royalty; Sandy Downs facilities and grounds; Shoshone-Bannock tribal relations; community youth rodeo events; rodeo-related special events; livestock welfare and husbandry; marketing; advertising; and security.~~ The Committee shall include, as a permanent voting member, ~~not less than one (1) member of the Shoshone-Bannock Tribes, as recommended by that organization and appointed by the Mayor, with the consent of the Council.~~ Members shall be selected without regard to political affiliation, race, color, national origin, gender, family status, sex, handicap, sexual orientation, gender identity/expression or religion. Committee members shall serve without compensation. The Mayor may appoint, with the consent of the Council, additional persons with interest, expertise, and experience to be non-voting ex-officio members of the Committee.

...

2-4-3: DUTIES: The Committee shall have the following powers, duties, and responsibilities:

- A. Advise the Director of Parks and Recreation regarding the preservation, development, planning, promotion, management, directing, and producing of the WBRU; and
- B. Study the physical condition, maintenance, operation, viability, and use of City rodeo programs and facilities and make recommendations to the Director of Parks and Recreation concerning their improvement and efficient use; and
- C. Suggest ways to create, sustain, and enhance the cultural and economic viability of the WBRU.

...

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 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 and Effective Date. 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.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this _____ day of _____, 2023.

ATTEST:

CITY OF IDAHO FALLS, IDAHO

CORRIN WILDE, CITY CLERK

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

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, CORRIN WILDE, 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 2, CHAPTER
4, REVISING THE STRUCTURE OF THE WAR BONNET ROUNDUP RODEO
ADVISORY COMMITTEE; AND PROVIDING SEVERABILITY,
CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING
EFFECTIVE DATE.”

CORRIN WILDE, CITY CLERK

(SEAL)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 8 CHAPTER 9, TO CLARIFY THE ROLE AND AUTHORITY OF THE IDAHO FALLS CITY FORESTER AND TO ALIGN AND CORRECT INTERNAL CODE REFERENCES TO THE CITY CODE, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, trees contribute to the beauty and health of the City; and

WHEREAS, the City has appointed a City Forester to ensure the health of the trees within the City; and

WHEREAS, the Council desires to ensure that the authority of the City's Forester to investigate and abate disease and pests that threaten the health of both privately owned trees and publicly owned trees is clearly set out in the City Code; and

WHEREAS, the Council also desires to insure that the City Code's internal references are correct and consistent with the Council's intent for the City Forester to abate public nuisances facing trees within the City.

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

SECTION 1. Title 8, Chapter 9, Section 3 of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

...

8-9-3: CITY FORESTER: The Director may appoint a person to serve as City Forester. The City Forester shall have such duties and perform such functions as shall be prescribed herein and as required by the Director of Parks and Recreation. The City Forester is hereby authorized to:

(A) Direct, manage, supervise and control the City street tree and park tree program for the planting, removal, maintenance and protection of all public trees and shrubs on all public areas and to supervise and assist the Parks and Recreation Department personnel in the planting, removal, maintenance and protection of said trees and shrubs;

(B) To guard all public and private trees and shrubs within the City so as to prevent the spread of disease or pest and to eliminate ~~the dangerous conditions~~ public nuisances described in this Chapter which may affect the life, health, or safety of person or property.

SECTION 2. Title 8, Chapter 9, Section 7 of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

8-9-7 RESPONSIBILITIES FOR PRIVATE TREES:

- (A) It shall be unlawful for any person owning a private tree or in control of a private tree to refuse or fail to take the following actions within a reasonable time after being directed to do so by the City Forester:
- (1) Remove, prune, or re prune any tree located on such person's private property in a manner that removes, abates or otherwise lessens the likelihood of or resolves any pest infestation, dangerous condition or circumstance located within such tree, the existence of which constitutes a public nuisance, as defined in ~~Section 8-9-14 of this Code~~ in this Chapter.
 - (2) Remove, prune, or re prune any private tree located on such person's real property in a manner that provides for trees and shrubs to be trimmed and have vertical clearance of the branches of such tree to a height of not less than:
 - (a) Eight feet (8') above any public sidewalk; and
 - (b) Thirteen feet (13') from the back of the curb to Thirteen feet (13') toward the center line above any public street, alley, or right-of way and thereafter angled up toward the center line to a height of not less than fifteen (15') feet at the center of the public street, alley, or right-of-way.
 - (3) Remove, control or abate any pest investing or otherwise located in or upon any private tree located upon the owner's private real property.
 - (4) Remove and properly dispose of all branches, twigs, leaves or other debris deposited upon public property by or at the direction of any person pruning, trimming or removing such private tree.

SECTION 3. 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 4. Codification Clause. The Clerk is instructed to immediately forward this Ordinance to the codifier of the official municipal code for proper revision of the Code.

SECTION 5. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, publication, and on the ____ day of _____, 2023.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this ____ day of _____, 2023.

CITY OF IDAHO FALLS, IDAHO

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

ATTEST:

CORRIN WILDE CITY CLERK

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, CORRIN WILDE, 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 8 CHAPTER 9, TO CLARIFY THE ROLE AND AUTHORITY OF THE IDAHO FALLS CITY FORESTER AND TO ALIGN AND CORRECT INTERNAL CODE REFERENCES TO THE CITY CODE, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

(SEAL)

CORRIN WILDE, CITY CLERK

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 9, CHAPTER 4, DEFINING AND REGULATING STORAGE OF MOTOR VEHICLES, MOTORHOMES, AND TRAILERS ON PUBLIC STREETS AND ALLEYS; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City desires to regulate the storage of operable and inoperable vehicles (including motorhomes, trailers, etc.) on its streets and alleys; and

WHEREAS, current City Code regulations should be clarified to advance consistent and logical approaches to such regulation; and

WHEREAS, the changes proposed in this Ordinance clarify the City's expectations regarding storage of vehicles on City Streets and in City alleys by defining and categorizing them according to type and allowed duration in the same space while parked on a City street or alley.

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

SECTION 1. Title 9, Chapter 4, Section 5 of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

...

9-4-5: STORAGE OF VEHICLES, MOTORHOMES AND TRAILERS ON PUBLIC STREETS AND ALLEYS:

- ~~(A) It shall be unlawful for anyone to use City streets or alleys for storage of motorhomes or trailers. Trailers and motorhomes can only be parked upon a street or alley within the City for the purposes of loading and unloading for a period not to exceed two 24-hour periods in a 7-day time period. Any person who parks or allows a trailer or motorhome to be parked upon any street or alley within the City for a period in excess of this time in the same location shall be guilty of an infraction.~~
- ~~(B) Any person who parks or allows a vehicle to be parked upon any street or alley within the City for a period of 48 or more consecutive hours in the same location shall be guilty of an infraction.~~
- ~~(C) Any vehicle, motorhome or trailer unlawfully parked or stored may be removed by or under the direction of any peace officer and may be impounded in accordance with the provisions of this Chapter.~~
- ~~(D) For the purposes of this section, a vehicle shall be considered to be parked "in the same~~

~~location" notwithstanding movement of the vehicle to another location on a public street or alley within 500 feet in any direction of the original location of the vehicle. "Motorhome" is hereby defined as set forth in Idaho Code § 49-114(12). "Trailer" is hereby defined as set forth in Idaho Code § 49-121(6).~~

(A) (1) It shall be unlawful for a motorhome or trailer to be parked or stored for the purposes of loading and unloading upon a street or alley within the City in excess of two (2) periods of twenty-four (24) hours within in any 7-day time period.

(2) For the purposes of this section:

(a) "motorhome" is hereby defined as set forth in Idaho Code § 49-114(12).

(b) "trailer" is hereby defined as set forth in Idaho Code § 49-121(6).

(c) a motorhome or trailer shall be considered to be parked "in the same location" notwithstanding movement of the vehicle to another location on a public street or alley within three hundred feet (300') in any direction of the original location of the vehicle.

(3) Any vehicle, motorhome, or trailer unlawfully parked or stored may be removed by or under the direction of any peace officer and may be impounded in accordance with the provisions of this Chapter.

...

SECTION 2. Title 9, Chapter 4, Section 26 of the City Code of the City of Idaho Falls, Idaho, is hereby added as follows:

9-4-26: PARKING OF OPERABLE VEHICLES ON PUBLIC STREETS AND ALLEYS:

(A) (1) It shall be unlawful for any person to park or allow to be parked a licensed and operable motor vehicle upon any street or alley within the City for a period exceeding forty-eight (48) consecutive hours in the same location.

(2) For purposes of this section:

(a) "motor vehicle" is hereby defined as set forth in Idaho Code 49-123(V)(h).

(b) a motor vehicle home shall be considered to be parked "in the same location" notwithstanding movement of the vehicle to another location on the same side of a public street or alley within three hundred feet (300') of the original location of the vehicle.

SECTION 3. Title 9, Chapter 4, Section 27 of the City Code of the City of Idaho Falls, Idaho, is hereby added as follows:

9-4-27: PARKING OF DISABLED, UNLICENSED, OR INOPERABLE VEHICLES ON PUBLIC STREETS AND ALLEYS:

(A) (1) It shall be unlawful for any person to park or store or to allow to be parked or stored a disabled, unlicensed, or inoperable motor vehicle upon any street or alley within the City for a period exceeding twenty-four (24) consecutive hours.

(2) For purposes of this section, "motor vehicle" is hereby defined as set forth in Idaho Code 49-123(V)(h).

9-4-2628: PENALTIES: Any person who violates any provision of this Chapter, which does not otherwise provide a specific penalty, shall be guilty of an infraction, and shall, upon conviction thereof, be punishable by a fine in an amount set from time to time by Resolution of the Council.

9-4-2729: ADDITIONAL REMEDIES PRESERVED: The issuance of a notice of violation shall not be the exclusive remedy for enforcing the parking regulations of this Chapter and all other lawful remedies are reserved, including prosecution by filing a criminal complaint for an infraction violation.

SECTION 3. 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 4. Codification Clause. The Clerk is instructed to immediately forward this Ordinance to the codifier of the official municipal code for proper revision of the Code.

SECTION 5. Publication and Effective Date. 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.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this day of _____, 2023.

ATTEST:

CITY OF IDAHO FALLS, IDAHO

CORRIN WILDE, CITY CLERK

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

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, CORRIN WILDE, 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 9, CHAPTER 4,
DEFINING AND REGULATING STORAGE OF MOTOR VEHICLES,
MOTORHOMES, AND TRAILERS ON PUBLIC STREETS AND ALLEYS; AND
PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY,
AND ESTABLISHING EFFECTIVE DATE.”

CORRIN WILDE, CITY CLERK

(SEAL)

Community Development Services



MEMORANDUM

TO: Honorable Mayor and Council

FROM: Wade Sanner, Community Development Services Director

DATE: August 2, 2023

RE: August 1, 2023, Planning Commission Action

Planning Commission took the following action during the August 1, 2023, meeting.

1. **PLAT23-018: FINAL PLAT. Stanger Farms Commercial Addition First Amended Final Plat.** A portion of Lot 1, Block 1 of Stanger Farms Commercial Addition within part of the SW 1/4 of Section 8, Township 2 North, Range 38 East. Generally located north of E Anderson St, east N Holmes Ave, south of Environmental Way, west of Hemmert Ave. On August 1, 2023, the Planning and Zoning Commission unanimously voted to recommend approval of the final plat to the Mayor and City Council with the condition that 10 feet of additional right-of-way along E Anderson Street be dedicated to the City.

RECOMMENDED COUNCIL ACTION: To receive recommendation(s) from the Planning and Zoning Commission pursuant to the Local Land Use Planning Act (LLUPA).



MEMORANDUM

TO: Honorable Mayor and Council

FROM: Wade Sanner, Community Development Services Director

DATE: September 6, 2023

RE: September 5, 2023, Planning Commission Action

Planning Commission took the following action during the September 5, 2023, meeting.

1. **PLAT23-020: FINAL PLAT. Sand Creek Estates Division No. 2. Part of the NW ¼ of Section 4, Township 1 North, Range 36 East. Generally located north of Sandpiper Way, east of S 15th E, south of E 49th S, west of Long Cove Drive.** On September 5, 2023, the Planning and Zoning Commission unanimously voted to recommend approval of the final plat to the mayor and City Council as presented.
2. **RZON23-004: REZONE. Rezone 5.26 acres from LC, Limited Commercial to HC, Highway Commercial. NW 57,439 sq ft and the W Center 127,495 sq ft and the 19,708 sq ft of Lot 2, Block 1, Westridge Addition Division NO. 1 and Lot 29, Block 1, Westridge Addition, Division NO. 1 3rd Amended. Located in the SE corner of the intersection of Broadway and Old Butte Road.** On September 5, 2023, the Planning and Zoning Commission unanimously voted to recommend approval of the rezone from LC to HC to the mayor and City Council as presented.

RECOMMENDED COUNCIL ACTION: To receive recommendation(s) from the Planning and Zoning Commission pursuant to the Local Land Use Planning Act (LLUPA).