



NOTICE OF PUBLIC MEETING

Monday, June 10, 2019
CITY COUNCIL CHAMBERS
680 Park Avenue
Idaho Falls, ID 83402
3:00 p.m.

The public is invited to attend. 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.

SPECIAL MEETING (Council Work Session)

Times listed in parentheses are only estimates.

Call to Order and Roll Call

Council President:

- Calendars, Announcements and Reports (10)
- Acceptance and/or Receipt of Minutes
- Action Desired:* To receive recommendations from the Planning and Zoning Commission

Council:

- Liaison Reports and Council Concerns (10)

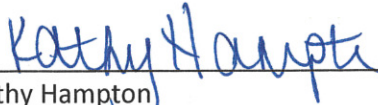
Parks and Recreation:

- Bonneville County Weed Ordinance Update (15)
- Zoo Accreditation Process Overview (30)

Fire Department:

- Issue Briefing: 2015 Fire Code Adoption (30)

DATED this 7th day of June, 2019



Kathy Hampton
City Clerk



MEMORANDUM

TO: Honorable Mayor and Council

FROM: Brad Cramer, Director

DATE: June 5, 2019

RE: June 4, 2019, Planning Commission Action

Planning Commission took the following action during the June 5, 2019 meeting.

1. **PLAT19-013. Preliminary Plat. Fairway Estates** Generally south of E 65th N, west of N 5th E, north of E 49th N, and east of N 5th W. On 6/4/2019 the Planning and Zoning Commission recommended approval to the Mayor and City Council as presented.
2. **RZON19-006. REZONE. Amend Title 11, Chapter 5 for Small Wireless Facilities.** On 6/4/2019, the Planning and Zoning Commission recommended to the City Council approval of the amendment as presented.
3. **PLAT19-005. Preliminary Plat. Manchester Estates.** On 6/4/2019, the Planning and Zoning Commission recommended to the Mayor and City Council approval of the preliminary plat as presented.
4. **ANNX19-006. Annexation and Initial Zoning of TN. Annexation and Initial Zoning of Southpoint Division 9.** Generally south of W 49th S, west of S Holmes Ave., north of W 65th S, and east of S 5th W. On 6/4/2019, the Planning and Zoning Commission recommended to the Mayor and City Council denial of the annexation and initial zoning as presented.
5. **PLAT19-014. Final Plat. Southpoint Division 9.** Generally south of W 49th S, west of S Holmes Ave., north of W 65th S, and east of S 5th W. On 6/4/2019, the Planning & Zoning Commission recommended approval of the final plat as presented.
6. **PLAT19-015. Final Plat. Winter Sunnyside Development Division 1.** Generally south of E Sunnyside Rd., west of S 15th E, north of Castlerock Ln., and east of S Holmes Ave. At its June 4, 2019 meeting the Planning and Zoning Commission recommended to the Mayor and City Council approval of the plat as presented.
7. **PLAT19-006. Final Plat. Brookside Division 6.** Generally south of E Sunnyside Rd., west of S 25th E, north of E 49th S and east of S 15th E. On 6/4/2019, the Planning & Zoning Commission recommended approval of the final plat for Brookside Division 6 as presented.
8. **PLAT19-007. Final Plat. Kirkendell Subdivision.** Generally south of E 1st St., west of S Fanning Ave., north of John Adams Pkwy., and east of S Freeman Ave. At its June 4, 2019 meeting the Planning and Zoning Commission recommended to the Mayor and City Council approval of the plat as presented.

9. **PLAT19-010. Final Plat. Lorin C Andersen 3rd Amended Plat.** Generally south of E 17th St., west of S Woodruff Ave., north of E 25th St., and east of St Clair Rd. At its June 4, 2019 meeting the Planning and Zoning Commission recommended to the Mayor and City Council approval of the plat as presented.
10. **PLAT19-011. Final Plat. Fairway Estates Division 23.** Generally south of E 65th N, west of N 5th E, north of E 49th N, and east of N 5th W. On 6/4/2019, The Planning & Zoning Commission recommended approval of the final plat as presented.
11. **PLAT19-012. Final Plat. Fairway Estates Division 24.** Generally south of E 65th N, west of N 5th E, north of E 49th N, and east of N 5th W. On 6/4/2019, the Planning & Zoning Commission recommended approval of the final plat as presented.

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

PC Action 6/4/2019

Approved

Idaho Falls Sister City Youth Meeting-Minutes May 13, 2019

Attendees:

Omar Gamino	Vina Gamino	Katie Eaton
David Eaton	Kylie Eaton	Anna St. Michel
Whitney St. Michel	Melinda Cebull	Heather Medema
Nicholas Cebull	Gabe Padron	Maggie Boring
Nathan Peck	Laura Combs	Charlotte Combs
Heather Dineen	Sawyer Dineen	Kendra Peck
Nate Nakashima	Andrew Nakashima	Lori Kidwell
Sam Hawker	Jennifer Thompson	Carter Thompson
Jorge Padron	Julie Kaufman	Jackie Sugai [Corbridge]

Jackson Sugai [Corbridge]

Introductions:

Introductions of two new members.

Carter Thompson turned in Code of Conduct and Student Application. Need membership dues.

Kayleigh Thompson turned in Student Application. Need Code of Conduct and membership dues.

Nathaniel Nakashima turned in Student Application. Need Code of Conduct and membership dues.

Approval of minutes:

Laura Combs motioned to approve May 2, 2019 meeting minutes and seconded by Heather Medema.

Reminder:

Idaho Falls Sister City Youth next meetings are scheduled for June 5, 2019 at 7:00 at the Idaho Falls Public library.

Treasurer's Report:

Post Cherry Blossom

\$25.05=Savings

\$6,353.90 = Basic Checking

\$3,275.39 = Money Market

Cherry Blossom ticket sales totaled \$1,795.00.

\$1,000 from Flour Donation.

\$400 from Sugi family.

Request for City Funds:

David Eaton will report on his findings at the next meeting.

Fundraiser:

Garage Sale is scheduled for May 18, 2019. Kendra Peck volunteered to have her garage be used for storage of items for garage sale (May 17th). The garage sale will be held at Kendra's house 961 Pescadero Place in Idaho Falls.

Volunteers are needed on May 17 to set up beginning at 5:00. Sign up sheet for shifts for Saturday, May 18th was sent around. Judy Seydel donated several "Gourmet" magazines. David Eaton will see if they sell on E-Bay.

Koi Pond:

Heather updated the group on the progress of the Koi Pond.

Student Exchange:

Whitney St. Michel stated that the list of students from Tokai-Mura was sent out. There are five boys and ten girls and three chaperones. They will be arriving on July 25, and leave August 5, 2019. Families interested in hosting students were asked to fill out preference form. Preference forms were then handed out to fill out. Vina stated that she asked her friends in Blackfoot if they would play for the Pow-Wow.

Student went to another room to discuss activities for the July 25 - August 5, 2019.

The adults discussed what "Hosting" students from Japan could look like for families.

- Hosting activities getting students to and from each daily activity
- Gift giving nothing really expensive (photo albums with students pictures)
- Need to make business cards with your name on them to give to each student/chaperon
- Language can be a barrier but there are apps to help you out
- Students are fascinated by how large homes/rooms are
- Students typically take showers at night
- Cannot use Skyline Recreation Center during rodeo event time

The adults also discussed the point system (requirements) for American students going to Japan

- Points determine who is going to Japan
- Points help determine how much each point is worth
- Students need to be active and parents need to be active
- Chaperones will need to pay for their own ticket and extras
- Point system is used when there are more than 15 students who are eligible to go
- Student must have 50% attendance to meetings/activities

Student Activities**Language Lesson:**

Jorge Padron motioned to adjourn the meeting and Vina Gamino seconded it.



MEMORANDUM

TO: City Council
FROM: Rebecca Casper
DATE: June 10, 2019
RE: Recent Proclamation

Attached please find copies of the official Proclamation prepared and released by the Mayor's Office for the month of June.

- Alzheimer's And Brain Awareness Month (June 2019)



PROCLAMATION

WHEREAS, the nation and the state of Idaho observe Alzheimer's and Brain Awareness Month during the month of June; and

WHEREAS, Alzheimer's disease, a progressive neurodegenerative brain disorder, tragically robs individuals of their memories and leads to progressive mental and physical impairments as a fatal disease; and

WHEREAS, 5.8 million Americans have Alzheimer's disease, with over 25,000 Idahoans included in that number; and

WHEREAS, the human cost of Alzheimer's disease is staggering; In 2018 more than 83,000 Idaho family caregivers provided over 94,000,000 hours of unpaid care valued at \$1.19 million dollars in 2018; and

WHEREAS, the annual cost to our state in Medicaid payments was \$139 million in 2018; a number which is projected to increase by 39% by 2025; and

WHEREAS, it is altogether fitting to recognize the individuals, families, friends and caregivers dealing with Alzheimer's disease, as well as the researchers who are seeking a cause or cure; and

WHEREAS, the City of Idaho Falls recognizes the efforts of the Alzheimer's Association to raise funds and promote awareness to fight Alzheimer's disease and related disorders, thereby improving the quality of human life for those living with Alzheimer's disease and their caregivers;

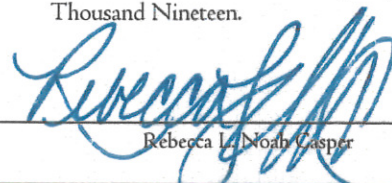
THEREFORE, I Rebecca Casper, Mayor of the city of Idaho Falls, do hereby proclaim the month of June as

ALZHEIMER'S AND BRAIN AWARENESS MONTH

in Idaho Falls, Idaho, and urge all citizens to increase their awareness of Alzheimer's disease, its effect on the brain, and the healthy life style choices they can make to reduce their risk of developing dementia.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Idaho Falls to be affixed on this 1st day of June, Two Thousand Nineteen.


Rebecca L. Noah Casper



MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Duane Nelson, Fire Chief

DATE: Friday, June 7, 2019

RE: Adoption of the 2015 International Fire Code with adjustments to current Amendments

Attached for discussion at the June 10, 2019, work session are adjustments to current City Ordinance. These adjustments are made for the adoption of the 2015 International Fire Code (IFC) with amendments.

The adoption of the 2015 IFC will allow the Fire Department and Prevention Division to be in unison with the State of Idaho Fire Marshal's Office and Community Development Services. This version of the International Building Code and all other accessory codes were previously adopted in June of 2018 by these departments.

The adoption of the 2015 IFC with amendments will secure our ability to stay current with new building and engineering processes. The recommended adjustments to the amendments reflect current applicable Fire Department practices with permits and licensing while also removing sections that are no longer applicable or already addressed in other city ordinance or state law.

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING SECTIONS 7-10-1 THROUGH 7-10-4 OF THE CITY CODE OF THE CITY OF IDAHO FALLS, TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL FIRE CODE, 2015 EDITION, AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, City wishes to adopt the most current edition of the International Fire Code to ensure application of the most current guidelines therein.

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

SECTION 1. Sections 7-10-1 through 7-10-4 of the City Code are hereby amended by the following language:

7-10-1: INTERNATIONAL FIRE CODE ADOPTED

(A) Fire Code Adopted: The International Fire Code, 2015~~2~~ Edition, as published by the International Code Council, Inc., including all Appendices, are hereby adopted as an official fire code of the City, save and except such portions as are hereinafter deleted, modified or amended by the provisions of this Chapter.

(B) Code on File: One (1) copy of the International Fire Code, 2015~~2~~ Edition, duly certified by the Clerk shall be retained by the City Clerk for use and examination by the public.

(C) Any reference in the City Code to the International Fire Code shall refer to the most recent version of the International Fire Code adopted by the City, as provided for in this Chapter.

7-10-2: DEFINITIONS: Whenever found in the International Code, the following words shall have the meanings ascribed to them herein:

Fire Code Official: The Fire Marshal

Corporate Counsel: The City Attorney for the City of Idaho Falls, Idaho

Jurisdiction: The City of Idaho Falls, Idaho

Life Safety System: Automatic fire extinguishing system, **portable fire extinguishers**, fire alarm and detection systems, fire pumps, and related equipment.

Life Safety License: Required license issued by the Fire Code Official intended to ensure that the licensee is qualified to install, modify, service, or maintain any automatic fire extinguishing system, **portable fire extinguishers**, fire alarm and detection system, or related equipment.

7-10-3: AMENDMENTS AND ADDITIONS TO THE INTERNATIONAL FIRE CODE:

(A). Subsection of **105.1.2 Types of permits** shall be adopted as follows:

3. Permit Fees:

~~105.1.2.1~~ Each operational permit fee shall be in an amount set from time to time by Resolution of the Council;

~~105.1.2.2~~ Each construction permit fee shall be in an amount set from time to time by Resolution of the Council; and,

~~1.3~~ The Fire Code Official is authorized to waive a permit fee for 501.3(C) non-profit organizations who do not charge an admission fee for permit required events.

~~———— (B) ——— Section 105.1.3~~ **Where Multiple permits are required for the same location, the Fire Code Official may authorize to consolidate such permits into one permit.** ~~shall be amended by the addition of the following paragraph:~~

113.3 Failure to obtain any require fire code permit, prior to engaging in activities, operations, practices or functions, as set forth in the International Fire Code, shall constitute a violation of the code. The activity, operation, or practice will be issued a stop work order until a permit has been obtained and a double permit fee collected.

~~(CB)~~ Subsection **105.7.1 Automatic fire-extinguishing systems** shall be amended to read as follows:

A construction permit and Life Safety License is required for the installation of or modification to an automatic fire extinguishing system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

1. Contractors performing maintenance on automatic fire-extinguishing systems shall obtain a Life Safety License prior to commencing work and shall provide a copy of the maintenance report to the Fire Code Official at the completion of the work performed.
2. The Fire Code Official is authorized ~~to waive the permit to not~~ require a plan review fee for modifications to automatic fire-extinguishing systems where ten (10) or fewer sprinkler heads are affected in the scope of work. A Life Safety License and permit are required to be submitted to the Fire Code Official for review prior

to the start of the project and a record of completion shall be permitted to the Fire Code Official at the completion of the project.

(~~CD~~) **Subsection 105.7.6 Fire alarm and detection systems and related equipment** shall be amended to read as follows:

A construction permit and Life Safety License is required for installation of or modification to fire alarm and detection systems and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

1. Contractors performing maintenance on fire alarm and detections systems shall obtain a Life Safety License prior to commencing work and shall provide a copy of the maintenance report to the Fire Code Official at the completion of the work performed.

(~~DE~~) **Subsection 105.7.7 Fire pumps and related equipment** shall be amended to read as follows:

A construction permit and Life Safety License is required for installation of or modification to fire pumps and related fuel tanks, jockey pumps, controllers, and generators. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

1. Contractors performing maintenance on fire pumps and related equipment shall obtain a Life Safety License prior to commencing work and shall provide a copy of the maintenance report to the Fire Code Official at the completion of the work performed.

(~~EF~~) **Subsection 109.4 Violation penalties** shall be amended to read as follows:

Persons or entities who violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under the provisions of this code, as amended, shall be guilty of a misdemeanor. Each ~~day~~ twenty-four (24) hour period that a violation continues after due notice has been served shall be deemed a separate offense.

(~~FG~~) **Subsection 111.4 Failure to comply** shall be amended to read as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to pay a fine in an amount set from time to time by Resolution of the Council.

(~~GH~~) **Subsection 113.6 Life Safety License required** shall be adopted as follows:

Any person or entity shall obtain a Life Safety License from the Fire Code Official prior to performing any installation, modification, inspection, testing, or maintenance, ~~or servicing on a Life Safety Systems in the City of Idaho Falls. Life Safety Licenses shall expire one year from the date of issuance unless otherwise provided for on the license be~~ valid for the calendar year issued. The fee for a Life Safety License shall be in an amount set from time to time by Resolution of the Council. All Life Safety Licenses shall be non-transferrable.

(~~HJ~~) Subsection 113.7 Penalties for violation of license requirement shall be adopted as follows:

Any person or entity who violates any rules or regulations as written on the license application, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than three-hundred dollars (\$300). Each twenty-four (24) hour period day that a violation continues after due notice has been served shall be deemed a separate offense.

(~~IK~~) Subsection 113.8 Payment of permits, licenses and fees shall be adopted as follows:

All costs, fees, and payments associated with any permit or license provided for in the Fire Code shall be paid to the City of Idaho Falls City ~~Clerk's~~ Treasurer's Office or as otherwise specified by the ~~City~~ Fire Department.

(~~JE~~) Subsection 113.9 Fees shall be adopted as follows:

113.9.1 Structural plan review fees. Structural plan review fees will be charged at a rate in an amount set from time to time by Resolution of the Council. Upon request from the Fire Code Official, the City reserves the right to charge additional structural plan review fees for large or complex structural plan submissions.

113.9.2 Fire alarm plan review fees. Fire alarm plan review fees will be charged at a rate in an amount set from time to time by Resolution of the Council ~~per one hundred (100) devices~~. This fee includes plan review and ~~response and four (4)~~ one (1) acceptance test field inspections by fire prevention personnel. An additional fee, in an amount set from time to time by Resolution of Council, will be charged for inspection of fire alarm systems exceeding this amount.

113.9.3 Fire sprinkler system plan review fees. Fire sprinkler system fees will be charged at a flat rate in an amount set from time to time by Resolution of the Council. This fee includes plan review ~~and response for local or Authority Having Jurisdiction (AHJ) requirements~~, and ~~four (4)~~ one (1) acceptance field inspections. Field inspections are to include fire service underground, rough-in inspection ~~and hydro-test~~, hydro-test with all heads in place, and final acceptance test of system. An additional fee, in an amount set from time to time by Resolution of Council, will be charged for inspection of fire sprinkler systems exceeding this amount.

113.9.4 Fire pump review fees. Fire pump fees will be in an amount set from time to time by Resolution of the Council. This fee includes plan review and response and acceptance testing of the fire pump.

113.9.5 Alarm response fee. The Fire Code Official is authorized to charge a maximum fee in an amount set from time to time by Resolution of the Council per occurrence for fire apparatus response to Life Safety System activation where the service contractor fails to contact the Fire Code Official and/or Fire Dispatch Center when servicing such systems or excessive responses to the same location. The fee does not apply to a false alarm which is defined as the willful and knowing initiation or transmission of a signal, message or other notification of an even of fire when no such danger exists. The fee, subject to review by the Fire Code Official will apply to nuisance alarms exceeding four (4) responses to the same location within a thirty (30) day period. Nuisance alarms are defined as any alarm caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance, or any alarm activated by a cause that cannot be determined. The fee will be charged to the business owner and/or service contractor after review by the Fire Code Official

(M) ~~Section 907.2 Where required new buildings and structures~~ shall be amended as follows:

~~An approved addressable fire alarm system in accordance with the provisions of this code, and NFPA 72 (2010 Edition), shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 inclusive, and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code. Where automatic sprinkler protection is installed, in accordance with Section 903.3.1.1 or 903.3.1.2, and connected to the building fire alarm system, automatic heat detection required by this Section shall not be required.~~

~~The automatic fire detectors shall be smoke detectors. Where ambient conditions prohibit installation automatic smoke detection, other automatic fire detection shall be allowed.~~

~~Addressable fire alarm systems shall be monitored by an Underwriter Laboratory (UL) listed or other testing agency approved by the Fire Code Official for monitoring fire protection systems.~~

~~(N) Section 1103.7 Fire alarm systems~~ shall be amended as follows:

~~An approved addressable fire alarm system, in accordance with the provisions of this code and NFPA 72 (2010 Edition), shall be provided in existing buildings and structures in accordance with Sections 1103.7 through 1103.7.7. Where automatic sprinkler protection is installed, in accordance with Section 1103.5 or 1103.5.2, and connected to the building fire alarm system, automatic heat detection required by this Section shall not be required.~~

~~An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72 (2010 Edition). Devices, combinations of devices, appliances, and equipment shall be approved. The automatic fire detection shall be smoke detectors, except an approved alternate type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector.~~

~~Addressable fire alarm systems shall be monitored by an Underwriter Laboratory (UL) listed or other testing agency approved by the Fire Code Official for monitoring fire protection systems.~~

Exceptions:

- ~~1. Buildings with eight or less initiating devices may be zoned systems provided only one device is used per zone. Each device shall have a plain English liquid crystal display (LCD).~~
- ~~2. A zone map shall be provided by the alarm contractor and the map shall be located on the exterior of the Fire Alarm Control Panel (FACP).~~

(KΘ) Subsection **5604.1.1 Prohibited storage** shall be adopted to read as follows:

The storage of explosives and blasting agents is prohibited within the Corporate Limits of the City of Idaho Falls.

Exception: The Fire Code Official may issue a permit, pursuant to Section 105, to allow the use of explosives and blasting agents within the Corporate Limits of the City of Idaho Falls. Such permit shall prescribe conditions and restrictions for the use of explosives and blasting agents, consistent with this chapter.

(LP) Subsection **5704.2.9.6.1 Locations where above-ground tanks are prohibited** shall be amended to read as follows:

The storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited within the Corporate Limits of the City of Idaho Falls.

Exceptions:

1. The Fire Code Official, with approval of the Fire Chief, may allow protected above-ground tanks at motor vehicle fuel dispensing stations. Protected above-ground tanks may be allowed where underground rock formations or water levels make it extremely difficult or impossible to install underground tanks or underground install is cost prohibitive for limited use fuel dispensing stations. Such tanks shall meet the UL 2085 listing and comply with Sections 2306.2, 3104.17.2, 5704.2.7.3.5, 5704.2.9, and 5704.2.13.2. Each approved tank shall not exceed twelve thousand (12,000) gallons in individual capacity and no more than forty-eight thousand (48,000) gallons

in aggregate capacity may be stored in this manner on any one property within the City.

2. The Fire Code Official, with approval of the Fire Chief, may allow the use of temporary above-ground storage tanks at construction sites, earth moving projects or gravel pits. Such tanks shall comply with Sections 3104.17.2, 5704.2.9, and Section 5706 in its entirety.

- 2.1 The storage of flammable or combustible liquids in above-ground tanks, and the dispensing of combustible liquids into vehicles from above-ground tanks, shall not be permitted in the following zones as defined by the City Zoning Ordinance and located within the current Official Zoning Map: RP, RP-A, R-1, R-2, R-2A, R-3, R-3A, P-B, and RMH.

(MQ) Subsection **5706.2.4.4 Locations where above-ground tanks are prohibited** shall be amended to read as follows:

The limits in which new bulk plants in accordance with Section 5706.2.4.4, where flammable or combustible liquids are received by tank vessels, pipelines, tank cars, or tank vehicles, and are stored in blended in bulk for the purpose of distributing such liquids by tank vessels, pipelines, tank cars, tank vehicles, or containers are prohibited within the Corporate Limits of the City of Idaho Falls.

(NR) Section **5806.2 Limitations** shall be amended to read as follows:

Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the Corporate Limits of the City of Idaho Falls.

(QS) Section **6104.2.1 Restricted zones** shall be adopted as follows:

Storage of liquefied petroleum gas is restricted within all zones in the City, as defined by the City Zoning Ordinance and located within the current City's Official Zoning Map.

Exception: Storage of liquefied petroleum gas is permitted, consistent with this chapter, within the Industrial and Manufacturing Zones I&M-1 and I&M-2, as defined by the City Zoning Ordinance and located within the current City's Official Zoning Map.

7-10-4: PENDING LEGAL ACTIONS:

That nothing in this Chapter or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as

cited in Section 3 of this Chapter; nor shall any just or legal right or remedy or any character be lost, impaired or affected by this Chapter.

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. The remaining Sections of Title 5, Chapter 6, shall be in full force and effect.

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 _____, 2019.

CITY OF IDAHO FALLS, IDAHO

REBECCA L. NOAH CASPER, MAYOR

ATTEST:

KATHY HAMPTON, CITY CLERK

(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, AMENDING SECTIONS 7-10-1 THROUGH 7-10-4 OF THE CITY CODE OF THE CITY OF IDAHO FALLS, TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL FIRE CODE, 2015 EDITION, AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.”

Kathy Hampton
City Clerk

(SEAL)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING CHAPTER 13, OF TITLE 5, CHAPTER 3, OF TITLE 6, AND CHAPTER 4, OF TITLE 9 TO ALIGN THE CITY CODE WITH THE 2015 INTERNATIONAL FIRE CODE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City has adopted the 2015 edition of the International Fire Code; and

WHEREAS, certain sections of the City Code overlap and are redundant or conflict with the provisions of the 2015 International Fire Code ; and

WHEREAS, the Council desires a clear, concise, and consistent approach to public fire safety regulation.

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

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

3-2-5: ESTABLISHMENT OF ~~DEPARTMENT OF~~ FIRE PREVENTION DIVISION

(A)The Chief of the Fire and Public Safety ~~Division~~ Department shall appoint a Fire Code Official for the purpose of administering and enforcing the Fire Code.

...

SECTION 2. Chapter 13, of Title 5 of the City Code of the City of Idaho Falls, Idaho, is hereby amended and renumbered as follows:

5-13-1: ABANDONED REFRIGERATORS: It shall be unlawful for any person to abandon or permit to remain in an abandoned state on any premises owned or over which he or she has control, any ice box, refrigerator, deep freeze or any appliance or air tight container which fastens automatically and which cannot be opened from the inside, without having first removed the lock or hinges from the door thereof.

~~**5-13-2: FALSE FIRE ALARMS:** It shall be unlawful for any person to knowingly and willfully give or make a false fire alarm in any manner (whether by telephone, use of a mechanical or electronic fire alarm, or otherwise).~~

~~5-13-3: TAMPERING WITH FIRE ALARM: It shall be unlawful for any person to willfully damage, tamper with or otherwise alter any fire alarm for the purpose of preventing the normal operation thereof.~~

~~5-13-4: FIRE HYDRANTS: It shall be unlawful for any person to obstruct the approach to a fire hydrant, or to place or allow to be placed, any obstruction(s) within a distance of three feet (3') from a fire hydrant.~~

5-13-~~25~~: DAMAGING FIRE HYDRANTS: It shall be unlawful for any person to willfully or carelessly drive or run any vehicle against any fire hydrant ~~or to park any vehicle within fifteen feet (15') of any fire hydrant.~~ Any person who shall injure or damage any fire hydrant by accident, or by carelessness or otherwise, shall immediately report such injury or damage to the Water Division and such person so injuring or damaging said hydrant shall be liable for any damage caused thereby.

~~5-13-6: UNLAWFUL USE OF FIRE HYDRANTS: It shall be unlawful for any person to draw or attempt to draw water from any fire hydrant unless he or she is an employee of the Police Department, Fire Department, Public Works Department or has received written permission to do so from a Director of such Departments. In the event such permission is given, the City may assess an equitable charge for the use of such fire hydrant and consumption of water therefrom.~~

5-13-~~37~~: ABUSE OF LASER POINTING DEVICES: It shall be unlawful for any person to focus, point or shine a laser beam directly or indirectly on another person or animal in such a manner as to harass, annoy or injure such person or animal. Any person violating this subsection shall be guilty of an infraction.

SECTION 3. Chapter 3, of Title 6 of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

6-3-2: DEFINITIONS: For the purposes of this Chapter, certain words and phrases are defined as follows:

...

(U) Fire Marshall: The Fire Marshall of the City of Idaho Falls, or his or her nominee.

...

6-3-3: CHILD CARE FACILITY LICENSE: No person or entity shall own, operate or permit to be operated within the City any Child Care Facility without first having obtained an appropriate license under this Chapter.

(A) Type 1: Child Care Center. Any person or operator applying for a Type 1 license shall deliver the following documents to the City Clerk at the time the application is made.

...

(6) A certificate issued by the Fire Marshall certifying that the Child Care Facility has been inspected and meets the requirements of the International Fire Code, as adopted by the City, as well as Idaho Code Section 39-1109, and Idaho Administrative Code Section 18.01.55. An applicant must have the following fire safety items:

...

(B) Type 2: Group Child Care. Any person or operator applying for a Type 2 license shall possess the following qualifications before a license may be issued for that facility.

...

(6) A certificate issued by the Fire Marshall certifying that the Child Care Facility has been inspected and meets the requirements of the International Fire Code, as adopted by the City, as well as Idaho Code Section 39-1109, and Idaho Administrative Code Section 18.01.55. An applicant must have the following fire safety items:

...

(C) Type 3: Family Child Care. Any person or operator applying for a Type 3 license shall possess the following qualifications before a license will be issued for that facility.

...

(6) A certificate issued by the Fire Marshall certifying that the Child Care Facility has been inspected and meets the requirements of the International Fire Code, as adopted by the City, as well as Idaho Code Section 39-1109, and Idaho Administrative Code Section 18.01.55.

...

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

9-4-1: GENERAL PARKING RESTRICTIONS: Any person who parks a vehicle, except when necessary to allow movement of other vehicular traffic or pursuant to the direction of a peace officer or traffic control device, in any of the following designated places, shall be guilty of an infraction, to-wit:

...

(O) In any fire apparatus access road as defined in the ~~Uniform~~ International Fire Code.

9-4-24: NOTICE OF PARKING VIOLATIONS:

(A) A notice of a violation of the parking regulations of this Chapter may be issued by any police officer or by any person duly authorized by the Chief of Police. The notice of violation shall be issued by placing it on the windshield of an illegally parked vehicle, in a secure manner, or in a prominent place upon the vehicle.

SECTION 5. 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 6. 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 7. 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 8. 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 ____, 2019.

CITY OF IDAHO FALLS, IDAHO

REBECCA L. NOAH CASPER, MAYOR

ATTEST:

KATHY HAMPTON, CITY CLERK

(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, AMENDING CHAPTER 13, OF TITLE 5, CHAPTER 3, OF TITLE 6, AND CHAPTER 4, OF TITLE 9 TO ALIGN THE CITY CODE WITH THE 2015 INTERNATIONAL FIRE CODE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

(SEAL)

KATHY HAMPTON, CITY CLERK