



CITY OF IDAHO CITY

AGENDA

SPECIAL CITY COUNCIL MEETING

Wednesday, August 5, 2026

6:00 P.M

City Hall, 511 Main Street, Idaho City, ID 83631

Join Team's Meeting

[Idaho City Council Special Meeting](#) | [Meeting-Join](#) | [Microsoft Teams](#)

CALL MEETING TO ORDER
ROLL CALL TO ESTABLISH QUORUM
PLEDGE OF ALLEGIANCE

I. NEW BUSINESS

- A. ADOPT TENTATIVE 2026-2027 BUDGET **ACTION ITEM**
- B. QUOTE FROM THOUSAND WATT ELECTRIC **ACTION ITEM**
- C. QUOTE FROM ELEMENT FENCE FOR FENCING **ACTION ITEM**
- D. CITY OF IDAHO CITY BUSINESS LICENSE APPLICATION - REVIEW

II. ORDINANCES AND RESOLUTIONS

Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements. **ACTION ITEM**

- A. ORDINANCE NO. 396 RV ORDINANCE UPDATE
- B. ORDINANCE NO. 397 REQUIREMENTS FOR FORMULA & LARGE-SCALE COMMERCIAL BUSINESS
- C. ORDINANCE NO. 398 IDAHO CITY BUSINESS LICENSE UPDATE

ADJOURNMENT

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 511 Main Street or call 208-392-4584.

Mayor: Ryan Heffington idahocitymayor1@cityofic.org	Chief of Police: Brent Watson idahocitypd.194@cityofic.org	Public Works Director: Nick Mancera idahocitypublicworks@cityofic.org	City Clerk-Treasurer: Nancy L Keeton idahocityclerk@cityofic.org	511 Main Street PO Box 130 Idaho City, ID 83631 (208)392-4584 operating hours Monday- Thursday 8 am – 4:30 pm Friday by Appointment
Council members: Tom Secor Jr Ashley M Elliott Mari Adams Bobby Mathews	City officers: Jake Nye	Public Works: Jaden Howell	Deputy Clerk: Kaleb Goodlett idahocityoffice@cityofic.org	

CITY OF IDAHO CITY	FY 23/24	FY 23/24	FY 24/25	FY 24/25	FY 25/26	FY 25/26	FY 26/27
	BUDGETED	FINAL	BUDGETED	FINAL	BUDGETED	YTD 7/26	PROPOSED
REVENUES							
Property Taxes	\$108,647	\$108,872	\$138,781	\$132,383	\$144,721	\$148,953	\$144,292
Taxes and Court Revenue	\$22,375	\$7,273	\$16,375	\$7,666	\$23,795	\$9,035	\$12,300
Licenses and Permits	\$36,159	\$26,854	\$22,978	\$14,414	\$23,432	\$32,874	\$32,980
Intergovernmental Revenues	\$149,659	\$104,536	\$135,589	\$114,794	\$116,750	\$48,131	\$96,879
Charges for Services	\$11,325	\$3,172	\$7,425	\$8,373	\$7,660	\$3,612	\$6,475
Miscellaneous	\$48,747	\$1,511	\$536	\$2,718	\$1,855	\$39,219	\$52,355
Special Assessment Financing	\$10,147	\$12,988	\$12,693	\$12,056	\$14,264	\$7,426	\$17,055
Other Financing Sources	\$2,500	\$3,960	\$2,500	\$31,404	\$3,500	\$1,000	\$26,392
TOTAL General Fund	\$389,559	\$269,166	\$336,877	\$323,808	\$335,977	\$290,250	\$388,728
STREET FUND							
Boise County-Property Taxes	\$50,475	\$47,412	\$26,435	\$26,487	\$28,886	\$31,116	\$41,867
Intergovernmental Revenues	\$37,692	\$48,671	\$45,258	\$42,857	\$43,788	\$20,790	\$32,082
Other Financing Sources	\$7,845	\$6,117	\$7,845	\$13,318	\$13,639	\$12,358	\$8,959
TOTAL Street Fund	\$96,012	\$102,200	\$79,538	\$82,662	\$86,313	\$64,264	\$82,908
SEWER FUND							
Charges for Services	\$215,226	\$176,530	\$238,040	\$223,171	\$242,320	\$181,298	\$251,262
Other Financing Sources	\$3,000	\$6,159	\$5,000	\$8,548	\$4,000	\$4,241	\$3,500
TOTAL Sewer Fund	\$218,226	\$182,689	\$243,040	\$231,719	\$246,320	\$185,539	\$254,762
WATER FUND							
Charges for Services	\$370,278	\$306,742	\$371,282	\$360,287	\$372,313	\$281,141	\$392,515
Miscellaneous	\$17,754	\$20,250	\$8,075	\$7,012	\$4,000	\$2,732	\$7,075
DEQ GRANT DW2405LF 23/24	\$2,450,000	\$263,499	\$3,085,428	\$158,083	\$2,876,154	\$18,630	\$2,857,884
TOTAL Water Fund	\$2,838,032	\$590,491	\$3,464,785	\$525,382	\$3,252,467	\$302,503	\$3,257,474
DEQ Water Bond DW1104/ Repayment starting 23/24	\$0	\$80,000	\$80,000	\$67,919	\$80,000	\$60,578	\$80,000
GRAND TOTAL Revenue	\$3,541,829	\$1,224,546	\$4,204,240	\$1,231,490	\$4,001,077	\$903,134	\$4,063,872
EXPENDITURES							
General Administration	\$182,061	\$126,338	\$124,372	\$118,788	\$137,948	\$93,906	\$196,728
Public Safety - Law Enforcement	\$207,498	\$192,802	\$212,505	\$232,913	\$198,029	\$201,970	\$192,000
Total General Fund	\$389,559	\$319,140	\$336,877	\$351,701	\$335,977	\$295,876	\$388,728
Street Fund	\$96,012	\$147,812	\$79,538	\$98,558	\$86,313	\$57,104	\$82,908
Sewer Fund	\$218,226	\$241,703	\$243,040	\$278,374	\$246,320	\$191,222	\$254,762
Water Fund	\$388,032	\$371,897	\$379,357	\$455,773	\$375,953	\$395,794	\$399,590
DEQ GRANT DW2405LF 23/24	\$2,450,000	\$263,499	\$3,085,428	\$158,083	\$2,876,514	\$18,630	\$2,857,884
DEQ Water Bond DW1104/ Repayment starting 23/24		\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000
Total Other Fund Expenditures	\$3,152,270	\$1,104,911	\$3,867,363	\$1,070,788	\$3,665,100	\$742,750	\$3,675,144
Grand Total All Expenditures	\$3,541,829	\$1,424,051	\$4,204,240	\$1,422,489	\$4,001,077	\$1,038,626	\$4,063,872



QUOTE

QT-003295

Thousand Watt Electric
9218 W. White Jasmine CT.
Nampa Idaho 83687
U.S.A.
2089540529
tgawrys@thousandwattelectric.com
<https://thousandwattelectric.com>

Ryan Heffington

17 Jul 2026

#	Description	Qty	Rate	Amount
1	Well Pump Electrical Installation * Furnish and install approximately 180 feet of 1-1/4" PVC conduit from the existing well pump disconnect location to the new equipment location. * Remove the existing disconnect and replace it with an appropriate junction box (J-Box) or LB fitting as required for the new conduit routing. * Install a new Unistrut equipment rack to support electrical equipment. * Furnish and install two (2) new disconnect switches, one dedicated to each well pump. * Install approximately 100' of 1" PVC conduit from each disconnect to its respective well pump. * Install weatherproof junction boxes as required. * Pull conductors, make all terminations, and test each new well pump circuit for proper operation.	1.00	5,850.00	5,850.00
2	GFCI Receptacle & Exterior Lighting * Furnish and install approximately 180 feet of 3/4" PVC conduit. * Install one (1) weather-resistant GFCI receptacle with an in-use cover adjacent to the disconnect location. * Install one (1) exterior light fixture controlled by a photocell to illuminate the well equipment area. * Complete all wiring, terminations, and testing.	1.00	1,950.00	1,950.00
3	Existing Well Pump Reconnection * Disconnect and reconnect the existing well pump using proper wiring methods and code-compliant terminations. * Verify proper operation upon completion.	1.00	350.00	350.00

Crafted with ease using 

Visit zoho.com/invoice to create truly professional invoices

#	Description	Qty	Rate	Amount
4	Permits and Inspection * Obtain all required electrical permits. * Coordinate and schedule all required inspections. * Address any inspection-related requirements necessary for project approval.	1.00	450.00	450.00
5	Exclusions All trenching, excavation, digging, backfilling, and restoration are excluded from this proposal. Customer is responsible for providing all required trenching and ensuring trenches meet applicable depth and installation requirements prior to electrical installation. Any unforeseen conditions, repairs, or modifications not specifically listed above are excluded and will require a separate change order.	1.00	0.00	0.00
Sub Total				8,600.00
Total				\$8,600.00

Looking forward for your business.

1. **Deposit Requirement:**

A 30% down deposit is required to secure scheduling and initiate work. No materials will be ordered and no work will be scheduled until the deposit is received.

2. **Payment Methods:**

We accept check, cash, Venmo (venmo.com/u/Tgawrys), and credit or debit card. Credit/debit card payments can be made electronically directly through this invoice for your convenience.

3. **Progressive Billing:**

Unless otherwise specified, the remaining balance will be billed progressively based on project milestones or upon completion of specific phases of work. Final payment is due upon completion of the project.

4. **Estimates:**

Quoted prices are valid for 30 days and are subject to change based on unforeseen conditions, material price increases, or requested changes to the scope of work.

5. **Change Orders:**

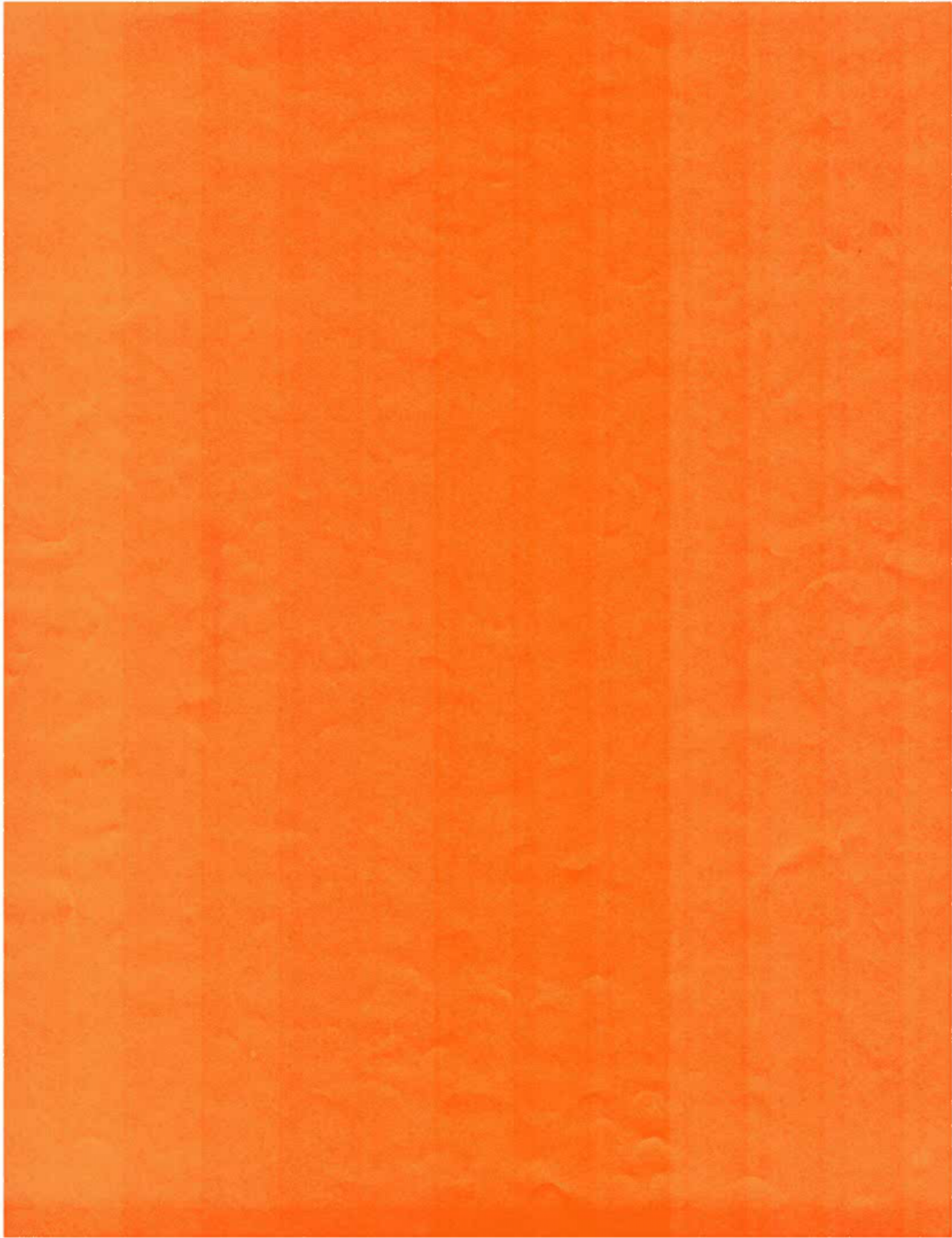
Any additional work or modifications requested after the quote has been accepted will require a written change order and may affect the project timeline and final cost.

6. **Cancellation:**

In the event of cancellation after a deposit has been paid, the deposit may be non-refundable to cover scheduling, planning, and any materials already purchased.

Thank you for the opportunity to work with you! We take pride in delivering quality electrical work with clear communication and reliable service. If you have any questions about this quote or the scope of work, please don't hesitate to reach out. We're here to help and look forward to getting started on your project.

— Thousand Watt Electric
 ? 208-954-0529
tgawrys@thousandwattelectric



< Estimate 100000683 >

Manage

Take tour

Feedback

Manage tags

Description

Qty

Rate

Amount

6 TALL STANDARD CHAINLINK FENCING.

335

28.00

\$9,380.00

-POSTS AND INFILL SPECIFIC TO JOB REQUIREMENTS
-ALL POSTS SET IN THE GROUND 24" WITH MINIMUM 120LBS
CONCRETE PER POST.
-ALL HARDWARE, TOP RAIL, AND FABRIC SET WITH TENSION FOR
ZERO SLACK AND NECESSARY HARDWARE FUNCTION.
-TENSION BRACING INSTALLED AS NECESSARY FOR PROPER
FUNCTION OF CHAINLINK FENCING.

12' DOUBLE GATE

2

1,300.00

\$2,600.00

INCLUDES ALL PARTS AND LABOR. HINGES, LATCH(HEAVE DUTY),
DROP RODS, METAL GROUND INSERTS FOR DROP RODS...

ALL POSTS SET AS NEEDED TO SUPPORT WEIGHT OF GATES.

Subtotal

\$11,980.00

Print or download

Make recurring

More actions

Save

Convert to invoice



511 Main St. | PO Box 130 | Idaho City, ID 83631

Phone (208) 392-4584

www.idahocity.municipalimpact.com

idahocityclerk@cityofic.org | idahocityoffice@cityofic.org

City of Idaho City Business License Application

Applicant Instructions

Please read these instructions before completing the application. A business, vendor, mobile food vendor, temporary merchant, formula business, or large-scale commercial business may not operate within Idaho City until the City has issued the required license, and any other required approvals have been obtained.

1. Complete all sections that apply to your business. If a section does not apply, write "N/A."
2. Select every application type that applies. Some businesses may need more than one approval, such as a business license, vendor license, mobile food vendor approval, event approval, zoning approval, or discretionary review.
3. Attach proof of all required outside permits, licenses, inspections, and approvals before submitting the application. Examples may include state registration, seller's permit, health approval, fire inspection, building or zoning approval, vehicle or trailer registration, property owner authorization, insurance, or sponsored event approval.
4. If you will operate from private property, attach written permission from the property owner. If you will operate on public property, in the right-of-way, in a park, or during a sponsored event, attach the required City location, right-of-way, park, or event approval.
5. Food trucks, food trailers, carts, stands, booths, temporary vendors, and similar mobile or temporary businesses must complete the mobile food vendor or temporary merchant section and provide any required health, fire, vehicle, location, waste disposal, grease disposal, fuel, and insurance information.
6. Formula businesses, franchises, chain businesses, standardized businesses, or large-scale commercial businesses may require Planning and Zoning Commission review, City Council review, written findings, and conditions of approval before a license may be issued.
7. The City Clerk may issue a license only after the application is complete, the required fee has been paid, and all required approvals and supporting documents have been received.
8. License fee schedule is listed at the end of this application.
9. Licenses expire on December 31 of the year issued unless sooner suspended, revoked, or otherwise terminated. Renewal applications should be submitted during December for the next calendar year.
10. A license is valid only for the person or entity to whom it is issued. A new application is required if the business changes ownership, location, type of operation, or other material business activity.
11. Submission of an application does not authorize operation. Do not begin operating until the license has been approved and issued.

Application Type: ☐ New Business License ☐ Renewal ☐ Vendor License ☐ Mobile Food Vendor/Food Truck ☐ Temporary Merchant ☐ Sponsored Event Vendor ☐ RV Park ☐ Mobile Home Park ☐ Formula Business ☐ Large-Scale Commercial Business ☐ Change of Ownership

1. Applicant and Business Information

Business Information	
Legal Business Name:	_____
Doing Business As:	_____
Applicant/Owner Name:	_____
Business Mailing Address:	Street: _____ City/State/ZIP: _____
Business Physical Location in Idaho City:	_____
Phone:	_____
Email:	_____
Emergency Contact Name and Phone:	Name: _____ Phone: _____

2. Business Activity

Describe the goods, merchandise, food, beverages, services, lodging, RV spaces, mobile home spaces, occupancy arrangements, entertainment, or other activities to be conducted within Idaho City:

Description of Business Activity

Proposed Start Date: _____
Hours and Days of Operation: _____

3. Location and Property Authorization

Will the business operate from a fixed location within Idaho City? ☐ Yes ☐ No If yes, provide address: _____

If operating on private property, attach written authorization from the property owner. If operating on public property, right-of-way, a park, or during a sponsored event, attach any City location, event, or right-of-way approval required by the City.

4. Required Permits, Licenses, and Approvals

Attach proof of all permits, licenses, inspections, approvals, and insurance required by federal, state, county, local, health, fire, building, zoning, right-of-way, or other applicable law.

- ☐ Idaho Secretary of State registration, if applicable
- ☐ State sales tax or seller's permit, if applicable
- ☐ Central District Health or other health approval, if applicable
- ☐ Fire inspection or fire safety approval, if applicable
- ☐ Building, zoning, sign, or occupancy approval, if applicable
- ☐ Vehicle, trailer, or mobile unit registration, if applicable
- ☐ Proof of insurance, if required
- ☐ Property owner authorization, if applicable
- ☐ Sponsored event approval, if applicable
- ☐ Other: _____

5. Mobile Food Vendor, Food Truck, or Temporary Merchant Information

Complete this section if the application involves a food truck, food trailer, cart, stand, booth, tent, table, vehicle, mobile unit, temporary location, or similar vendor activity.

Type of Mobile/Temporary Operation	☐ Food Truck ☐ Food Trailer ☐ Cart ☐ Booth ☐ Tent ☐ Table ☐ Other: _____
Vehicle/Trailer/Cart Description	Make/Model/Color/Size: _____
License Plate or Registration Number	_____
Proposed Operating Location(s)	Location 1: _____ Location 2: _____
Waste and Grease Disposal Plan	_____ _____
Generator, Propane, or Other Fuel Use	☐ None ☐ Generator ☐ Propane ☐ Other Fuel: _____ Describe: _____
Restroom Access, if required	Location/Arrangement: _____

6. RV Park or Mobile Home Park Supplemental Information

Complete this section if the application involves an RV park, mobile home park, manufactured home community, campground-style occupancy, tiny home on wheels occupancy, or similar use involving rental or occupancy spaces.

Type of Operation	☐ RV Park ☐ Mobile Home Park ☐ Manufactured Home Community ☐ Campground ☐ Tiny Home on Wheels Spaces ☐ Other: _____
Total Number of Spaces or Lots	RV Spaces: _____ Mobile Home Spaces: _____ Other Spaces: _____
Occupancy Type	☐ Short-Term ☐ Long-Term ☐ Seasonal ☐ Mixed
Water Service	Describe source, connection, and capacity: _____
Sewer or Wastewater Service	Describe connection, disposal method, and capacity: _____
Road Access, Internal Circulation, and Parking	_____ _____
Fire Access and Emergency Services	_____
Trash, Snow Removal, and Site Maintenance Plan	_____ _____

7. Formula Business or Large-Scale Commercial Business Supplemental Review

Complete this section if the business may be a formula business, large-scale commercial business, franchise, standardized chain business, or commercial use that may materially affect Idaho City's historic character, infrastructure, traffic, parking, pedestrian safety, utilities, or public services.

- ☐ The business is part of a franchise, chain, corporate, trademark, or standardized business arrangement.
- ☐ The business uses standardized signage, architecture, colors, decor, uniforms, menus, merchandise, or trade dress.
- ☐ The business may generate substantial traffic, parking demand, delivery activity, utility demand, or public service demand.
- ☐ The business involves new construction, expansion, relocation, or substantial alteration.
- ☐ Planning and Zoning Commission review may be required.
- ☐ City Council final decision may be required.

Supplemental statement: Attach additional pages if needed. Explain how the proposed business is compatible with Idaho City's small-town character, historic district, infrastructure capacity, traffic circulation, parking, pedestrian safety, surrounding uses, and applicable development standards.

8. Applicant Acknowledgments and Certification

- ☐ I certify that the information provided in this application is true, correct, and complete.
- ☐ I understand that a City business or vendor license does not authorize any activity prohibited by zoning, building, fire, health, right-of-way, traffic, parking, sign, nuisance, or other applicable law.
- ☐ I understand that the license is valid only for the person or entity to whom it is issued and may not be sold, assigned, transferred, or conveyed.
- ☐ I understand that a new application is required if the business changes ownership.
- ☐ I agree to post the license in a prominent and visible location as required by the City.
- ☐ I understand that the City may deny, suspend, revoke, or refuse renewal of a license for violation of applicable requirements.

Applicant Signature: _____ **Date:** _____

Printed Name and Title: _____

9. For City Use Only

Date Received	_____
Fee Paid	\$ _____
Receipt Number	_____
Application Complete	☐ Yes ☐ No
Required Attachments Received	☐ Yes ☐ No
Additional Review Required	☐ No ☐ Planning and Zoning ☐ City Council ☐ Other: _____
License Approved	☐ Yes ☐ No
License Number	_____
Effective Date	_____
Expiration Date	December 31, _____

City Clerk Signature: _____ **Date:** _____

BUSINESS AND VENDOR LICENSES	FEE
Business license application fee	\$75 (non-refundable)
Business license annual renewal fee	\$63
Business license late fee	\$25
Carnival/public entertainment <10	\$227.00 (daily)
Carnival/public entertainment >10	\$22.50 (per concession daily)
Idaho City Filming Permit Application	\$27.00
Idaho City Filming Permit	\$27.00 (per day)
Idaho City Filming Permit (non-profit)	\$10.75 (per day)
Mobile Food Truck Application	\$27.00
Mobile Food Truck Permit	\$21.50 (per day, 5-day limit in one location)
Mobile Food Truck Annual Permit	\$206.00 per year (5-day limit in one location)
Vendor license daily fee	\$17.00
Vendor license daily fee (nonprofit)	\$7.75
Vendor license yearly fee	\$56.50 (non-refundable)
Vendor License yearly fee (nonprofit)	\$25.75 (non-refundable)
Door-to-Door Solicitation Permit	\$56.50 per year & \$25.75 per solicitor

Dear Idaho City Officials,

I apologize for not being able to attend previous meetings. I would like to share my concerns regarding the proposed zoning changes and restrictions affecting RV parks and commercial development in Idaho City.

RV Park Concerns

The property has operated continuously as an RV park since it was established in 1970. I purchased it approximately 10 years ago as an existing, legally operating RV park with city utilities and individual RV spaces already in place. I purchased the property with the reasonable expectation that it could continue operating as it had for decades. If the zoning is changed to eliminate this long-established use, it would require removing the RV sites and improvements, resulting in a substantial loss in the property's value. If the zoning is changed in a way that eliminates the RV park, I would be required to remove the RV sites and improvements. This would significantly reduce the property's value. As an operating RV park, the property has substantially greater value than it would as vacant land alone. I believe it is unfair for the city to take away an established legal use without providing compensation or a reasonable solution.

RV parks have become an important source of workforce housing. Many employees—including teachers, retail workers, restaurant staff, and other essential employees—cannot afford homes that often cost more than \$400,000. Eliminating RV spaces without replacing them with affordable housing will make it even more difficult for these workers to live in Idaho City.

I currently operate my RV park for both workforce housing and nightly rentals, both of which are important to our community. My RVs are newer, well-maintained, and provide clean, safe accommodations for residents and visitors.

Removing RV parks without first creating alternative affordable housing options will have serious consequences for local businesses. Employers will struggle to recruit and retain workers, and our community will be negatively affected.

I also want to emphasize my concern that changing the zoning in a way that destroys the value of an existing, long-established business raises serious legal and property rights issues. Property owners should not lose the value of their investments without due process and fair consideration.

Formula and Large-Scale Businesses

Small towns across the country are facing changing economic realities. Local banks are often replaced by larger regional institutions. Independent medical providers become part

of larger healthcare systems. Many family-owned restaurants and retailers are closing nationwide while larger companies expand. These changes are happening everywhere, and it is difficult for cities to prevent them entirely.

Rather than assuming every new business will negatively impact Idaho City, I believe the city should carefully evaluate each proposal on its own merits. It is unfair to assume every project will become a dollar store or another undesirable development.

Restricting larger commercial opportunities may unintentionally eliminate businesses that could provide jobs, services, and economic growth that Idaho City genuinely needs. The community should have the opportunity to consider each proposal individually instead of creating blanket restrictions.

I encourage the City to evaluate each proposed business on its own merits rather than adopting blanket restrictions against larger or "formula" businesses. Every proposal should be reviewed individually based on the services it provides, the jobs it creates, its impact on the community, and whether it aligns with Idaho City's long-term vision. This approach allows the City to reject projects that truly do not fit while welcoming businesses that meet community needs and contribute positively to our local economy. Reviewing each application individually provides greater flexibility and fairness than eliminating opportunities before they are even presented. Thank you for your time and consideration.

Sincerely,

Steven Ellis

Goldmine Gas Station, Gold Mine Restaurant and Saloon, Gold Mine Lodging, Sarsaparilla LLC

[REDACTED]

[REDACTED]

What I changed

- Clarified the **RV** and **THOW** definitions so lawful longer-term RV occupancy or approved utility connections do **not automatically convert an RV into a THOW**.
- Narrowed the definition of **occupancy** so brief eating, working, cooking, loading, cleaning, maintenance, or inspection does not count unless tied to overnight sleeping or regular habitation.
- Added definitions for **longer-term occupancy, safe and operable condition, and unsafe accumulation**.
- Revised RV placement/clearance rules to allow **ordinary leveling blocks, chocks, stabilizing jacks, temporary skirting, and temporary wheel removal for maintenance or repair**.
- Added a structured **longer-term occupancy approval process** with:
 - 180-day initial approval period,
 - renewal process,
 - written reasons for denial/nonrenewal/revocation,
 - 14-day appeal period,
 - documentation requirements,
 - clearer conditions.
- Clarified "same conditions" for existing lawful occupancy.
- Added **notice and correction-period protections** before citations or penalties, except for urgent health/safety situations.
- Revised penalties so repeated daily violations start after the applicable correction period expires.
- Added responsibility language requiring some level of **ownership, control, permission, maintenance, causation, knowledge, or notice** before holding a person responsible.

CITY OF IDAHO CITY

ORDINANCE NO. 396

AN ORDINANCE OF THE CITY OF IDAHO CITY, BOISE COUNTY, IDAHO, REPEALING AND REPLACING TITLE 4, CHAPTER 4 OF THE IDAHO CITY CODE REGARDING RECREATIONAL VEHICLES; ESTABLISHING CLEAR DEFINITIONS, LIMITATIONS, EXCEPTIONS, STANDARDS FOR PLACEMENT AND USE, ENFORCEMENT PROCEDURES, PENALTIES, SEVERABILITY, SAVINGS, AND AN EFFECTIVE DATE.

WHEREAS, the City of Idaho City finds that recreational vehicles are designed and intended primarily for temporary travel, camping, recreation, and vacation use and are not generally constructed or regulated as permanent residential dwellings; and

WHEREAS, unregulated occupancy, placement, and servicing of recreational vehicles within city limits may create concerns related to sanitation, fire safety, emergency access, snow load, utility protection, neighborhood impacts, and the orderly development of residential property; and

WHEREAS, the City intends to provide clear, reasonable, and enforceable standards for temporary recreational vehicle use while preserving lawful existing uses and allowing limited temporary housing during construction or other approved circumstances;

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

Section 1. REPEAL AND REPLACEMENT. Title 4, Chapter 4 of the City Code of Idaho City, currently known as the Short-Term Recreational Vehicle Use Ordinance, is hereby repealed and replaced in its entirety as set forth below.

Section 2. TITLE 4, CHAPTER 4 CREATED. A new Chapter 4 of Title 4 of the City Code of Idaho City shall read as follows:

4-4-1: SHORT TITLE. This chapter shall be known as the "Recreational Vehicle Use Ordinance."

4-4-2: PURPOSE. The purpose of this chapter is to regulate the occupancy, placement, storage, and servicing of recreational vehicles within the city limits in order to protect public health, safety, sanitation, emergency access, utility systems, neighborhood character, and the orderly use of property.

4-4-3: DEFINITIONS. For purposes of this chapter, the following terms shall have the meanings stated below:

Occupancy or Occupied: The use of a recreational vehicle as temporary living quarters, shown by overnight sleeping or by regular and continuing use for living activities commonly associated with habitation. Incidental or brief activities, including eating, working, cooking, maintenance, inspection, cleaning, loading, unloading, or temporary shelter during travel preparation, shall not by themselves constitute occupancy unless accompanied by overnight sleeping or regular and continuing habitation.

Recreational Vehicle (RV): A motorized or towable vehicle, including a travel trailer, fifth-wheel trailer, camping trailer, truck camper, motorhome, or similar unit, designed, constructed, and intended primarily for temporary recreational, travel, camping, seasonal, or transient use. An RV may be occupied only as expressly allowed by this chapter. Longer-term occupancy or approved utility connection under this chapter shall not, by itself, reclassify an otherwise qualifying RV as a Tiny House on Wheels or other dwelling.

A recreational vehicle does not include any Tiny House on Wheels (THOW), park model home, manufactured home, mobile home, modular dwelling, or other structure that is designed and constructed as a residential dwelling rather than as a vehicle or trailer for temporary travel or recreational use. Classification shall not depend solely on the duration of lawful occupancy allowed by this chapter or on temporary or City-approved utility connections.

Classification shall be based on objective evidence of the unit's design, construction, certification, marketing, intended purpose, and actual use. State motor vehicle registration, title, certification, or licensing may be considered but shall not be conclusive where the unit's design and construction demonstrate that it is a dwelling or residential structure for land use purposes.

Tiny House on Wheels (THOW): A structure constructed on a wheeled chassis or trailer that is designed and constructed primarily as a dwelling unit or residential structure, rather than as a motor vehicle, travel trailer, camping trailer, truck camper, motorhome, or similar recreational vehicle. A THOW commonly includes residential-style construction or systems such as permanent sleeping, cooking, sanitation, climate control, storage, utility, or building-envelope features associated with a dwelling.

A structure may be classified as a THOW based on the totality of objective circumstances, including whether it was designed, advertised, sold, or constructed as a residence; whether it is used as a primary residence, accessory dwelling unit, guest house, or long-term rental outside an approval granted under this chapter; whether it contains residential-style construction not typical of an RV; or whether it has been placed or modified in a manner inconsistent with mobility. Lawful longer-term RV occupancy approved under Section 4-4-7 shall not be the sole basis for THOW classification.

A THOW shall be regulated as a dwelling or residential structure and shall not be considered a Recreational Vehicle, regardless of registration, title, certification, or mobility. No

THOW shall be permitted where only Recreational Vehicles are authorized unless specifically approved as a dwelling in compliance with all applicable zoning, building, health, sanitation, and permitting requirements.

Stored Recreational Vehicle: A recreational vehicle parked or kept on property that is not occupied, not connected for habitation, and not being used for sleeping, living, cooking, or other human habitation.

Longer-Term Occupancy: Occupancy of an RV for more than fourteen (14) consecutive days or more than twenty-eight (28) total days in any six (6) month period, when expressly approved under Section 4-4-7.

Safe and Operable Condition: A condition in which the RV is capable of being lawfully moved on public roads when required by law, is structurally sound for its intended temporary use, and does not present an observable fire, electrical, sanitation, structural, or emergency-access hazard.

Unsafe Accumulation: Snow, ice, refuse, materials, or other conditions that obstruct safe ingress or egress, impair emergency access, create a fire or sanitation hazard, damage or threaten utility connections, or create a risk of collapse, injury, or unlawful discharge.

4-4-4: GENERAL RULE. Except as expressly allowed by this chapter, no person shall occupy, allow occupancy of, place, connect, or maintain a recreational vehicle as a dwelling or living accommodation within the city limits.

A recreational vehicle may be occupied on private property for not more than fourteen (14) consecutive days and not more than twenty-eight (28) total days in any six (6) month period, unless a longer period is expressly authorized under this chapter or the recreational vehicle is located within a lawfully approved recreational vehicle park, campground, or mobile home park where such use is permitted.

Nothing in this section authorizes occupancy, placement, or use of a Tiny House on Wheels, park model home, manufactured home, mobile home, modular dwelling, or other dwelling or residential structure where only recreational vehicles are authorized.

4-4-5: STANDARDS FOR ALL OCCUPIED RECREATIONAL VEHICLES. Any recreational vehicle lawfully occupied under this chapter shall comply with all of the following standards:

A. The recreational vehicle shall be located entirely on private property and shall not be placed in a public street, alley, sidewalk, right-of-way, utility easement, drainage easement, or area needed for emergency access.

B. The recreational vehicle shall comply with applicable zoning setbacks, fire separation requirements, and any other placement requirements of the City Code.

C. The recreational vehicle shall maintain current registration, licensing, and safe and operable condition if registration is required by law, and shall not be converted into a permanent structure. Ordinary leveling blocks, wheel chocks, stabilizing jacks, temporary skirting needed for weather protection, and temporary removal of wheels or running gear for lawful repair or maintenance shall not be prohibited if the RV remains capable of being returned to mobile condition and the work does not create a nuisance, safety hazard, or unapproved permanent installation.

D. Wastewater, gray water, sewage, and refuse shall be disposed of only through approved sanitary facilities. No person shall discharge, drain, or allow the release of sewage, gray water, wastewater, or other waste onto the ground, into streets, ditches, storm drains, waterways, or any unapproved location.

E. Any connection to City water or sewer service shall be approved by the City and shall be protected from freezing, leakage, cross-connection, backflow, damage, and unauthorized use.

F. During the months of October through May, the owner or occupant shall take reasonable measures to prevent unsafe accumulation of snow or ice on or around the recreational vehicle, utility connections, exits, and access routes, and to maintain safe access for emergency responders.

4-4-6: TEMPORARY USE DURING CONSTRUCTION OR REPAIR. A recreational vehicle may be occupied as temporary housing on the same property where a permitted permanent dwelling is being constructed, substantially remodeled, repaired after casualty damage, or otherwise made habitable, provided that:

A. A valid building permit or other City approval has been issued for the permanent dwelling or repair work;

B. The permanent dwelling is not habitable or not yet available for occupancy;

C. The recreational vehicle is occupied only by the property owner, tenant, contractor, or person directly associated with the construction, repair, or remodeling work;

D. The temporary use shall not continue beyond the expiration, suspension, revocation, or completion of the applicable permit or approval, unless extended in writing by the City Council or its designee; and

E. All standards in Section 4-4-5 are met.

F. This temporary-use allowance applies only to a unit that remains classified as a recreational vehicle under Section 4-4-3 and does not authorize use of a Tiny House on Wheels or other dwelling or residential structure unless separately approved in compliance with applicable requirements.

4-4-7: LONGER-TERM OCCUPANCY WITH APPROVED UTILITIES. A recreational vehicle may be occupied for a period longer than allowed in Section 4-4-4 only upon written approval by the City. Approval may be granted for an initial period not to exceed one hundred eighty (180) days and may be renewed for additional periods of up to one hundred eighty (180) days each upon written request submitted before expiration, continued compliance with this chapter, and inspection or documentation reasonably required by the City. Denial, nonrenewal, or revocation shall state the specific reasons for the decision and may be appealed to the City Council within fourteen (14) days after written notice. The following conditions shall apply:

A. The recreational vehicle is connected to City water and sewer service through City-approved connections, or to other lawful utility service approved by the City where City service is not available;

B. The use complies with zoning, building, fire, utility, nuisance, and health requirements applicable to the property;

C. The recreational vehicle remains mobile, registered where required, and in safe and operable condition;

D. The recreational vehicle is not located in a right-of-way, easement, drainage area, or access route;

E. The unit remains classified as a recreational vehicle under Section 4-4-3 and is not a Tiny House on Wheels, park model home, manufactured home, mobile home, modular dwelling, or other dwelling or residential structure; and

F. The applicant shall provide written documentation showing the proposed location, owner consent if the applicant is not the property owner, utility connection approval, sanitation arrangements, expected duration, and contact information for the responsible person; and

G. The City may impose written conditions reasonably related to sanitation, emergency access, utility safety, setbacks, fire separation, snow and ice management, nuisance prevention, and other requirements of this chapter. Conditions shall be stated with sufficient clarity to allow the applicant to understand and comply with them.

4-4-8: EXISTING LAWFUL OCCUPANCY. A recreational vehicle lawfully used for residential occupancy before the effective date of this ordinance may continue in the same location and under substantially the same physical placement, utility connection, occupancy, and use conditions existing on that date, provided that the use does not expand, relocate to another property, create a public nuisance, or violate other applicable law. "Substantially the same conditions" means no material increase in occupancy intensity, utility demand, footprint, duration beyond the lawful pre-existing use, or adverse impact. This protection applies only to a lawful pre-existing recreational vehicle occupancy and does not authorize any Tiny House on Wheels, park

model home, manufactured home, mobile home, modular dwelling, or other dwelling or residential structure unless such structure is separately lawful and approved under applicable zoning, building, health, sanitation, and permitting requirements. This protection shall terminate upon abandonment, relocation, material change of use, issuance of an occupancy permit for a permanent dwelling on the property, or replacement with a different unit unless approved by the City.

4-4-9: PROHIBITED CONDITIONS. No person shall occupy, permit occupancy of, or maintain a recreational vehicle under any condition that creates a nuisance, unsafe structure, fire hazard, sanitation hazard, obstruction of emergency access, illegal utility connection, unlawful discharge of waste, or violation of any other provision of the City Code.

4-4-10: ENFORCEMENT. The City may enforce this chapter through inspection, written notice of violation, citation, civil enforcement, utility enforcement, nuisance abatement, or any other remedy available under the City Code or Idaho law. Except where an immediate threat to public health, safety, sanitation, utility systems, or emergency access exists, the City shall provide written notice describing the violation, the corrective action required, and a reasonable correction period of not less than seven (7) calendar days before issuing a citation or pursuing penalties. The City may allow a shorter correction period when necessary to address an urgent condition and may extend the correction period for good cause shown.

A property owner, recreational vehicle owner, occupant, or other responsible person may be held responsible only if that person owns, occupies, controls, permits, maintains, causes, or knowingly allows the violation after receiving notice or after the violation is otherwise known to that person. Nothing in this section shall limit the City's ability to take immediate action to abate an imminent threat or unlawful discharge as allowed by law.

4-4-11: PENALTIES. A first violation of this chapter shall be an infraction punishable by a penalty not to exceed fifty dollars (\$50). A second violation within three (3) years shall be an infraction punishable by a penalty not to exceed one hundred dollars (\$100). A third or subsequent violation within three (3) years may be prosecuted as a misdemeanor punishable as provided by Idaho law, provided that the responsible person received notice and a reasonable opportunity to correct the first and second violations unless an immediate threat or unlawful discharge justified immediate enforcement. Each twenty-four (24) hour period that a violation continues after the applicable correction period expires shall constitute a separate violation.

4-4-12: COMPLIANCE WITH BUILDING CODES AND OTHER REGULATIONS. Nothing in this chapter shall be construed to waive, modify, or supersede any requirement of the building codes, fire codes, zoning regulations, floodplain regulations, utility standards, public health requirements, dwelling or residential structure classification requirements, or other regulations adopted by the City, including the 2018 International Building Code as adopted and amended by the City or the State of Idaho, where applicable.

Section 3. SAVINGS CLAUSE. The repeal or replacement of any prior ordinance shall not affect any enforcement action, penalty, violation, right, duty, or liability that accrued before the effective date of this ordinance.

Section 4. SEVERABILITY. If any section, sentence, clause, phrase, or portion of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 5. EFFECTIVE DATE. This ordinance shall be in full force and effect upon passage, approval, and publication according to law.

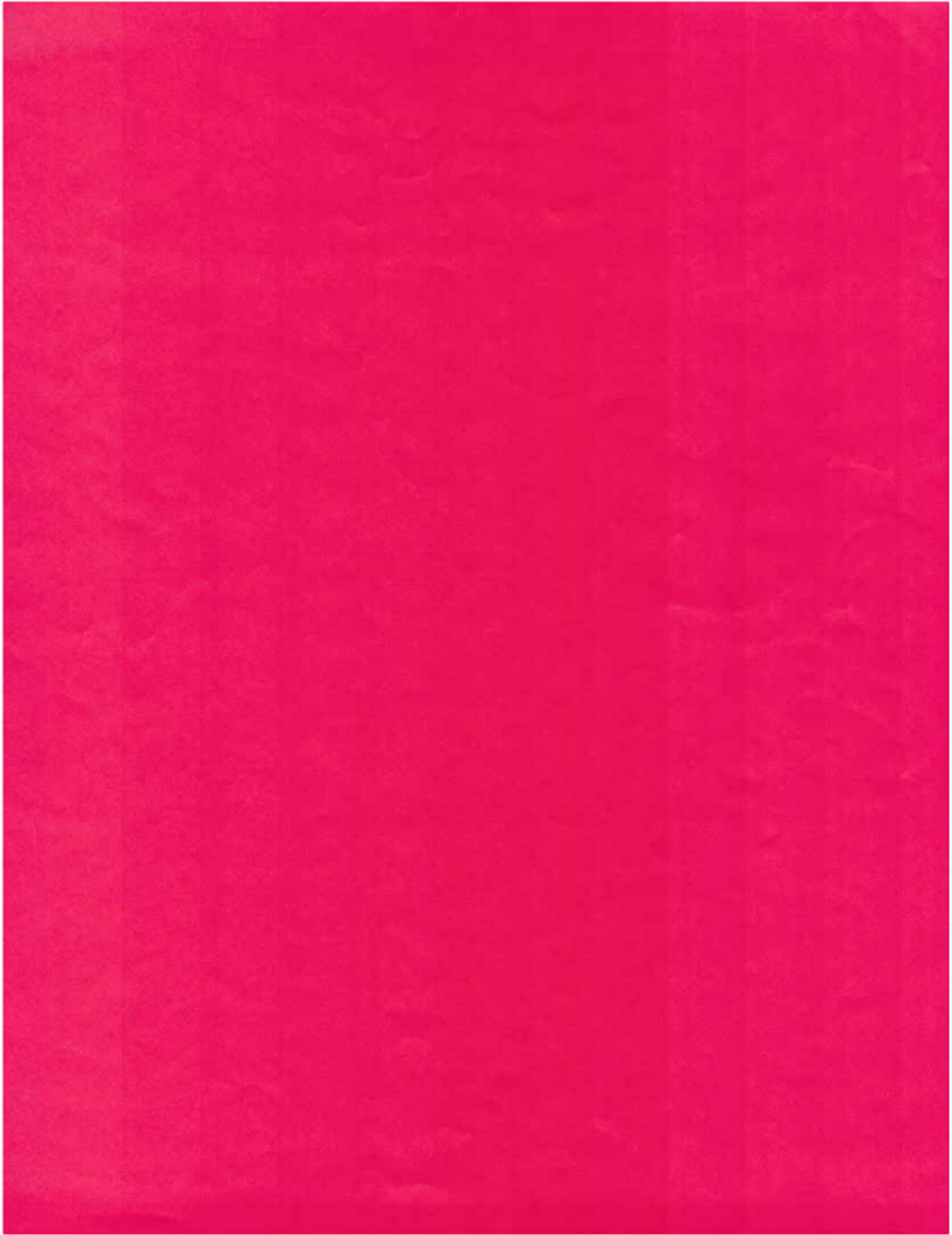
PASSED BY THE COUNCIL of the City of Idaho City this ____ day of _____ 2026.

APPROVED BY THE MAYOR of the City of Idaho City this ____ day of _____ 2026.

Ryan Heffington, Mayor

ATTEST:

Nancy L Keeton, City Clerk



Here is an updated Ordinance 397 to reflect the suggestions you provided.

Added **objective thresholds** to define "large-scale commercial business" instead of relying on subjective factors.

Clarified that the ordinance regulates **land use impacts**, not local ownership, corporate status, franchise status, or economic competition.

Added language separating **Planning and Zoning review** from **Historic Preservation Commission review**.

Revised the **approval criteria** to be clearer, more express, and tied to measurable land use standards.

Added language limiting conditions of approval to impacts related to land use and compliance.

I also grounded the approval-standard language in Idaho LLUPA's requirement that land use approvals be based on express standards and written findings under [**Idaho Code § 67-6535**](#).

**CITY OF IDAHO CITY, STATE OF IDAHO
ORDINANCE NO. 397**

AN ORDINANCE OF THE CITY OF IDAHO CITY, BOISE COUNTY, IDAHO, ESTABLISHING REVIEW REQUIREMENTS AND DEVELOPMENT STANDARDS FOR FORMULA BUSINESSES AND LARGE-SCALE COMMERCIAL BUSINESSES; DEFINING TERMS; PROVIDING PURPOSE, FINDINGS, APPLICABILITY, REVIEW PROCEDURES, APPROVAL CRITERIA, CONDITIONS, EXEMPTIONS, ENFORCEMENT, SEVERABILITY, CONFLICT, AND AN EFFECTIVE DATE.

WHEREAS, the City of Idaho City is a unique small-town community with a central historic district, and its existing commercial uses are predominantly locally based and small scale;

WHEREAS, the City's roads, water system, sewer system, and related public infrastructure are in the process of being upgraded, replaced, or evaluated to adequately support current and future uses;

WHEREAS, the City has received substantial public comment from residents and businesses expressing concern that formula businesses and large-scale commercial development may affect community character, the historic downtown, traffic circulation, pedestrian safety, infrastructure capacity, and the scale of existing commercial areas;

WHEREAS, the City Council finds that reasonable land use regulations for formula businesses and large-scale commercial businesses are necessary to protect the public health, safety, and welfare while allowing compatible commercial activity within the City;

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

Section 1. Purpose and Intent

The purpose of this ordinance is to preserve Idaho City's small-town and historic character, promote compatible commercial development, protect public infrastructure and pedestrian safety, and establish clear, express, and land-use-based review standards for formula businesses and large-scale commercial businesses. This ordinance is intended to regulate land use impacts and compatibility, not business ownership, corporate affiliation, market competition, or the economic identity of an applicant.

Section 2. Definitions

Formula business means a retail, service retail, vending service retail, restaurant, fast food, coffee shop, or similar commercial business that is required by contractual, franchise, corporate, trademark, or other arrangement to maintain standardized services, merchandise, menus,

ingredients, food preparation, employee uniforms, decor, logos, architecture, signs, color schemes, trade dress, or similar standardized features.

Large-scale commercial business means a commercial use, building, or development that meets or exceeds one or more of the following objective thresholds: (a) 7,500 square feet of gross floor area; (b) 20,000 square feet of total site area devoted to the commercial use, including buildings, parking, loading, outdoor display, storage, drive-through facilities, and circulation areas; (c) projected average daily vehicle trips of 500 or more, based on a traffic study, professional traffic estimate, or other generally accepted trip generation methodology; (d) required off-street parking demand of 25 or more spaces; (e) regular delivery activity by vehicles larger than a single-unit box truck or delivery activity occurring more than five days per week; or (f) projected water, sewer, stormwater, road, public safety, or other public service demand that requires new or upgraded public infrastructure. A commercial use may also be reviewed as a large-scale commercial business if the applicant proposes phased or commonly controlled development that, when considered together, meets one or more of these thresholds.

Regulated business means a formula business, a large-scale commercial business, or a business that meets both definitions.

Section 3. Applicability

This ordinance applies to any application for a building permit, zoning approval, business license, development permit, conditional use permit, design review approval, subdivision approval, or other City approval that involves the establishment, construction, expansion, relocation, or substantial alteration of a regulated business within the City limits.

Section 4. Review Requirement for Regulated Businesses

A regulated business shall not be approved, established, constructed, expanded, relocated, or substantially altered unless the applicant obtains all required City approvals and demonstrates compliance with this ordinance and all applicable provisions of the Idaho City Code.

A regulated business is subject to discretionary review and may be approved only upon written findings that the proposed use is compatible with Idaho City's historic character, small-scale development pattern, infrastructure capacity, traffic conditions, pedestrian safety, and applicable development standards.

Section 5. Review Procedure

Applications subject to this ordinance shall be reviewed under the applicable review process established by the Idaho City Code. If no specific process applies, the application shall be

referred to the Planning and Zoning Commission for recommendation and to the City Council for final decision.

Land use review under this ordinance shall be conducted by the Planning and Zoning Commission and City Council, as applicable, for use, scale, traffic, parking, circulation, infrastructure, public services, safety, and other land use impacts. If a regulated business is located within a historic district or otherwise requires historic preservation review, the Historic Preservation Commission shall review only historic design matters within its authority, including exterior design, materials, signage, and other historic preservation standards. Historic preservation review shall not substitute for, expand, or limit the separate land use review required by this ordinance.

Section 6. Approval Criteria

Before approving an application subject to this ordinance, the approving body shall make written findings based on the record and the express standards below. Approval shall be granted if the applicant demonstrates compliance with all applicable standards, or demonstrates that conditions of approval will bring the proposal into compliance. Approval shall not be denied based on ownership structure, corporate affiliation, franchise status alone, market competition, or the applicant's place of origin.

1. The proposed building size, site area, lot coverage, setbacks, height, massing, access points, parking areas, loading areas, outdoor activity areas, lighting, and signage are compatible with the applicable zoning district, surrounding land uses, and the City's adopted development standards;
2. Within or adjacent to a historic district, the proposed exterior design, materials, signage, lighting, and site features have received or are subject to any required historic preservation review, limited to historic design standards within the authority of the Historic Preservation Commission;
3. Will not create traffic, parking, delivery, pedestrian safety, or circulation impacts that exceed the capacity of existing or planned infrastructure;
4. Will not create water, sewer, stormwater, road, public safety, or other public service demands that exceed available capacity;
5. The proposed use, building, and site operations are designed and operated at a scale compatible with surrounding commercial, residential, civic, and public uses, considering measurable factors such as building size, site area, hours of operation, traffic generation, parking demand, loading activity, lighting, noise, utility demand, and public service demand;

6. Any standardized architecture, signage, lighting, color scheme, or site design has been modified as necessary to comply with applicable zoning, design, sign, lighting, and historic preservation standards;
7. Includes mitigation measures, as needed, such as design modifications, operational limits, infrastructure improvements, traffic controls, parking management, delivery restrictions, lighting controls, or other conditions necessary to protect the public health, safety, and welfare.

Section 7. Conditions of Approval

The approving body may impose reasonable conditions necessary to ensure compliance with this ordinance and applicable City standards, including limitations or requirements related to building size, site layout, signage, exterior design, hours of operation, delivery schedules, parking, traffic circulation, utility connections, landscaping, lighting, noise, and other site or operational features.

Conditions of approval shall be limited to measures reasonably related to identified land use impacts and necessary to ensure compliance with this ordinance, the Idaho City Code, and applicable state law. Conditions shall not be imposed for the purpose of restricting lawful competition, favoring local ownership, or excluding a business because of its corporate, franchise, or nonlocal status.

Section 8. Exemptions

This ordinance shall not apply to a permit or application that the City determines was complete and pending before the effective date of this ordinance, unless the application is materially amended after the effective date. A material amendment includes a change in use, building size, site layout, traffic circulation, parking demand, utility demand, signage, exterior design, or other feature that may affect the findings required by this ordinance. This ordinance shall not prohibit ordinary repair, maintenance, or interior improvements that do not establish, expand, relocate, or substantially alter a regulated business.

Section 9. Enforcement

Any establishment, construction, expansion, relocation, substantial alteration, operation, or approval undertaken in violation of this ordinance is unlawful. The City may enforce this ordinance by any remedy available under the Idaho City Code, state law, or equity, including permit denial, permit revocation, stop work order, civil enforcement, injunctive relief, or other lawful remedy.

Section 10. Severability

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 11. Conflict

If a conflict exists between this ordinance and any other ordinance, resolution, policy, or order of the City of Idaho City, the more restrictive provision shall control unless otherwise required by law.

Section 12. Effective Date

This ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

PASSED BY THE COUNCIL of the City of Idaho City this ____ day of _____, 2026.

APPROVED BY THE MAYOR of the City of Idaho City this ____ day of _____, 2026.

Mayor

ATTEST:

City Clerk

Here is an updated Ordinance 398 to reflect the suggestions you provided.

Changed the ordinance from “**amending and restating**” to “**repealing and replacing.**”

Removed the prohibition on **advertising before license issuance** and added language preserving lawful advertising/protected speech.

Revised the license process so the **City Clerk’s role is ministerial** and based on objective requirements.

Moved discretionary issues like **land use compatibility, historic character, traffic, parking, and design** out of the business license process and into zoning/P&Z/other applicable code review.

Added a clearer **notice, response, appeal, and City Council review process** for denials, suspensions, revocations, and non-renewals.

Added standards for **emergency suspension** based on imminent public health, safety, or welfare threats.

Clarified that policies/resolutions may handle **forms, fees, filing procedures, and implementation**, but substantive requirements should be in the ordinance.

Also used Idaho municipal licensing appeal examples as procedural reference points while drafting the due-process language, including Boise code provisions addressing denial, suspension, revocation, hearing, and appeal procedures. Boise Municipal Code describes notice, hearing, City Council appeal, and district court appeal concepts for license actions.

City of Idaho City, State of Idaho

ORDINANCE NO. 398

AN ORDINANCE OF THE CITY OF IDAHO CITY, BOISE COUNTY, IDAHO, REPEALING AND REPLACING TITLE 3, CHAPTER 1 OF THE IDAHO CITY CODE RELATING TO BUSINESS, OCCUPATION, VENDOR, MOBILE FOOD, TEMPORARY MERCHANT, FORMULA BUSINESS, AND LARGE-SCALE COMMERCIAL BUSINESS LICENSING; INCORPORATING THE CLERK-ISSUANCE AMENDMENTS ADOPTED BY ORDINANCE NO. 355; ESTABLISHING APPLICATION, RENEWAL, OBJECTIVE QUALIFICATION, DENIAL, SUSPENSION, REVOCATION, APPEAL, ENFORCEMENT, SEVERABILITY, REPEALER, CONFLICT, AND EFFECTIVE DATE PROVISIONS; AND PROVIDING FOR RELATED MATTERS.

Findings and Purpose

WHEREAS, Ordinance No. 273 established licensing requirements for occupations, businesses, vendors, carnivals, public entertainment, and sponsored events within Idaho City; and

WHEREAS, Ordinance No. 355 amended business license procedures to authorize the City Clerk to issue business and vendor licenses upon receipt of a complete application and required fee; and

WHEREAS, the City Council desires to modernize the City's business license ordinance so that local businesses, vendors, temporary merchants, mobile food vendors, sponsored events, formula businesses, and large-scale commercial businesses are addressed in a coordinated and **understandable manner; and**

WHEREAS, Idaho City has a unique small-town character and historic downtown, and the City finds that business licensing should verify objective qualifications necessary to protect public health, safety, and welfare while leaving land use compatibility, historic preservation, traffic, parking, design, and similar discretionary review to the applicable zoning, planning and zoning, building, sign, right-of-way, or other substantive provisions of the Idaho City Code.

Section 1. Definitions

For purposes of this Chapter, the following terms shall have the meanings set forth below unless the context clearly requires otherwise.

Business means the retail, wholesale, service, professional, commercial, or other provision of goods, merchandise, food, beverages, services, lodging, short-term or long-term occupancy, recreational vehicle spaces, mobile home spaces, entertainment, or similar activity for compensation or profit within the City, including RV parks and mobile home parks.

RV park or mobile home park means any property, premises, development, or portion thereof used or intended to be used for the placement, occupancy, rental, lease, or accommodation of recreational vehicles, travel trailers, campers, mobile homes, manufactured homes, tiny homes on wheels, or similar units, whether for short-term or long-term occupancy, for compensation or profit.

Mobile food vendor means a food truck, food trailer, cart, stand, or other readily movable unit from which prepared food or beverages are sold or offered for sale, whether located on public property, private property, or as part of a sponsored event.

Vendor or temporary merchant means any person who offers goods, food, beverages, merchandise, or services for sale from a stand, booth, tent, table, vehicle, mobile unit, temporary location, public place, private property, open ground, or by door-to-door solicitation within the City.

Formula business means a retail, service retail, vending service retail, restaurant, fast food, coffee shop, or similar commercial business that is required by contractual, franchise, corporate, trademark, or other arrangement to maintain standardized services, merchandise, menus, ingredients, food preparation, employee uniforms, decor, logos, architecture, signs, color schemes, trade dress, or similar standardized features.

Large-scale commercial business means a commercial use, building, or development that may materially affect the character of Idaho City, the historic district, surrounding neighborhoods, public infrastructure, traffic circulation, or pedestrian safety because of gross floor area, site area, traffic generation, parking demand, delivery activity, hours of operation, utility demand, public service demand, regional market draw, or similar factors.

Section 2. License Required

It shall be unlawful for any person to engage in, operate, conduct, or carry on any business, occupation, vendor activity, temporary merchant activity, mobile food vending, RV park, mobile home park, carnival, public entertainment, sponsored event, formula business, or large-scale commercial business within the City without first obtaining all licenses, permits, approvals, and inspections required by the City, state law, federal law, and this Chapter.

A City business or vendor license does not authorize any activity that is prohibited by zoning, building, fire, health, right-of-way, traffic, parking, sign, nuisance, or other applicable law.

Nothing in this Chapter shall be construed to prohibit lawful advertising or other protected speech before issuance of a City business or vendor license; provided, however, that advertising or solicitation shall not authorize or excuse conducting regulated business activity before all required approvals have been obtained.

Section 3. Application, Issuance, and Term

Applications shall be submitted in writing on a form approved by the City Clerk, signed and sworn by the applicant, and accompanied by the fee established by resolution of the Mayor and Council.

The City Clerk shall issue a business or vendor license upon receipt of a complete application in the required form and manner, payment of the required fee, and objective proof that the applicant has obtained all licenses, permits, inspections, and approvals required by federal, state, local, health, fire, building, zoning, or other applicable law. The Clerk's review under this Chapter is ministerial and shall be limited to verifying completeness of the application, payment of required fees, identity and contact information, required approvals, and other objective qualifications

stated in this Chapter or established by resolution for forms, filing procedures, and implementation.

The initial business license shall be effective from the date of issuance through December 31 of the same calendar year, unless sooner suspended, revoked, or otherwise terminated as provided by law. License fees are nonrefundable and are not prorated unless otherwise established by resolution.

Section 4. Renewal

During December of each year, each business licensee shall submit a renewal application to the City Clerk on a form provided by the Clerk for the next calendar year. The Mayor and Council shall establish business license renewal fees by resolution. The City Clerk shall approve a business license renewal upon payment of the fee and objective confirmation that the licensee has submitted a complete renewal application and continues to hold all licenses, permits, inspections, and approvals required by federal, state, local, health, fire, building, zoning, or other applicable law.

Section 5. Mobile Food Vendors, Food Trucks, and Temporary Merchants

Mobile food vendors, food trucks, food trailers, carts, stands, temporary merchants, and similar vendors shall obtain a City vendor license or other applicable City approval before operating within the City.

Before issuance, the applicant shall provide proof of any required state or county health approval, food establishment permit, fire inspection, vehicle or trailer registration, property owner authorization when operating on private property, and any right-of-way, park, event, or location approval required by the City.

The City may establish by resolution or administrative policy forms, fees, filing procedures, and implementation standards for mobile food vendors and temporary merchants. Substantive operational requirements affecting location, hours, parking, traffic circulation, pedestrian clearance, waste disposal, grease disposal, noise, lighting, signage, generators, fire safety, insurance, or protection of public property must be stated in this Chapter or another applicable ordinance.

Section 6. Formula Businesses and Large-Scale Commercial Businesses

A formula business, large-scale commercial business, or business meeting both definitions must obtain a business license under this Chapter before conducting business within the City. Issuance of a business license under this Chapter confirms only that the applicant has satisfied the objective licensing requirements stated herein and does not constitute approval of any land use, building, historic preservation, signage, traffic, parking, right-of-way, or development matter regulated elsewhere in the Idaho City Code.

If a formula business, large-scale commercial business, or any other business requires review under zoning, planning and zoning, Ordinance No. 397 if enacted, building, fire, health, sign, right-of-way, or other applicable law, the applicant must obtain those approvals through the process required by the applicable ordinance before conducting the regulated activity.

The City Clerk shall not make discretionary findings concerning land use compatibility, historic character, traffic, parking, design, infrastructure capacity, neighborhood impacts, or similar matters when issuing or renewing a business license, except to verify whether any separate approval required by the Idaho City Code has been obtained.

Section 7. Approval Criteria and Conditions

A business license issued under this Chapter is subject to the licensee's continuing duty to comply with all applicable laws and approvals. The license itself shall not be used as a substitute for any discretionary approval required under another provision of the Idaho City Code, including zoning, planning and zoning, historic preservation, building, fire, health, right-of-way, traffic, parking, sign, nuisance, or other applicable requirements.

Section 8. Posting, Transfer, Revocation, and Enforcement

All business and vendor licenses shall be posted in a prominent and visible location. Vendor licenses shall be posted on the booth, tent, table, vehicle, mobile unit, or other structure in a manner visible to the public.

Business and vendor licenses are valid only for the person or entity to whom they are issued and may not be sold, assigned, transferred, or conveyed. When a business changes ownership, a new application must be submitted to the City Clerk.

The City Clerk may deny, suspend, revoke, or refuse renewal of a license only for objective grounds, including fraud or material misrepresentation in the application or renewal materials; failure to submit a complete application; failure to pay the required fee; failure to obtain or maintain a license, permit, inspection, insurance, authorization, or approval required by applicable law; operation in violation of this Chapter or another applicable City, state, or federal requirement; or operation under conditions that constitute a public nuisance or present an imminent threat to public health or safety.

Before denying, suspending, revoking, or refusing renewal of a license, the City shall provide written notice stating the specific grounds for the proposed action, the facts supporting the proposed action, any corrective action that may cure the deficiency, and the deadline for response. Unless an emergency suspension is issued as provided below, the applicant or licensee shall have ten (10) calendar days after receipt of the notice to submit written information, documentation, or objections to the City Clerk.

If the City Clerk issues a final written decision denying, suspending, revoking, or refusing renewal of a license, the applicant or licensee may appeal the decision to the City Council by filing a written appeal with the City Clerk within ten (10) calendar days after receipt of the decision. The appeal shall state the grounds for appeal and include any supporting documentation. The City Council shall consider the appeal at a public meeting or hearing and may affirm, reverse, or modify the City Clerk's decision based on the record and applicable objective standards. The City Council's decision shall be final for the City.

The City may issue an emergency suspension without prior notice only when the City determines, based on specific facts, that continued operation presents an imminent threat to public health,

safety, or welfare and that immediate suspension is necessary to prevent or reduce the threat. The written emergency suspension order shall state the facts supporting the emergency action, the scope and duration of the suspension, any corrective action required, and the right to request prompt review by the City Council. A licensee subject to emergency suspension may request City Council review by filing a written request with the City Clerk within five (5) calendar days after receipt of the order.

Any violation of this Chapter is unlawful and may be enforced by any remedy available under the Idaho City Code, state law, or equity, including license denial, license revocation, stop work order, civil enforcement, injunctive relief, or prosecution as a misdemeanor where authorized by law.

Section 9. Severability

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 10. Repealer, Amendment, and Conflict

Title 3, Chapter 1 of the Idaho City Code, including Ordinance No. 273 and Ordinance No. 355 to the extent codified therein, is hereby repealed and replaced as set forth in this Ordinance. All ordinances, resolutions, policies, or parts thereof in conflict with this Ordinance are repealed or superseded to the extent of such conflict, unless otherwise required by law. Policies and resolutions may be used to establish forms, fees, filing procedures, and administrative implementation, but substantive licensing requirements must be established by ordinance. Where another provision of the Idaho City Code imposes a more specific or more restrictive requirement, the more specific or more restrictive requirement shall control.

Section 11. Effective Date

This Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

PASSED BY THE COUNCIL of the City of Idaho City this ____ day of _____, 2026.

APPROVED BY THE MAYOR of the City of Idaho City this ____ day of _____, 2026.

Mayor

ATTEST:

City Clerk