

**TITLE 2
BOARDS AND COMMISSIONS**

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**CHAPTER 1
LIBRARY BOARD**

SECTION:

- 2-1-1: Appointment
- 2-1-2: Qualifications
- 2-1-3: Term
- 2-1-4: Quorum
- 2-1-5: Powers and Duties of the Trustees
- 2-1-6: Exclusive Control of Library Funds and Property
- 2-1-7: Reports of Trustees
- 2-1-8: Library to be Free
- 2-1-9: Library Employees

2-1-1: **APPOINTMENT:** The Mayor, with the consent of the City Council shall appoint a Library Board of five (5) library trustees for the Public Library. Members of the Board shall serve without salary but may receive their actual and necessary budgeted expenses while engaged in authorized business of the Library. (Ord. 2228, 5-8-97)

2-1-2: **QUALIFICATIONS:** The Library Trustee shall be a citizen of the City. A member of the City Council shall not be one (1) of the five (5) appointed trustees of the Library Board, but each year the Council shall appoint one (1) of its members to be a liaison to the Board, without voting rights. (Ord. 2228, 5-8-97)

2-1-3: **TERM:** Library Trustees shall hold office for five (5) years. The term of the members shall run from May 1 through April 30. The term of not more than one (1) member shall expire in any one (1) calendar year. The Board shall report all vacancies to the Mayor within five (5) working days. All appointments to fill vacancies shall be made in the same manner as appointments are originally made. Appointments to complete unexpired terms shall be for the remainder of the term only. Any trustee may be removed by the City Council by the unanimous vote of all its members. (Ord. 2228, 5-8-97)

2-1-4: **QUORUM:** Three (3) Trustees of the Library Board shall constitute a quorum for the purpose of conducting business. All actions by the Board of Trustees shall require an affirmative vote of at least three (3) Trustees.

2-1-5: **POWERS AND DUTIES OF TRUSTEES:** The Board of Trustees of the City Library shall have the following powers and duties:

(A) To establish bylaws for its own governance;

(B) To establish policies and rules of use for the governance of the library or libraries under its control; to exclude from the use of the library any and all persons who violate such rules;

(C) To establish, locate, maintain and have custody of libraries to serve the City, and to provide suitable rooms, structures, facilities, furniture, apparatus and appliances necessary for library service;

(D) With the approval of the City:

otherwise;

(1) to acquire real property by purchase, gift, devise, lease or

(2) to own and hold real and personal property and to construct buildings for the use and purposes of the library;

(3) to sell, exchange or otherwise dispose of real or personal property when no longer required by the library; and

(4) to insure the real and personal property of the library;

Council;

(E) To prepare and adopt a budget for review and approval by the City

(F) To control the expenditures of money budgeted for the library;

(G) To accept or decline gifts of money or personal property, in accordance with library policy, and under such terms as may be a condition of the gift;

(H) To hire, supervise and evaluate the library director;

(I) To establish policies for the purchase and distribution of library materials;

(J) To attend all meetings of the Board of Trustees;

(K) To maintain legal records of all Board business;

(L) To exercise such other powers, not inconsistent with law, necessary for the orderly and efficient management of the library. (Ord. 2228, 5-8-97)

2-1-6: **EXCLUSIVE CONTROL OF LIBRARY FUNDS AND PROPERTY:** The Board shall prepare and adopt an annual budget, stating anticipated revenues and expenditures, indicating what support and maintenance of the library will be required for review and approval by the City Council for the ensuing year.

All funds for the library shall be in the custody of the City Treasurer and shall be used only for library purposes. The Board shall have control of library expenditures. Money shall be paid for library purposes, only upon properly authenticated vouchers of the Board of Trustees. The

Board shall not make expenditures or incur indebtedness in any year in excess of the amount appropriated for library purposes. The Board may hold a separate checking account to be used to pay petty cash expenses of the library. This account shall be audited along with other library funds. (Ord. 2228, 5-8-97)

2-1-7: **REPORTS OF TRUSTEES:** The Board of Trustees shall annually, not later than the first day of January, file with the State Library Board a report of the operation of the library for the fiscal year just ended. The report shall be of such form and contain such information as the State Library Board may require, but in all cases, must include a complete accounting of all financial transactions for the fiscal year being reported. The Board shall also report to the City Council and Mayor as requested or required. (Ord. 2228, 5-8-97)

2-1-8: **LIBRARY TO BE FREE:** The Library shall be free for the use of the inhabitants of the City, provided, however, nothing herein shall prohibit the charging of any fee for use by persons who do not reside within the City. Nothing herein shall prevent the execution of any contract with any school district, library district, county or other governmental unit whose service area or territory is located wholly or partially outside the City, for the purpose of providing library services to non-residents residing within such governmental units. Nothing herein shall prohibit the charging of any reasonable fee for: (i) interlibrary loan services or line service charges, or (ii) use of computer equipment, peripheral devices, software, audio-visual or video equipment, microfilm or microfiche devices; fax machines, photocopiers, printers, or other electronic equipment or devices not customarily used or associated with the use of printed media, or (iii) for the temporary use of any room or facility in the Library for group meetings or any other purpose other than for reading or general use of library services, equipment or facilities.

2-1-9 **LIBRARY EMPLOYEES:** Library employees shall be considered employees of the City and shall be subject to the Personnel Policy and other rules, regulations and ordinances adopted by the City Council.

**CHAPTER 2
PLANNING AND ZONING COMMISSION**

SECTION:

- 2-2-1: Appointment
- 2-2-2: Qualifications
- 2-2-3: Term of Office
- 2-2-4: Organization; Rules and Meetings
- 2-2-5: Duties
- 2-2-6: Attendance

2-2-1: **APPOINTMENT:** The Mayor, with the consent by the Council, shall appoint a Planning and Zoning Commission of not less than six (6) nor more than twelve (12) members.

2-2-2: **QUALIFICATIONS:** All members of the Commission shall reside within Bonneville County, provided no more than three (3) members may reside outside the boundaries of the City. All members shall have resided within Bonneville County for a period of two (2) consecutive years immediately preceding their appointment. No elected or appointed officer of the City shall serve as an official member of the Planning and Zoning Commission. (Ord. 3054, 26-1-16).

2-2-3: **TERM OF OFFICE:** Members of the Planning and Zoning Commission shall serve a term of six (6) years. The term of each member shall expire on December 31 of the sixth year following their appointment, provided the terms of no more than two (2) members shall expire in any one (1) year. Vacancies shall be filled by the Mayor and Council for the unexpired term of the incumbent. Members may be removed by a majority vote of the full Council. Members shall be selected without respect to political affiliation and shall serve without compensation.

2-2-4: **ORGANIZATION; RULES AND MEETINGS:** The Commission shall elect its own chairperson and create and fill such other offices as necessary. One (1) regular meeting shall be held each month for not less than nine (9) months in each year. A majority of the members of the Commission shall constitute a quorum at any meeting. All meetings and records of the Commission shall be open to the public. Written rules consistent with this Chapter and the laws of the State for the transaction of business of the Commission shall be adopted, and a written record of the resolutions, findings and determinations shall be kept.

2-2-5: **DUTIES:** The Planning and Zoning Commission shall examine all proposals, applications and petitions and shall make recommendations to the City Council concerning the zoning of properties within the City and properties to be annexed thereto. The Planning and Zoning Commission shall recommend to the Council changes regarding the City's comprehensive plan. The commission may suggest changes in the Zoning Ordinance and shall study and make recommendations for the laying out, widening, extending and locating of streets, roads and highways in the City, the future development, growth and beautification of the City's

streets, parks, grounds and lands. The Planning and Zoning Commission shall have all powers and duties assigned to it by the Zoning Ordinance. It shall act in an advisory capacity to the Board of Adjustment when requested by the Board. All maps, plats and replats of land which require the approval of the Council shall be submitted first to the Planning and Zoning Commission for its recommendation. The Planning and Zoning Commission also shall perform other duties required under state law or as directed by the Council.

2-2-6: ATTENDANCE: A voting Commission member may be removed from the Commission following two (2) consecutive absences which are not excused by the Chair, or where a voting member is absent from more than two (2) Commission meetings in any calendar year. Following either of these occurrences, the Chair may request that the Mayor remove such Commission member. (Ord. 3054, 26-1-16).

**CHAPTER 3
BOARD OF ADJUSTMENT**

SECTION:

- 2-3-1: Appointment
- 2-3-2: Qualifications
- 2-3-3: Term
- 2-3-4: Vacancies
- 2-3-5: Organization
- 2-3-6: Rules and Regulations
- 2-3-7: Duties

2-3-1: **APPOINTMENT:** The Mayor, with the consent of the City Council, shall appoint a Board of Adjustment of nine (9) members.

2-3-2: **QUALIFICATIONS:** Members of the Board of Adjustment shall be residents and electors of the City. The Mayor, members of the City Council and any appointed officer of the City shall not serve as a member of the Board. One member of the Board shall be a member of the Planning and Zoning Commission.

2-3-3: **TERM:** Members of the Board of Adjustment shall be appointed for a term of five (5) years. Terms shall expire on December 31 of the fifth year following their appointment. Not more than two (2) members' terms shall expire in any one (1) year.

2-3-4: **VACANCIES:** The Mayor, with consent of the City Council, shall appoint a qualified person to fill the unexpired term of any member of the Board in the event of a vacancy.

2-3-5: **ORGANIZATION:** The Board shall elect its own chairperson and may appoint other officers from among its members. The Zoning Official shall serve as a non-voting ex officio member of the Board.

2-3-6: **RULES AND REGULATIONS:** The Board shall adopt rules and regulations necessary to carry into effect the provisions of this Chapter. Meetings shall be held when necessary. The Board shall keep minutes of its proceedings, showing the vote of each member on every question. The meetings, minutes and records of the Board shall be open to the public.

2-3-7: **DUTIES:** The Board of Adjustment shall have such duties and authority as set forth in the Zoning Ordinance and shall perform all other duties as required by state law or as directed by the City Council.

**CHAPTER 4
CIVIL SERVICE COMMISSION**

SECTION:

- 2-4-1: Appointment
- 2-4-2: Term
- 2-4-3: Vacancies
- 2-4-4: Qualifications
- 2-4-5: Organization; Accommodations
- 2-4-6: Commission Duties
- 2-4-7: Departments and Employees Governed by Civil Service
- 2-4-8: Examination; Qualifications; Appointment; Removal
- 2-4-9: Disciplinary Actions and Force Reductions
- 2-4-10: Job Description; Standards; Qualifications
- 2-4-11: Civil Service Law Accepted
- 2-4-12: Annual Reports to Council

2-4-1: **APPOINTMENT:** The Mayor, with the consent of the City Council, shall appoint a Civil Service Commission of three (3) members.

2-4-2: **TERM:** Members of the Civil Service Commission shall serve six (6) year terms. The terms shall be staggered so that the term of one (1) member expires every other year.

2-4-3: **VACANCIES:** The Mayor, with consent of the City Council, shall appoint a qualified person to fill the balance of the unexpired term of any member of the Commission in the event of a vacancy.

2-4-4: **QUALIFICATIONS:** Members of the Civil Service Commission shall be citizens of the United States, electors of City and residents of the City for at least three (3) years immediately preceding their appointment.

2-4-5: **ORGANIZATION AND ACCOMMODATIONS:** The Civil Service Commission shall elect one member as chairperson. The City Treasurer shall serve as the secretary of the Commission. The secretary shall keep a record of all meetings of the Commission, have custody of the Commission's books and records, and perform other services as required by the Commission. The City Council shall provide suitable accommodations and equipment for the Commission to attend to its business.

2-4-6: **COMMISSION DUTIES:** The Civil Service Commission may promulgate rules and regulations necessary to carry out the provisions of the civil service law for examinations, appointments and promotions. These rules and regulations shall be printed by the Civil Service Commission for distribution.

2-4-7: **DEPARTMENTS AND EMPLOYEES GOVERNED BY CIVIL SERVICE:** DEPARTMENTS AND EMPLOYEES GOVERNED BY CIVIL SERVICE: The Civil Service

shall consist of all positions of employment existing or created in the Police and Fire Departments, except for the following: Chief of Police, Police Captains, Fire Chief, Deputy Fire Chief, Fire Division Chief(s), Fire Battalion Chief(s), Airport security police officers, record clerks, parking monitors, animal control officers, school crossing guards, dispatchers, secretaries, stenographers and other positions whose duties are primarily clerical. (Ord. No. 2503, 08-28-03; Ord. No. 3003, 04-23-15)

2-4-8: EXAMINATIONS; QUALIFICATIONS; APPOINTMENT; REMOVAL: All applicants for positions of employment governed by civil service shall be subject to examination. The examination shall be public, competitive and free, and shall be held at times and places determined by the Civil Service Commission. Examinations shall be for the purpose of determining the qualifications of applicants for positions and shall be practical and shall fairly test the fitness of persons examined to discharge the duties of the position to which they seek and shall include non-discriminatory tests of physical qualifications for bona-fide occupational purposes. An applicant for any position under civil service must be a citizen of the United States, not younger than twenty one (21) years of age, must be able to read and write the English language, in good health, of good moral character and of temperate and industrious habits. These qualifications shall be ascertained in a manner determined by the Commission. Appointments to positions governed by the civil service shall comply with this Chapter, the rules and regulations of the Civil Service Commission, and State law. All persons appointed to positions under the Civil Service shall hold office, place, position or employment only during good behavior. Any appointee may be removed or discharged, suspended without pay, demoted, reduced in rank, or deprived of vacation privileges or other special privileges for any of the following reasons, subject to the determination of the facts in each case by the Commission:

- (A) Incompetency, inefficiency or inattention to or dereliction of duty.
- (B) Dishonest, intemperance, or immoral conduct, insubordination, discourteous treatment of the public or a fellow employee, or any other act of omission or commission tending to injure the public service; or any other willful failure by the employee to properly conduct himself; or any willful violation of the provisions of this Chapter or the rules and regulations adopted by the Commission.
- (C) Mental or physical unfitness for the position which the employee holds.
- (D) Drunkenness or use of intoxicating liquors, narcotics or any other habit-forming drug, liquid or preparation to such extent that its use interferes with the efficiency or mental or physical fitness of the employee, or which prevents the employee from properly performing the functions and duties of any position under Civil Service.
- (E) Conviction of a felony or a misdemeanor involving moral turpitude.
- (F) Failure to disclose a conflict of interest as required under the Idaho Ethics in Government Act.

(G) Any other act or failure to act which in the judgment of the Civil Service Commission is sufficient to show the offender to be an unsuitable person to be employed in the public service. (Ord. No. 3068, 4-28-2016)

2-4-9: DISCIPLINARY ACTIONS AND FORCE REDUCTIONS: All suspensions, removals or appeals on hearings under this Chapter shall conform to Idaho Code Sections 50-1604, 50-1609, and 50-1610, as amended. Nothing herein shall prohibit the Council from reducing the work force, but such reduction shall be made in inverse order of seniority of employment and any employees so removed shall be placed at the head of the eligible list in order of their seniority.

2-4-10: JOB DESCRIPTION; STANDARDS; QUALIFICATIONS: The City Council shall provide a job description for each civil service position of the City and shall determine and establish the standards and qualifications to be met by each applicant before appointment.

2-4-11: CIVIL SERVICE LAW ACCEPTED: The City accepts the provisions of Title 50, Chapter 16, of the Idaho Code, as amended, as applying to positions under civil service.

2-4-12: REPORTS TO COUNCIL: The Civil Service Commission shall submit an annual report to the City Council in April of each year. The Council may also require special reports as it deems necessary.

**CHAPTER 5
PARKS AND RECREATION COMMISSION**

SECTION:

- 2-5-1: Appointment
- 2-5-2: Qualifications
- 2-5-3: Terms
- 2-5-4: Vacancies
- 2-5-5: Compensation
- 2-5-6: Organization
- 2-5-7: Rules and Regulations
- 2-5-8: Duties
- 2-5-9: Attendance

2-5-1: **APPOINTMENT:** The Mayor, with the consent of the City Council, shall appoint a Parks and Recreation Commission of twelve (12) members.

2-5-2: **QUALIFICATIONS:** The Commission shall be comprised of one (1) member of each Board of School Trustees that functions within the City or a designee of the Board of School Trustees, one (1) member of the Board of County Commissioners, Bonneville County, or a designee of the Board of County Commissioners, and nine (9) at-large members not affiliated with either the Board of School Trustees or the Board of County Commissioners.

2-5-3: **TERMS:** Commission members appointed from the Board of School Trustees and Board of County Commissioners shall be permanent members. At-large members shall serve terms of three (3) years. The terms of no more than three (3) at-large members shall expire in any one year. Terms of at large members shall expire on December 31 of the third year following their appointment.

2-5-4: **VACANCIES:** The Mayor, with the consent of the City Council, shall appoint a qualified person to fill the unexpired term of any at-large Commission member in the event of a vacancy.

2-5-5: **COMPENSATION:** Commission members shall serve without compensation, except that expenses for equipment and supplies necessary for the Commission to transact its business shall be allowed by the Council.

2-5-6: **ORGANIZATION:** The Commission annually shall elect a Chair from its membership, who shall serve until replaced or re-elected pursuant to this Subsection. (Ord. 3026, 9-24-15)

2-5-7: **RULES AND REGULATIONS:** The Commission shall adopt rules and regulations consistent with and as necessary to carry out the provisions of this Chapter. (Ord. 3026, 9-24-15)

2-5-8: DUTIES: The Commission shall work with the Director of Parks and Recreation toward development of a comprehensive, balanced plan of City-wide recreation consistent with available funds. The Committee shall study the physical condition, maintenance, operation and use of public playgrounds, parks and recreational facilities of the City and shall make to the Director of Parks and Recreation recommendations concerning their improvement and efficient use.

2-5-9: ATTENDANCE: A voting Commission member may be removed from the Commission following two (2) consecutive absences which are not excused by the Chair, or where a voting member is absent from more than two (2) Commission meetings in any calendar year. Following either of these occurrences, the Chair may request that the Mayor remove such Commission member. (Ord. 3026, 9-24-15)

**CHAPTER 6
GOLF ADVISORY BOARD**

SECTION:

- 2-6-1: Appointment of Board
- 2-6-2: Compensation of Board
- 2-6-3: Terms
- 2-6-4: Vacancies
- 2-6-5: Compensation
- 2-6-6: Organization
- 2-6-7: Rules and Regulations
- 2-6-8: Duties

2-6-1: **APPOINTMENT OF BOARD:** The Golf Advisory Board shall consist of thirteen (13) voting members and ex-officio members as set forth below. (Ord. 2139, 5-19-94)

2-6-2: **COMPOSITION OF BOARD:** Ex-officio members of the Board shall consist of the Director of Parks and Recreation and the golf professional(s) at the Pinecrest, Sandcreek, Sage Lakes, and other golf courses owned or operated by the City. Voting members of the Board shall consist of the following, or their designee:

- (A) The president of the Idaho Falls Men's Golf Association.
- (B) The president of the Idaho Falls Women's Golf Association.
- (C) The president of the Senior Golf Association.
- (D) The president of the Junior Golf Association.
- (E) The president of the Working Women's League.
- (F) A member of the Idaho Falls Parks and Recreation Commission, as appointed by the Mayor.
- (G) Six (6) at-large members appointed by the Mayor without regard to their affiliation with any group or organization.
- (H) A member of the City Council, as appointed by the Mayor.

All appointments to the Board shall be confirmed by the Council. (Ord. 2139, 5-19-94; Ord. 3008, 5-25-2015)

2-6-3: **TERMS:** All ex-officio members shall serve as long as they continue to serve in the offices or capacities designated in this Chapter. All at-large members shall serve terms of

three (3) years, except that the terms of the initial Board members may be less than three years as necessary to provide for staggered terms of office. The terms of no more than two (2) at-large members shall expire in any calendar year. Terms of at-large members shall expire on December 31 of the third year of their appointment. All other appointed, voting Board members shall serve indefinite terms at the will and pleasure of the Mayor and Council. (Ord. 2139, 5-19-94; Ord. 3008, 5-25-2015)

2-6-4: VACANCIES: The Mayor, with the consent of the Council, shall appoint a qualified person to fill the unexpired term of any Board member in the event of a vacancy or in the event any member ceases to be qualified. (Ord. 2139, 5-19-94; Ord. 3008, 5-25-2015)

2-6-5: COMPENSATION: Board members shall serve without compensation. (Ord. 2139, 5-19-94)

2-6-6: ORGANIZATION: During the last meeting of each calendar year, the Board shall elect, by a majority vote, a person to act as Chair from its membership, who shall serve until replaced or re-elected pursuant to this Subsection. (Ord. 2139, 5-19-94; Ord. 3008, 5-25-2015)

2-6-7: RULES AND REGULATIONS: The Board shall adopt rules and regulations consistent with and as necessary to carry out the provisions of this Chapter. (Ord. 2139, 5-19-94; Ord. 3008, 5-25-2015)

2-6-8: DUTIES: The Golf Advisory Board shall make recommendations to the Mayor and Council concerning the operation, maintenance and conduct of the City golf courses. It also shall study existing City golf facilities and make recommendations concerning the advisability and feasibility of acquiring additional golf courses or facilities or of expanding or renovating existing facilities. (Ord. 2139, 5-19-94)

2-6-9: ATTENDANCE: A voting Board member may be removed from the Board following two (2) consecutive absences which are not excused by the Chair, or where the voting Board member is absent from more than two (2) Board meetings in any calendar year. Following either of these occurrences, the Chair may request that the Mayor remove such Board member. (Ord. 3008, 5-25-2015)

**CHAPTER 7
YOUTH ADVISORY COUNCIL**

SECTION:

- 2-7-1: Appointment
- 2-7-2: Qualifications
- 2-7-3: Terms
- 2-7-4: Vacancies
- 2-7-5: Organization
- 2-7-6: Rules and Regulations
- 2-7-7: Compensation
- 2-7-8: Meetings
- 2-7-9: Duties

2-7-1: **APPOINTMENT:** The Mayor, with the consent of the City Council, shall appoint a Youth Advisory Council of not less than five (5) nor more than fifteen (15) members.

2-7-2: **QUALIFICATIONS:** Persons eligible for appointment to the Advisory Council shall be citizens of the United States and residents of the City for at least three (3) years immediately prior to their appointment. Members shall be selected without regard to political affiliation, race, nationality, gender or religion.

2-7-3: **TERMS:** Members of the Advisory Council shall serve terms of three (3) years. The terms of no more than one-third (1/3) of the members shall expire in any calendar year. Terms of members shall expire on December 31 of the third year following their appointment.

2-7-4: **VACANCIES:** The Mayor, with the consent of the City Council, shall appoint a qualified person to fill the unexpired term of any Advisory Council member in the event of a vacancy.

2-7-5: **ORGANIZATION; ACCOMMODATIONS:** The Advisory Council shall elect from its membership a chairperson, vice chairperson and a secretary and such other officers as necessary. The chairperson shall preside at all meetings. If the chairperson is absent or unable to act at any meeting, the vice chairperson shall preside. The secretary shall keep a record of all meetings and shall see that a copy of all minutes is promptly provided to the City Council. The City Council shall provide suitable accommodations and equipment to enable the Advisory Council to carry out its business.

2-7-6: **RULES AND REGULATIONS:** The Advisory Council shall adopt rules and regulations as necessary to carry out the provisions of this Chapter.

2-7-7: **COMPENSATION:** Advisory Council members shall serve without compensation.

2-7-8: MEETINGS: The Advisory Council shall hold regular meetings once a month on a date fixed by its rules and regulations and may hold special meetings at the call of the Chairperson.

2-7-9: DUTIES: The Advisory Council shall act as an advisory agency to the City Council and other public agencies in the prevention and control of juvenile delinquency. It shall exercise the following functions:

(A) Initiate and develop fact-finding studies and research programs concerned with the nature, causes, and means of prevention of juvenile delinquency, and the treatment of juvenile delinquents;

(B) Make known to public agencies and organizations concerned with and responsible for the prevention and control of juvenile delinquency, the results of its studies and recommendations based on its studies;

(C) Advise and assist such agencies in the study, initiation and development of new techniques, services, facilities, and programs to prevent and reduce juvenile delinquency;

(D) Publicize information about the nature, causes and means of preventing and controlling juvenile delinquency, by press releases, radio, television and any other media;

(E) Study and recommend changes and additions to laws concerning the control of juvenile delinquency.

**CHAPTER 8
TRAFFIC SAFETY COMMITTEE**

SECTION:

- 2-8-1: Appointment
- 2-8-2: Term
- 2-8-3: Vacancies
- 2-8-4: Purpose and Duties
- 2-8-5: Use of Recommendations as Evidence

2-8-1: APPOINTMENT: A Traffic Safety Advisory Committee (“Committee”) shall be established and shall be comprised of the following seven (7) person voting membership:

- A. Voting members
 - 1. City employee members
 - a. One (1) Idaho Falls Police Department employee, to serve as Committee chair
 - b. One (1) City Engineer
 - c. One (1) Public Works Department employee
 - d. One (1) Idaho Falls Power employee
 - 2. Non-City employee members
 - a. Two (2) members, one (1) each selected from any two (2) of the following member organizations:
 - Bonneville Metropolitan Planning Organization (BMPO)
 - Idaho Falls School District 91
 - Idaho Transportation Department (ITD)
 - Idaho National Laboratories (INL) – Fleet Safety Division
 - Targhee Regional Public Transportation Authority (TRPTA)
 - b. One (1) City resident who is not a City employee or a representative of any of the member organizations listed in this Chapter.
- B. Non-voting ex-officio member organizations

The following organizations shall each have a continuing appointment to the Committee as a non-voting ex-officio member:

Bonneville Metropolitan Planning Organization (BMPO)
Idaho Falls School District 91
Idaho Transportation Department (ITD)
Idaho National Laboratories (INL) – Fleet Safety Division
Targhee Regional Public Transportation Authority (TRPTA)

If a member organization has an appointed position on the Committee (as a voting member), such member may vote. Upon expiration of the voting term, the member organization shall return to its non-voting ex-officio status.

C. An ex-officio, non-voting member of this Committee shall not be considered in determining the number required for a quorum or whether a quorum is present. (Ord. 2200, 4-11-96; Ord. 3069, 4-12-2016)

2-8-2: TERM: The Committee members who are City employees shall serve as assigned by the City Public Works Director, City Police Chief, and the Director of Idaho Falls Power, respectively and are not limited to a two (2) years term. The Committee members who are not City employees shall be appointed by Mayor, with the consent of the Council and shall serve terms of two (2) years. The terms of such voting non-City employee members shall be staggered so that no more than two (2) such members' terms shall expire in any one (1) year. Terms of voting non-City employee members shall expire on the last day of the second year following their appointment. (Ord. 3069, 4-12-2016)

2-8-3: VACANCIES: The Mayor, with the consent of the Council, shall appoint a qualified person to fulfill any unexpired term of any Committee member who is not a City employee, in the event of a vacancy. A non-City employee Committee member may be removed from the Committee following three (3) consecutive absences that are not excused by the Chair. Following the third consecutive unexcused absence, the Chair may request the Mayor for removal of such Committee member. In addition, the Mayor may revoke a Committee appointment of a non-City employee member at any time and for any reason deemed sufficient, with the advice and subject to the approval of the Council. (Ord. 3069, 4-12-2016)

2-8-4: PURPOSE AND DUTIES: The Committee shall study traffic throughout the City to recommend ways to reduce or eliminate traffic hazards and to promote traffic safety by education, traffic controls, laws, regulations, and other means. It shall make recommendations to the Director of Public Works concerning traffic safety and may be called upon by the Council to give recommendations regarding implementation or installation of traffic control devices and other traffic safety enhancements. (Ord. 2200, 4-11-96; Ord. 3069, 4-12-2016)

2-8-5: USE OF RECOMMENDATIONS AS EVIDENCE: In order to encourage the prompt identification and elimination of traffic hazards without fear of liability, all studies and recommendations of the Traffic Safety Committee, and any reference thereto in any minutes of any meeting of the Council, shall be privileged from use or introduction into evidence at any trial or proceeding involving any accident, injury, or loss. All members of the Committee shall also

be privileged from testifying about such information at any trial or proceeding. (Ord. 3069, 4-12-2016)

**CHAPTER 9
CIVIC AUDITORIUM COMMITTEE**

SECTION:

- 2-9-1: Appointment
- 2-9-2: Term
- 2-9-3: Vacancies
- 2-9-4: Duties

2-9-1: **APPOINTMENT:** The Mayor, with the consent of the City Council, shall appoint a Civic Auditorium Committee of not less than three (3) nor more than five (5) voting members. The Committee shall include, as non-voting ex officio members, at least one (1) member of the Council of the City General Services Administration and a representative of the current manager of the Civic Auditorium. A non-voting member of the Committee shall not be considered in determining the number required for a quorum or whether quorum is present. (Ord. 3064, 4-14-2016)

2-9-2: **TERM:** Members of the Committee shall serve a term of two (2) years. The terms of members shall expire on December 31 of the second year after their appointment. (Ord. 3064, 4-14-2016)

2-9-3 **VACANCIES:** The Mayor, with the consent of the Council, shall appoint a qualified person to fill the unexpired term of a Committee member in the event of a vacancy. (Ord. 3064, 4-14-2016)

2-9-4 **DUTIES:** The Committee shall study the function and operation of the Civic Auditorium, shall assist in the development of a long-term financial and facility plan to improve and sustain the viability of the Civic Auditorium, and shall present recommendations, consistent with available City funds, to the Director of Municipal Services. (Ord. 3064, 4-14-2016)

CHAPTER 10
CITY SAFETY COMMITTEE

SECTION:

2-10-1	Appointment
2-10-2	Qualifications
2-10-3	Compensation
2-10-4	Organization
2-10-5	Duties
2-10-6	Use of Recommendations

2-10-1: **APPOINTMENT:** The Mayor, with the consent of the City Council, shall appoint a City Safety Committee of five (5) members, who shall serve at the pleasure of the Mayor and Council. Three members of the Committee shall constitute a quorum for the purpose of transacting business of the Committee. All actions of the committee shall be taken only upon an affirmative vote of at least three members of the Committee.

2-10-2: **QUALIFICATIONS:** At least three (3) members of the Committee shall be employees of the City, not more than two (2) of whom shall be from the same department or division.

2-10-3: **COMPENSATION:** Committee members shall serve without compensation.

2-10-4: **ORGANIZATION:** The Committee shall elect from its membership a chairperson and secretary. The secretary shall keep a written record of all meetings of the Committee and all recommendations the Committee makes to the City.

2-10-5: **DUTIES:** The Committee shall meet as often as necessary to perform the duties set forth below or as necessary to respond to requests from the Mayor or Council. The Committee shall make recommendations to the Council regarding the safety and protection of City employees, equipment and property. It shall conduct a continuing program of inspection and study to prevent accidents, fire and health hazards upon public property, and shall coordinate its work with the Directors and heads of relevant City departments and divisions. The Committee shall furnish the Mayor and Council a report of each Committee meeting. The report shall include recommendations on policy, expenditures, and program progress. The Committee also shall recommend training methods, types of safety equipment, investigate all accidents of an unusual or hazardous nature and shall receive, examine, and disseminate accident reports and statistics. (Ord. No. 3003, 04-23-15)

2-10-6: **USE OF RECOMMENDATIONS:** In order to encourage prompt identification and elimination of all safety hazards upon public property without fear of liability or adverse use of recommendations or studies prepared by the Committee, all studies, reports and recommendations of the Committee, and any reference thereto in any minutes of any meeting or proceeding of the Council, shall be privileged from use or introduction into evidence at any trial

or proceeding involving any accident, injury or loss on account of any hazard identified in such reconsideration, study or report. Notwithstanding the foregoing, all such documents or information shall be open to the public. All members of the Committee shall be privileged from testifying about such information at any trial or proceeding.

CHAPTER 11
HISTORIC PRESERVATION COMMISSION

SECTION:

- 2-11-1: Purpose
- 2-11-2: Definitions
- 2-11-3: Historic Preservation Commission
- 2-11-4: Organization, Officers, Rules, Meetings
- 2-11-5: Powers, Duties and Responsibilities

2-11-1: **PURPOSE:** The purpose of this Chapter is to promote the educational, cultural, economic and general welfare of the residents of the City of Idaho Falls through the identification, evaluation, designation and protection of those buildings, sites, areas, structures and objects which reflect the City's, the State's and the Nation's historic, architectural, archaeological and cultural heritage. (Ord. 2174, 5-30-95)

2-11-2: **DEFINITIONS:** The following words and phrases, when used in this Chapter, shall have, unless the context clearly indicates otherwise, the following meanings:

COMMISSION: The Historic Preservation Commission of the City of Idaho Falls, as established under this Chapter.

HISTORIC PRESERVATION: The research, documentation, protection, restoration and rehabilitation of historic property.

HISTORIC PROPERTY: Any building, structure, object, district, area or site that is significant in the history, architecture, archaeology or culture of this community, the state, or the nation. (Ord. 2174, 5-30-95)

2-11-3: **HISTORIC PRESERVATION COMMISSION:**

(A) A Historic Preservation Commission is hereby created consisting of nine (9) members who shall be appointed by the Mayor and confirmed by the Council.

(B) All members of the Commission shall have a demonstrated interest, competence or knowledge in history or historic preservation. Four (4) members of the Commission shall have professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, law, or other historic preservation-related disciplines.

(C) Initial appointments to the Commission shall be made as follows: One (1) one-year term; three (3) two-year terms; three (3) three-year terms. All subsequent appointments shall be made for terms of three (3) years each. 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 of his or her predecessor.

(D) The members of the Commission may be reimbursed by the City for reasonable and necessary expenses incurred in connection with their duties. (Ord. 2174, 5-30-95; Ord. 2746, 3-27-08)

2-11-4: ORGANIZATION, OFFICERS, RULES, MEETINGS:

(A) The Commission may make all rules necessary for the execution of its duties as set forth in this Chapter. Rules of procedure and bylaws adopted by the Commission shall be kept at the office of the City Clerk and shall be available for public inspection during normal working hours.

(B) The Commission shall elect officers from among its members. The Chairman shall preside at meetings of the Commission. The Vice Chairman shall, in the temporary absence of the Chairman, perform the duties of the Chairman.

(C) All meetings of the Commission shall be open to the public and shall follow the requirements of the Idaho Open Meeting law. The Commission shall keep minutes and other appropriate written records of its resolutions, proceedings and actions.

(D) The Commission may, with the approval of the Council, employ or contract with other persons or entities for the services of technical or professional experts or other consulting services it deems necessary to carry on the functions of the Commission. (Ord. 2174, 5-30-95)

2-11-5: POWERS, DUTIES AND RESPONSIBILITIES:

(A) The Commission shall have the following powers, duties and responsibilities:

- (1) Advise and consult with the Mayor and Council regarding the identification, evaluation, designation and protection of historic buildings, site areas and objects.
- (2) Conduct a survey of local historical properties;
- (3) Recommend the acquisition of fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequests, or donation;
- (4) Recommend methods and procedures necessary to preserve, restore, maintain and operate historic properties under the ownership or control of the City;

- (5) Recommend the lease, sale, other transfer or disposition of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property;
- (6) Cooperate with the federal, state and local governments in promoting historic preservation;
- (7) Make recommendations in the planning processes undertaken by the County, the City, the State or the federal government and agencies thereof;
- (8) Recommend the adoption of ordinances that promote or regulate historic preservation within the City, in accordance with the powers set forth in Idaho Code Section 67-4612;
- (9) Promote and conduct educational and interpretive programs regarding historic preservation and historic properties in the City;
- (10) Review nominations of properties to the National Register of Historic Places for properties within the City's jurisdiction.

(B) Nothing herein shall convey or otherwise delegate authority to the Commission to incur any obligation or indebtedness of the City, without the express authorization of the City Council. (Ord. 2174, 5-30-95)

CHAPTER 12

SECTION:

- 2-12-1 Purpose
- 2-12-2 Definitions
- 2-12-3 Beautification Commission
- 2-12-4 Organization, Officers, Rules, Meetings
- 2-12-5 Powers, Duties and Responsibilities

2-12-1: PURPOSE: The Beautification Commission of the City of Idaho Falls will promote and recognize private and public beautification efforts within the City.

2-12-2: DEFINITIONS: The following words and phrases, when used in this Chapter, shall have, unless the context clearly indicates otherwise, the following meanings:

COMMISSION: The Beautification Commission of the City of Idaho Falls as established under this Chapter.

NEIGHBORHOOD: Generally popularized names of residential areas within the City or specifically designated names of residential areas as entitled on subdivision documents.

2-12-3: BEAUTIFICATION COMMISSION:

(A) A Beautification Commission is hereby created consisting of ten (10) members who shall be appointed by the Mayor and confirmed by the Council.

(B) All members of the Commission shall have a demonstrated interest in the beautification of Idaho Falls. Five (5) members of the Commission shall have professional training or experience in the disciplines of horticulture, landscape architecture, architecture, community development, urban forestry, parks planning and administration, economic development or related fields.

(C) All members of the Commission shall be residents of the City of Idaho Falls.

(D) Initial appointments to the Commission shall be made as follows: three (3) one-year terms, three (3) two-year terms; four (4) three-year terms. All subsequent appointments shall be made for terms of three (3) years each. 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 of his or her predecessor.

(E) Commission members shall serve without compensation. (Ord. 2875, 6-9-11)

2-12-4: ORGANIZATION, OFFICERS, RULES, MEETINGS:

ORGANIZATION, OFFICERS, RULES, MEETINGS:

(A) The Commission may make all rules necessary for the execution of its duties as set forth in this Chapter. Rules of procedure and bylaws adopted by the Commission shall be kept at the office of the City Clerk and shall be available for public inspection during normal working hours.

(B) The Commission shall elect officers from among its members. The Chairman shall preside at meetings of the Commission. The Vice Chairman shall, in the temporary absence of the Chairman, perform the duties of the Chairman.

(C) All meetings of the Commission shall be open to the public and shall follow the requirements of the Idaho Open Meeting Law. The Commission shall keep minutes and other appropriate written records of its resolutions, proceedings and actions. The Community Development Services Department shall be responsible for maintaining the records of the Commission, including photographs and other documents pertaining to each year's awards. A pictorial display of the annual recipients will be shown at a city building for one month after the recipients are officially recognized. (Ord. No. 3003, 04-13-15)

2-12-5: POWERS, DUTIES, AND RESPONSIBILITIES:

(A) The Commission shall have the following powers, duties, and responsibilities:

- (1) Encourage private citizens, businesses, and other entities to beautify buildings and landscapes of residential, commercial, or public properties within the City.
- (2) Stimulate public interest in overall community appearance.
- (3) Establish a process and criteria for city beautification awards, select recipients of annual awards, and officially and publicly recognize at a meeting of the City Council those businesses, individuals, and entities that have made concerted and sustained efforts to enhance and beautify the appearance of buildings or landscapes in the City.
- (4) Using the process and criteria established above, nominate, solicit nominations and present annual awards for city beautification.
- (5) Advise, when requested, City commissions and departments, community non-profit organizations and other entities interested in community beautification and increased awareness of good

landscaping practices, community-wide clean-up efforts and individual and group efforts for beautification.

(B) Nothing herein shall convey or otherwise delegate authority to the Commission to incur any obligation or indebtedness of the City without express authorization of the City Council. (Ord. 2750, 5-8-08; Ord. 2875, 6-9-11)

SECTION:

- 2-12-1 Purpose
- 2-12-2 Definitions
- 2-12-3 Beautification Commission
- 2-12-4 Organization, Officers, Rules, Meetings
- 2-12-5 Powers, Duties and Responsibilities

2-12-1: PURPOSE: The Beautification Commission of the City of Idaho Falls will promote and recognize private and public beautification efforts within the City.

2-12-2: DEFINITIONS: The following words and phrases, when used in this Chapter, shall have, unless the context clearly indicates otherwise, the following meanings:

COMMISSION: The Beautification Commission of the City of Idaho Falls as established under this Chapter.

NEIGHBORHOOD: Generally popularized names of residential areas within the City or specifically designated names of residential areas as entitled on subdivision documents.

2-12-3: BEAUTIFICATION COMMISSION:

(A) A Beautification Commission is hereby created consisting of ten (10) members who shall be appointed by the Mayor and confirmed by the Council.

(B) All members of the Commission shall have a demonstrated interest in the beautification of Idaho Falls. Five (5) members of the Commission shall have professional training or experience in the disciplines of horticulture, landscape architecture, architecture, community development, urban forestry, parks planning and administration, economic development or related fields.

(C) All members of the Commission shall be residents of the City of Idaho Falls.

(D) Initial appointments to the Commission shall be made as follows: three (3) one-year terms, three (3) two-year terms; four (4) three-year terms. All subsequent appointments shall be made for terms of three (3) years each. 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 of his or her predecessor.

(E) Commission members shall serve without compensation. (Ord. 2875, 6-9-11)

2-12-4: ORGANIZATION, OFFICERS, RULES, MEETINGS:

ORGANIZATION, OFFICERS, RULES, MEETINGS:

(A) The Commission may make all rules necessary for the execution of its duties as set forth in this Chapter. Rules of procedure and bylaws adopted by the Commission shall be kept at the office of the City Clerk and shall be available for public inspection during normal working hours.

(B) The Commission shall elect officers from among its members. The Chairman shall preside at meetings of the Commission. The Vice Chairman shall, in the temporary absence of the Chairman, perform the duties of the Chairman.

(C) All meetings of the Commission shall be open to the public and shall follow the requirements of the Idaho Open Meeting Law. The Commission shall keep minutes and other appropriate written records of its resolutions, proceedings and actions. The Community Development Services Department shall be responsible for maintaining the records of the Commission, including photographs and other documents pertaining to each year's awards. A pictorial display of the annual recipients will be shown at a city building for one month after the recipients are officially recognized. (Ord. No. 3003, 04-13-15)

2-12-5: POWERS, DUTIES, AND RESPONSIBILITIES:

(A) The Commission shall have the following powers, duties, and responsibilities:

- (1) Encourage private citizens, businesses, and other entities to beautify buildings and landscapes of residential, commercial, or public properties within the City.
- (2) Stimulate public interest in overall community appearance.
- (3) Establish a process and criteria for city beautification awards, select recipients of annual awards, and officially and publicly recognize at a meeting of the City Council those businesses, individuals, and entities that have made concerted and sustained efforts to enhance and beautify the appearance of buildings or landscapes in the City.
- (4) Using the process and criteria established above, nominate, solicit nominations and present annual awards for city beautification.

- (5) Advise, when requested, City commissions and departments, community non-profit organizations and other entities interested in community beautification and increased awareness of good landscaping practices, community-wide clean-up efforts and individual and group efforts for beautification.

(B) Nothing herein shall convey or otherwise delegate authority to the Commission to incur any obligation or indebtedness of the City without express authorization of the City Council. (Ord. 2750, 5-8-08; Ord. 2875, 6-9-11)

CHAPTER 13
ACCESSIBILITY COMMISSION

SECTION:

- 2-13-1: Purpose
- 2-13-2: Definitions
- 2-13-3: Accessibility Commission
- 2-13-4: Organization, Officers, Rules, Meetings
- 2-13-5: Powers, Duties and Responsibilities
- 2-13-6: Reports to Council

2-13-1: **PURPOSE:** The purpose of this Chapter is to promote the general welfare of the residents of the City of Idaho Falls through the identification, evaluation, designation, priorities and modification of accessibility to the City of Idaho Falls facilities and programs and to provide a board for the review of ADA complaints and grievances. (Ord. 2784, 10-23-08)

2-13-2: **DEFINITIONS:** The following words and phrases, when used in this Chapter, shall have, unless the context clearly indicates otherwise, the following meanings:

ACCESSIBILITY: The physical or communication access to the City's facilities, programs, services and meetings.

ADA: The Americans with Disability Act of 1990, as the same currently exists or as may be amended from time to time.

CITY: The City of Idaho Falls, Idaho.

COMMISSION: The Accessibility Commission of the City of Idaho Falls, as established under this Chapter.

FISCAL YEAR: The Fiscal Year of the City. (Ord. 2784, 10-23-08)

2-13-3: **ACCESSIBILITY COMMISSION:**

(A) An Accessibility Commission is hereby created consisting of seven (7) members who shall be appointed by the Mayor and confirmed by the City Council.

(B) All members of the Commission shall be a person with a disability or have a demonstrated interest, competence or knowledge of disabilities.

(C) Initial appointments to the Commission shall be made as follows: One (1) one-year term; three (3) two-year terms; three (3) three-year terms. All subsequent appointments shall be made for terms of three (3) years each. 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 of his or her predecessor.

(D) The members of the Commission may be reimbursed by the City for reasonable and necessary expenses incurred in connection with their duties.

(E) The members of the Accessibility Commission shall be citizens of the United States, and four members shall be residents of the City at the time of their appointment.

(F) The Commission may invite other persons with expertise and/or experience to be ex officio members of the Commission. (Ord. 2784, 10-23-08)

2-13-4: ORGANIZATION, OFFICERS, RULES, MEETINGS:

(A) The Commission may make all rules necessary for the execution of its duties, provided such rules are consistent with the provisions as set forth in this Chapter. Rules of procedure and bylaws adopted by the Commission shall be kept at the office of the City Clerk and shall be available for public inspection during normal working hours.

(B) The Commission shall elect officers from among its members, including a Chair, Vice-Chair and Secretary. The Chair shall preside at meetings of the Commission. The Vice-Chair shall, in the temporary absence of the Chairman, perform the duties of the Chair.

(C) The Secretary of the Commission shall be the City's ADA Coordinator. The Secretary shall keep the records of the Commission and keep custody of the books and records and perform other services for the Commission. The City shall provide suitable accommodations and equipment for the Commission to attend to its business. The Secretary is a non-voting ex-officio member of the Commission.

(D) The Commission shall hold regular meetings once a month on a date fixed by its rules and regulations and may hold special meetings at the call of the Chair.

(E) All meetings of the Commission shall be open to the public and shall follow the requirements of the Idaho Open Meeting law. The Commission shall keep minutes and other appropriate written records of its resolutions, proceedings and actions.

(F) The Commission may, with the approval of the City Council, employ or contract with other persons or entities for the services of technical or professional experts or other consulting services it deems necessary to carry on the functions of the Commission. (Ord. 2784, 10-23-08)

2-13-5: POWERS, DUTIES AND RESPONSIBILITIES:

(A) The Commission shall have the following powers, duties and responsibilities:

- (1) Advise the Mayor and Council regarding the identification, evaluation, designation, priority and modification of accessibility to the City of Idaho Falls facilities and programs.
- (2) Conduct and maintain an accessibility survey of all city facilities and properties;
- (3) Create a method and set criteria for determining priorities for modifications;
- (4) Recommend prioritized modifications to facilities, programs, services and communications to the Mayor and Council, Municipal Services Director and Department Directors;
- (5) Recommend methods and procedures and costs necessary to provide accessibility to all facilities, programs, services and communications;
- (6) Cooperate with the federal, state and local government agencies in promoting ADA Accessibility;
- (7) Recommend the adoption of ordinances or amendments or specifications and standards to the City that will promote ADA Accessibility;
- (8) Promote and conduct educational programs for city staff regarding ADA Accessibility;
- (9) Serve as a board of review and or appeals for complaints or grievances regarding ADA Accessibility.

(B) Nothing herein shall convey or otherwise delegate authority to the Commission to incur any obligation or indebtedness of the City, without the express authorization of the City Council. (Ord. 2784, 10-23-08; Ord. 3003, 04-23-15)

2-13-6: **REPORTS TO COUNCIL:** The Accessibility Commission shall submit an annual report to the City Council in January of each year on its activities and accomplishments for the preceding Fiscal Year and recommendations for the upcoming Fiscal Year. The Mayor and/or Council may also require special reports as they deem necessary. (Ord. 2784, 10-23-08)