

ORDINANCE NO. 281

AN ORDINANCE ADOPTING
THE CITY OF IDAHO CITY, IDAHO MUNICIPAL CODE

BE IT ORDAINED by the Mayor and City Council of the City of Idaho City, Idaho, as follows:

Section 1: From and after the date of passage of this ordinance, the City Code of the City of Idaho City, Idaho prepared by Sterling Codifiers, Inc. containing the compilation of all ordinances of a general nature together with the changes made to said ordinances, under the direction of the governing body of the City, shall be accepted in all courts without question as the official code and law of the City as enacted by the Mayor and City Council.

Section 2: There is hereby adopted, as an method of perpetual codification, the loose-leaf type of binding together with the continuous supplement service, provided by Sterling Codifiers, Inc., whereby each newly adopted ordinance of a general and permanent nature amending, altering, adding or deleting provisions of the official City Code is identified by the proper catchline and is inserted in the proper place in each of the official copies, one copy of which shall be maintained in the office of the City Clerk, certified as to correctness and available for inspection at any and all times that said office is regularly open.

Section 3: All ordinances of a general nature included in this official City Code shall be considered as a continuation of said ordinance provision and the fact that some provisions have been deliberately eliminated by the governing body shall not serve to cause any interruption in the continuous effectiveness of ordinances included in said official City Code. All ordinances of a special nature, such as tax levy ordinances, bond ordinances, franchises, vacating ordinances and annexation ordinances shall continue in full force and effect unless specifically repealed or amended by a provision of the City Code. Such ordinances are not intended to be included in the official City Code.


Section 4: It shall be unlawful for any person, firm or corporation to change or amend by additions or deletions, any part or portion of such Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City to be misrepresented thereby.

Section 5: All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

Section 6: This ordinance and the Code adopted by the same shall be recorded and shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 28th day of March, 2000.

APPROVED this 28th day of March, 2000.



Mayor

ATTEST:



City Clerk

ORDINANCE NO. 280

AN ORDINANCE OF THE CITY OF IDAHO CITY, A MUNICIPAL CORPORATION, PROVIDING FOR APPLICATION OF PLANS AND ORDINANCES FOR THE AREA OF CITY IMPACT OF IDAHO CITY, PROVIDING AN EFFECTIVE DATE, AND REPEALING ORDINANCE NO. 240.

This Ordinance provides for the application of county plans and ordinances in the city impact area of Idaho City, Idaho.

WHEREAS, pursuant to Idaho Code Section 67-6526, the City of Idaho City, and Boise County, have negotiated and agreed on an area of city impact for the City of Idaho City; and

WHEREAS, the city and county have also reached agreement on the application of county plans and ordinances within the area of impact;

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

1. Within the area of city impact identified by Ordinance No. 279, the following plans, codes and ordinances shall apply whenever development within the area of city impact is being considered by the city or the county:

- A. Boise County Comprehensive Plan
- B. Boise County Subdivision Ordinance
- C. Boise County Zoning and Development Ordinance
- D. Boise County Code Ordinance
- E. Boise County Building Permit Ordinance
- F. Boise County Road Standards Ordinance
- G. All other standards of and applicable Boise County codes and ordinances

2. Boise County agrees to notify Idaho City of any land development proposals, considerations, applications, new ordinances or changes to existing ordinances, or any other considerations or proposals that will affect land use within the agreed upon area of city impact. The county will take into consideration any comments offered by the City of Idaho City concerning these issues.

3. The City of Idaho City hereby voluntarily limits its annexation authority as set forth in Idaho Code Section 50-222 as follows:

The city will not annex property without a request for annexation by the owner of the property in question.

4. Boise County shall be responsible for the administration and enforcement of all ordinances applicable within the area of city impact.

Idaho City Ordinance No. 240 is hereby repealed.

This Ordinance shall take effect upon passage and publication according to law.

Adopted and approved this 14th day of December, 1999, and signed by the Mayor of the City of Idaho City.

APPROVED:

Thomas D. Corum
Thomas D. Corum, Mayor
City of Idaho City, Idaho

Ron Jameson
Ron Jameson, Chairman
Idaho City Council

ATTEST:

Seth C. Wilson
Beth Wilson, City Clerk

ORDINANCE NO. 280

ORDINANCE NO. 279

AN ORDINANCE OF THE CITY OF IDAHO CITY, A MUNICIPAL CORPORATION, ESTABLISHING THE AREA OF IMPACT OF IDAHO CITY, DEFINING THE BOUNDARIES OF THE AREA OF IMPACT, PROVIDING AN EFFECTIVE DATE, AND REPEALING ORDINANCE NO. 241.

This Ordinance establishes the physical boundaries of the area of city impact for the City of Idaho City in cooperation with Boise County.

WHEREAS, Idaho Code Section 67-6526 requires the establishment of areas of city impact to accomplish coordinated planning between city and county governments; and

WHEREAS, the City of Idaho City and Boise County have mutually agreed on the boundaries of the area of city impact;

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF IDAHO CITY, IDAHO, AS FOLLOWS:

The Idaho City area of impact shall be the area defined by the map attached to this Ordinance as Exhibit A and incorporated herein by reference.

This Ordinance shall take effect upon passage and publication according to law.

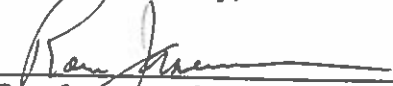
Idaho City Ordinance No. 241 is hereby repealed.

Adopted and approved this 14th day of December, 1999, and signed by the Mayor of the City of Idaho City.

APPROVED:



Thomas D. Corum, Mayor
City of Idaho City, Idaho



Ron Jameson, Chairman
Idaho City Council

ATTEST:

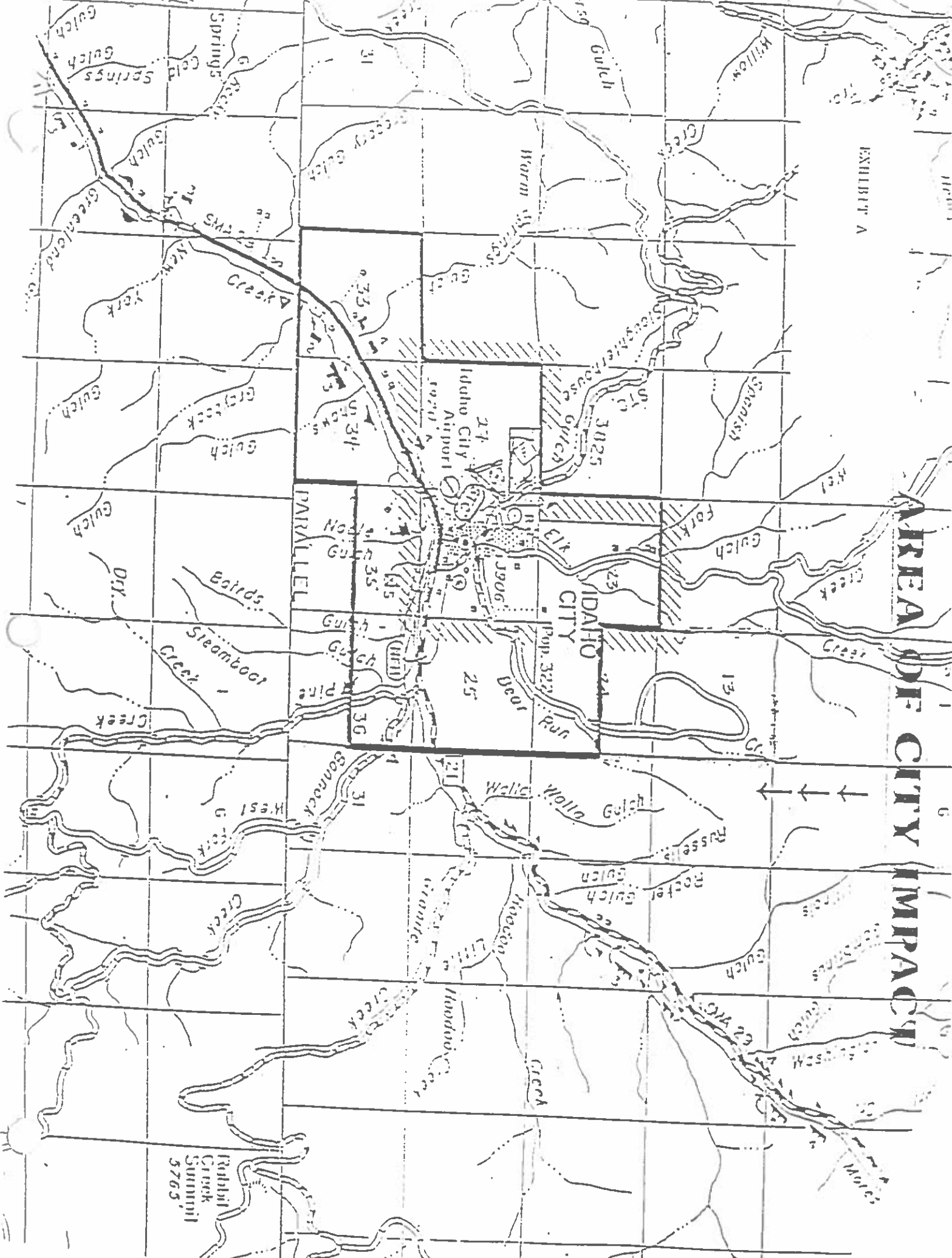


Beth Wilson, City Clerk

ORDINANCE NO. 279

EXHIBIT A

AREA OF CITY IMPACT



**ORDINANCE # 278
APPROPRIATION ORDINANCE AMENDMENT
1998-99 FISCAL YEAR**

AN ORDINANCE OF THE CITY OF IDAHO CITY, IDAHO, AMENDING ORDINANCE NO. 271, THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1998, AND ENDING SEPTEMBER 30, 1999: APPROPRIATING ADDITIONAL MONIES THAT WERE RECEIVED BY THE CITY OF IDAHO CITY, IDAHO IN THE SUM OF \$14,394.00 AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF IDAHO CITY, BOISE COUNTY, IDAHO.

SECTION 1. That Ordinance No. 271, the appropriation ordinance for the City of Idaho City, Idaho for the fiscal year commencing October 1, 1998, and ending September 30, 1999, be and the same is hereby amended as follows:

That the additional sum of \$14,394.00 be appropriated out of the revenues from the General Fund to be used for authorized and necessary expenses.


SECTION 2. This ordinance shall be in full force and effect from and after its passage, approval and publication the Idaho World; the official newspaper of said city.

APPROVED: September 29, 1999.



Thomas D. Corum, Mayor

ATTEST:



Marcie Tibbets, Clerk/Treasurer

PUBLISHED: September 30, 1999.

ORDINANCE NO. 276

AN ORDINANCE FOR THE CITY OF IDAHO CITY, A MUNICIPAL CORPORATION OF IDAHO; PROVIDING DEFINITIONS; PROVIDING FOR THE ESTABLISHMENT OF THE PARKS AND RECREATION COMMISSION; PROVIDING FOR THE DUTIES AND FUNDING FOR THE SAID COMMISSION; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the City Council of the City of Idaho City deems it in the best interest of the community to establish a Parks and Recreation Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO CITY THAT AN ORDINANCE BE, AND THE SAME HEREBY IS, ENACTED WHICH SHALL READ AS FOLLOWS:

SECTION I: PURPOSE:

The purpose of this ordinance is to promote the educational, cultural, economic, recreation, safety, and general welfare of the public of the City of Idaho City through the identification, evaluation, designation, development, design and operation of those buildings, sites, areas, structures, and objects which reflect significant elements of the City's Parks and Recreational facilities.

SECTION II: DEFINITIONS:

The following words and phrases when used in this Ordinance shall have, unless the context clearly indicates otherwise, the following meanings:

City: The City of Idaho City.

Commission: The Parks and Recreation Commission of the City of Idaho City.

Parks and Recreation Facility: Any building, structure, area or site that is designated as a City Park or Recreational facility.

SECTION III: PARKS AND RECREATION COMMISSION:

- (1) There is hereby created a Parks and Recreation Commission which shall consist of seven members who shall be appointed by the Mayor with the advice and consent of the Council.
- (2) It is desirable for all members of the Commission to have a demonstrated interest, competence, or knowledge of Parks and Recreation management, development, operation, design, usage or maintenance. The Mayor and Council shall endeavor in good faith to appoint at least two (2) members with professional training or experience in the disciplines of architecture, urban planning, landscape, engineering, law, management, or other related disciplines.

- (3) Initial appointments to the Commission shall be made as follows: two (2) one-year terms; three (2) two-year terms; three (3) three-year terms. All subsequent appointments shall be made for three (3) year terms. Commission members may be reappointed to serve additional terms. Vacancies shall be filled in the same manner as original appointments and the appointee shall serve for the remainder of the unexpired term.
- (4) The Mayor with the advice and consent of the Council may appoint up to two (2) "youth" members from the community as "ad hoc" Commissioners. "Ad hoc" youth Commissioners will serve for a maximum of six (6) month terms and may be reappointed for additional terms. "Ad hoc" youth Commissioners shall enjoy the same rights and privileges as the other Commissioners, including the right to vote on motions and resolutions.

SECTION IV: ORGANIZATION, OFFICERS, RULES, MEETINGS:

- (1) The Commission shall have the power to make whatever rules are necessary for the execution of its duties as set forth in this Ordinance. Rules of procedure and bylaws adopted by the Commission shall be available for public inspection.
- (2) The Commission shall elect officers from among the Commission members. The chairman shall preside at meetings of the Commission. The vice chairman shall, in the absence of the chairman, perform the duties of the chairman.
- (3) All meetings of the Commission shall be open to the public, and follow the requirements of Idaho's open meeting laws. All meeting agendas shall be posted in accordance with Idaho's open meeting laws. The Commission shall keep minutes and other appropriate written records of its resolutions, proceedings, and actions. The Commission shall file all minutes and written records with the City Clerk.
- (4) The Commission may recommend to the Council, within the limits of its funding, the employment of or the contracting with other parties for the services of technical experts or other persons as it deems necessary to carry on the functions of the Commission.
- (5) The Commission will report periodically to the Council on the status of Parks and Recreation.
- (6) The Commission will coordinate all actions, changes to the Master Park Plan, agreements, easement issues and contractual issues with the Bureau of Land Management (BLM). The Commission will notify the BLM of any issues involving contractual agreements or easement issues and will comply with all items contained in the contract with BLM.

SECTION V: POWERS, DUTIES, AND RESPONSIBILITIES:

The Commission shall be advisory to the Council and shall be authorized to:

- (1) Conduct surveys of Parks and Recreational facilities.

- (2) Recommend the acquisition of fee and lesser interests in properties and equipment, including adjacent or associated lands, by purchase, bequests, or donation.
- (3) Recommend methods and procedures necessary to design, develop, maintain, operate, and preserve Parks and Recreational facilities and properties under the ownership or control of the City.
- (4) Recommend the lease, sale, or other transfer or disposition of Park and Recreation properties or facilities subject to rights of public access and other covenants and in a manner that will preserve the property.
- (5) Contract, with the approval of the Council, with the state or federal government, or any agency of either, or with any other organization.
- (6) Cooperate with the federal, state, and local governments in the pursuance of the objectives of Parks and Recreation.
- (7) Make recommendations in the planning processes undertaken by the county, the city, the state, or the federal government and the agencies of these entities.
- (8) Recommend ordinances, policies, and procedures, and otherwise provide information for the purpose of Parks and Recreation in the City.
- (9) Promote and conduct public awareness, educational, interpretive programs and publicize information concerning the Parks and Recreation programs in the City.
- (10) Commission members, employees or agents of the Commission may enter private property, buildings, or structures in the performance of its official duties only with the express consent of the owner or occupant thereof.

SECTION VI: SPECIAL RESTRICTIONS:

Under the provisions of Idaho Code 67-4612, the City may provide by ordinances, special conditions or restrictions for the protection, enhancement and preservation of Parks and Recreation properties.

SECTION VII: SEPARABILITY:

If any section, subsection, sentence, clause or phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION VIII: EFFECTIVE DATE:

This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED AND APPROVED this 26th day of October, 1999.

**CITY OF IDAHO CITY, a municipal
Corporation of the State of Idaho**

ATTESTED

City Clerk

[Handwritten Signature]

By:

Mayor

Council President

[Handwritten Signature]

[Handwritten Signature]

**ORDINANCE # 275
ANNUAL APPROPRIATION ORDINANCE
1999-2000 FISCAL YEAR**

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1999, APPROPRIATING THE SUM OF \$416,156.00 FOR SAID FISCAL YEAR, AUTHORIZING A LEVY OF SUFFICIENT TAX UPON THE TAXABLE PROPERTY AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE.

BE IT ORDAINED by the Mayor and the City Council of the City of Idaho City, Boise County, Idaho.

Section 1: That the sum of \$416,156.00 be, and the same is Appropriated to defray the necessary expenses and liabilities of the City of Idaho City, Boise County, Idaho for the fiscal year beginning October 1, 1999.

Section 2: The objects and purposes for which such appropriation is made, and the amount of each object and purpose is as follows:

ESTIMATED EXPENDITURES

GENERAL FUND:

Administration	\$13,500
Legal	\$2,500
Professional Services	\$1,700
Other Government	\$39,045
Tort Insurance	\$12,709

STREET:

Administration	\$7,910
Maintenance	\$8,000
Lights	\$3,200
Other Expenses	\$12,100

SEWER DEPT:

Administration	\$42,790
Repairs/Maintenance	\$5,000
Professional Services	\$13,240
Other Expenses	\$27,770
Bond & Interest	\$12,000

LAW ENFORCEMENT:

Administration	\$48,360
Other Expenses	\$19,316

FIRE DEPT:

Administration	\$720
Other Expenses	\$4,746

WATER DEPT:

Administration	\$45,650
Repairs/Maintenance	\$10,500
Professional Services	\$12,500
Other Expenses	\$54,500
Bonds & Interest	\$16,400
Capital Outlay	\$2,000

Section 3: That a general tax levy on all taxable property within the City of Idaho City be levied in a amount allowed by law for the general purposes for said city for the fiscal year beginning October 1, 1999.

Section 4: All Ordinances and parts of ordinances in conflict with this ordinance are here by repealed.

Section 5: This ordinance shall take effect and be in full force upon its passage, approval and publication in one issue of the Idaho World, a Newspaper of general circulation in the City of Idaho City, and the official newspaper of said city.

ATTEST:


Beth A. Wilson, City Clerk

APPROVED:


Ron Jameson, Chairman

PUBLISHED: September 1 and 8th, 1999.

ORDINANCE NUMBER 274

IDAHO CITY BURNING ORDINANCE

AN ORDINANCE OF THE CITY OF IDAHO CITY, IDAHO, ESTABLISHING REGULATIONS GOVERNING OPEN BURNING; PROVIDING FOR CRIMINAL PENALTIES; PROVIDING FOR ENFORCEMENT PROCEDURES; AND PROVIDING FOR SEVERABILITY.

1. No person shall build, ignite or maintain any outdoor fire of any kind, except as provided in this ordinance.

2. Notwithstanding the provisions of paragraph (1) above, the following types of fires will be allowed:

A. The following types of fires shall be allowed by permit only:

1. Fires used for control or alleviation of a fire hazard or for weed control when no alternative control method exists.

2. Fires used in the training or fire-fighting personnel.

3. Open burning of piled lawn, yard or tree debris.

4. Other burning specifically authorized by the Idaho City Fire Department.

B. Fires used for the preparation of food and campfires under control of a responsible person shall not require a permit.

3. Permits are to be obtained from the Idaho City Fire Department through the Idaho City Clerk. Permits must contain the following information:

A. Name, address and telephone number of the permittee.

B. The location of the proposed burning.

C. Conditions under which burning is to be allowed.

D. Signature of issuing officer.

E. Signature of permittee.

4. Notwithstanding any provision of this ordinance, no person shall allow, cause or permit the burning of materials which emit toxic contaminants or large volumes of smoke, particulates or odors. These materials include garbage, rubber, plastics, heavy petroleum products, dead animals, lumber, tree stumps, trash, etc.

5. Any open burning that would otherwise be allowed under this Ordinance, but is determined by the Idaho City Fire Department to be a nuisance, hazard, or source of air pollution, shall be prohibited.


6. The Idaho City Fire Chief, his or her duly authorized representative, or any law enforcement officer of the City shall have the authority to enforce the provisions of this Ordinance. Each violation of any provision of this Ordinance shall be a misdemeanor, and for each day such violation shall continue shall constitute a separate offense. Each such offense is punishable by imprisonment in the county jail not exceeding six (6) months, or by a fine not exceeding three hundred dollars (\$300.00), or both.


7. Should any provision of this Ordinance be held to be unconstitutional or unenforceable for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

APPROVED this 14th day of September, 1999.

ATTEST:


Beth A. Wilson, City Clerk


Tom Corum, Mayor, Idaho City


Ron Jameson, Chairman
Idaho City Council

ORDINANCE NO. 273

AN ORDINANCE PROVIDING FOR THE LICENSING OF OCCUPATIONS, BUSINESSES, VENDORS, CARNIVALS, PUBLIC ENTERTAINMENT, AND SPONSORED EVENTS WITHIN IDAHO CITY, IDAHO, PURSUANT TO SECTION 50-307, IDAHO CODE; PROVIDING FOR ESTABLISHMENT OF LICENSE FEES AND INSURANCE REQUIREMENTS BY RESOLUTION; APPLICATIONS FOR, APPROVAL, AND REVOCATION OF LICENSES; PROVIDING FOR PENALTIES AND FOR AN EFFECTIVE DATE AND REPEALING ORDINANCES 128, 168, 175, 181, AND 194.

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

SECTION 1. DEFINITIONS : The following terms as used in this act are hereby defined as follows:

1. **BUSINESS** : means, but is not limited to, the retail or wholesale provision of goods or merchandise, e. g. retail grocery store, vending machines, second hand stores, craft stores, souvenir shops, restaurants.

2. **OCCUPATION** : means the provision of service for profit, e. g. including but not limited to practicing law, practicing medicine, barbers, beauticians, taxidermy, printing, newspapers, motels, hotels, RV parks, animal boarding kennels, child care facilities, construction companies, engineering firms, accountants, taxi cabs or other conveyances used to haul passengers for hire etc. Governmental organizations, Federal, State, County or Local shall be exempt for purposes of this Ordinance.

3. **PERSON** : means an individual, firm, partnership, association, corporation, or any group or combination acting as a unit, and includes the plural as well as the singular unless the intent to give a more limited meaning is disclosed by the context in which it is used.

4. **BUSINESS LICENSE** : means license as provided by Section 50-307, Idaho Code and this Ordinance, to carry on a business or occupation within the City of Idaho City.

5. **PLACE OF BUSINESS** : means any building, office, store, home, or other structure wherein a business or occupation is conducted.

6. **VENDORS** : means each and every person, vendor, hawker, peddler, solicitor, or temporary merchant who shall offer any article or service for sale from a stand or upon any street, public, private, or open ground, within the

limits of the City.

7. NONPROFIT ORGANIZATION : means an organization which is exempt from Federal income tax as a charitable or nonprofit organization or has an established 501c status with the Office of the Idaho Secretary of State. To establish such exempt nonprofit status, when the permittee and the recipient are not both known by the Clerk to be on the face of the matter exempt from Federal income tax, such as national youth organizations, churches, or recognized service clubs such as Rotary, or the Lions, the organizer shall file with its application for the permit one of the following:

- A copy of its tax-exempt status determination letter from the IRS, or
- A certification from a certified public accountant licensed in Idaho that such organizer files an information return with the IRS as a tax-exempt organization, or
- A certification from a certified public accountant licensed in Idaho that such organizer is not required to file an income tax information return because it is a tax-exempt organization with less than the threshold amount of income necessary to trigger a filing requirement.

8. CARNIVALS AND PUBLIC ENTERTAINMENT: means any carnival show, carnival company, merry go rounds, riding galleries, shooting galleries, and all entertainment commonly called "rides" including devices, apparatus, attractions and amusements for the transportation of persons at a fixed location and operated by motive power other than that of the person riding, therefore or therein, and for which there is a fee fixed or a fare charged are declared public entertainment.

9. SPONSORED EVENTS; means a festival, street show, event, celebration, parade, community event, or combination of these sponsored by a profit or nonprofit organization involving two or more profit or nonprofit vendors; e. g. Arts and Crafts Festival sponsored by Idaho City Arts Council, Gold Rush Days sponsored by the Chamber of Commerce, 4th of July Parade sponsored by the Chamber of Commerce.

SECTION 2. BUSINESS LICENSE REQUIRED: It shall be unlawful for any person to engage in any business, or occupation, or carnival and public entertainment from any place or business located within the City of Idaho City without first obtaining a business license from the City of Idaho City.

SECTION 3. VENDORS LICENSE REQUIRED: It shall be unlawful to conduct any sponsored event or for any vendor to offer any article or service for sale within the City of Idaho City without first obtaining a vendors license from the City of Idaho City. It shall be unlawful for any person, persons, firm, organization or

corporation to conduct door-to-door selling without securing a vendor's license. Each person within each organization or corporation conducting door-to-door selling is required a separate vendor's license.

SECTION 4. LICENSE FEES: The Mayor and Council will establish business and vendor license fees by resolution. Business and vendor license fees are nonrefundable and not prorated for portions of time not used. All funds paid in the form of license fee for the purpose of doing business or as a vendor within the boundaries of the corporate limits of the City of Idaho City shall be placed in the General Fund of the City of Idaho City. Subject to Council approval, the business license issued by the City Clerk shall be for the remainder of the calendar year in which the business license is first issued, subject to revocation as provided below. Vendor license fees for sponsored events and nonprofit organizations may be established at a lower rate than other vendor license fees and may be waived by the City as deemed necessary by the Mayor and Council.

SECTION 5. LICENSE APPLICATION: Application for a business or vendors license shall be in writing, on a form approved by the Clerk of the City of Idaho City, signed and sworn by the applicant. A vendors license application shall be filed with the City Clerk who may approve a vendors license upon payment of a fee as established by resolution. The City Clerk shall tentatively issue a business license upon payment of a fee established by resolution. The City Clerk shall present the business license application and proof of fee payment to the Mayor and Council at the next regularly scheduled meeting for final approval by the Mayor and Council. The initial business license issued to licensee pursuant to this Ordinance shall be for the period from date of issuance to December 31, of that same calendar year.

SECTION 6. BUSINESS LICENSE RENEWAL: During December of each year, each business licensee shall submit a renewal application to the City Clerk upon a form provided by the Clerk, for licenses for the next calendar year. The Mayor and Council will establish business license renewal fees by resolution. The City Clerk may approve a business license renewal or refer it to Council for consideration at the next meeting.

SECTION 7. DISAPPROVAL OF APPLICATION FOR, AND THE REVOCATION AND CANCELLATION OF LICENSE: The right shall be and remain at all times vested in the Mayor and Council, and the Mayor and Council may, as hereinafter provided, disapprove the application for license, or revoke or cancel any license for fraud or misrepresentation in its procurement, or for a violation of any of the provisions of this Ordinance or any other Ordinance of the City of Idaho City, or for any conduct or act of the licensee or his employees or any conduct or act permitted by him or them on the premises where such business is conducted, or in connection therewith or adjacent thereto, tending to render such business or

such premises where same is conducted a public nuisance or a menace to the health, peace, safety or general welfare of the City; provided, that revocation or suspension of any state license shall be deemed prima facie evidence for revocation or suspension of the license issued herein.

SECTION 8. QUALIFICATIONS: All applicants for business or vendor licenses must first have received all licenses and permits required by Federal, State, or Local law for the conduct of the business or occupation to be conducted and must present proof of same to the City Clerk, e. g. an attorney applicant must show proof of active membership in the Idaho State Bar.

SECTION 9. RECONVEYANCE: Business and vendor licenses are only valid for the persons originally issued to. It shall be unlawful to sell or convey to another person any business or vendor license. When a business changes ownership a new application must be made with the City Clerk.

SECTION 10. POSTING BUSINESS AND VENDER LICENSES: All business and vendor licenses will be posted in a prominent and visible location. Vendor licenses must be posted on the front of the booth, tent, table, or pertinent structure so as to be visible from a distance. Each individual vendor included in carnivals, public entertainment, and sponsored events will post their vendor license in the same manner described.

SECTION 11. FINANCIAL RESPONSIBILITY AND LIABILITY: Minimum liability insurance amounts for all carnivals, public entertainment devices, sponsored events, "rides", shooting galleries, and other such vendors and events will be established by the Mayor and Council by resolution.

SECTION 12. PENALTY: Any person who violates any of the provisions of this act or fails to comply with any of the terms and conditions of this act shall be guilty of a misdemeanor.

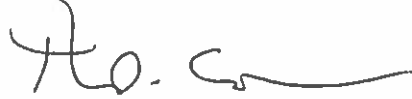
SECTION 13. SEVERABILITY: The provisions of this act are hereby declared to be severable and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act.

SECTION 14. REPEALER: Idaho City Ordinance Nos. 128, 168, 175, 181 and 194 are hereby repealed.

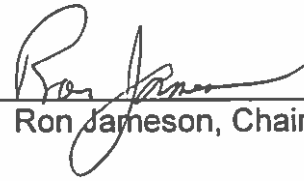
SECTION 15. This Ordinance shall be in full force and effect from and after its passage.

PASSED BY THE CITY COUNCIL and approved by the Mayor, this 22nd day of December, 1998.

By:

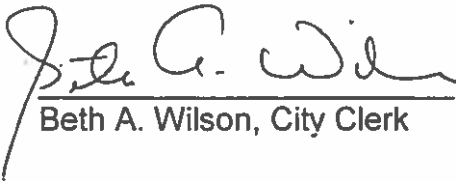


Thomas D. Corum, Mayor



Ron Jameson, Chairman

ATTEST:



Beth A. Wilson, City Clerk