

## **IDAHO CITY PARKS & RECREATION AREA EVENT CHECKLIST**

Thank you for your interest in holding an event at the Idaho City Event Arena. We look forward to working with you and assisting in getting you through the application for arena use process as quickly as possible.

Please read through this checklist and familiarize yourself with the various pieces of information that are required to complete the arena use application process.

The Ordinance and Resolution documents you are agreeing to read are included in this document for your convenience.

**A. Event Description –**

The initial description is made on the Preliminary Application form available on the IdahoCityArena.com website. This Pre-Application is submitted electronically to the Gold Dust Arena Committee for Pre-Approval and determination of the other forms you will need to complete the entire Application process.

Additional information such as the purpose of the event and the specific details of the Sponsoring Organization will be submitted in the main Application.

**B. Concession Plan –**

The Idaho City Parks & Recreation Area Event Concession Plan is where you will describe the types of concessions you are planning and how many Vendors you estimate will participate in each of the various type of concessions. Your initial outline of this information is defined on the Preliminary Application. You will be responsible to assure the City that all Vendors participating at your event will have the proper licenses and permits as required by the City in Ordinance #273. Additionally, any Vendor selling Food or Alcoholic beverages will be required to secure additional permits from both the City and the Central District Health Department. The forms you will need to pass to your Vendors will be included in your packet of application documents.

You will also notice, in the Resolution No. 2006-02, there are some items that have been grayed out. These items are Not Applicable to, or Not Allowed at, Events at the Idaho City Event Arena.

**C. Site Use & Equipment Placement Plan –**

The Site Plan will include a Map of the Arena Site, which is provided for you in the Application forms and documents. You will then draw on that Arena Site Map the specific locations of where you plan to place the various pieces of equipment needed to hold this event. A punch list of several items normally associated with arena events will be provided to give you suggestions and reminders of what to include in your plan. We have also included an equipment legend or key to help you draw the locations of the various pieces of equipment on your map.

**D. Security & Emergency Services Plan –**

In this document you will outline how your organization plans to handle traffic, parking, Police & Security services and Emergency services such as Ambulance & Fire should such services be needed. You will also be provided the necessary checklist of items to be submitted to the Idaho City Police Department for Plan Approval, which you will need to acquire prior to submitting your Application for Arena Use to the City for final approval.

**E. Policies & Regulations –**

To check this item off your list you will simply need to read through **Idaho City Ordinance #260, Idaho City Ordinance #273** and **Idaho City Resolution 2006-02**. These are those boring regulation documents that spell out the details of what the City allows, dis-allows and how it handles non-compliance. We have attempted to draft the application documents in accordance with these regulations, but in order to get past the pre-approval process, you will be asked to confirm that you have read these. Enjoy!

**F. Permits, Fees & Proof of Insurance –**

This checklist item is simply paying the fees along with your submission of the entire set of Arena Use Application documents. A full list of fees you will be required to pay is drawn up from the information you submit in the Preliminary Application.

**G. Rental & Use Agreement –**

The City Clerk draws up the final Rental & Use Agreement from the answers you give on the Arena Use Application. A sample Agreement, drawn up from the answers you provide in the preliminary application will be included in your packet of documents forwarded to you after you have completed and submitted the Preliminary Application.

## ORDINANCE NO. 260

AN ORDINANCE ESTABLISHING MINIMUM REQUIREMENTS FOR THE LICENSING OF THE SALE OF ALCOHOLIC BEVERAGES FOR THE PROTECTION OF PUBLIC HEALTH, WELFARE, AND SAFETY; AND FOR THE ORDERLY, MORAL AND RESPONSIBLE CONDUCT OF THE BUSINESS OF SELLING AND DISTRIBUTING ALCOHOLIC BEVERAGES, AND FOR THE GENERAL WELFARE, ALL WITHIN THE BOUNDARIES OF THE CITY OF IDAHO CITY.

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

- A. This Ordinance establishes minimum licensing requirements, qualifications, and fees for the sale of alcoholic beverages within the boundaries of the City of Idaho City, Idaho.
  - B. This Ordinance establishes the minimum standards of orderly, moral, and responsible conduct of properly licensed businesses engaged in selling and distributing alcoholic beverages within the boundaries of Idaho City, Idaho.
  - C. This ordinance establishes authority for enforcement, regulation, and penalties for failure to comply or violation of any or all parts of this ordinance.
1. LICENSE REQUIRED: It shall be unlawful for any person to engage in any of the following acts without first having obtained a license under the provisions of this Ordinance:
- (a) To sell liquor by the drink at retail for consumption of the licensed premises.
  - (b) To serve and sell liquor at retail by the drink at a party or convention which is off the site of the licensed premises.
  - (c) To sell only bottled or canned beer, none of which is consumed on the premises where sold.
  - (d) To sell for consumption on the premises draft beer, bottled beer, and/or canned beer, and/or draft beer only.
  - (e) To sell wine at retail for consumption off the premises.
  - (f) To sell wine by the individual glass or opened bottle at retail for consumption on the premises only.
  - (g) To otherwise possess for resale, or sell wine, liquor, and/or beer.

2. APPLICATION FOR LICENSES: Prior to the issuance of a license, the applicant shall file with the City Clerk an application, in writing, which application shall be on the official application form approved by the City council, which shall be signed by the applicant(s), and contain such information and statements as requested relative to the applicant(s) and the premises where either liquor, beer, and/or wine is to be sold. The application shall show that the applicant possesses all of the qualifications required by this Ordinance. All applications for a license shall require the applicant to set forth the following information:
  - (a) A description of the premises for which a license is sought for a bar, tavern, lounge, or restaurant, or combination thereof.
  - (b) The names and addresses of all persons who will have any financial interest in any business to be carried on, in or upon the licensed premises, whether such interest results from open loans, mortgages, conditional sales contracts, silent partnerships, trusts, or any other basis than upon trade account incurred in the ordinary course of business and the amounts and nature of such interests including shareholders with names and addresses provided.
  - (c) If the premises to be licensed are not owned by the applicant, then it shall be incumbent upon the applicant to furnish a certified copy of the lease by which applicant will occupy the premises, and that the lessor has consented to the sale of liquor, beer or wine on the premises and the applicant shall furnish evidence of the lease, by which the applicant is entitled to possession of the property.
  - (d) The name and address of the applicant shall include, if the applicant is a partnership, whether a general or limited partnership and if the applicant is a corporation, the officers, directors and principal stockholders of the corporation.
  
3. QUALIFICATIONS FOR LICENSE: The applicant for the license shall possess all of the qualifications necessary to obtain a license from the Commissioner of Law Enforcement of the State as prescribed by Chapter 9, Title 23, Idaho Code, as amended. The applicant shall meet all requirements for Boise, County. Additionally, no license shall be issued to any applicant for a new and/or renewal of and/or for the transfer of a license, who has not met those requirements or who:
  - (a) Proposes a premises for the sale of liquor, wine, or beer on the premises that does not conform to the laws and regulations of the State of Idaho and to the Ordinances/laws of the County of Boise and the City of Idaho City, which are applicable thereto and which relate to public health, safety, and planning and zoning.
  - (b) Proposes to license a premise that is within three hundred feet (300') of any public school, church or other place of worship, or college, measured in a straight line from the nearest corner of said building to the nearest entrance of the licensed premises. This provision does not apply to licensed premises which pre-existed the public school, church or other places of worship of college. This applies to new licenses requested subsequent to the effective date of this Ordinance.

- (c) Proposes a licensed premise, subsequent to the effective date of this Ordinance, that does not meet the current Uniform Building Code as adopted by the City of Idaho City. This does not apply to prior approved licenses when renewing at the same established location.
  - (d) Submits an application which shall contain a false material statement knowingly made.
  - (e) Allows conduct to occur on the licensed premises which is a moral nuisance as defined by the laws of the State of Idaho and/or the Ordinances of the City.
  - (f) Allows the licensed premises to be frequented by disorderly persons and/or persons convicted crimes of violence and/or controlled substances, and/or lewd or lascivious conduct.
  - (g) Manages and/or operates the licensed premises in such a way as to be a nuisance to surrounding businesses by reason of the conduct of employees or clientele of the licensed premises, where said employees or clientele engage in lewd and/or violent and/or disorderly behavior.
4. INVESTIGATION OF APPLICANT: Upon receipt of an application for a license under this Ordinance, accompanied by the necessary fee, the City Clerk, within thirty (30) days thereafter, shall verify that all State and County license requirements have been met. The Clerk shall thereafter submit said application along with all supporting documents to the City Council and the City Council shall thereafter act on said application at the next scheduled Council meeting.
5. LICENSE FEE AND PERIOD FOR WHICH LICENSE IS ISSUED: The license fee imposed and collected shall be established by resolution adopted by resolution adopted by the Council for each license year, which license year shall be from January 1 to December 31; provided, however, if the license is issued for less than a full calendar year, the license fee shall be prorated on a daily basis, as of the day of actual issuance.
- (a) Not later than 30 September each calendar year, City Council will establish by resolution the next calendar year license fees. This will occur at a regularly scheduled Council meeting with public input.
  - (b) All license shall expire at twelve o'clock (12:00) midnight, December 31, of the year for which said license was issued.
  - (c) Request for license renewal shall be submitted to the City Clerk on a renewal application form provided by that office. The renewal application shall be filled with the City Clerk by November 1 of each and every year, commencing with calendar year 1997. The renewal application shall include any changes, modifications or alterations to the nature or operational characteristics of the business. Failure to provide a complete and accurate application in advance of the November 1 deadline shall cause delay in processing the application and shall result in a suspension of the license for a period of one day for each

day after November 1. This suspension will be effective December 31 at twelve o'clock (12:00) midnight when the old license expires and will continue accordingly.

- (d) The license fee so paid to the City Clerk at the time of making an application shall be held by the Clerk pending final action upon the application by the City Council. Should the application be denied, the license fee so paid shall be returned to the applicant. If the application is approved the license fee shall be retained by the Clerk who shall thereupon issue to the applicant the appropriate license provided for.
  - (e) The license issued under this Ordinance shall set forth the name of the person to whom issued, the location of the premises and such other information as the City Council deems necessary. If issued to a partnership, the names of the persons constituting such partnership shall be set forth. If issued to a corporation or association, the names of the principal officers and the governing board shall be set forth. Such license shall be signed by the licensee and shall be nontransferable. Every license issued under the provisions of this ordinance is separate and distinct and no person except the person therein named shall exercise any privilege granted there under and all licenses are applicable only in respect to the premises to which they are licensed.
  - (f) Any license that expires and is not renewed by twelve o'clock (12:00) midnight, December 31, of the license year shall be revoked and is no longer valid. Any licensee that subsequently chooses to renew after said license is revoked shall file a new application with the City Clerk and shall meet all portions of this Ordinance.
  - (g) In the event that an application for license is filed pursuant to the transfer of ownership of an existing licensed establishment, and contingent upon compliance with all of the terms of this Ordinance by the applicant, the Mayor or the City Clerk shall be empowered to issue a temporary license to the applicant valid for a period of up to thirty (30) days. At such time as the application is addressed by the City Council, the temporary license shall terminate.
6. LICENSEE TO REPORT CHANGES: If, during the period of any license under this Ordinance, any change takes place in the licensee's circumstances, relating to the licensee's qualifications to hold a license and/or in relationship to the floor and/or plot plan, the licensee shall forthwith report of such changers to the City.
7. DENIED APPLICATION PROCEDURES: In the event the City Council denies an application or renewal the city must specify the following in writing, to wit:
- (a) The statue, Ordinances and/or standards used to evaluate.
  - (b) Specify the reasons for the denial, suspension, or revocation.
  - (c) The actions, if any, the applicant could take to obtain, renew, or reinstate the license.

- (d) Applicants denied a license may request a hearing with the City Council. This request must be filed within fifteen (15) days of the date of mailing which shall be made by return receipt requested and/or by registered mail and/or by delivery of the decision by the City Clerk to the applicant.
  - (e) Upon receipt of a written request for a hearing, the Mayor will schedule an opening meeting within fifteen (15) days of receipt of the request. The Clerk will immediately notify the applicant of the scheduled hearing date and time.
8. CITY CLERK RESPONSIBILITIES: The Clerk shall be empowered and it is made their duty to prescribe forms to be used in the administration of this Ordinance, the proof to be furnished and conditions to be observed in the issuance of the licenses, prescribing notices required by this Ordinance or the regulation thereof, and the manner of giving and serving the same, prescribing, subject to the provisions of this Ordinance, the conditions and qualifications necessary to obtain a license.
9. REGULATIONS: Whenever information is submitted to, or shall come to the attention of any official of the City, that a licensee has committed any act rendering the licensee's license subject to suspension and/or revocation, the official shall promptly report such information to the City Council in writing. In the event it appears to the City Council, after having received such report, that there are grounds for the suspension and/or revocation of a license, after having conducted a reasonable investigation into the matter or instructing the Chief of Police to do so, the City Council shall suspend, revoke, or terminate the license.
- (a) Any person under the age of twenty one (21) years who knowingly misrepresents his or her qualifications for the purpose of obtaining alcoholic beverages or employment from such license shall be equally guilty with such licensee and shall, upon conviction thereof, be guilty of a misdemeanor.
  - (b) It shall be unlawful for a licensee or his employed agents, servants, or bartenders to sell, deliver, or give away, or cause to permit to be sold, delivered, or given away any alcoholic beverages to an person actually, apparently, or obviously intoxicated or to a habitual drunkard.
  - (c) It shall be unlawful to deny or obstruct access to licensed premises to any law enforcement personnel, fire department personnel and/or state or public health inspectors acting in official capacity.
  - (d) It shall be unlawful for a licensee, or his employed agents, servants, or bartenders to allow any lewd, lascivious, violent, and/or disorderly behavior and/or illegal and/or immoral conduct, anywhere on a licensed premises.
  - (e) It shall be unlawful for a licensee, or his employed agents, servants, or bartenders to allow any firearm anywhere on a licensed premise, except for peace officers on official duty. Anyone knowingly transporting a firearm onto a licensed premise shall be equally guilty with such licensee and shall, upon conviction thereof, be guilty of a misdemeanor.

10. ACCESS TO PREMISES: All peace officers appointed by the United States Government, State of Idaho, Boise County or the City of Idaho City shall have free access at all times during business hours to all portions of the licensed premises, and any information concerning the manner and method of operation of said premises or the sale of said alcoholic beverages may be submitted to the Council upon any investigation made of licensee. Peace officers appointed by the City of Idaho City shall make periodic inspections of licensed premises to ensure compliance with this Ordinance and the laws of the State of Idaho.
11. PREMISE REQUIREMENTS: Every licensee must conform to all regulations and laws of the State of Idaho and the provisions of this Ordinance. Full and unobstructed view of premises where liquor by the drink is sold shall always be maintained by said licensee. All premises shall be adequately lighted.
12. SUSPENSION AND/OR REVOCATION OF LICENSE: The procedures for notification and determination of suspension and/or revocation are essentially the same as those outlined in Section 8 of this Ordinance. The City of Idaho City may:
  - (a) Revoke the license of any licensee who does not meet the qualifications to hold a license as set forth in this Ordinance, and/or denies access for inspection conducted pursuant to this Ordinance.
  - (b) Suspend the license at any time, during the period for which a license is issued, wherein the licensee is unable to meet the qualifications to hold a license as set forth in this Ordinance. In the event the licensee is able to come into compliance with the requirements of said Sections of this Ordinance, then the suspension shall be terminated. No suspension can be for a period greater than one hundred eighty (180) days. In the event the licensee does not come within compliance within the period of the suspension, the license shall be immediately revoked by the terms of the suspension.
  - (c) Suspend the license, for a period of up to one week per event, of any licensee in the event of circumstances occurring upon or around the licensed premises which are disqualification's from holding a license as defined in this Ordinance or in the laws of the State of Idaho, or in the event a licensee violates any provisions of this Ordinance or the Laws of the State of Idaho, and/or interferes and/or impedes an inspection conducted pursuant to this Ordinance. In the event the licensee does not come into compliance within the period of the suspension, the license shall be revoked by the terms of the suspension.
  - (d) Revoke the licensee of any licensee that has received three (3) previous suspensions within a license year and/or five (5) within any two (2) year period.
  - (e) Any law enforcement officer of the City of Idaho City, Boise County, State of Idaho or United States government shall have the authority to close a licensed premises and/or immediately suspend the license of any licensee anytime a situation occurs that endangers the health, safety or welfare of the public at large. This suspension shall continue

through the remainder of the business day, but no more than 72 hours. During which time, and as soon as practical, the authority taking said action will file a complete report with the City Clerk. The Clerk shall notify the Mayor and City Council and a determination will be made as to other courses of action that may be taken under the provisions of this Ordinance.

- (f) A revocation or suspension of the State license by the Commissioner of Law Enforcement or by the County of Boise shall be deemed prima facie evidence for the revocation or suspension of any license issued hereunder.

### 13. HOURS OF SALE:

- (a) Two-thirty o'clock a.m. (2:30 a.m.) shall be the required closing time. No alcoholic beverages shall be dispensed, sold, offered for sale, or given away on any day between the hours of two o'clock a.m. (2:00 a.m.) and seven o'clock a.m. (7:00 a.m.)
- (b) Any patron present on the licensed premises after the sale of alcoholic beverages has stopped as required in Section 13 (a) of this Ordinance shall have a reasonable time, not to exceed thirty (30) minutes, to consume any beverages already served.
- (c) Any person who consumes or intentionally permits the consumption of any alcoholic beverage upon a licensed premises after the time provided for in Section 13 of this Ordinance shall be guilty of a misdemeanor.

### 14. CATERING PERMIT: For benevolent, charitable or public purposes any person who has been issued a permit to dispense or sell beer and/or wine by the Department of Law Enforcement pursuant to the provisions of Idaho City \*23-1007A and/or 23-1336. This Application shall contain the following information:

- (a) The name and address of the applicant and the names of the organizations, groups, or persons sponsoring the event,
- (b) A copy of the application submitted to the Department of Law Enforcement and the permit issued thereby pursuant to the provisions of Idaho City \*23-1007A and/or 23-1336,
- (c) The dates and hours during which the permit is to be effective, not to exceed three (3) consecutive days, and
- (d) The address at which the beer and/or wine is to be served.
- (e) The application shall be verified by the applicant and filed with the City. A filing fee in the amount of \$20.00 for each day the permit is to be effective shall be paid to the City which shall not be refunded in any event.

15. PENALTIES: Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor for each violation, and upon conviction thereof in a court of competent jurisdiction shall be punished by a fine of not more than three hundred (\$300.00) dollars, or by imprisonment for a period not exceeding six (6) months, or by both such fine and imprisonment together with the costs of prosecutions.
16. SEVERABILITY: Should any section, clause, sentence or provision of this Ordinance be held invalid for any reason, such holding or decree shall not be construed as affecting the validity of any of the remaining portions hereof, it being declared that the City Council would have adopted the remainder of this Ordinance, notwithstanding the invalidity of any such section, clause, sentence or provision.

Adopted and approved this \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, and signed by the Mayor of the City of Idaho City and the Chairman of the City Council.

***A Copy of the signed Ordinance can be viewed at the Idaho City, City Hall, Monday through Thursday, 10:00 AM to 3:30 PM.***

\_\_\_\_\_  
Patricia Campbell, Mayor  
City of Idaho City, Idaho

\_\_\_\_\_  
Ron Jameson, Chairman  
Idaho City Council

ATTEST:

\_\_\_\_\_  
Beth A. Wilson  
Idaho City Clerk

## ORDINANCE NO. 273

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

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

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

1. BUSINESS: means, but is not limited to, the retail or wholesale provision of goods or merchandise, e.g. retail grocery store, vending machines, second hand stores, craft stores, souvenir shops, restaurants.
2. OCCUPATION: means the provision of service for profit, e.g. including but not limited to practicing law, practicing medicine, barbers, beauticians, taxidermy, printing, newspapers, motels, hotels, RV parks, animal boarding kennels, child care facilities, construction companies, engineering firms, accountants, taxi cabs or other conveyances used to haul passengers for hire etc. Governmental organizations, Federal, State, County or Local shall be exempt for purposes of this Ordinance.
3. PERSON: means an individual, firm, partnership, association, corporation, or any group or combination acting as a unit, and includes the plural as well as the singular unless the intent to give a more limited meaning is disclosed by the context in which it is used.
4. BUSINESS LICENSE: means license as provided by Section 50-307, Idaho Code and this Ordinance, to carry on a business or occupation within the City of Idaho City.
5. PLACE OF BUSINESS: means any building, office, store, home, or other structure wherein a business of occupation is conducted.
6. VENDORS: means each and every person, vendor, hawker, peddler, solicitor, or temporary merchant who shall offer any article or service for sale from a stand or upon any street, public, private, or open ground, within the limits of the City.
7. NONPROFIT ORGANIZATION: means an organization which is exempt from Federal income tax as a charitable or nonprofit organization or has an established 501c status with the Office of the Idaho Secretary of State. To establish such exempt nonprofit status, when the permittee and the recipient are not both known by the Clerk to be on the face of the matter exempt from Federal income tax, such as national youth

organizations, churches, or recognized service clubs such as Rotary, or the Lions, the organizer shall file with its application for the permit one of the following:

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

- 8. CARNIVALS AND PUBLIC ENTERTAINMENT: means any carnival show, carnival company, merry go rounds, riding galleries, shooting galleries, and all entertainment commonly called “rides” including devices, apparatus, attractions and amusements for the transportation of persons at a fixed location and operated by motive power other than that of the person riding, therefore or therein, and for which there is a fee fixed or a fare charged are declared public entertainment.
- 9. SPONSORED EVENTS: means a festival, street show, event, celebration, parade, community event, or combination of these sponsored by a profit or nonprofit organization involving two or more profit or nonprofit vendors; e.g. Arts and Crafts Festival sponsored by Idaho City Arts Council, Gold Rush Days sponsored by the Chamber of Commerce, 4<sup>th</sup> of July Parade sponsored by the Chamber of Commerce.

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

SECTION 3. VENDORS LICENSE REQUIRED: It shall be unlawful to conduct any sponsored event or for any vendor to offer any article or service for sale within the City of Idaho City without first obtaining a vendors license from the City of Idaho City. It shall be unlawful for any person, persons, firm, organization or corporation to conduct door-to-door selling without securing a vendor’s license. Each person within each organization or corporation conducting door-to-door selling is required a separate vendor’s license.

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

nonprofit organizations may be established at a lower rate than other vendor license fees and may be waived by the City as deemed necessary by the Mayor and Council.

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

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

SECTION 7. DISAPPROVAL OF APPLICATION FOR AND THE REVOCATION AND CANCELLATION OF LICENSE: The right shall be and remain at all times vested in the Mayor and Council, and the Mayor and Council may, as hereinafter provided, disapprove the application for license, or revoke or cancel any license for fraud or misrepresentation in its procurement, or for a violation of any of the provisions of this Ordinance or any other Ordinance of the City of Idaho City, or for any conduct or act of the licensee or his employees or any conduct or act permitted by him or them on the premises where such business is conducted, or in connection therewith or adjacent thereto, tending to render such business or such premises where same is conducted a public nuisance or such premises where same is conducted a public nuisance or a menace to the health, peace, safety or general welfare of the City; provided, that revocation or suspension of any state license shall be deemed prima facie evidence for revocation or suspension of the license issued herein.

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

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

SECTION 10. POSTING BUSINESS AND VENDOR LICENSES: All business and vendor licenses will be posted in a prominent and visible location. Vendor licenses must be

posted on the front of the booth, tent, table, or pertinent structure so as to be visible from a distance. Each individual vendor included in carnivals, public entertainment, and sponsored events will post their vendor license in the same manner described.

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

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

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

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

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

PASSED BY THE CITY COUNCIL and approved by the Mayor, this 22<sup>nd</sup> day of December, 1998

RESOLUTION NO. 2006 – 02

A RESOLUTION SETTING VARIOUS CITY FEES FOR PERMITS AND USE:

**ALCOHOLIC BEVERAGE LICENSE FEES FOR 2006**

WHEREAS, Idaho City Ordinance No. 260 provides that license fees for the sale of Alcoholic beverages be set by resolution of the City Council each year;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and City Council as follows:

1. BEER TO BE CONSUMED ON PREMISES: The 2006 license fee for retail sale of beer to be consumed on the premises where sold, shall be \$125.00
2. BEER NOT TO BE CONSUMED ON PREMISES: The 2006 license fee for retail sale of beer, none of which is to be consumed on the premises where sold, shall be \$35.00.
3. WINE TO BE CONSUMED ON PREMISE: The 2006 license fee for retail sale of wine to be consumed on the premises where sold, shall be \$75.00
4. WINE NOT TO BE CONSUMED ON PREMISE: The 2006 license fee for retail sale of wine, none of which is to be consumed on the premises where sold, shall be \$75.00.
5. LIQUOR: The 2006 license fee for retail sale of liquor by the drink shall be \$225.00.

**BUSINESS AND VENDOR LICENSE FEES FOR 2006**

WHEREAS, Idaho City Ordinance No. 273 provides that business and vendor license fees be set by resolution of the City Council:

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and City Council as follows:

- |                                                                                                                                                      |          |
|------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 1. Business license application fee (non-refundable) -                                                                                               | \$ 40.00 |
| 2. Business license annual renewal fee                                                                                                               | \$ 45.00 |
| 3. Vendors license daily fee                                                                                                                         | \$ 12.00 |
| 4. Vendors license daily fees (nonprofit org.)                                                                                                       | \$ 7.00  |
| 5. Carnival or public entertainment with less than 10 concessions, rides, or sideshows, daily fee                                                    | \$200.00 |
| 6. Carnival or public entertainment with more than 10 concessions, rides, or sideshows, daily fee shall be \$20.00 per concession, ride or sideshow. |          |

An additional event license fee may be required for carnivals, public entertainment, or sponsored events in an amount approved by the City Council as meeting the City's expenses related to the activity, including but not limited to the provision of public works, police and fire protection.

**INSURANCE: A permittee for a carnival, public entertainment, or sponsored event shall establish financial responsibility in the form of an insurance policy issued jointly to the owner and the City of Idaho City in the minimum amount of one million dollars, single limit.**

#### **COMMUNITY HALL RENTAL FEES**

WHEREAS, the City Council wishes to set use fees for the Community Hall as follows:

Non-profit groups	\$30.00/day plus 5% tax
Government Agencies	\$60.00/day
Private individuals and groups	\$60.00/5 or fewer hours plus %5 tax

A \$25.00 deposit required, refundable if rental requirements are completed.

The Council can waive a portion of the fee or set a monthly use fee for groups desiring to use the Hall on a set schedule for a class or multi-day event.

#### **COPYING FEES**

WHEREAS, the City Council wishes to set fees for copying related directly to the costs incurred, the fees are as follows:

\$1.00/page

Copies of City documents will be calculated as to the direct costs incurred for each individual document.

#### **FAX FEES**

WHEREAS, the City Council wishes to set fees for faxing related directly to the costs incurred, the fees are as follows:

\$1.00/page

Faxes of City documents will be calculated as to the direct costs incurred for each individual document.

#### **DOG AND LIVESTOCK LICENSE FEES**

WHEREAS, The City of Idaho City has adopted a Regulation of Dogs and Livestock Ordinance; and

WHEREAS, the Regulation Ordinance provides for the setting of fees for Dog Licenses, Kennel Licenses and Seizure/Boarding/Disposal fees by resolution of the City Council; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and City Council as follows:

1. Fees for dog licenses shall be \$10.00 for spayed/neutered dogs; \$20.00 for dogs that have not been spayed or neutered. If a renewal license is not purchased by January 31, 2006, the cost of the license shall double to \$20.00 for spayed/neutered dogs; \$40.00 for dogs that have not been spayed or neutered.
2. Fees for kennel licenses shall be \$60.00.
3. Fees for seizure of a dog at large shall be \$40.00.
4. Boarding fees shall be \$50.00/day.
5. Disposal fees shall be actual costs incurred.

**PARKS AND RECREATION FEE SCHEDULE**

WHEREAS, the City Council wishes to set use fees for City Recreation Facilities as follows:

Security Deposit	50 to 99 people	\$50.00
	100 to 249 people	\$100.00
	250 people or more	\$300.00

Commercial or dedicated use of any city recreational facilities shall be 5% of gross proceeds with a minimum charge of \$75.00/day plus 5% tax. Exceptions may be set by the City Council based on recommendation from the Idaho City Parks and Recreation Commission.

***NOTE: No precedent has been set for submitting 5% of gross proceeds therefore the “Commercial or dedicated use” fee is limited to the \$75.00/day plus 5% Idaho State Sales Tax. This is the amount used to calculate Use Fees in the Rental & Use Agreement.***

Passed and approved by the City Council of the City of Idaho City this 24<sup>th</sup> day January, 2006.

***Signed copies of all Resolution and Ordinance documents can be viewed Monday through Thursday, 10:00 AM to 3:00 PM at City Hall for Idaho City.***

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Todd Niehoff, Council President

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Phillip J. Canody, Mayor

Attest:

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Tammy L. Ellsworth, City Clerk