

**TITLE 3
OPERATIONAL DEPARTMENTS**

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**CHAPTER 1
POLICE DEPARTMENT**

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3-1-1: **CREATION OF POLICE DEPARTMENT:** The Police Department is hereby established as an administrative department of the City. (Ord. 3003, 04-23-15)

3-1-2: **OFFICES:** The following offices are created within the Police Department: Police Chief, Assistant Chief, Captain, Lieutenant, Sergeant, Patrolman and other such offices as the Mayor and Council deem necessary to preserve the peace, enforce the laws and safeguard the property and inhabitants of the City. Notwithstanding the foregoing, the Mayor and Council may allow any office to remain vacant for any period of time. (Ord. 3003, 04-23-15)

3-1-3: **APPOINTMENT OF OFFICERS AND MEMBERS:** The Mayor, subject to confirmation by at least four (4) members of the Council, shall appoint the Chief of Police. All other officers and members of the Police Department, shall be appointed pursuant to the Civil Service statutes and ordinances and the rules and regulations of the Civil Service Commission. (Ord. 3003, 04-23-15)

3-1-4: **CHIEF OF POLICE:** The Chief of Police shall be the chief administrative officer of the Police Department and all officers of the Department shall be under his immediate supervision, direction and control. The animal control shelter shall be under the immediate supervision, direction and control of the Chief of Police. The Chief of Police shall ensure the laws of the State of Idaho and ordinances of the City are obeyed and executed, and he shall have such

other powers and duties prescribed herein or granted or imposed by law. The Chief of Police may be removed, with or without cause, by the Mayor, subject to confirmation by a vote of at least four members of the Council, provided the Council may, on its own initiative, remove the Chief upon a unanimous vote of the full Council. (Ord. 2286, 8-27-98; Ord. 3003, 04-23-15)

3-1-5: **POLICE OFFICERS:** All police officers shall be subject to the direction of the Mayor, Council and Chief of Police. All police officers shall perform all duties of policemen, preserve order and peace, ensure all laws are enforced, and carry out the lawful instructions of the Chief in all matters pertaining to the enforcement of laws and the protection of persons and property within the City.

3-1-6: **PERSONNEL TO WEAR UNIFORMS:** All police officers on duty shall wear such uniforms as may be approved by the Mayor and Council.

3-1-7: **REPORTS:** All police officers shall report to his or her immediate supervisor every violation of law observed while on duty. If any police officer uses force by gun, club, fist, weapon of any kind or uses physical force in any manner upon any person, the officer shall immediately report the same in writing to the Chief of Police or the commanding officer on duty. Such report shall detail the time, place and circumstances, and the necessity for the use of such violence, and the identities of any persons present at the time.

3-1-8: **CONDUCT OF POLICE OFFICERS:** All police officers on duty shall refrain from drinking any spirited liquor, wine, beer or any intoxicating beverage, nor shall any officer perform any duty of their office while in an intoxicated condition; nor shall they, whether on or off duty, violate any laws or ordinances of the City, the State of Idaho or the United States, or conduct themselves in any manner which brings disrespect to the City or the Police Department. (Ord. 3003, 04-23-15)

3-1-9: **REMOVAL OF POLICE OFFICERS:** Any officer who neglects or refuses to report any violation of law by any other officer of the police force, or who fails to observe the rules or regulations of the Police Division or the Civil Service Commission, may be removed from office. Such removal shall be in accordance with the Civil Service laws, ordinances, and rules and regulations. (Ord. 3041, 10-12-15)

3-1-10: **ARRESTS:** A police officer may make an arrest in obedience to a warrant of arrest delivered to him, or may, without a warrant, arrest a person as permitted by Idaho Code Section 19-603 or in any other manner allowed by the laws and Constitution of the State of Idaho. (Ord. 3041, 10-12-15)

3-1-11: **DUTIES OF CHIEF REGARDING UNLICENSED BUSINESSES:** The Chief of Police shall enforce all laws and ordinances pertaining to the licensing of any business, occupation or enterprise in the City. (Ord. 3041, 10-12-15)

3-1-12: **OATH OF OFFICERS:** The Chief of Police and every police officer before entering upon his or her duties shall subscribe to the official oath set forth in Chapter 9, Title 1 of this Code. (Ord. 3041, 10-12-15)

3-1-13: **OUTSIDE EMPLOYMENT:** No member of the Police Department shall engage in any other employment or undertaking which will interfere with the performance of his or her duties or which will bring disrespect upon the City or the Department. Before engaging in any outside employment or undertaking, all members of the Department shall obtain the written approval of the Chief of Police. (Ord. 3003, 04-23-15; Ord. 3041, 10-12-15)

3-1-14: **APPOINTMENT OF SPECIAL POLICE OFFICERS:** The Mayor may appoint special police officers to serve during a limited period and they shall conform to all of the rules and regulations as regular police officers, except that they need not be in uniform. Upon such appointment and their subscription to the official oath, such special officers shall have all authority to act as peace officers, under the provisions of this Chapter, provided, however, in no event shall such appointment be for a period greater than one (1) year. (Ord. 3041, 10-12-15)

3-1-15: **UNCLAIMED PERSONAL PROPERTY:** The Chief of Police and officers of the Department may take possession of any automobile, bicycle, wagon or other conveyance, machine, implement or other item of personal property found deserted and unclaimed for a period of twenty four (24) hours upon the streets or public property of the City. The Chief of Police and any officer of the Police Department may take possession of any real personal property left or found upon private property when the ownership is unknown, when requested to do so by the owner of such real property. (Ord. 3003, 04-23-15; Ord. 3041, 10-12-15)

3-1-16: **RECORD OF UNCLAIMED PROPERTY:** All unclaimed property taken into possession shall be listed in a book with the following information:

- (A) Place where found or taken possession of;
- (B) Description of the article;
- (C) Name of officer taking possession of the article;
- (D) Date of taking possession;

(E) The identity, address and telephone number of the person reporting the property as abandoned. (Ord. 3041, 10-12-15)

3-1-17: **ADVERTISEMENT AND SALE OF UNCLAIMED PROPERTY:**

(A) **Duty to Advertise and Sell:** The Chief of Police may advertise and sell at public auction any unclaimed article of personal property but only if any unclaimed bicycle has been held for a period of at least ninety (90) days, any unclaimed personal property with a fair market value of less than twenty five dollars (\$25.00) has been held for a period of at least thirty (30) days, and any other unclaimed personal property has been held for a period of at least six (6) months. Such sales shall be in accordance with the provisions of this Chapter.

(B) Notice of Sale: A Notice of Sale shall be published at least once a week for not less than two (2) consecutive weeks in the official newspaper, with the second publication being not less than five (5) nor more than ten (10) days before the date of the sale. Whenever the Police Department knows the name and address of the owner or other person entitled to possession of any article to be sold at such sale, a copy of the notice of sale shall also be mailed to such owner or other person entitled to possession at his or her last known address, postage prepaid, at least five (5) days prior to such sale.

(C) Conduct of Sale: The sale shall be by public auction for cash, lawful money of the United States of America. The Chief of Police may determine the number of items to be sold at the sale and may determine whether these items are sold singly or in lots. The Chief of Police, upon request, shall give or cause to be given a bill of sale to the highest bidder upon payment of the amount bid. All goods shall be sold as is and without warranty of title, merchantability, fitness, or other express or implied warranty of any kind or nature.

(D) Proceeds: The proceeds of sale shall be applied first to all costs assessed or incurred against the personal property so sold including any storage charges and expenses of sale incurred by the City Clerk and the Police Department, and the balance of such proceeds, if any, shall be deposited in a separate fund with the City Treasurer for a period of one (1) year from the date of sale. Any person claiming title to, or ownership of, such proceeds by reason of ownership of such personal property at the time of sale shall make written application therefor to the Police Department. If satisfactory proof of such title or ownership is furnished within one (1) year of the receipt of such proceeds, then the proceeds shall be delivered to the claimant. If no claim and proof is made before the expiration of one (1) year from the date of the receipt of the proceeds, the same shall be credited to the general fund of the City, and no claim therefor shall be thereafter considered. (Ord. 3003, 04-23-15; Ord. 3041, 10-12-15)

3-1-18: REIMBURSEMENT TO OWNER: If the owner of any article held under the provisions of this Chapter, appears prior to the time of such sale and makes proper proof of ownership, the Chief of Police shall deliver possession thereof to the owner upon payment of any storage costs therefor. The Chief of Police shall from time to time prepare a uniform schedule of reasonable storage charges for such articles, which schedule shall be filed with the City Clerk and at the office of the Police Department. (Ord. 3003, 04-23-15; Ord. 3041, 10-12-15)

3-1-19: EXTRATERRITORIAL POWERS: All police officers may exercise, to the fullest extent permitted by law, all extraterritorial authority conferred upon them pursuant to Idaho Code Section 67-2337, may make arrests and issue citations while in fresh pursuit of any person who has violated any state law or City ordinance, and shall aid and assist the Mayor in enforcing any extraterritorial powers or authority as set forth in this Code. (Ord. 3041, 10-12-15)

**CHAPTER 2
FIRE DEPARTMENT**

SECTION:

- 3-2-1: Creation of Department
- 3-2-2: Appointment of Chief and Assistant Chief
- 3-2-3: Supervision and Removal of Fire Chief
- 3-2-4: Duties of Department
- 3-2-5: Establishment of Department of Fire Prevention
- 3-2-6: Limitation of Outside Employment
- 3-2-7: Fire Chief to Make Monthly Report
- 3-2-8: Scope of Duties
- 3-2-9: EMS Division

3-2-1: **CREATION OF FIRE DEPARTMENT:** The Fire Department is hereby established as an administrative department of the City. (Ord. 3003, 04-23-15)

3-2-2: **APPOINTMENT OF CHIEF:** The Mayor, subject to confirmation of the Council, shall appoint the Fire Chief. The Department shall be managed by the Fire Chief and, in his or her absence or removal, by the Fire Department employee who is next in command to the Chief. The Fire Chief may, subject to the approval of the Mayor, hire Department Chiefs and other officers and employees necessary for the proper operation of the Department. (Ord. 3003, 04-23-15)

3-2-3: **SUPERVISION AND REMOVAL OF FIRE CHIEF:** The Fire Chief shall be supervised by the Mayor and Council and may be removed, with or without cause, at any time by the Mayor, subject to confirmation by a vote of at least four (4) members of the Council.

3-2-4: **DUTIES OF FIRE DEPARTMENT:** The Fire Chief shall manage the Fire Department, and the equipment and property belonging thereto, and shall supervise and direct the Department in preventing and fighting fires; preventing conditions hazardous to life, property or public welfare in occupancy of structures or premises; reducing fire hazards in the structure or on the premises from occupancy or operation; matters related to the construction, extension, repair alteration or removal of fire suppression or alarm systems; and conditions affecting the safety of fire fighters and emergency responders during emergency operations. (Ord. 3003, 04-23-15)

3-2-5: **ESTABLISHMENT OF DEPARTMENT OF FIRE PREVENTION.**

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

(B) The Fire Code Official shall have the general authority and responsibilities specified within the International Fire Code necessary for the implementation, administration, and enforcement of the Fire Code.

(C) In accordance with the procedures of the City and those prescribed by the Chief of the Fire and Public Safety Division, the Fire Code Official shall have the authority to appoint inspectors and designees as necessary to administer the Fire Code Official's duties under the Fire Code.

3-2-6: **LIMITATION OF OUTSIDE EMPLOYMENT:** No member of the Fire Department shall engage in any other employment or undertaking that will interfere or conflict with their duties as a member of the Department. All members of the Department shall first request the approval of the Fire Chief before engaging in such employment or undertaking, which approval shall be in writing. (Ord. 3003, 04-23-15)

3-2-7: **FIRE CHIEF TO MAKE MONTHLY REPORT:** The Fire Chief shall make reports to the Mayor and Council, as requested. (Ord. 3003, 04-23-15)

3-2-8: **SCOPE OF DUTIES:** Nothing in this Chapter, the International Fire Code, or any other fire or public safety code adopted by the City, shall create a private duty or obligation of the City to any person, or give rise to any private right of action, on account of any failure by the City or any member of the Fire Department to perform the duties prescribed therein. (Ord. 3003, 04-23-15)

3-2-9: **EMS DIVISION.**

(A) Establishment of EMS Division. There is hereby established within the Idaho Falls Fire Department, a unit known as the Emergency Medical Services Division. The primary function of such division shall be to coordinate and regulate the delivery of emergency medical services provided to persons residing in or otherwise located within City limits. The EMS Division shall have the authority and responsibility to establish and enforce standards for pre-hospital patient care and patient transports.

(B) **DEFINITIONS.** As used in this Section:

ADVANCED EMERGENCY MEDICAL TECHNICIAN - AMBULANCE (AEMT-A). An individual certified by the EMS Bureau of the Idaho Department of Health and Welfare on the basis of successful completion of an intermediate training program, examination, subsequent required continued training and recertification.

ADVANCE LIFE SUPPORT. The provision of medical care, medication administration and treatment with medical devices which correspond to the knowledge and skill objectives in the EMT-Paramedic curriculum currently approved by the EMS Bureau of the Idaho Department of Health and Welfare.

AMBULANCE. Any privately-owned motor vehicle used for, or intended to be used for, the transportation of sick or injured persons who may need medical attention during transport.

ATTENDANT DRIVER. A person who is qualified and licensed in accordance with this Chapter as both an ambulance attendant and ambulance driver.

CERTIFICATION. A credential issued to an individual by the EMS Bureau for a specified period of time indicating that minimum standards corresponding to one (1) or several levels of EMS proficiency have been met.

CERTIFIED PERSONNEL. Individuals who have completed training and successfully passed examinations for training and skills proficiency in one (1) or several levels of emergency medical services.

CITY COUNCIL. The City Council of the City of Idaho Falls, Idaho.

CRITICAL CARE TRANSFER (CCT). Transportation of a patient who has received definitive care at a hospital, and who requires or may require care beyond the level of EMT-B for maintenance while being transported. Such care includes, but is not limited to starting and/or maintaining IV's, drug administration, advanced airway care and cardiac monitoring and/or defibrillation.

EMERGENCY. A medical condition, the onset of which is sudden, that manifests itself by symptoms of sufficient severity, including severe pain, that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in placing the person's health in serious jeopardy, or in causing serious impairments of bodily function or serious dysfunction of any bodily organ or part.

EMERGENCY MEDICAL SERVICES (EMS). The services utilized in responding to a perceived individual need for immediate care in order to prevent loss of life or aggravation of physiological or psychological illness or injury.

EMERGENCY MEDICAL TECHNICIAN - BASIC (EMT-B). An individual holding an EMTB certification issued by the EMS Bureau of the Idaho Department of Health and Welfare.

EMERGENCY MEDICAL TECHNICIAN - PARAMEDIC (EMT-P). An individual holding an EMT-P certification issued by the EMS Bureau of the Idaho Department of Health and Welfare.

EMS DEPARTMENT. The Emergency Medical Services Department of the City of Idaho Falls, Idaho.

FIRST RESPONDER. An individual certified by the EMS Bureau of the Idaho Department of Health and Welfare as a First Responder on the basis of successful completion of a First Responder course approved by the Board of Health and Welfare and subsequent required continuing training.

OUT-OF-HOSPITAL CARE. Any setting outside of a hospital, including inter-facility transfers, in which the provision of EMS may take place.

PATIENT. An individual who is sick, injured, wounded, or otherwise incapacitated or in need of medical assistance or transportation by an ambulance.

PERSON. Any individual, firm, partnership, association, corporation, trust group of individuals acting together for a common purpose, or organization of any kind, excluding any public corporation or agency.

PRE-HOSPITAL CARE. Any setting (including standbys) outside of a hospital, with the exception of inter-facility transfer, in which the provision of EMS may take place.

TRANSFER. The transportation of a patient from one medical care facility to another by ambulance.

TRANSPORT NURSE. A licensed professional nurse who provides critical care services with an organized transporting agency who is certified by the Idaho Board of Nursing, and who is also certified at a minimum as an EMT-B by the EMS Bureau of the Idaho Department of Health and Welfare on the basis of successful completion of a basic EMT training program, examination, subsequent required continuing training and recertification.

(C) AUTHORITY OF EMS DIVISION PERSONNEL. EMS Division personnel rendering emergency medical services at the scene of a medical emergency, injury or sudden onset of acute illness to which they have been dispatched or summoned shall be deemed to have complete medical and technical rescue authority until the patient is released to hospital staff upon arrival at a hospital.

(D) REQUIREMENTS FOR OPERATION; EXCEPTIONS.

1. It shall be unlawful for any person to conduct or operate an emergency medical service, including stand-by services, within the City of Idaho Falls without first obtaining an Ambulance License, issued pursuant to this Section.

2. It shall be unlawful for any person to operate or permit to be operated, an ambulance within the City of Idaho Falls unless each driver and attendant on board each ambulance holds a current Attendant-Driver license, issued pursuant to this Section. Such license shall be kept upon the Licensee's person while operating an ambulance or providing EMS services.

3. This Section shall not apply to:

a Ambulances operated by an agency of the United States, the State of Idaho, the City of Idaho Falls, or a political subdivision of the State of Idaho.

b An ambulance operated from a location outside of the City of Idaho Falls which solely transports patients to or from locations outside of Idaho Falls.

c Persons providing EMS services solely with the use of aircraft of any type, either fixedwing or helicopter.

(E) CLASSIFICATION OF SERVICES.

1. General. Ambulance licenses issued pursuant to this Section shall set forth which of the following classification or classifications of services the licensee shall be permitted to perform with the licensed vehicle(s), and in performing such services each licensed vehicle shall conform with the staffing and equipment requirements for the type(s) of license(s) issued.
2. Class One. An ambulance staffed twenty-four (24) hours per day and equipped for emergency medical services authorized to be provided by one EMT-P and one EMT-B or Advanced EMT-A or two EMT-P's.
3. Class Two. An ambulance staffed twenty-four (24) hours per day and equipped for emergency medical services authorized to be provided by two EMT-B's.
4. Class Three. An ambulance staffed and equipped for non-emergency inter-facility transfer services. A properly licensed, staffed and equipped Class Three ambulance may provide care within the scope of practice of an EMT-B only. Minimum staffing for a Class Three ambulance shall consist of two EMT-B's. All patient transfers to or from a medical facility by any EMS service with a Class Three License shall be a previously scheduled transfer of a convalescent or an inter-facility transfer as first authorized by a medical doctor or a doctor of osteopathy. Examples of allowed responses include, but are not limited to, pre-scheduled requests for transport to a medical facility for scheduled diagnostic testing by a physician, return trips from medical facilities to the patient's private residence or extended care facility, routine trips or movement of patients from their private residence to extended care facilities, or to extended care facilities, and requests from Idaho Falls EMS for response assistance. Responses to acute illnesses and/or injuries, regardless of the location from which the call originates, are considered pre-hospital emergencies and shall not be handled by licensee under this Section, but must be turned over to the Idaho Falls EMS 911 center for response. Examples of such include, but are not limited to, orthopedic, neurological, cardiovascular, OB/GYN and pediatric requests for response, as well as calls received from emergency care centers for transport to hospitals. While performing standby service, a Class Three ambulance shall not transport any patient from the event, but shall initiate the 911 EMS response system.
5. Class Four. An ambulance staffed and equipped for non-emergency inter-facility transfer services. A properly licensed, staffed, and equipped Class Four ambulance may provide Critical Care Transport. Minimum staffing for a Class Four ambulance

shall consist of two personnel, one of which must be an EMT-P or Registered Nurse (RN). The second person must be an EMT-B, EMT-P or RN. Each EMT-P or RN aboard a Class Four ambulance must also hold a current Advanced Cardiac Life Support (ACLS) Certificate issued by the American Heart Association of Idaho. The EMT-P or RN on a transfer aboard a Class Four ambulance must be trained to provide the specialty skills required for the transfer and certified as such by that service's medical director. Examples of transfers requiring specialty skills include but are not limited to (a) neo-natal critical care patients, (b) obstetrical critical care patients, and (3) cardiac critical care patients or any other medical/trauma patients requiring IV medications including medications administered by an IV pump.

All patient transfers to or from a hospital by services with a Class Four License shall be a previously scheduled transfer of a convalescent or an inter-facility transfer as first authorized by a medical doctor or a doctor of osteopathy. Examples of allowed responses include, but are not limited to, prescheduled requests for transport to a medical facility for scheduled diagnostic testing by a physician, return trips from medical facilities to the patient's private residence or extended care facility, routine trips or movement of patients from their private residence to extended care facilities or extended care facilities to extended care facilities, and requests from Idaho Falls EMS for response assistance. Responses to acute illnesses and/or injuries, regardless of the location from which the call originates, are considered pre-hospital emergencies and shall not be handled by licensees under this Chapter, but must be turned over to the Idaho Falls EMS 911 center for response. Examples of such include, but are not limited to, orthopedic, neurological, cardiovascular, OB/GYN, and pediatric requests for response, as well as calls received from minor emergency centers for transport to hospital emergency rooms. Class Four ambulances may also transport any patient from any point outside Idaho Falls to a destination within Idaho Falls.

While performing standby service, a Class Four ambulance shall not transport any patient from the event, but shall initiate the 911 EMS response system.

(F) AMBULANCE LICENSE; TERM; FEES.

1. Ambulance licenses issued pursuant to this Section shall remain in effect from January 1 until December 31 of the year for which the license is issued, unless sooner revoked, terminated or suspended.
2. Each person seeking an EMS license shall pay an annual license fee as set from time to time by Resolution of Council.

(G) APPLICATION; INVESTIGATION; ISSUANCE OR DENIAL.

1. Applications for ambulance licenses or renewal licenses hereunder shall be made upon such forms as may be prepared or prescribed by the Fire Chief and shall contain:

- (a) The name and address of the applicant and of the owner(s) of the ambulance service;
 - (b) The name under which the applicant does business or proposes to do business;
 - (c) The training and experience of the applicant in the transportation and care of patients;
 - (d) A description of each ambulance, including the make, model, year of manufacture, motor and chassis number; the length of time the ambulance has been in use; and the color scheme, insignia, name, monogram or other distinguishing characteristics to be used to designate the applicant's vehicle;
 - (e) The location and description of the place or places from which it intends to operate;
 - (f) Proof of insurance as required by this Section;
 - (g) An address to which all written notices, requests, demands or other communications may be mailed for delivery to the applicant. It shall be the applicant/licensee's responsibility to provide the Fire Chief with a current mailing address for the duration of the license term; and
 - (h) The name and mailing address of the licensee's medical director.
2. Completed application forms with checklists, attachments and license fee shall be filed with the Fire Chief. The Fire Chief shall review the application for completeness and forward it to the City Council within ten (10) working days after its receipt. It shall be the duty of the Fire Chief or Fire Chief's designee to cause an investigation to be made of the background and experience of each applicant, and to report the findings of such to the Council.
 3. Within twenty-five (25) working days of receiving from the Fire Chief an application for a license, the Council shall issue or deny the license.
 4. Upon review of an application for an ambulance license hereunder and upon review of the findings of the investigation required, the Council shall forthwith issue a license to the applicant if it finds:
 - (a) that the application is timely and complete;
 - (b) that all the requirements of this Section and other applicable laws and ordinances have been met;

5. An ambulance license issued under this Section shall not be assignable or transferable.

(H) INSURANCE.

1. No ambulance license shall be issued under this Section, nor shall such license be valid after issuance, nor shall any ambulance be operated in Idaho Falls unless there is at all times in force and effect insurance coverage, issued by an insurance company licensed to do business in the State of Idaho, naming Idaho Falls as an insured party, for each and every ambulance owned and/or operated by or for the applicant or licensee, providing for the payment of damages:
 - (a) For injury to or death of any person or persons in accidents resulting from any cause for which the owner of said vehicle or his agent would be liable on account of liability imposed on him by law;
 - (b) For injury or death of any patient or patients resulting from any cause for which the owner of said vehicle or his agent would be liable on account of liability imposed on him by law;
 - (c) For the loss of or damage to the property of another, including personal property, resulting from any for which the owner of said vehicle or his agent would be liable on account of liability imposed on him by law; and
 - (d) The policy limits of such insurance shall be in an amount set from time to time by Resolution of Council.
2. Prior to a license being issued or renewed, the applicant/licensee shall provide the Fire Chief with a certificate of insurance, issued by the insurer, evidencing existence and limits of Applicant's policy.
3. No ambulance license shall be issued under this Section, nor shall such license be valid after issuance, nor shall any ambulance be operated in Idaho Falls unless there is at all times in force and effect a Medical Malpractice Policy covering the licensee and its employees and Medical Director. The policy limits of such insurance shall be at least \$1,000,000 per occurrence and \$1,000,000 aggregate.
4. Every insurance policy required hereunder shall extend for the period to be covered by the license applied for, and the insurer shall be required to give not less than ten (10) days written notice to the Fire Chief and to the insured before any cancellation or termination thereof earlier than its expiration date, and the cancellation or other termination of any such policy shall automatically revoke and terminate the licenses issued for the ambulances pursuant to this Section, unless another insurance policy complying with the provisions of this Section shall be provided and be in effect at the time of such cancellation or termination. (Ord. 2964, 8-14-14)

- (I) **MINIMUM EQUIPMENT REQUIREMENTS.** Each ambulance licensed under this Section shall be equipped, at a minimum, in compliance with the “Minimum Equipment Standards for Licensed EMS Services” as issued by the Idaho EMS Bureau of the Idaho Department of Health and Welfare, as may be amended from time to time.
- (J) **COMMUNICATIONS EQUIPMENT REQUIREMENTS.** Each ambulance shall be equipped and maintained at all times by the operator with a two-way radio operating on assigned frequencies and licenses as granted by the Federal Communication Commission (FCC) sufficient to enable ambulance personnel to communicate from the vehicle clearly with:
1. Hospitals, on assigned FCC primary frequency;
 2. Hospitals, on assigned FCC secondary frequency;
 3. City of Idaho Falls - EMS dispatch center, on its primary frequency, to be used for emergency purposes only;
 4. Other ambulances owned by same operator. Equipment shall include that required by State of Idaho regulations as they may be amended from time to time.
- (K) **AMBULANCE STANDARDS.**
1. Each ambulance licensed under this Chapter shall be maintained in good mechanical repair and sanitary condition at all times. Each ambulance shall meet or exceed any federal, industry or trade specifications or standards for ambulance vehicles. Each ambulance must display “Emergency, Dial 911.”
 2. Each ambulance shall be parked in a covered structure with access to an electrical outlet.
- (L) **MEDICAL CONTROL.**
1. Medical Director. Each ambulance service licensed under this Section shall employ, or have under contract at all times, a medical director who shall be a licensed medical doctor or doctor of osteopathy practicing within the City. Each medical director shall consult with the Idaho Falls EMS Medical Director to ensure that the ambulance service complies with City of Idaho Falls’ standards and directives on pre-hospital patient care and patient transports.
 2. Quality Assurance. On a semi-annual basis, the licensee’s medical director shall review a minimum of twenty-five percent (25%) of all critical care transports and transports by the licensee. The licensee’s medical director shall forward a semi-annual report to the Fire Chief listing the number and type of transports reviewed and shall certify that all such transports complied with the provisions of this Section

or explain in detail the reasons why compliance was not had and the remedial measures undertaken to correct such non-compliance. All reports shall cover the periods of January to June and July to December and shall be due within thirty (30) days after the conclusion of the preceding semi-annual period.

3. Continuing Education. On or before February 1 of each year, the licensee's medical director shall certify that all critical care personnel have completed during the preceding year a minimum of twenty (20) hours of continuing education relative to critical care transfer procedures and current pharmacology. The licensee's medical director shall also forward with such confirmation a report listing the topics and number of hours per topic for each employee.

(M) ADVERTISEMENT FOR AMBULANCE SERVICES. All advertisements and telephone listings for Class Three, and Class Four ambulance service shall indicate non-acute, transfer capabilities only, and shall include "In case of an emergency, Dial 911." All ambulances must conspicuously display "For Emergency Medical Services, Dial 911" on the exterior of the vehicle.

(N) USE OF WARNING DEVICES; EMERGENCY RESPONSE.

1. Warning Devices. Ambulance services licensed under this Section are not authorized to provide transport services which would require the use of emergency warning devices, and shall not use any warning devices, except:

(a) When requested by Idaho Falls EMS Division to provide assistance during major incidents or disasters or for other requests of Idaho Falls;

(b) During neo-natal transfers;

(c) During critical care transfers; or

(d) When, during transportation, a patient's condition deteriorates rapidly and life would be threatened without rapid transportation to the nearest hospital. In all transfers and transports requiring the use of warning devices, the ambulance shall notify Idaho Falls Dispatch of initiation of use of the warning device and of the ambulance's arrival at its destination. The licensee shall follow specific radio procedures and guidelines for communication with Idaho Falls Dispatch, as determined by the Idaho Falls EMS Division.

2. Emergency Responses. Ambulances licensed under this Section shall be allowed to operate at a maximum of ten (10) miles per hour in excess of the posted speed limit while operating in an emergency mode and shall comply with all state laws pertaining to emergency responses. When driving through an intersection while responding in an emergency mode, speed should be such that the vehicle may be stopped immediately to avoid a collision. When entering an intersection that is

controlled by a stop sign, yield sign, a yellow light, or a red light, ambulances shall enter at a safe and appropriate speed not to exceed twenty (20) miles per hour, except in the following situations, where the ambulance must reduce its speed to five (5) miles per hour or less:

- (a) All intersections in any high-density residential or commercial areas; and
- (b) Any intersection that has limited visibility in any direction. When entering controlled intersections on a green light, the ambulance shall not exceed the posted speed.

(O) MAINTENANCE AND REVOCATION OF EMS LICENSE.

1. Maintenance of EMS License. Each ambulance operated under a license issued under this Section shall, at all times when in use as such, comply with all licensing, personnel and equipment requirements of this Section and be licensed by the State of Idaho, Department of Health and Welfare, EMS Bureau. Each ambulance service must comply with all federal, state, and local rules, regulations, standards and guidelines pertaining to the operation of ambulance services.

- (a) Each licensed ambulance, its equipment and the premises designated in the application, and all records relating to its operation as such, shall be open to inspection by the Fire Chief or the Fire Chief's designated representative(s) during regular business hours.
- (b) Copies of patient flow sheets and documentation of personnel present on each call, redacted to protect patient confidentiality, shall be provided to the Fire Chief or the EMS Division Chief upon request.
- (c) The Fire Chief or the Fire Chief designated representative may cause such investigations to be made of licenses from time to time as it may find necessary to ensure continued compliance with this Section.

2. Revocation of EMS License.

- (a) Grounds for Revocation. Violation of, or failure of a licensee to comply and maintain compliance with, any applicable provisions, standards or requirements of this Section or of any regulation promulgated hereunder, or any other federal; state, or local rules, regulations, standards or guidelines pertaining to the operation of ambulance services, shall be grounds for suspension, revocation, or termination of a license issued under this Section. The Fire Chief may recommend, and Council may suspend, revoke, or terminate a license issued under this Section for cause, after notice and a hearing.
- (b) Procedure. Upon receipt of any complaint against a licensee, the Fire Chief shall investigate the allegations and hold a hearing on the

complaint. Notice of the hearing shall be mailed to the licensee's last provided address and shall include:

- (1) A statement of time, place, and nature of the hearing;
 - (2) A statement of the legal authority and jurisdiction under which the hearing is to be held;
 - (3) A reference to the particular sections of the ordinance regulations involved;
 - (4) A short and plain statement of the matters asserted. The hearing shall be held before the Fire Chief no later than fifteen (15) days after notice is mailed. The Fire Chief will have the burden of establishing by a preponderance of evidence that grounds for suspension, revocation or termination exists. The licensee shall be afforded an opportunity to respond and present relevant evidence and argument on all issues involved. Within fifteen (15) days after the conclusion of such hearing, the Fire Chief shall issue proposed findings of fact, conclusions of law, and its recommendation to Council. Within fifteen (15) days of receipt of the Fire Chief's recommendation, Council shall issue its findings of fact, conclusions of law and its order. Council may require the presentation of additional testimony or evidence by the Fire Chief or licensee. Upon suspension, revocation, or termination of an ambulance license hereunder, such ambulance shall cease operations as such.
- (P) ATTENDANT-DRIVER LICENSE REQUIREMENTS. To be eligible for issuance of a license as an attendant-driver, an applicant shall:
1. Be at least eighteen (18) years of age;
 2. Hold a valid State of Idaho driver's license;
 3. Be currently certified at a minimum as an EMT-B;
 4. Be able to speak, read and write the English language;
 5. Never have been convicted of a felony;
 6. Not have been convicted of a violation of Idaho Code Section 18-8004 within five (5) years prior to the date of application for license; and
 7. For renewal of an Attendant-Driver License for a person who provides Critical Care Transport services, licensee must provide a letter from licensee's medical

director stating that licensee has received at least twenty (20) hours of continuing education relative to critical care transport procedures in the preceding year.

(Q) APPLICATION; INVESTIGATION.

1. Application. An application for an Attendant-Driver License under this Section shall be submitted upon such forms as may be provided or prescribed by the Fire Chief and the application shall contain:
 - (a) The applicant's full name, current residence, places of residence for three (3) years previous to moving to the present address, together with an address for written notices, if different than his or her current residence.
 - (b) The applicant's birth date, height, color of eyes and hair;
 - (c) Whether applicant has ever been convicted of a felony or misdemeanor, and, if so, when and where and for what cause;
 - (d) The applicant's training and experience in the transportation and care of patients, and whether the applicant has previously been licensed as a driver, and if so, when and where, and whether a license has ever been revoked or suspended in any jurisdiction and for what cause; and
 - (e) Annual license fee as set from time to time by Resolution of Council.
2. Investigation. Within a reasonable time after receipt of an application for an Attendant Driver License, the Fire Chief shall cause an investigation to be made of the applicant.
3. The Fire Chief shall issue an Attendant-Driver License to the applicant when it is found that the applicant has met all requirements. The license shall be valid for one calendar year, beginning January 1 and ending December 31, unless earlier suspended, revoked, or terminated. Such license shall not be assignable or transferable.

(R) REVOCATION.

1. In order to maintain such license, the holder of an Attendant-Driver License shall remain in compliance with the requirements of this Section. Each attendant-driver and the attendant-driver's employer shall have an affirmative duty to immediately notify the Fire Chief of any changes or occurrences which may affect the license holder's status. Failure to maintain compliance with the requirements to obtain an attendant-driver license shall be cause for suspension, revocation, or termination of the Attendant-Driver License.

2. An Attendant-Driver License may be revoked by the Fire Chief for any cause after notice and a hearing. Notice shall be in writing and sent by first class, postage prepaid, United States mail to both the attendant-driver, at the most current address provided by licensee, and to the attendant driver's employer, at its most current provided address. Notice shall contain:
 - (a) A statement of time, place and nature of the hearing;
 - (b) A statement of the legal authority and jurisdiction under which the hearing is to be held;
 - (c) A reference to the particular sections of the ordinance regulations involved;
 - (d) A short and plain statement of the matters asserted.
3. The notice and hearing procedure shall be the same as for revocation of an Ambulance License, as specified in Section O. (Ord. 3004, 04-23-15)

CHAPTER 3
MUNICIPAL SERVICES DEPARTMENT

SECTION:

- 3-3-1: Municipal Services Department Established
- 3-3-2: Appointment of Municipal Services Director
- 3-3-3: Duties
- 3-3-4: Divisions

3-3-1: **MUNICIPAL SERVICES DEPARTMENT ESTABLISHED:** The Department of Municipal Services is hereby established as an administrative department of the City. (Ord. 3003, 04-23-15)

3-3-2: **APPOINTMENT OF MUNICIPAL SERVICES DIRECTOR:** The Department of Municipal Services shall be managed by a Municipal Services Director who shall be appointed by the Mayor, subject to confirmation by at least four (4) members of the Council. The Director may be removed by the Mayor, with or without cause, subject to confirmation by a vote of at least four members of the Council, or by the Council upon its own initiative upon a unanimous vote thereof. (Ord. 3003, 04-23-15)

3-3-3: **DUTIES:** The Director of Municipal Services shall have the duty of planning, organizing, supervising and administering all activities and responsibilities of the Department. (Ord. 3003, 04-23-15)

3-3-4: **DIVISIONS:** The Department shall consist of five (5) divisions, each having the following powers and duties:

(A) The General Services Division shall manage and supervise all City shops, garages, including all equipment and vehicles; administer and maintain all public buildings and other real or personal property owned or leased by the City; and administer and control the purchase of all equipment and supplies used by the various departments and divisions throughout the City.

(B) The Finance Division shall prepare, supervise and control the annual budget, supervise the general account of the City, maintain and keep records of all insurance coverage; account for all City utilities revenues; account for all moneys belonging to the City, file proper reports and financial statements.

(C) The City Clerk shall have custody of all laws and ordinances of the City; keep a correct journal of the proceedings of the City Council; keep the Corporate Seal of the City; countersign all licenses issued by the City and collect all fees therefor; keep the records of all City cemeteries; and perform all other duties required by the City Code or the laws of the State of Idaho.

(D) The City Treasurer shall be custodian of all moneys belonging to the City and shall render a monthly report under oath showing the state of the balance of all monies and

funds belonging to the City; manage and deposit all City funds; and have charge of all funds and records of local improvement districts; invest all public funds in a sound, prudent and lawful manner and keep a record of all unpaid checks or warrants of the City; keep a record of all outstanding bonds against the City, showing the amount of each, to whom the bonds were issued and when any bonds are purchased, paid or cancelled; collect all utility revenue, and perform all other duties imposed upon the office by law.

(E) The Data Processing Division shall be responsible to operate and maintain all computer and electronic media record-keeping equipment for the Department; to administer and supervise all data entry, computer programming and other record-keeping or electronic data retrieval operations of the Department. (Ord. 2734, 1-10-08; Ord. 3003, 04-23-15)

**CHAPTER 4
ELECTRIC LIGHT DEPARTMENT**

SECTION:

- 3-4-1: Establishment of Department
- 3-4-2: Responsibilities and Duties
- 3-4-3: Management and Control
- 3-4-4: Duties of Director

3-4-1: ESTABLISHMENT OF DEPARTMENT: Idaho Falls Power (or “IFP” and formerly known as the “Electric Light Division”) is hereby established as an administrative department of the City. (Ord. 3003, 04-23-15)

3-4-2: RESPONSIBILITIES AND DUTIES: Idaho Falls Power shall have the following responsibilities and authority:

(A) The construction, operation and maintenance of all electric distribution and transmission lines and facilities, hydroelectric generating plants and all equipment and facilities necessary to generate, transmit and distribute electrical energy to the customers of Idaho Falls Power;

(B) Administration and enforcement of all rules, regulations, ordinances and statutes pertaining to the distribution of electrical energy to customers of Idaho Falls Power, and the establishment of all rates, fees and tariffs charged to such customers;

(C) The administration of all covenants, terms and conditions on all ordinances providing for the issuance of bonds to construct any hydroelectric generating facility owned by the City, insofar as the same pertain to the construction, operation and maintenance thereof;

(D) The supervision and control of all employees of Idaho Falls Power;

(E) The installation, operation and maintenance of all traffic signalization equipment owned or operated by the City;

(F) The performance of all actions, duties or responsibilities as may be necessary for the sound, reasonable and prudent operation of Idaho Falls Power. (Ord. 3003, 04-23-15)

3-4-3: MANAGEMENT AND CONTROL: Idaho Falls Power shall be managed by the Director of Idaho Falls Power. The Director shall be appointed by the Mayor, subject to confirmation by at least four (4) members of the Council. The Director may be removed by the Mayor, with or without cause, subject to a confirmation by a vote of at least four members of the Council, or by the Council upon its own initiative upon a unanimous vote of the full Council. (Ord. 3003, 04-23-15)

3-4-4: DUTIES OF DIRECTOR: The Director shall prepare and present the annual operating and capital budget of the Department; establish technical standards, methods and procedures for the Department and assure the same are properly executed; employ, assign or reassign all personnel within the Department and ensure all equipment is efficiently used and maintained; administer the operating budget of the Department in accordance with the annual appropriation ordinance adopted by the Council; formulate and recommend to the Mayor and Council all policies and procedures for the planning, design, construction, maintenance and improvement of all hydroelectric generating facilities and electric distribution and transmission lines and equipment; and administer such policies and procedures as directed by the Mayor and Council. (Ord. 3003, 04-23-15)

**CHAPTER 5
PUBLIC WORKS DEPARTMENT**

SECTION:

- 3-5-1: Establishment of Public Works Department
- 3-5-2: Duties of the Department
- 3-5-3: Divisions
- 3-5-4: Management of Divisions
- 3-5-5: Public Works Director
- 3-5-6: Duties of Director
- 3-5-7: No Private Duty

3-5-1: ESTABLISHMENT OF PUBLIC WORKS DEPARTMENT:

The Department of Public Works is hereby established as an administrative department of the City.
(Ord. 3003, 04-23-15)

3-5-2: DUTIES OF THE DIVISION:

The Department of Public Works shall supervise and control:

(A) The construction, operation and maintenance of all public streets, sidewalks, alleys, bridges, highways and rights of way, including the placement and operation of street regulatory and informational signs.

(B) The construction, operation and maintenance of all sewer facilities and appurtenances, including sanitary sewers, pumping stations, storm sewers, drains, ditches, culverts and streams and water courses under the jurisdiction of the City.

(C) The administration of all rules, regulations and ordinances pertaining to the construction, maintenance and operation of all streets, sidewalks, rights of way, easements, sewers, sanitation facilities, waterlines and pumps, gas lines, telephone and communication lines and subdivision improvements.

(D) The making of all surveys, maps, public works plans, drawings and other documents required for the construction, maintenance and operation of all public works owned or operated by the City.

(E) The preparation of contract drawings, specifications and cost estimates for all public works construction and maintenance and the supervision of such construction, including field inspections.

(F) The construction, operation and maintenance of all public water supply and distribution facilities.

(G) The collection and disposal of all refuse and the cleaning of all streets and alleys, including the removal of snow therefrom.

(H) The collection, maintenance and distribution of mapping and geographic information including aerial photography, cadastral, water, sewer, storm, sanitation, snow, street, traffic, and related data. (Ord. 3003, 04-23-15)

3-5-3: DIVISIONS:

The Department shall consist of six (6) divisions, each having the following duties:

(A) The Engineering Division shall perform all engineering services, including the design and preparation of all contract drawings and specifications for all public works construction; the supervision and inspection of all such construction; the establishment of all street, alley and sidewalk grades; all city survey operations; and the review of all subdivision plats to determine compliance with applicable standards;

(B) The Water Division shall manage, operate and maintain all public water supply and distribution facilities in accordance with policies established by the Council;

(C) The Sewer Division shall operate and maintain all sanitary and storm sewer facilities owned or controlled by the City, and administer and enforce all ordinances relating to the construction or operation of sewers;

(D) The Street Division shall i) construct and maintain all public streets, highways, alleys, walks, pavements and surfaces, ii) manage and administer street cleaning, street repairs, snow removal and iii) administer and enforce all ordinances relating to the construction and maintenance of public streets, sidewalks, rights of way, easements and all utility and communication lines therein;

(E) The Sanitation Division shall be responsible for the collection and disposal of garbage, rubbish and other wastes.

(F) The Geographic Information Systems (GIS) Division shall be responsible for the administration of the collection, maintenance and distribution of mapping and geographic information including aerial photography, cadastral, electric, water, sewer, storm, sanitation, snow, street, traffic, and related data. (Ord. 3003, 04-23-15)

3-5-4: MANAGEMENT OF DIVISIONS:

Each division set forth above shall be supervised respectively by the City Engineer, the Water Superintendent, the Sewer Superintendent, the Street Superintendent, the Sanitation Superintendent, and the GIS Coordinator, all of whom shall perform their duties under the direction of the Public Works Director. (Ord. 2249, 10-9-97; Ord. 3003, 4-23-15)

3-5-5: PUBLIC WORKS DIRECTOR:

The Department of Public works shall be managed by a Public Works Director, who shall be appointed by the Mayor, subject to confirmation by a vote of at least four (4) members of the Council. The Director may be removed by the Mayor, with or without cause, subject to a confirming vote of at least four (4) members of the Council, or by the Council on its own initiative, upon a unanimous vote of the full Council. (Ord. 3003, 4-23-15)

3-5-6: DUTIES OF DIRECTOR:

The Director shall, together with the division heads, prepare and present the annual operating and capital budgets of the several divisions of the Department. The Director shall have full authority to establish technical standards, methods and procedures for the Department and to see that they are properly executed. The Director shall have authority to employ, assign or reassign all personnel within the various divisions and to resolve all disputes between the divisions and resolve conflicting demands for labor and equipment. All public works construction projects approved by the Mayor and Council shall be carried out by the Director according to design and time schedules within allocated budgets. The Director shall formulate and recommend to the Mayor and Council policies and procedures for the planning, design, construction, maintenance, repair and improvement of all public works and places owned or operated by the City, except as otherwise provided in this Code. (Ord. 3003, 4-23-15)

3-5-7: NO PRIVATE DUTY:

Nothing in this chapter shall create a private right, duty or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employee of the Public Works Department to perform the duties prescribed herein. (Ord. 3003, 4-23-15)

**CHAPTER 6
PARKS AND RECREATION DEPARTMENT**

SECTION:

- 3-6-1: Establishment of Department
- 3-6-2: Management
- 3-6-3: Duties

3-6-1: **ESTABLISHMENT OF DEPARTMENT:** The Parks and Recreation Department is hereby established as an administrative department of the City. (Ord. 3003, 4-23-15)

3-6-2: **MANAGEMENT:** The Parks and Recreation Department shall be managed by the Parks and Recreation Director, under the supervision and control of the Mayor and Council. The Director shall be appointed by the Mayor, subject to confirmation by a vote of at least four (4) members of the Council. The Director may be removed by the Mayor, with or without cause, subject to a confirming vote of at least four (4) members of the Council, or by the Council on its own initiate upon a unanimous vote thereof. (Ord. 3003, 4-23-15)

3-6-3: **DUTIES:** The Department shall have the following duties:

(A) The maintenance, operation and control of all public parks, playgrounds, swimming pools, community centers, camps, gymnasiums, race tracks, rodeo grounds and athletic fields owned by the City;

(B) The establishment and administration of all budgets for the operation of the Department and collection of all revenues accruing to the City on account of recreational facilities or lands owned by the City;

(C) The administration of all public recreational activities and programs sponsored by the City. (Ord. 3003, 4-23-15)

CHAPTER 7
AIRPORT DEPARTMENT

SECTION:

- 3-7-1: Establishment of Airport Department
- 3-7-2: Management
- 3-7-3: Responsibilities
- 3-7-4: Rules and Regulations

3-7-1: ESTABLISHMENT OF AIRPORT DEPARTMENT: The Airport Department (or “Idaho Falls Regional Airport” or “IFRA” or the “Airport” and formerly known as “Fanning Field” or “Idaho Falls Municipal Airport”) is hereby established as an administrative department of the City. (Ord. 3003, 04-23-15)

3-7-2: MANAGEMENT: The Airport Department shall be managed by the Airport Director. The Airport Director shall be appointed by the Mayor, subject to confirmation by a vote of at least four (4) members of the Council. The Airport Director may be removed by the Mayor, with or without cause, subject to a confirming vote of at least four members of the Council, or by the Council upon its own initiative upon a unanimous vote of the full Council. (Ord. 3003, 04-23-15)

3-7-3: RESPONSIBILITIES: The Airport Director shall have the following responsibilities and authority;

(A) Supervision and management of all uses, operations and maintenance of all facilities, appurtenances, structures and equipment at the Idaho Falls Regional Airport ;

(B) To administer and enforce all rules, regulations, ordinances and statutes of the City, the State of Idaho and the United States of America, insofar as the same may be applicable to the operation of the Airport;

(C) To recommend and advise the Council regarding Airport development, federal and state grants, budgets, policies, operations and design and construction of new facilities;

(D) To supervise and control all employees of the Airport Department.

(E) To administer the budget of the Airport Department and to administer and ensure the collection of all revenues, fees, tariffs and charges derived from the operation of the Department;

(F) To provide for the safe, efficient and convenient operation of the Airport and the facilities, structures and improvements thereon; (Ord. 3003, 04-23-15)

3-7-4: **RULES AND REGULATIONS:** The Council may adopt reasonable operational rules and regulations for the Airport and for the safe and efficient operation thereof. Such rules and regulations shall be posted in a conspicuous place at the Airport and shall be published in pamphlet form and shall be distributed free of charge to all persons requesting the same.

3-7-5: **NO PRIVATE DUTY:** Nothing in this Chapter shall create a private right, duty or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employee of the Airport Department to perform the duties prescribed herein. (Ord. 3003, 04-23-15)

CHAPTER 8
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT

SECTION:

- 3-8-1: Community Development Services Department Established
- 3-8-2: Duties
- 3-8-3: Appointment of Director of Community Development Services Department

3-8-1: **COMMUNITY DEVELOPMENT SERVICES DEPARTMENT ESTABLISHED:**
The Department of Community Development Services is hereby established as an administrative department of the City. (Ord. 3003, 04-23-15)

3-8-2: **DUTIES:** The Community Development Services Department shall have the following duties:

(A) The enforcement of the Zoning Ordinance, the Uniform Building Code, the Sign Code, the Uniform Plumbing Code, the Subdivision Ordinance, the Code for Abatement of Dangerous Buildings, the Uniform Housing Code, the Uniform Administrative Code, the Northwest Energy Code, the One and Two Family Dwelling Code, the Uniform Mechanical Code, Uniform Electric Code, and all supplements and amendments thereto and all other uniform codes or ordinances relating to the construction of any building or structure within the City and any health or safety regulations applicable thereto, except for the Uniform Fire Code.

(B) Preparation and administration of the Comprehensive Plan and any ordinances or regulations necessary to implement the same.

(C) The issuance and enforcement of permits issued pursuant to such Codes and the performance of inspections required thereby.

(D) The establishment and planning of all public streets, alleys and thoroughfares within the City, the naming of such streets and thoroughfares and the issuance of building numbers for structures located thereupon.

(E) The coordination and planning of public and private urban mass transit systems within the City.

(F) The coordination and administration of all laws, statutes and regulations pertaining to any census of the City or other procedure or analysis conducted for the purpose of determining the population of the City.

(G) Coordination and operation of all federal and state administrative programs providing for enhancement of the economic base of the City or otherwise promoting the growth and development of the labor force within the City.

(H) Coordination and administration of any matter involving the Idaho Falls Redevelopment Agency or other similar board or commission whose responsibilities encompass the urban revitalization or growth of the City.

(I) Such other duties as may be required by the Mayor or City Council. (Ord. 3003, 04-23-15)

3-8-3: APPOINTMENT OF DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES DEPARTMENT: The Community Development Services Department shall be managed by the Community Development Services Director who shall be appointed by the Mayor, subject to confirmation by at least four (4) members of the Council. The Director may be removed by the Mayor, with or without cause, subject to confirmation by a vote of at least four (4) members of the Council, or by the Council upon its own initiative upon a unanimous vote thereof. (Ord. 3003, 04-23-15)

**CHAPTER 9
HUMAN RESOURCES DEPARTMENT**

SECTION:

- 3-9-1: Establishment of Human Resources Department
- 3-9-2: Management
- 3-9-3: Responsibilities of Director
- 3-9-4: No Private Duty Established

3-9-1: ESTABLISHMENT OF HUMAN RESOURCES DEPARTMENT: The Human Resources Department is hereby established as an administrative department of the City. (Ord. 2734, 1-10-08; Ord. 3003, 04-23-15)

3-9-2: MANAGEMENT: The Human Resources Department shall be managed by the Director of Human Resources. The Director of Human Resources shall be appointed by the Mayor, subject to confirmation by a vote of at least four (4) members of the Council. The Director of Human Resources may be removed by the Mayor, with or without cause, subject to a confirming vote of at least four (4) members of the Council, or by the Council upon its own initiative upon a unanimous vote thereof. (Ord. 2734, 1-10-08; Ord. 3003, 04-23-15)

3-9-3: RESPONSIBILITIES OF DIRECTOR: The Director of Human Resources shall have the following responsibilities and authority:

(A) Assist the Mayor and other Department Directors in the recruitment of qualified officers and employees and in the classification of personnel.

(B) Make recommendations and administer programs relating to employee wages and benefits.

(C) Make recommendations to the Mayor and Council regarding the City Personnel Policy and assist the other Department Directors in the administration, management and enforcement thereof.

(D) Assist the Mayor and Department Directors in the processing of grievances filed by City employees.

(E) Make recommendations regarding employee benefit programs, including without limitation, health insurance, life insurance, retiree benefits, deferred compensation plans, PERSI programs and benefits, cafeteria plans or other compensation plans or benefits approved by the Council.

(F) Keep and maintain general employee personnel files and other personnel-related administrative records.

(G) Administer and manage labor relations, affirmative action programs and Title VII programs as directed by the Mayor and assist and train the other Department Directors in their duties, obligations and responsibilities with respect thereto.

(H) Establish, promote and foster appropriate employee safety programs and policies.

(I) Make recommendations to and assist the Council and the Director of Municipal Services in the preparation of the annual appropriation ordinance and budget, insofar as employee wages, benefits and claims may impact such ordinance and budget.

(J) Direct the work of and supervise all employees of the Human Resources Department.

(K) Administer the budget of the Human Resources Department and to account for and ensure that all fees, charges and revenues received by the Human Resources Department are delivered to the City Treasurer.

(L) Administer, manage and assume such other duties, programs and policies as may be directed by the Mayor. (Ord. 2734, 1-10-08; Ord. 3003, 04-23-15)

3-9-4: NO PRIVATE DUTY ESTABLISHED: Nothing in this Chapter shall create a private right, duty or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employees of the Human Resources Department to perform the duties prescribed herein. (Ord. 2734, 1-10-08; Ord. 3003, 04-23-15)

CHAPTER 10
CITY ATTORNEY DEPARTMENT

SECTION:

- 3-10-1: Establishment of Department
- 3-10-2: Appointment of City Attorney; Management
- 3-10-3: Responsibilities of City Attorney
- 3-10-4: No Private Duty Established

3-10-1: ESTABLISHMENT OF DEPARTMENT: The City Attorney Department is hereby established as an administrative department of the City. (Ord. 3003, 04-23-15)

3-10-2: APPOINTMENT OF CITY ATTORNEY; MANAGEMENT:

The City Attorney shall be appointed by the Mayor, subject to confirmation by a vote of at least four (4) members of the Council. The City Attorney may be removed by the Mayor, with or without cause, subject to a confirming vote of at least four (4) members of the Council, or by the Council upon its own initiative upon a unanimous vote thereof. The City Attorney Department shall be managed by the City Attorney. (Ord. 3003, 04-23-15)

3-10-3: RESPONSIBILITIES OF CITY ATTORNEY:

The City Attorney shall have the responsibilities and authority to:

(A) Act as the legal advisor of the City and represent the City in all suits or proceedings in which the City is interested.

(B) Perform duties as may be prescribed by ordinances and resolutions duly passed.

(C) Prosecute violations of City ordinances, state traffic infractions, and state misdemeanors committed within City limits by exercise of the same powers as the County prosecutor including, but not limited to, granting immunity to witnesses.

(D) Provide a wide range of independent legal-related advice, support, and information to the Mayor, City, County, City boards and commissions, and other officials of the City, in accordance with federal, state, and City legislation.

(E) Organize and oversee work of outside legal counsel, and determine scope of outside legal services, as needed.

(F) Exercise independent legal judgment in legal matters related to City activities and concerns.

(G) Participate in negotiation and resolution of sensitive, significant, controversial, and/or complex legal matters.

(H) Draft and review opinions, resolutions, ordinances, contracts, and other legal documents and instruments.

(I) Oversee preparation of departmental budget and City codification system.

3-10-4: NO PRIVATE DUTY ESTABLISHED:

Nothing in this Chapter shall create a private right, duty, or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employees of the City Attorney Department to perform the duties prescribed herein. (Ord. 2919, 06-13-13; Ord. 3003, 04-23-15)