

City of Stanley
Regular Council Meeting Minutes
October 10, 2013

ORIGINAL IN RED

IN ATTENDANCE FOR THE CITY: Mayor Herb Mumford, Council President Steve Botti, Councilmember Lem Sentz, Councilmember Lauril Gadwa, Councilmember Melinda Hadzor, and Deputy Clerk Megan Petermann.

OTHER ATTENDEES: None.

CALL TO ORDER: Mayor Herb Mumford called the meeting to order at 6:01_{pm}.

AGENDA AMENDMENTS: None offered.

MAYOR COMMENTS/UPDATE: Mayor Mumford reports that a lawsuit Rebecca Arnold filed August 9, 2012 about the timing on a regular meeting where she wanted to invalidate the meeting has been rejected by the courts. The starting time of the meeting to the plaintiff is inconsequential there has been no damage to the plaintiff making the lawsuit rejected outright by the courts. The bad thing is things like lawsuits take a lot of time and money before they are dismissed. It costs the city a lot of money for lawyers. The same person has material placed on city property that is going to have to be remediated. Mayor Mumford comments that he will talk more about it in detail later.

COUNCIL COMMENTS: Council President Botti comments that he received a call from the Army Corps of Engineers. They wanted to inform the city that they are still working on our request from a couple of years ago to provide technical services to map the rest of the flood plain along the Salmon River within the city limits. The process would be free of charge to the city. They are thinking that it might come up this year in the budget and they might be able to get started on it, no promises though. It is good news that they have not forgotten about it. Mayor Mumford comments that it would be nice to get it done so there would be no confusion when building.

CONSENT AGENDA:

Council Member Gadwa moves to approve the consent agenda. Council President Botti seconds. All approve. Motion passes.

LAW ENFORCEMENT

No Report.

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STREETS AND ROADS:

- Opening of sealed bids for 2013 – 2014 Winter Streets and Roads Contract. Deputy Clerk reads two bids. See attached bid proposals. Council Member Gadwa moves to approve J C Anderson's proposal. Council Member Hadzor seconds. All in favor. None apposed. J C Anderson's bid appears to be lower cost. Mayor Mumford comments that we will want to keep in close communication as to what needs to be done before it gets done. Council President Botti comments that we need to have some leeway and we need to be careful to not go over the budget. The Council needs to be made aware of when and if we are getting close to the budgeted amount. Mayor Mumford

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comments that we need to take note of following and watching the budget. If we are in danger of coming close to the budgeted amount we will want to have an opportunity to discuss other actions before proceeding.

- Local Rural Highway Investment Program funding opportunity for FY15. Discussion regarding potential projects such as chips sealing Airport and School Road. Application due 12/2/2013. Mayor Mumford comments that we should pursue it for Airport Road and School Road. The thought is that it will help stop the roads from breaking up. Deputy Clerk Petermann requests a volunteer to head up filling out the application. Council President Botti and Councilmember Gadwa volunteer to work on it together.

COMMUNITY BUILDING:

- Request fee waiver for use of Community Building Auditorium for Stanley School Parents Association on October 31 and November 8, 2013. Councilmember Gadwa moves to approve. Council President Botti seconds. All approve. Motion passes.
- Request reduced fee for the use of the Community Building Auditorium for the Boise Curling Club Sawtooth Outdoor Bonspiel on January 24 and 25, 2014. Council President Botti moves to approve. Councilmember Sentz seconds. All approve. Motion passes. Mayor Mumford would like it noted that the group does not charge for alcoholic drinks because they would need a liquor license to do so.
- Insulation/Radon Abatement Request for Proposals – review of draft notice, discussion of project. Mayor Mumford reports that the radon levels are high. An extraction fan is needed as well as some polyethylene along the boundaries. We also need insulation which we could be done at the same time. Council President Botti requests that the insulation and the radon abatement be listed separately if possible on the budget only because there could be some uncertainty to the cost of the projects. The projects could then be phased-in. Council President Botti moves to approve with the clarification of the budget. Councilmember Gadwa seconds. All approve. Motion passes.

AD HOC COMMITTEES:

CEDA: Mayor Mumford reports the September 24, 2013 meeting held at Challis Community Event Center Board room was a strategic planning exercise. Next meeting date, October 29, 2013 at 9:00 am. The Challis Community Event Center is booking reservations for Board Room and Great Room use. Jolie Turek's office for CEDA is located in the new facility. The IDOC grant for CEDA has been received for \$32,000. The hospitality business meeting in July was not very well attended, but Jolie has subsequently been approached by businesses who would like to take advantage of training courses or video training materials. Idaho Dept. of Commerce organized a Regional Economic Development Tour in which Jolie participated. It was very well received by all, learning about development initiatives, opportunities, and strategies at the different businesses and towns on the tour. The business space available at the Stanley Town Square was one of the opportunities shared with the tour group while in Stanley.

Cemetery:

Councilmember Gadwa reports that the fencing has been sprayed with oil and it will now last a lot longer. There is concern of the cemetery filling up. There is now one plot available for purchase. Councilmember Gadwa would like to pursue more

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ground on the hill if the Council approves. Mayor Mumford asks if there is any property to buy. Councilmember Gadwa thinks it's all private and Forest Service is not giving them anymore special use permits. Mayor Mumford supports the idea of looking into additional land. Council President Botti is interested in a land trade with the Forest Service. Councilmember Gadwa is also interested in a land trade with land that could be annexed into the city. Councilmember Gadwa will pursue acquiring additional ground with the support of the Council.

Code Review:

Council President Botti reports the Council has been working for some time on the Title 15 changes and Municipal Code changes. Laurii and Gary Gadwa did some research on codes and put the suggestions on the handout (see attachment). Council President Botti reports that he did run his changes by the City Attorney and asked if he had any comments or guidance, but he has not heard back from him yet. Council President Botti requests that there be a work session. The Council agrees on Monday, October 28, 2013 at 3:00 pm to work on code violation and fines revision. Council President Botti's second item is the building code changes and permit requirements. There was issue with whether we should require other permits and requirement to be fulfilled prior to the issuing of the building permit. This question was brought to the City Attorney and the answer was yes, we can and that it is how it should be done to require all other permits and requirements to be attached to the building permit prior to the issuing of the building permit from the City. Council President Botti reports that he has also approached other cities on their process and they seemed to say what the City Attorney confirmed. Council President Botti comments that building permits will be approved contingent on the approval of all other entities involved. Councilmember Gadwa asks if it can be approved tonight. Council President Botti comments that it needs to be put in a final format with the City Attorney. Council President Botti says further that the Clerk can pass smaller projects that are routine and if the Clerk feels unsure they can pass it onto the Council. The Council can also request to see any permit. The council supports proceeding forward with the changes.

Groomer:

First meeting is in November.

Sawtooth Association: Gary Gadwa reports the Shaw Cabin is up for restoration and renovation and some of the material has come in. Randy Townsend is doing the work which was supposed to have started October 1. Mayor Mumford suggests that Huck can fix some things before winter if others will not be able to get to it. Gary Gadwa states that he will look into it. Gary Gadwa also reports that there is another old building of Preston Shaw that is going to be torn down. Mayor Mumford asks if the State Historical Society can prevent it from being torn down. Gary Gadwa states that there is nothing that can be done, it is not on a historical register; the Stan Harrrah's Corp owns it and are talking about tearing it down. Gary Gadwa reports that the Redfish Center received 8,900 visitors; 4,836 visitors to Interpretive Programs; 3,200 + visitors to the Museum; 960 visitors to Form and Lecture Series; and the Sawtooth Association's website had on average 5,000 hits per week. The web cam is getting a lot of attention and will be able to run all winter thanks to donators.

Chamber of Commerce:

Ellen Libertine reports that they just put in an ad for the 2014 Idaho Travel Guide. Aron has been posting on the web for the social media calendar. Aron has also been

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researching other types of media. Two videos have been received however they are not completed yet. One was liked and the other one was rejected. Matt's working on the winter poster. Mayor Mumford comments that they need to be distributed as soon as possible.

NEW BUSINESS:

- Discussion on disposal of the maintenance truck. Mayor Mumford reports that the old police vehicle is going to be the new maintenance truck and we need to figure out something to do with the old maintenance truck. The plates and titles have been transferred and there are plans of getting the stickers off and amber lights for the light bar. Huck suggests getting magnetic stickers to make things easier for the future. Mayor Mumford asks if the Council wants to get rid of it at a fair market price. The Council supports it. Councilmember Gadwa moves to approve. Councilmember Hadzor seconds. All approve. Motion passes.
- Stanley Sawtooth Chamber of Commerce – Request for Option Tax Financial Support of \$5,000 for 4th Quarter of FY13. Councilmember Gadwa moves to approve. Councilmember Hadzor seconds. All approve. Motion passes.
- Clerk request for funding authorization for purchase of new/refurbished laptop for Mayor's use at a cost not to exceed \$700. It is discussed that once a laptop is purchased we will purchase software for both the Mayor and the Clerks computers. Councilmember Gadwa moves to approve. Council President Botti seconds. All approve. Motion passes.

BUILDING PERMITS:

- Mountain Village Resort - #832 – Fill and grade lot. Note that they did the work prior to obtaining a building permit. Councilmember Gadwa moves to approve. Councilmember Hadzor seconds. All approve. Motion passes. Council President Botti comments that we do not know what the future intent and would like to have final intent on building permits.
- Steve Botti – Permit #833 – Fence inside of eastern property boundary. Rebecca Arnold has requested that her letter be read (see attachment). Steve Botti comments that the Piva's have approached him about replacing the fence. As far as the barb wire part goes; the Piva fence would remain and Steve Botti could connect to it within the Piva property. The other option would be to leave a gap for cows to get out and put the fence on Steve Botti's property. Piva would like to have the fence built on the property line. The Forest Service has a conservation easement which gives the Forest Service control over what type of fence is built. The third option would be to have the fence inside the Piva property which is outside the city limits and would not require a building permit; but the Piva's want it on the property line. Steve Botti comments that with an agreement with the Piva's, the part connected with barbwire will not be within the city. Councilmember Gadwa comments that the type of fence Steve Botti is planning on building is accepted by the Forest Service and the City. Councilmember Gadwa motions to approve the property line fence with a contract with the Piva's. Councilmember Hadzor seconds. All approve. Motion passes.

CITY CLERK REPORT: (City Clerk/Treasurer Doug Plass)**ORIGINAL IN RED**

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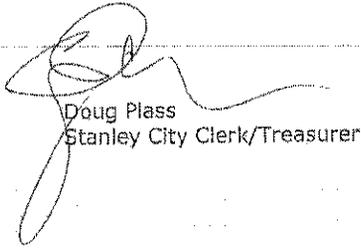
10/8/2013

City Clerk Report to the Stanley City Council

- I will be unavailable from 12/10 - 12/22/2013. The Council meeting scheduled for 12/12 needs to be rescheduled. I recommend Tuesday 12/3 at 6 pm.
- 2014 Council meetings need to be scheduled. As Thursdays are difficult for me to attend, I would suggest we consider holding the meeting on Tuesdays.
- As we recently signed a two year cell phone contract for the police department, I have suspended the police office phone and listed the cell phone as the police contact on the website. Obviously, we don't currently have anyone to answer that phone.
- We have purchased a new desktop computer. As soon as we have replaced the Mayor's computer, I will purchase software licenses and arrange for IT support to assist with the migration of data and the system setup.
- Custer County will once again be using the Community Building Auditorium for the General Election on November 5th. For the City of Stanley, the Mayor and Council Seats 3 and 4 are up for election.

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If any of you have questions for me during the meeting, please call me at my business at 774-0635.

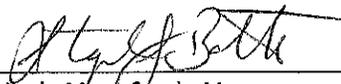

 Doug Plass
 Stanley City Clerk/Treasurer

- For the 2014 City Council Meetings, Councilmember Gadwa suggests holding them the second Mondays of the month. Councilmember Hadzor also likes the second Monday. Council member Gadwa moves to approve the second Monday of the month. Councilmember Hadzor seconds. All approve. Motion passes.
- City Council meeting for Tuesday December 3, 2013 at 6:00 pm works for everyone.

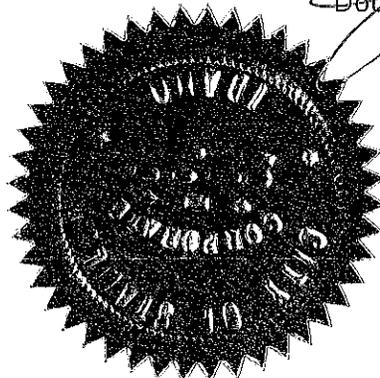
OPTION TAX REPORT/TREASURY REPORT: (City Clerk/Treasurer Doug Plass)

ADJOURNMENT:

The meeting is adjourned at 7:24 pm.


 for Herb Mumford, Mayor

ATTEST: 
 Doug Plass, City Clerk



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Proposal must have all blanks below filled in. Failure to do so shall cause the proposals to be rejected. Send only this page back to City.

PROPOSAL FORM:

Description _____ Proposal Amount _____

2013-2014 Winter Streets and Roads Maintenance/Snow Plowing Contract for October 15th, 2013 through May 31st, 2014. In accordance with the attached specifications, terms, and conditions.

*TOTAL HOURLY BID PROPOSAL = \$ 99.00

Name: Stanley Construction

Signature: [Signature]

Address: Pro. Box 46, Stanley

Contact Number: 202-535-4636

*List any and all equipment that may be utilized for contracted work and any differing hourly charges for each.

Dump truck	# 99	} these include operator
Loader w/ 4yd bucket		
Skid steer w/ 6-yr blades & snow plow	# 99	
Tractor w/ blade & bucket	# 77	
Back Hoe	# 77	
Heated Pressure Jet	# 60	
LAYER of ICE IS INCLUDED w/ MACHINERY		
MANUAL LABOR IT WILL BE \$ 40 / HR		

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PROPOSAL FORM:

Description _____ Proposal Amount _____

2013-2014 Winter Streets and Roads Maintenance/Snow Plowing Contract for October 15th, 2013 through May 31st, 2014. In accordance with the attached specifications, terms, and conditions.

*TOTAL HOURLY BID PROPOSAL = See below

Name: J.C. ANDERSON Co. Signature: J.C. Anderson

Address: 2991 ANDERSON LN. Twin Falls, Id. 83301

Contact Number: 208-539-1444

*List any and all equipment that may be utilized for contracted work and any differing hourly charges for each.

Equipment:

Loader with 16' Bucket	90/hr.
Skid-steer	60/hr.
Dump truck	60/hr.
Backhoe w/12' Bucket	75/hr.
Truck w/9' V-plow	75/hr.

SNOW will be put in same place as last yr (so will ^{not} have to haul snow

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Stanley Municipal Code Violation Penalties

Code Reference	Title	Existing Penalty	Proposed Change
3.04.170	Non-property Tax	Misdemeanor - each month of non-payment separate offense. Revoke business licenses. Tax due is lien on property. Willful tax evasion penalty = amount of tax evaded.	None
5.04.080	Liquor sales	Misdemeanor	Go by Idaho Liquor Laws ?
5.08.020	Beer sales	Misdemeanor	Go by Idaho Liquor Laws ?
5.12.100; 5.12.110	Wine sales	Fraud/misrepresentation = license & liquor laws ? revocation Public nuisance = license revocation Misdemeanor	? ? ?
5.16.040	Open container	Misdemeanor	Infraction - fine ¹⁰⁰
5.20.110; 5.20.130	Temporary vendors	Misrepresentation, violating restrictions; unlawful conduct = suspension/revoke license Misdemeanor	None <i>Infraction - fine</i>
5.24.090	Business license	Civil suit Misdemeanor	None ? <i>Civil</i>
6.04.060	Small animals	Interference with officer = misdemeanor Misdemeanor	Infraction - fine Infraction - fine
6.04.070	Small animals	Interference with officer = misdemeanor Misdemeanor	Infraction - fine Infraction - fine
6.08.040	Large animals	Misdemeanor	Infraction - fine

*Infraction 1, 2,
3 misdemeanors*

*Infractions Idaho
vary from
\$10 to \$217
depending on
severity of
issue*

*\$100 - \$66.50 about
average*

*Fixed Penalty
plus Court Costs*

Infraction - fine

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8.04.040	Refuse & Debris	Misdemeanor		Infraction - fine	
8.05.014	Outdoor burning	Misdemeanor		Infraction-fine	
8.08.040	Fireworks	Misdemeanor		Infraction-fine	
8.12.060	Nuisances	Misdemeanor	cost of abatement	Infraction - fine; cost of abatement	
8.14.040	Non-permanent structures	Misdemeanor		Infraction - fine	
8.16.040	Dangerous weapons	Misdemeanor		None	
9.04.020	Disturbing peace	Infraction - fine Misdemeanor		None	Disceraction of officer for severity on wording to describe offense standard
9.04.030	Noise	Infraction - fine	OK	None	
10.04.030	Traffic rules	Infraction - fine		None	As per State penalty standard
10.08.060	Parking - snow removal	Cost of removal and storage		None	
10.08.070	Parking - general	Infraction -fine/imprisonment		Infraction - fine	
10.12.060	Snowmobiles	General regulations = misdemeanor		Infraction - fine	
12.04.050	Airport	Registration/ligense/lowing/equipment equals infraction \$66.50		Infraction - fine	
12.04.060		Darrage/injury = amount of damage		None	
12.08.020	Private building on public property	Misdemeanor		Infraction - fine	
12.16.090	Trees	Fine - \$300		None	None infraction

Infraction fine 1/25 (2) Misdemeanor

? Civil action
Remove Requiring
Covered under Building Permit

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13.04.020	Public sewers	Failure to connect - nuisance Misdemeanor	delete infraction - fine
15.04.050	Building permits	Misdemeanor - fine Civil action Cease and desist order	None None None
15.08.060	Flood hazard	Misdemeanor - fine	None
16.50.020	Subdivision	Nuisance + special assessment to abate Civil action Misdemeanor	None None None
17.40.032 (G)	Zoning - hillsides	Misdemeanor	None
17.46.020 (G)	Zoning - recreational vehicles	Fine + Misdemeanor	?
17.68.020	Zoning -general	Nuisance - special assessment to abate Civil action Misdemeanor	None None None

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INFRACCTION OFFENSE TOTAL AMOUNT (Fixed Penalty Plus Court Costs)

Infraction Penalty Schedule

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\$10.00	(1)(a) Failure to fasten safety restraint, operator/occupant age 18 or older, section 49-673(C), Idaho Code. (Fixed penalty \$10.00, \$5.00 of which is to be sent to State's Catastrophic Health Care Fund)
\$10.00	(b) Failure to fasten safety restraint, operator 18 years or older with occupant(s) under 18 years of age. Failing to wear safety restraint. Section 49-673(C), Idaho Code. (Fixed penalty \$10.00, \$5.00 of which is to be sent to State's Catastrophic Health Care Fund)
\$10.00	(c) Failure to fasten safety restraint, operator under 18 years of age or operator under 18 who has occupant(s) under 18 years of age. Failing to wear safety restraint. Section 49-673(C), Idaho Code. (Fixed penalty \$10.00, \$5.00 of which is to be sent to State's Catastrophic Health Care Fund, court costs \$16.50, court justice fund fee \$5.00, peace officers training fee \$10.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00)
\$66.50	(2) Failure to restrain child in car safety seat, section 49-672, Idaho Code. (Fixed penalty \$27.50, court costs \$16.50, I.C., § 31-3201A(e), county justice fund fee \$5.00 I.C., § 31-3201(C), and peace officers training fee \$10.00 and I.C., § 31-3201B, ISTARS technology fund fee \$10.00 I.C., § 31-3201(C), and emergency surcharge fee \$10.00)
\$84.00	(3) Pedestrian and bicycle infractors. (Fixed penalty \$5.00, court costs \$16.50 county justice fund fee \$5.00, peace officers training fee \$10.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00)
\$61.50	(4) Failure to wear seat belt while operating a motor vehicle. (Fixed penalty \$27.50, court costs \$16.50, I.C., § 31-3201A(e), county justice fund fee \$5.00 I.C., § 31-3201(C), and peace officers training fee \$10.00 and I.C., § 31-3201B, ISTARS technology fund fee \$10.00 I.C., § 31-3201(C), and emergency surcharge fee \$10.00)

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\$111.00	(10) Releasing vehicle to unauthorized driver or hitting to inspect license, Section 49-334, Idaho Code. (Fixed penalty \$54.50, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$18.00) and emergency surcharge fee \$10.00.
\$111.00	(9) Permitting any unauthorized person to operate vehicle, Section 49-333(2), Idaho Code. (Fixed penalty \$54.50, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$18.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$156.50	(8) Permitting unauthorized child under age 18 to operate vehicle, Section 49-333(1), Idaho Code. (Fixed penalty \$34.50, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$18.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$106.50	(7) Speeding in a school zone, I.C. § 49-658 (fixed penalty \$100.00, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$18.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$90.00	(6) Speeding in a construction zone, I.C. § 49-657 (fixed penalty \$50.00, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$18.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$155.00	(5) Other moving traffic infractions: (Fixed surcharge fee \$10.00), (b) 16 or more miles per hour above speed limit. (Fixed penalty \$98.50, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$18.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$90.00	(4) Speeding traffic infractions: (a) 1 to 15 miles per hour above speed limit. (Fixed penalty \$33.50, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$18.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).

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\$111.00	(11) Expired license, Section 49-319, Idaho Code. (Fixed penalty \$44.50, court costs \$16.50, county justice and fee \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$101.00	(12) Violating restricted license, Section 49-317, Idaho Code. (Fixed penalty \$44.50, court costs \$16.50, county justice and fee \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$101.00	(13) Operating vehicle under out of state license while suspended, Section 49-329, Idaho Code. (Fixed penalty \$100.00, court costs \$16.50, county justice and fee \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$156.50	(14) Failure to carry registration in vehicle (dismissed if registration is shown), Section 49-427, Idaho Code. (Fixed penalty \$10.50, court costs \$16.50, county justice and fee \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$67.00	(15) Failure to display license plate, Section 49-428, Idaho Code. (Fixed penalty \$10.50, court costs \$16.50, county justice and fee \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$67.00	(16) Operating vehicle without registration, Section 49-456(1), Idaho Code. (Fixed penalty \$44.50, court costs \$16.50, county justice and fee \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$101.00	(17) Felators display of license plates and emergency surcharge fee \$10.00). Section 49-456(3), Idaho Code. (Fixed penalty \$58.50, court costs \$16.50, county justice and fee \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$115.00	(18) Lending or permitting another to use registration or license plate, Section 49-456(4), Idaho Code. (Fixed penalty \$58.50, court costs \$16.50, county justice and fee \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$115.00	(19) Failing to surrender registration and

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\$101.00	(20) Use of false or fictitious name in application for registration or concealing material facts, Section 49-456(5), Idaho Code. (Fixed penalty \$100.00, peace officers training fee \$44.50, court costs \$16.50, county justice fund fee \$3.00, peace officers training fee \$13.00, ISTARS technology fund fee \$10.00) and emergency surcharge fee \$10.00.
\$156.50	(21) Failure to redeem an abandoned vehicle, emergency surcharge fee \$10.00, \$13.00, ISTARS technology fund fee \$10.00, and justice fund fee \$3.00, peace officers training fee \$10.50, court costs \$16.50, county justice fund fee \$10.50, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$13.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00.
\$217.00	(22) Texting while driving. (Fixed penalty \$25.00, fee \$10.00) vehicle fee \$150.00, and emergency surcharge fee \$10.00.
\$81.50	(23) Non-moving traffic infractions. (Fixed penalty \$10.50, court costs \$16.50, county justice fund fee \$5.00, peace officers training fee \$10.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$67.00	(24) Special parking infractions, Recreational parking, Section 67-7113, Idaho Code, and illegal parking in state park, Section 67-4237 Idaho Code, (Fixed penalty \$25.00, court costs \$16.50, county justice fund fee \$5.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$66.50	(25) Disability parking violations. Unauthorized and unauthorized use of disability plate or disability parking, Section 49-213, Idaho Code, penalty \$100.00, court costs \$16.50, county justice fund fee \$5.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00 - No peace officers training fee.)
\$141.50	(26) Other parking infractions and failure to pay parking infractions unless otherwise provided by statute or ordinance. (Fixed penalty \$5.00, court costs \$16.50, county justice fund fee \$5.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00 - No peace officers training fee.)
\$46.50	(27) Operating a motor vehicle without insurance. \$10.00 - No peace officers training fee.)

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\$81.50	Sections 49-1225 and 49-1428, Idaho Code and failure to have certificate of insurance, Section 49-1232, Idaho Code, (first offense only, second or subsequent offense is a misdemeanor, (Fixed penalty \$75.00, court costs \$16.50, county justice fund fee \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$131.50	(28) Trucking overweight, Section 49-438, Idaho Code, and Sections 49-1001, 49-1002, 49-1004, 49-1005, Idaho Code. 1-1000 pounds overweight (Fixed penalty \$3.00, court costs \$16.50, county justice fund \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$61.50	1001-2000 pounds overweight (Fixed penalty \$15.00, court costs \$16.50, county justice fund \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$71.50	2001-4000 pounds overweight (Fixed penalty \$25.00, court costs \$16.50, county justice fund \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$81.50	(29) Fish and game violations made infractions for multiple infractions see I.C. § 49-1013(4). emergency surcharge fee \$10.00).
\$72.00	(30) All-terrain vehicle and snowmobile infractions. Driving on highway, Section 67-1109, Idaho Code (Fixed penalty \$100.00, court costs \$16.50, county justice fund fee \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$156.50	(31) Parks and recreation violations made infractions by Section 67-4223, Idaho Code. (Fixed penalty \$15.50, court costs \$16.50, county justice fund fee \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).
\$72.00	(32) All other all-terrain vehicle and snowmobile infractions, Sections 67-7102 through 67-7112, 67-7122, 67-7125, Idaho Code. (Fixed penalty \$25.00, court costs \$16.50, county justice fund fee \$3.00, peace officers training fee \$15.00, ISTARS technology fund fee \$10.00, and emergency surcharge fee \$10.00).

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\$72.00	emergency surcharge fee \$10.00), ISTARS technology and fee \$10.00, and \$5.00, peace officers training fee \$15.00, court costs \$16.50, county justice and fee
\$74.00	* (38) Other infractions, (fixed penalty \$13.50, emergency surcharge fee \$10.00), ISTARS technology and fee \$10.00, and the \$5.00, peace officer training fee \$15.00, court costs \$16.50, county justice and 39-3307, Idaho Code, (fixed penalty \$17.50, product in public building or office, Section (37) Refusing to extinguish tobacco fee \$10.00), and fee \$10.00, and emergency surcharge and fee \$10.00, ISTARS technology training fee \$15.00, peace officer county justice and fee \$5.00, peace officer (fixed penalty \$67.50, court costs \$16.50, other, Section 39-5506, Idaho Code, (36) Permitting smoking in public building or \$19.00, and emergency surcharge fee \$10.00), training fee \$15.00, ISTARS technology and fee county justice and fee \$5.00, peace officers Code (fixed penalty \$42.50, court costs \$16.50, (35) Improper water skiing, Section 67-7024, Idaho emergency surcharge fee \$10.00), ISTARS technology and fee \$10.00, and and fee \$5.00, peace officers training fee \$15.00, penalty \$42.50, court costs \$16.50, county justice 67-7002 and 67-7015, Idaho Code, (fixed (IDAPA 26.01.30 Parks and Recreation) Sections (34) Failure to carry required equipment in watercraft, emergency surcharge fee \$10.00), ISTARS technology and fee \$10.00, and fe \$5.00, peace officers training fee \$15.00, and safety decal, Section 67-7078 (fixed penalty (33) Renting a watercraft without safety devices
\$124.00	
\$99.00	
\$99.00	
\$81.50	

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PROPOSED CHANGES TO TITLE 15

15.04.010: REQUIRED: No building shall be constructed, erected, or altered structurally, nor shall any lot be excavated for sidewalks, sewer, water, septic tanks, roads, or any other purpose, nor shall fill be placed on any lot, nor shall any lot be cleared, or fenced unless a building permit therefor has been issued by the city council or its authorized representative. Structural alterations subject to permitting shall include the addition of or substantial changes to decks, porches, siding, windows, doors, load-bearing walls, and any changes to the building footprint. Actions exempt from the building permit process include gardening and raised garden boxes, ground-level patios, driveway surfacing that does not require excavation, movable storage sheds less than 150 square feet that comply with zoning and building appearance regulations, fence replacement or maintenance if construction is substantially the same as the current fence and otherwise meets requirements of the Stanley Municipal Code, landscaping that does not substantially alter the terrain, sprinkler systems, and playground equipment that is not ground anchored.

The issuance of a building permit by the city does not imply or guarantee the suitability or structural adequacy of building pads, retaining walls, fill, or natural terrain for meeting structural support requirements for buildings. Permittee shall follow good engineering practices relating to fill compaction for structural support and for preventing collapse and/or erosion of fill not used for structural support. The design of all commercial and public buildings shall be stamped and certified by a registered professional engineer or architect licensed in the State of Idaho to perform architectural and engineering designs. Building construction requiring fill, or where erosion or structural support are issues shall also be certified and stamped by the appropriate professional engineer. Provided, however, no building permit shall be necessary for repairs to previously installed utility lines such as telephone, sewer, or water; said repairs shall be limited to restoration of the line to proper working condition and shall not include any expansion or extension of said lines.

Building permits shall be valid for a period of twelve (12) months from the approved start date, except that commercial construction of over ten thousand (10,000) square feet may be issued a building permit for up to three (3) years. All work on the permitted project must be completed within the term of the building permit. Permit applications must identify the ultimate construction objective of the building project. Individual permits shall not be issued for incremental phases of a building project. The start date of the permit may not be more than six months from the application date. Actual start of construction, repair, reconstruction, placement, or other improvement must occur within one hundred and eighty (180) days of approved start date or the permit will be revoked and a new permit must be applied for. The actual start of construction for projects involving building construction or alteration means either the initiation of a permanent structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of fill or excavation; or the placement of a manufactured home on a foundation. The actual start of construction for projects involving building construction or alteration does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets, roads, and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms.

Building permit fee costs shall be established by city council resolution. Any deviation from proposed use or construction specified in the original approved permit shall be a violation of this chapter, unless such deviation is not subject to Stanley Municipal Code requirements, or the

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applicant submits an amended application prior to initiating construction that is approved by the city council or its designated representative.

15.04.020: APPLICATION: Applications for building permits shall be submitted in the form specified by resolution of the city council and shall be accompanied by the application fee, a drawing showing the location of the proposed project on the applicant's property and the location of the property in the city, building plans and specifications and proof of approval of the proposed project by the appropriate fire department, the appropriate sewer district, or state health department, ~~and all Federal and State agencies and departments with jurisdiction covering the proposed building permit actions.~~ Applications which do not contain all of the foregoing shall not be considered complete. Development and construction drawings and technical support material shall be to scale or otherwise in sufficient detail to allow a technical or engineering review to determine whether the proposed development complies with all zoning requirements. Applicant is responsible for obtaining required permits and approvals from all Federal, State and local agencies and departments with jurisdiction covering the proposed building permit actions.

A. (Retained)

B. (Retained)

15.04.030: THE COUNCIL SHALL ACT: The city council shall act upon all applications for building permits within a reasonable time following the completion of the application, considering the complexity of the proposed project. In no event shall the council be required to act prior to the thirtieth day following submission of a complete application for a building permit, however, the council may act within the thirty (30) day period if it so desires and if action within that period can be reasonably taken. The Council may approve a building permit application contingent upon the applicant obtaining required permits and approvals from all Federal, State and local agencies and departments with jurisdiction covering the proposed building permit actions. By resolution, the council may designate an authorized representative to act upon all building permit applications that, in the representative's judgment, clearly comply with all building and zoning requirements of the Stanley Municipal Code. The Council's representative may, for any specified reason, request that the city council review and act upon any building permit application, and the Council may, at its discretion, choose to act on any application.

15.04.060: EXPIRATION AND RENEWAL: Building permits shall be valid for the term specified in 15.04.010. All work on the permitted project must be completed within the term of the building permit.

A. A building permit may be renewed for one period of one hundred and eighty (180) days (hereafter referred to as the "renewal term") beginning on the day following the expiration of the original approval period, upon showing of good cause for the extension. The application for a renewal shall include a statement in writing by the applicant detailing circumstances beyond the control of the applicant that have prevented completion of the permitted project. In addition, the applicant must demonstrate a continuous program of construction, prosecuted diligently and continuously, or a contractual obligation to undertake and complete the project within a reasonable time, upon actual start of construction. Said continuous program of construction, or contractual obligation shall begin no later than one hundred and eighty (180) days from the approved start date of the original building permit. If the applicant cannot document circumstances beyond his/her control, and/or that there has been a continuous program of

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construction, a new permit must be applied for and will be subject to any current ordinances. An application for a renewal term and renewal fee must be filed with the city clerk prior to the expiration date of the original permit.

B. (Deleted)

C. (now B). All building permits which are unexpired and in full force and effect at the time of the passage of this chapter shall be subject to the original terms of issuance, except that renewals will be subject to the current chapter provisions.

D (now C) The council may, from time to time establish the fees contemplated herein by resolution (Ord. 184, 2-10-2011).

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SSVQP Inc.

October 10, 2013

City of Stanley
P. O. Box 53
Stanley, ID 83278

Re: Steve Botti Fence Building Permit

Mayor and Council:

SSVQP Inc. owns lot 7, Meadow Tracts Subdivision, which is adjacent to the property owned by Councilman Botti on which he has applied to build a fence. Mr. Botti contacted our attorney to ask if we had any issue with him attaching his new fence to the Piva fence with barbed wire. We would prefer not to have any barbed wire attached to new fencing, as it is unsightly and not permitted under the Stanley ordinances.

While the Piva property and the current Piva barbed wire fence may be outside the city limits, Councilman Botti's property is in the City limits and must comply with the city requirements, which means that his fence has to be entirely on his property unless Mr. Botti has an agreement with the adjacent owner to place the fence on the property line. It is our understanding that barbed wire is not allowed under the city code and accordingly, Mr. Botti could not connect use barbed wire to connect his new fence to the Piva fence, as some portion of the barbed wire would be on the Botti property and thus, inside the city limits.

Thank you for your consideration. Please contact our attorney at (208) 841-2530 if you have questions or comments or need additional information.

Very truly yours,



SSVQP Inc.
By its attorney

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