

TITLE 1

ADMINISTRATION

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CHAPTER 1
OFFICIAL CITY CODE

SECTION:

- 1-1-1: Title
- 1-1-2: Acceptance
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1-1-1: **TITLE:** Upon the adoption by the City Council, this City Code is hereby declared to be and shall hereafter constitute the official City Code of Salmon. This City Code of ordinances shall be known and cited as the *SALMON CITY CODE* and is hereby published by authority of the Council and shall be supplemented to incorporate the most recent legislation of the City as provided in Section 1-1-3 of this Chapter. Any reference to the number of any section contained herein shall be understood to refer to the position of the same number, its appropriate chapter and title heading, and to the general penalty clause relating thereto, as well as to the section itself, when reference is made to this City Code by title in any legal documents. (2007 Code)

1-1-2: **ACCEPTANCE:** The City Code, as hereby presented in printed form, shall hereafter be received without further proof in all courts and in administrative tribunals of this State as the ordinances of the City of general and permanent effect, except the excluded ordinances enumerated in Section 1-2-1 of this Title. (2007 Code)

1-1-3: **AMENDMENTS:** Any ordinance amending the City Code shall set forth the title, chapter and section number of the section or sections to be amended, and this shall constitute sufficient compliance with any statutory requirement pertaining to the amendment or revision by ordinance of any part of this City Code. All such amendments or revisions by ordinance shall immediately be prepared for insertion in its proper place in each copy of this City Code. Each such

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replacement page shall be properly identified and shall be inserted in each individual copy of the City Code. (2007 Code)

1-1-4: **CODE ALTERATIONS:** It shall be deemed unlawful for any person to alter, change, replace or deface in any way any section or any page of this City Code in such a manner that the meaning of any phrase or order may be changed or omitted. Replacement pages may be inserted according to the official instructions when so authorized by the City Council. The City Clerk shall see that the replacement pages are properly inserted in the official copies maintained in the office of the Clerk. Any person having custody of a copy of the City Code shall make every effort to maintain said Code current as to the most recent ordinances passed. Such person shall see to the immediate insertion of new or replacement pages when such are delivered or made available to such person through the office of the City Clerk. Said Code books, while in actual possession of officials and other interested persons, shall be and remain the property of the City and shall be returned to the office of the Clerk when directed to do so by order of the City Council. (2007 Code)

CHAPTER 2

SAVING CLAUSE

SECTION:

- 1-2-1: Repeal of General Ordinances
- 1-2-2: Public Ways and Public Utility Ordinances
- 1-2-3: Court Proceedings
- 1-2-4: Severability Clause

1-2-1: **REPEAL OF GENERAL ORDINANCES:** All general ordinances of the City passed prior to the adoption of this City Code are hereby repealed, except such as are included in this City Code or are by necessary implication herein reserved from repeal (subject to the saving clauses contained in the following sections), and excluding the following ordinances which are not hereby repealed: tax levy ordinances; appropriation ordinances; ordinances relating to boundaries and annexations; franchise ordinances and other ordinances granting special rights to persons or corporations; contract ordinances and ordinances authorizing the execution of a contract or the issuance of warrants; salary ordinances; ordinances establishing, naming or vacating streets, alleys or other public places; improvement ordinances; bond ordinances; ordinances relating to elections; ordinances relating to the transfer or acceptance of real estate by or from the City; and all special ordinances. (2007 Code)

1-2-2: **PUBLIC WAYS AND PUBLIC UTILITY ORDINANCES:** No ordinance relating to railroad crossings with streets and other public ways, or relating to the conduct, duties, service or rates of public utilities shall be repealed by virtue of the adoption of this City Code or by virtue of the preceding Section, excepting as the City Code may contain provisions for such matters, in which case, this City Code shall be considered as amending such ordinance or ordinances in respect to such provisions only. (2007 Code)

1-2-3: **COURT PROCEEDINGS:**

- A. No new ordinance shall be construed or held to repeal a former ordinance whether such former ordinance is expressly repealed or not, as to any offense committed against such former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former ordinance, or in any way whatever to affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued or claim arising before the new ordinance takes effect, save only that the proceedings thereafter shall conform to the ordinance in force at the time of such proceeding, so far as practicable. If any penalty, forfeiture or punishment may be mitigated by any provision of a new ordinance, such provision may be, by consent of the party affected, applied to any judgment announced after the new ordinance takes effect.

- B. This Section shall extend to all repeals, either by express words or implication, whether the repeal is in the ordinance making any new provisions upon the same subject or in any other ordinance.

- C. Nothing contained in this Chapter shall be construed as abating any action now pending under or by virtue of any general ordinance of the City herein repealed, and the provisions of all general ordinances contained in this Code shall be deemed to be continuing provisions and not a new enactment of the same provisions; nor shall this Chapter be deemed as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the City under any ordinance or provision thereof in force at the time of the adoption of this City Code. (2007 Code)

1-2-4: **SEVERABILITY CLAUSE:** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this City Code or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Code, or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective. (2007 Code)

CHAPTER 3

DEFINITIONS

SECTION:

- 1-3-1: Construction of Words
- 1-3-2: Definitions, General
- 1-3-3: Catchlines

1-3-1: **CONSTRUCTION OF WORDS:**

- A. Whenever any word in any section of this City Code importing the plural number is used in describing or referring to any matters, parties or persons, any single matter, party or person shall be deemed to be included, although distributive words may not have been used. When any subject matter, party or person is referred to in this City Code by words importing the singular number only, or a particular gender, several matters, parties or persons and the opposite gender and bodies corporate shall be deemed to be included; provided, that these rules of construction shall not be applied to any section of this City Code which contains any express provision excluding such construction or where the subject matter or context may be repugnant thereto.
- B. The word "ordinance" contained in the ordinances of the City has been changed in the content of this City Code to "Title", "Chapter", "Section" and/or "subsection" or words of like import for organizational and clarification purposes only. Such change to the City's ordinances is not meant to amend passage and effective dates of such original ordinances.
- C. The word "shall" is mandatory; "may" is discretionary. (2007 Code)

- 1-3-2: **DEFINITIONS, GENERAL:** Whenever the following words or terms are used in this Code, they shall have such meanings

herein ascribed to them, unless the context makes such meaning repugnant thereto:

AGENT:	A person acting on behalf of another with authority conferred, either expressly or by implication.
CITY:	The City of Salmon, County of Lemhi, State of Idaho.
CODE:	The City Code of the City of Salmon.
COUNCIL:	Unless otherwise indicated, the City Council of the City of Salmon.
COUNTY:	The County of Lemhi, State of Idaho.
DAY/MONTH/ QUARTER/YEAR:	"Day" shall be any twenty four (24) hour period from midnight to midnight; "month" shall mean a calendar month unless otherwise expressed; "quarter" shall mean any three (3) month period, ending with the last day of March, June, September and December; and "year" shall mean any one calendar year unless otherwise expressed.
EMPLOYEES:	Whenever reference is made in this Code to a City employee by title only, this shall be construed as though followed by the words "of the City of Salmon".
FEE:	A sum of money charged by the City for the carrying on of a business, profession or occupation.
FISCAL YEAR:	The fiscal year of the City shall commence on October 1 of each year ¹ .
GENDER:	A word importing either the masculine or feminine gender only shall extend and be applied to the other gender and to persons.

¹ I.C. §50-1001.

INFRACTION:	A civil public offense, not constituting a crime, punishable by a penalty not exceeding one hundred dollars (\$100.00) and for which no incarceration may be imposed ¹ .
KNOWINGLY:	"Knowingly" imports only a knowledge that the facts exist which bring the act or omission within the provisions of this Code. It does not require any knowledge of the unlawfulness of such act or omission.
LICENSE:	The permission granted for the carrying on of a business, profession or occupation.
MISDEMEANOR:	Any offense not defined as a felony or infraction under State law ² .
NEGLIGENCE:	The terms "neglect", "negligence", "negligent" and "negligently" import a want of such attention to the nature or probable consequences of the act or omission as a prudent person ordinarily bestows in acting in such person's own concern.
NUISANCE:	Anything offensive to the sensibilities of reasonable persons, or any act or activity creating a hazard which threatens the health and welfare of inhabitants of the City, or any activity which by its perpetuation can reasonably be said to have a detrimental effect on the property of a person or persons within the community.
OATH/SWEAR:	The word "oath" includes "affirmation" and the word "swear" includes the word "affirm". Every mode of oral statement under oath or affirmation is embraced in the term "testify" and every written one in the term "depose".
OCCUPANT:	As applied to a building or land, shall include any person who occupies the whole or any part

¹ I.C. §§18-111 and 18-113A.

² I.C. §§18-111 and 18-113.

	of such building or land whether alone or with others.
OFFENSE:	Any act forbidden by any provision of this Code or the omission of any act required by the provisions of this Code.
OFFICERS:	Whenever reference is made in this Code to a City officer by title only, this shall be construed as though followed by the words "of the City of Salmon".
OFFICIAL TIME:	Whenever used, this term shall mean standard time or daylight savings time as may be in current use within the City.
OPERATOR:	The person who is in charge of any operation, business or profession.
OWNER:	As applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of a part of such building or land.
PERSON:	Any public or private corporation, firm, partnership, association, organization, government or any other group acting as a unit, as well as a natural person.
PERSONAL PROPERTY:	Includes every description of money, goods, chattels, effects, evidence of rights in action and all written instruments by which any pecuniary obligation, right or title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished and every right or interest therein.
PROPERTY:	Includes both real and personal property.
REAL ESTATE, REAL PROPERTY, LAND:	Includes lands, tenements, hereditaments, water rights, possessory rights and claims.
RETAILER:	Unless otherwise specifically defined, shall be understood to relate to the sale of goods,

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merchandise, articles or things direct to the consumer.

RIGHT OF WAY: The privilege of the immediate use of the roadway or other property.

SIGNATURE: Includes any name, mark or sign written with the intent to authenticate any instrument of writing.

STATE: The State of Idaho.

STREET: Includes alleys, lanes, courts, boulevards, public ways, public squares, public places and sidewalks.

TENANT OR OCCUPANT: As applied to a building or land, shall include any person who occupies the whole or any part of such building or land, whether alone or with others.

WHOLESALER: The terms "wholesaler" and "wholesale dealer" as used in this Code, unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things to persons who purchase for the purpose of resale.

WRITTEN, IN WRITING: May include printing and any other mode of representing words and letters, but when the written signature of any person is required by law to any official or public writing or bond, it shall be in the proper handwriting of such person, or in case such person is unable to write, by such person's proper mark. (2007 Code)

1-3-3: CATCHLINES: The catchlines of the several sections of the City Code are intended as mere catchwords to indicate the content of the section and shall not be deemed or taken to be titles of such sections, nor be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any division or section hereof, nor unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or re-enacted. (2007 Code)

CHAPTER 4
GENERAL PENALTY

SECTION:

- 1-4-1: General Penalty
- 1-4-2: Application of Provisions
- 1-4-3: Liability of Officer

1-4-1: **GENERAL PENALTY¹:**

- A. Misdemeanor: Unless specifically provided elsewhere, any person convicted of a violation of any section or provision of this City Code deemed a misdemeanor may be fined in a sum not to exceed three hundred dollars (\$300.00) for any offense and may be confined in jail for a period of not more than six (6) months. Either or both such fine and imprisonment may be imposed; and in addition thereto, any person so convicted shall pay such costs as the court may assess.
- B. Infraction: When the offense is designated as an infraction by any section or provision of this City Code or by State law, it is punishable only by a penalty not exceeding one hundred dollars (\$100.00) and no incarceration may be imposed.
- C. Criminal or Civil Penalty: Any city which is participating in a federally mandated program, wherein penalties or enforcement remedies are required by the terms of participation in the program, may enforce such requirements by ordinance, to include a criminal or civil monetary penalty not to exceed one thousand dollars (\$1,000.00), or imprisonment for criminal offenses not to exceed six (6) months or to include both a fine and imprisonment for criminal offenses. (2007 Code)

¹ I.C. §50-302.

1-4-2: APPLICATION OF PROVISIONS:

- A. The penalty provided in this Chapter shall be applicable to every section of this City Code the same as though it were a part of each and every separate section.
- B. In all cases where the same offense is made punishable or is created by different clauses or sections of this City Code, the prosecuting officer may elect under which to proceed, but not more than one recovery shall be had against the same person for the same offense; provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.
- C. Whenever the doing of any act or the omission to do any act constitutes a breach of any section or provision of this City Code and there shall be no fine or penalty specifically declared for such breach, the provisions of this Chapter shall apply. (2007 Code)

1-4-3: LIABILITY OF OFFICERS: No provision of this City Code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty, unless the intention of the City Council to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty. (2007 Code)

CHAPTER 5

OFFICIAL AND CORPORATE PROVISIONS

SECTION:

- 1-5-1: Corporate Limits
- 1-5-1A City Map Adopted
- 1-5-1B Annexation Ordinances
- 1-5-2: Corporate Seal
- 1-5-3: Official Depositories
- 1-5-4: Official Newspaper

1-5-1: **CORPORATE LIMITS:** The corporate limits of the City are described in an updated legal description compiled by Wade Surveying from the original 1987 legal description and field notes, and is recorded by the Lemhi County Clerk. The updated legal description and amendments thereof shall be kept on file in the office of the Lemhi County Clerk, and a copy of such kept in the office of the City Clerk. (Amd. Ord. 10-764; 8-18-2010)

1-5-1A: **CITY MAP ADOPTED:** A certain map recorded by the Lemhi County Clerk compiled and drawn by Wade Surveying from the updated legal description and field notes as shown thereon and bearing official signatures is declared to be the official map of the City. The original said recorded map and amendments thereof shall be kept on file in the office of the Lemhi County Clerk, and a copy of such in the office of the City Clerk.

As the legal description of the corporate boundaries of the City are from time to time legally changed, said changes shall be drawn upon the recorded map of the City in accordance with applicable provisions of Title 50, Chapter 13 of the Idaho Code, and shall be so indicated by amending the legal description and recorded map. The cost for such updates to the legal description and map shall be the responsibility of the petitioner for the changes.

1-5-1B: **ANNEXATION ORDINANCES:** As additions to the city are from time to time legally annexed or de-annexed, existing or future annexation ordinances shall be recorded and kept on file in the office of the Lemhi County Clerk, and a copy of such in the office of the City Clerk.

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1-5-2: **CORPORATE SEAL:**

- A. Design: The Corporate Seal of the City shall be circular in form with four (4) circles. The outer circle shall be a line one and fifteen-sixteenths inches ($1^{15}/_{16}$) in diameter. The next inner circle shall be a rope design and shall be one and thirteen-sixteenths inches ($1^{13}/_{16}$) in diameter. The third inner circle shall be a line one and eleven-sixteenths inches ($1^{11}/_{16}$) in diameter. The inner circle shall be a dotted circle one and three-sixteenths inches ($1^3/_{16}$) in diameter. On the top half of the Seal, between the third circle and the inner circle, in Roman type, shall appear the words "CITY OF SALMON, IDAHO". In the lower half of the Seal, between the third circle and the inner circle, in Gothic style type, shall appear the words "INCORPORATED A.D. 1892". In the top center of the Seal shall appear the miners' crossed pick and shovel. In the center of the circle shall appear a large salmon and, below this, to the left, shall be a farmer's plow, and to the right a sheaf of grain. (1959 Code §1-4-1)

- B. Adoption of Seal: The Seal described hereinabove in this Section is hereby adopted as a Corporate Seal of the City of Salmon, Idaho. (1959 Code §1-4-2)

- C. Custodian of Seal: The Clerk of the City shall be the custodian of the Corporate Seal of the City and shall affix such Seal's imprint upon all official documents, records and licenses.¹ (1959 Code §1-4-3, amd. 2007 Code)

1-5-3: **OFFICIAL DEPOSITORIES:** Any FDIC-insured institution, along with the Local Government Investment Pool, are hereby designated as the official depositories of the funds for the City. The City Treasurer/Finance Director is hereby ordered, required and directed to keep monies belonging to, or in the care of, the City, coming into his or her hands and into the hands of the City, in the best interest of the City, with City Council approval. (1959 Code §1-6-1; amd. 2007 Code; amd. Ord. 12-777; 1-4-2012)

1-5-4: **OFFICIAL NEWSPAPER:** The Recorder-Herald, a newspaper of general circulation, is hereby designated the official newspaper of the City. (1959 Code §1-5-1)

¹ See also subsection 1-7A-2J of this Title
City of Salmon

CHAPTER 6
MAYOR AND CITY COUNCIL

SECTION:

- 1-6-1: Election of Officers
- 1-6-2: Mayor
- 1-6-3: Councilmembers
- 1-6-4: Salaries of Elective Officers
- 1-6-5: Meetings of the City Council
- 1-6-6: Quorum, Attendance of Members
- 1-6-7: Ordinances of the City

1-6-1: **ELECTION OF OFFICERS:** The City Council of the City shall be composed of a Mayor and six (6) Councilmembers who shall be elected at the time and in the manner as provided by the State¹. (2007 Code)

1-6-2: **MAYOR:**

- A. Qualifications: Any person shall be eligible to hold the office of Mayor who is a qualified elector of the City at the time of his or her election and remains a qualified elector during his or her term of office.
- B. Term of Office: The term of office of the Mayor shall be for a period of four (4) years, except as otherwise specifically provided. The Mayor shall take office at the time and in the manner provided for installation of Councilmembers.
- C. Vacancy in Office: In case of a temporary vacancy in the office of Mayor due to absence or disability, the President of the Council shall exercise the office of Mayor during such disability or temporary absence and until the Mayor shall return. When a vacancy occurs in the office of Mayor by reason of death,

¹ I.C. §§50-701 and 50-401 et seq.

resignation or permanent disability, the City Council shall fill the vacancy from within or without the Council as may be deemed in the best interests of the City, which appointee shall serve until the next general City election, at which election a Mayor shall be elected for the full four (4) year term.

- D. Powers and Duties: The Mayor shall have those powers and duties as provided by State law¹. (2007 Code)

1-6-3: **COUNCILMEMBERS:**

- A. Qualifications; Terms of Office: Any person shall be eligible to hold the office of Councilmember of the City who is, at the time of election, and remains a qualified elector under the Constitution and laws of the State. Each Councilmember elected at the general City election shall be installed at the first meeting in January following election.
- B. Vacancies in Office: A vacancy on the Council shall be filled by appointment made by the Mayor with the consent of the Council, which appointee shall serve only until the next general City election, at which election the vacancy shall be filled for the balance of the original term.
- C. Powers and Duties: The City Council shall have such powers and duties as are now or may hereafter be provided under the general laws of the State. (2007 Code)

1-6-4: **SALARIES OF ELECTIVE OFFICERS:**

- A. Mayor: The salary of the Mayor shall be as determined from time to time by the City Council.
- B. Councilmembers: The salary of each member of the City Council shall be as determined from time to time by the City Council. (2007 Code)

¹ I.C. §50-602 et seq.

1-6-5: **MEETINGS OF THE CITY COUNCIL:**

- A. Regular Meetings: The regular meetings of the City Council shall be held on the first and third Wednesday of each month at six o'clock (6:00) P.M., at the City Hall. If such day be a legal holiday, the meeting shall be held on the day following such holiday. The Mayor of the Council may convene the Council at any time. (Amd. Ord. 02-629, 4-03-02)

- B. Special Meetings: Special meetings may be called by the Mayor upon notice to each councilmember. One-half ($\frac{1}{2}$) plus one of the Council shall have the power to call special meetings of the City Council, the object of which shall be submitted to the Councilmembers, in writing, at least twenty four (24) hours before the meeting. Notice of the meeting shall also be posted. Special meetings shall be held at such place in the City as is designated in the notice. (Ord. 90-535, 12-17-90; 2007 Code)

- C. Emergency Meetings: Emergency meetings may be called for an emergency which is hereby declared to exist by the Mayor upon notice to each Councilmember. (Ord. 90-535, 12-17-90)

- D. Meetings Open to the Public: All meetings of the City Council shall be open to the public; except, that executive sessions may be closed upon a two-thirds ($\frac{2}{3}$) vote recorded in the minutes of the meeting by individual vote pursuant to Idaho Code, section 67-2345.

- E. Presiding Officer: In the event of the Mayor's absence, the City Council meetings shall be presided over by a Council President to be selected by the Council from its members each January. Such position shall rotate yearly. (2007 Code)

1-6-6: **QUORUM, ATTENDANCE OF MEMBERS:** At all meetings of the City Council, a majority of the members shall constitute a quorum to do business. Whenever at or during any meeting less than a quorum shall be present, the members present may, by order entered upon the minutes, direct any absent member or members to attend forthwith or at a stated time and place and cause said direction to be communicated orally or in writing to, or served upon, such absent member or members. Successive directions may be ordered, communicated or served. (2007 Code)

1-6-7

1-6-7

1-6-7: **ORDINANCES OF THE CITY:** All ordinances of the City shall be presented and voted upon in the manner and style and shall be subject to the terms and conditions of Idaho Code, section 50-901 et seq. (2007 Code)

CHAPTER 7

CITY OFFICERS AND EMPLOYEES

SECTION:

- 1-7-1: Appointment and Removal of Officers
- 1-7-2: ~~Terms of Office~~ (Repealed)
- 1-7-3: Bonds of Officers
- 1-7-4: Salaries of Appointive Officers
- 1-7-5: Code of Ethics

1-7-1: **APPOINTMENT AND REMOVAL OF OFFICERS:**

- A. Appointment: The Mayor shall, with the consent of the City Council, appoint a Clerk, Treasurer/Finance Director, Attorney, Chief of Police, Superintendent of Public Works, Engineer/Surveyor, and other officers as may be deemed advisable for the efficient operation of the City. (1959 Code §1-11-1; 2007 Code)
- B. Removal: Any appointive officer may be removed by the Mayor for any cause by him or her deemed sufficient, but such removal shall be by and with the affirmative vote of one-half ($\frac{1}{2}$) plus one of the members of the full Council; provided, that the City Council, by the unanimous vote of all its members, may, upon its own initiative, remove any appointive officer. (2007 Code)

1-7-2: **TERMS OF OFFICE:** Repealed (Ord 15-804, 09-16-15)

- 1-7-3: **BONDS OF OFFICERS:** The following officers shall give bonds to the City with two (2) or more sufficient sureties in the penal sums as follows; provided, that surety bonds may be furnished at the expense of the City in lieu of personal bonds:

City Clerk	\$200,000.00
City Treasurer/Finance Director	\$200,000.00
(2007 Code)	

1-7-4: **SALARIES OF APPOINTIVE OFFICERS:** Salaries of appointive officers shall be as set from time to time by the City Council. (1959 Code § 1-11-2; 2007 Code)

1-7-5: **CODE OF ETHICS:**

A. Declaration of Policy:

1. The public judges its government by the way public officials and employees conduct themselves in the posts to which they are elected or appointed.

2. The people have a right to expect that every public official and employee will conduct himself or herself in a manner that will tend to preserve public confidence in and respect for the government he or she represents. Such confidence and respect can best be promoted if every public official and employee, whether paid or unpaid, and whether elected or appointed, will uniformly:

a. Treat all citizens with courtesy, impartiality, fairness and equality under the law; and

b. Avoid both actual and potential conflicts between their private self-interest and the public interest.

B. Definitions: The terms used in this Section are hereby defined as follows:

FINANCIAL INTEREST: Any interest which shall yield, directly or indirectly, a monetary or other material benefit (other than the duly authorized salary or compensation for his or her services to the City) to the official or employee or to any person employing or retaining services of the official or employee.

OFFICIAL OR EMPLOYEE: Any person elected or appointed to, or employed or retained by, any public office or public body of the City whether paid or unpaid and whether part-time or full-time.

PERSON: Any person, firm, association, group, partnership or corporation, or any combination thereof.

PERSONAL INTEREST: Any interest arising from blood or marriage relationships or from close business or political association whether or not any financial interest is involved.

PUBLIC BODY: Any agency, board, body, commission, committee, department or office of the City.

C. Fair and Equal Treatment:

1. **Impartiality:** No official or employee shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which is the general practice to grant or make available to the public at large.

2. **Use of Public Property:** No official or employee shall request, use or permit the use of any publicly-owned or publicly-supported property, vehicle, equipment, labor or service for the personal convenience or the private advantage of himself or herself or any other person. This rule shall not be deemed to prohibit an official or employee from requesting, using or permitting the use of publicly-owned or publicly-supported property, vehicle, equipment, material, labor or service which it is the general practice to make available to the public at large or which are provided as a matter of stated public policy for the use of public officials and employees in the conduct of official business.

D. Conflict of Interest:

1. **Public Disclosure of Financial or Personal Interest:**

a. No official or employee, either on his or her own behalf or any other person, shall have any financial or public interest in any business or transaction with any public body unless he

or she shall first make full public disclosures of the nature and extent of such interest.

b. Whenever the performance of official duties shall require any official or employee to deliberate and vote on any matter involving his or her financial or personal interest, he or she shall publicly disclose the nature and extent of such interest and disqualify himself or herself from participating in the deliberation as well as in the voting.

c. No official or employee shall engage in private employment with, or render services for, any private person who has business transactions with any public body unless he or she shall first make full public disclosure of the nature and extent of such employment or services.

2. Representation of Private Persons: No official or employee shall appear on behalf of any private person, other than himself or herself, before any public body in the City.

3. Receiving Gifts: No official or employee shall accept any gift, whether in the form of money, thing, favor, loan or promise, that would not be offered or given to him or her if he or she were not an official or employee.

4. Disclosing Confidential Information: No official or employee shall, without prior formal authorization of the public body having jurisdiction, disclose any confidential information concerning any other official or employee, or any other person, or any property or governmental affairs of the City.

5. Nepotism: No elected official shall appoint or vote for appointment any person related to him or her by blood or marriage to any clerkship, office, position, employment or duty when the salary, wages, pay or compensation is to be paid out of public funds as provided in section 59-701, Idaho Code. (2007 Code)

CHAPTER 7

CITY OFFICERS AND EMPLOYEES

ARTICLE A. CLERK

SECTION:

- 1-7A-1: Appointment
 1-7A-2: Duties and Responsibilities
 1-7A-3: Claims Against the City

1-7A-1: **APPOINTMENT:** The Clerk shall be appointed by the Mayor subject to the approval of the Council. The City Clerk may be removed by the mayor for any cause by him deemed sufficient; but such removal shall be by and with the affirmative vote of one half (1/2) plus one (1) of the members of the full council; provided, that the city council, by the unanimous vote of all its members, may upon their own initiative remove any appointive officer. (1959 Code §1-12-1; amd. Ord. 15-804, 09-16-15)

1-7A-2: **DUTIES AND RESPONSIBILITIES:**

- A. Duties: The Clerk performs administrative and management work in serving as Clerk to the City Council; directs records management and City Code maintenance; directs business, animal licensing and Code enforcement; directs the billing and collections for City sewer and water utilities; directs the conduct of municipal elections for the City; conducts City Business; other related work as required. (2007 Code; amd. Ord. 10-767, 10-20-2010)
- B. City Council and Municipal Elections: The Clerk directs and approves the compilation and distribution of weekly City Pre-Council and Council agendas, minutes and public hearing schedules; attends City Council meetings to record minutes, maintains all exhibits for the public record, and provides other assistance for the Mayor and Council as needed; maintains a legislative history file of council actions; maintains the City's Internet page which allows public access to Council minutes, agendas and other City information and records; serves as "Official" for signing contracts and agreements, notices and the distribution and record keeping for Urban Renewal Plan changes, LID's, etc.,

ensures proper legal notice and publication; budgets, monies for election expenses during election years; accepts and certifies candidate petitions; hires precinct workers; arranges polling places; announces official election returns; administers oaths of office. (2007 Code; amd. Ord. 10-767, 10-20-2010)

- C. Licensing and Records Management: The Clerk serves as Licensing Officer to manage the procession of all City business regulatory licenses; develops policies and procedures for issuing business and occupational licenses; oversees the enforcement of licensing code requirements and analyzes fee schedules and community licensing trends; participates on community committees to address licensing issues; manages the City's Records Archival Center; supervises the City's Document Information System and the conversion of City records to electronic format, accessibility, storage and preservation; develops policies and procedures for automated City-wide records management; directs maintenance of the City Code book.
- D. Office Management: Develops and manages the City Clerk's office budget; supervises clerical staff; develops office policies and procedures; coordinates operating procedures with other departments; provides information to the public and media through interviews or in written format.

Manages and coordinates the collection of water and sewer payments. Communicates with the Public Works Department in resolving service and payment issues.

Manages and coordinates the sale of cemetery plots, burial, etc. with the Cemetery Sexton.

Manages and coordinates the work activity of the Utility Clerk. (Ord. 10-767, 10-20-2010)

- E. Custodian of Official Seal: The Clerk shall be the custodian of the Official Seal of the City¹. (1959 Code § 1-12-7)

1-7A-3: CLAIMS AGAINST THE CITY:

- A. Filing; Approval: All claims against the City must be filed in writing with the Clerk. Claims must present a full account of the

¹ See also subsection 1-5-2C of this Title.

items and damages. (1959 Code §1-12-13 amd. 2007 Code)

- B. Claims for Damages: All claims for damages against the City must be filed with the Clerk within 180 days after such time as the damage is alleged to have occurred. All such claims shall specify the time, place, character and cause of damage. The Clerk shall oversee submission of documents to the City's Risk Management Program. (2007 Code)
- C. Payment of Claims: Final decision of payment or denial of claims will be made by the City's Risk Management Program. (2007 Code)

CHAPTER 7

CITY OFFICERS AND EMPLOYEES

ARTICLE B. CITY TREASURER/FINANCE DIRECTOR

SECTION:

- 1-7B-1: Appointment
 1-7B-2: Duties

1-7B-1: **APPOINTMENT; TERM OF OFFICE:** The City Treasurer/ Finance Director shall be appointed by the Mayor subject to the approval of the City Council. The City Treasurer/Finance Director may be removed by the mayor for any cause by him deemed sufficient; but such removal shall be by and with the affirmative vote of one half (1/2) plus one (1) of the members of the full council; provided, that the city council, by the unanimous vote of all its members, may upon their own initiative remove any appointive officer.
 (2007 Code; amd. Ord. 15-804, 09-16-15)

1-7B-2: **DUTIES:**

- A. Generally: The Treasurer/Finance Director shall oversee the City's financial management programs, prepare and manage enterprise, capital and operating budgets, implement fiscal policies and administer fiscal controls and develop and oversee the City's internal finance policy. The Treasurer/Finance Director shall coordinate end-of-year auditing activities with designated auditors and execute other fiscal duties. The Treasurer/Finance Director will adhere to all City and State policies, regulations and ordinances that affect the City's fiscal operations; exercising supervision over permanent and temporary staff as assigned and provide fiscal assistance to other department directors as required.
- B. Accounts and Funds: The City Treasurer/Finance Director shall:
1. Accurate Accounting: Administer all aspects of the City budget in accordance with applicable governmental accounting standards to include fund accounting, revenue administration and asset

inventories. Be responsible for development and maintenance of all fiscal records. Administer and manage all aspects of the City's fiscal software program. Schedule, coordinate and implement municipal year-end fiscal closing activities and ensure compliance with required auditing principles and regulations.

2. Receive and Disburse Funds: Coordinate receipt or payment of funds with State agencies, Lemhi County, Federal agencies and all other organizations with which the City does business. Manage all municipal debt accounts to include taxes, leases, bonds, warrants, coupons and loans. Be responsible for investment of funds, debt management, grants administration, City-owned utility billing operations, business licensing and purchasing. Manage all accounts payable and receivable and disburse monies upon approval by the Salmon City Council.

3. Demand and Receive Funds: Manage daily and monthly city finances that include the actions of posting, balancing, reconciliation and depositing and administer all aspects of the City's utility fiscal operations. Demand and receive all monies and fees owing to the City whenever any person is indebted to the City in any manner, and the means of collection of such debt is not otherwise provided for by law. When any claim shall not be collectible by other methods, the Finance Director shall report the same to the City Attorney for prosecution.

- C. Monthly Report: The Treasurer/Finance Director shall make a detailed report to the City Council during the first meeting of each month showing the business of his or her office during the last month closed, showing the balance on hand to the credit of different funds, the amounts received during the month and on what account, together with such information as may be required by the City Council.
- D. Employee Payroll and Benefits: The Treasurer/Finance Director shall prepare and oversee employee payroll operations, manage employee benefits, classifications, sick leave and vacation accrual, insurance, personal information, exemptions, and deductions. Management of all employee fiscal inquiries and oversight of the City's Risk Management program.
- E. Deliver Records to Successor: The Treasurer/Finance Director shall deliver to his or her successor in office all material, records and resources of the office. (1995 Code, amd. 2007 Code)

CHAPTER 7
CITY OFFICERS AND EMPLOYEES
ARTICLE C. CITY ATTORNEY

SECTION:

- 1-7C-1: Appointment
1-7C-2: Duties

1-7C-1: **APPOINTMENT; TERM OF OFFICE:** The City Attorney shall be appointed by the Mayor subject to the approval of the Council. The City Attorney may be removed by the mayor for any cause by him deemed sufficient; but such removal shall be by and with the affirmative vote of one half (1/2) plus one (1) of the members of the full council; provided, that the city council, by the unanimous vote of all its members, may upon their own initiative remove any appointive officer. (2007 Code; amd. Ord. 15-804, 09-16-15)

1-7C-2: **DUTIES:**

- A. Legal Advisor: The City Attorney shall be the legal advisor of the City and shall render advice on all legal questions affecting the City whenever requested to do so by any City official. Upon request by the Mayor or by the Council, the City Attorney shall reduce any such opinion to writing.
- B. Special Assessments and Condemnation Proceedings: It shall be the duty of the City Attorney to see to the completion of all special assessment proceedings and condemnation proceedings.
- C. Ordinance and Document Preparation: It shall be the duty of the City Attorney to draft or supervise the phraseology of any contract, lease or other documents or instruments to which the City may be a party and, upon request of the City Council, to draft ordinances covering any subjects within the power of the City. (2007 Code)

CHAPTER 7**CITY OFFICERS AND EMPLOYEES****ARTICLE D. PUBLIC WORKS SUPERINTENDENT****SECTION:**

1-7D-1: Appointment

1-7D-2: Duties

1-7D-1: **APPOINTMENT:** The Mayor may appoint, with approval of the City Council, a Public Works Superintendent. The Public Works Superintendent may be removed by the mayor for any cause by him deemed sufficient; but such removal shall be by and with the affirmative vote of one half (1/2) plus one (1) of the members of the full council; provided, that the city council, by the unanimous vote of all its members, may upon their own initiative remove any appointive officer. (1959 Code §1-17-1; amd. Ord. 15-804, 09-16-15)

1-7D-2: **DUTIES:** The Public Works Superintendent will be responsible for coordinating and overseeing the administrative and executive activities of the Salmon Public Works Department:

- A. Streets and Alleys: Supervise the grading, surfacing, repairs and maintenance of all streets and alleys.
- B. Sewer: Supervise the installation and maintenance of all sewer lines in the City except the installation of sewer projects which are accomplished by contract.
- C. Water: Supervise the installation and maintenance of all water mains and water services, except the installation of water mains so accomplished by contract.
- D. Equipment: Have charge of and supervise the repair and upkeep of all City owned equipment.
- E. Employment and Supervision: Employ, with the consent of the City

Council, such help as is needed to carry on the work of the City, including contractor and volunteer recruitment, such help to be directly under his or her supervision. Supervision over permanent and temporary staff as assigned.

- F. Budget: Oversight and management of the Public Works budget, grant accounting and management, department materials and professional services procurement and expenditures,
- G. Other Duties: Management and maintenance of traffic signage, City parks, city-owned lands, the city cemetery and the storm water collection system. Project and program development and oversight; adherence to all Federal, City and State Policies, regulations and ordinances. Development of key partnership agreements for on-going public works programs, projects and events. Completing planned and assigned projects; developing and implementing a department strategic plan that addresses long-term community public works needs and goals. Conducting public works communication initiatives that include writing press releases, interacting with the public and the media, website maintenance, conducting public meetings and responding to resident, visitor, agency and partner comments and concerns. Coordinating projects with partners and volunteers, facilitating committee meetings, workshops and public meetings as required. Be responsible for the accomplishment of such other work of the City which the City Council may from time to time assign to him or her.
- H. Reports: Make such reports as are requested by the Mayor or the City Council. (1959 Code §1-17-2, amd. 2007 Code)

CHAPTER 7

CITY OFFICERS AND EMPLOYEES

ARTICLE E. CITY ENGINEER/SURVEYOR

SECTION:

1-7E-1: Appointment: Term of Office

1-7E-2: Qualifications

1-7E-1: **APPOINTMENT; TERM OF OFFICE:** The Mayor may appoint, with the approval of the Council, an engineer/surveyor who shall hold office for the duration of such appointment or until such time as removed by the Mayor with the concurrence of the Council. (1959 Code §1-18-1, amd. 2007 Code)

1-7E-2: **QUALIFICATIONS:** Any person appointed as Engineer/Surveyor shall be a competent engineer and surveyor and shall be duly licensed as such by the State of Idaho. (1959 Code §1-18-3, amd. 2007 Code)

CHAPTER 8
CITY PERSONNEL SYSTEM

SECTION:

- 1-8-1: Purpose
- 1-8-2: Classified Service
- 1-8-3: Administration
- 1-8-4: Personnel Committee
- 1-8-5: Adoption of Personnel Policies and Procedures
- 1-8-6: Agreements Authorized
- 1-8-7: Prohibition Against Political Activity
- 1-8-8: Unlawful Acts Prohibited

1-8-1: **PURPOSE:** The purpose of this Chapter is to establish a system of personnel administration. The system herein established shall be consistent with the following principles:

- A. Recruiting, Selecting and Advancing Employees: Recruiting, selecting and advancing employees on the basis of their relative ability, knowledge and skills, including open competition of qualified applicants for initial appointment;
- B. Establishing Pay Rates: Establishing pay rates consistent with the principles of providing equal or comparable pay for equal or comparable work;
- C. Training Employees: Training employees, as needed, to assure high quality performance;
- D. Retaining Employees: Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance and separating employees whose inadequate performance cannot be corrected;
- E. Fair Treatment of Applicants and Employees: Assuring fair treatment of applicants and employees in all aspects of personnel

1-8-1

1-8-2

administration without regard to political affiliation, race, color, creed, national origin or ancestry, age, sex, religion, handicap, sexual orientation or affectional preference, or marital status. (Ord. 91-543, 12-18-91)

1-8-2: **CLASSIFIED SERVICE:**

A. Exceptions: The classified service shall be a permanent service to which this law shall apply and shall include all employees serving in continuing positions, now existing or hereafter established, except the following:

1. Members of elective offices;
2. Members of appointed boards or commissions, Public Works Superintendent, Clerk, Police Chief, Finance Director, and City Attorney;
3. Persons employed to conduct a temporary or special inquiry, investigation or examination on behalf of the City Council or a committee thereof;
4. Volunteer personnel who receive regular compensation;
5. Persons employed to work less than full time;
6. Temporary positions scheduled for less than one year's duration unless specifically covered by the action of the City Council;
7. Persons performing work under contract for the jurisdiction who are not carried on the payroll as employees;
8. These exceptions are not to imply that these positions (subsections A1 through A7) will not adhere to the policies and procedures set forth in the adopted policies and procedures of the City.

B. Use of Service: Nothing herein shall be construed as precluding the City from filling any accepted position in the manner in which positions in the classified service are filled. (Ord. 91-543, 12-18-91, amd. 2007 Code)

1-8-3: ADMINISTRATION:

- A. Designation of Position for Duties of Personnel Officer: At the first regular Council meeting after the beginning of a new fiscal year, the City Council shall designate the position to which the duties of Personnel Officer are to be assigned. The incumbent in the position so designated may have other staff members designated to assist him or her or may designate any member of his or her staff to assist.
- B. Personnel Officer Duties and Responsibilities: The Personnel Officer is responsible for the personnel administration system and shall direct all of its administrative and technical activities. His or her duties shall include, but not be limited to, the following:
1. Encourage and Exercise Leadership: Encourage and exercise leadership in the development of effective personnel administration practices within the jurisdiction;
 2. Investigation of Law and Policies: Investigate from time to time the operation and effect of this law and the policies made thereunder and to report the findings and recommendations to the City Council;
 3. Personnel Records: Establish and maintain comprehensive personnel records for each employee; including for each employee the classification, pay rate, date of employment and other relevant data;
 4. Advise City Council: Advise the City Council on matters affecting the most effective use of human resources;
 5. Annual Report: Make an annual report to the City Council regarding the status of their personnel administration program. Such report shall be submitted at least two (2) months prior to beginning of each fiscal year;
 6. Programs for Improvement: Foster and develop programs for the improvement of employee effectiveness, including training, safety, health, welfare, supportive services and other appropriate areas;
 7. Enforcement of Policies: Apply and enforce this law and the policies thereunder and to perform any other lawful acts which

1-8-3

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may be necessary to carry out the purposes of the provisions of this law.

- C. Personnel Committee: The Personnel Committee shall with the assistance of the department heads draft, or cause to be drafted the personnel policies and procedures for the City. Such rules shall become effective upon passage of an appropriate ordinance.
- D. Meetings: The City Council shall hold two (2) meetings during the fiscal year with all City employees, one meeting in October, the other in March. The meeting will be to discuss the policies and procedures of the City noting any changes or problems therein. (Ord. 91 -543, 12-18-91)

1-8-4: **PERSONNEL COMMITTEE:** The City Council may appoint a Personnel Committee made up of Councilmembers, the City Clerk, and the Personnel Officer (unless the City Clerk is appointed to handle the duties of Personnel Officer) to serve in an advisory capacity in personnel problems; to conduct grievance hearings for classified employees upon their request and to render final decisions to the City Council; and to hear appeals in the case of any employee in the classified service being suspended, reduced or removed and to report its decisions to the City Council. (Ord. 91-543, 12-18-91)

1-8-5: **ADOPTION OF PERSONNEL POLICIES AND PROCEDURES:**

- A. Adoption: The City hereby adopts and will review annually Personnel Policies and Procedures for the City which sets forth the policies and procedures for the following:

Employee examination/selection process; employment and benefits; employee relations; interpretation; enforcement and administration; selection and appointments; probationary periods; employee performance evaluations; application and examinations; separations; disciplinary actions; training and welfare activities; records and reports; attendance and leave; overtime; appeals and grievance procedures.

- B. Copies on File: In accordance with Idaho Code, section 50-901A, this

1-8-5

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section contains a summary of the principal provisions of the entire Personnel Policies and Procedures ordinance and three (3) copies of the full text are available and on file for the use by the public in the office of the Clerk of the City. A full text of the ordinance on Personnel Policies and Procedures for the City shall be provided by the City Clerk to any citizen of the City on personal request.

- C. Administration of the Policies and Procedures: The policies and procedures adopted above will be administered in accordance with the provisions contained therein and in accordance with this Chapter. (Ord. 91-544, 12-18-91, eff. 12-18-91)

1-8-6: **AGREEMENTS AUTHORIZED:**

- A. Reciprocal Agreements: The City is authorized and empowered to enter into reciprocal agreements upon such terms as may be agreed upon, for the use of equipment, materials, facilities and services with any public agencies or bodies for purposes deemed of benefit to the public personnel system.
- B. Cooperate with Governmental Agencies: The Personnel Officer, coordinating with department heads and acting on behalf of the City Council, may cooperate with other governmental agencies charged with public personnel administration responsibilities in conducting or validating personnel tests, recruiting personnel, training personnel, and for the interchange of personnel and their benefits. (Ord. 91-543, 12-18-91)

1-8-7: **PROHIBITION AGAINST POLITICAL ACTIVITY:**

- A. While in the City's employment an employee may not:
1. Use his or her official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
 2. Directly or indirectly coerce, attempt to coerce, command or advise a State or local officer or employee to pay, lend, or contribute anything of value to a party, committee, or organization, agency or person for political purposes; or
 3. Politic on City time or property.

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- B. Nothing herein contained shall be construed to restrict the right of employees in the classified service to hold membership in, and support a political party, to vote as he or she chooses, to express privately his or her opinions on all political subjects and candidates, to maintain political neutrality, and to attend political meetings after working hours. (Ord. 91-543, 12-18-91)

1-8-8: **UNLAWFUL ACTS PROHIBITED:**

- A. Falsifying Statements or Certificates: No person shall falsify statements, certificates, marks, ratings or reports with regard to any test, certification or appointment made under any provision of this law or in any manner commit or attempt to commit any fraud preventing the impartial execution of this law and policies.
- B. Influencing of Appointment or Promotion:
 - 1. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept money, service or other valuable consideration for any appointment, proposed appointment, promotion to or any advantage in, a position in this jurisdiction's government service.
 - 2. No employee of the Personnel Department, examiner, or other person shall defeat, deceive or obstruct any person in his or her right to examination, eligibility, certification or appointment under this law, or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment by the City. (Ord. 91-543, 12-18-91)

CHAPTER 9
ELECTIONS

SECTION:

- 1-9-1: City Elections
1-9-2: Precincts
1-9-3: Polling Locations

1-9-1: **CITY ELECTIONS:** City elections shall be held at the time and in the manner as provided by Idaho Code, section 50-401 et seq. (2007 Code)

1-9-2: **PRECINCTS:**

- A. Number One: Number One Precinct shall consist of all that portion of the City lying southerly from the center line of Main Street and easterly from the center of the Salmon River.
- B. Number Two: Number Two Precinct shall be all that portion of the City lying northerly from the center line of Main Street and easterly from the center line of the Salmon River.
- C. Number Three: Number Three Precinct shall be all that portion of the City lying westerly from the center line of the Salmon River. (1959 Code §1-2-1)

1-9-3 **POLLING LOCATIONS:**

- A. Precinct 1 polling location shall be at the American Legion Hall at 212 South Andrews Street.
- B. Precinct 2 polling location shall be at the Salmon Valley Center at 200 Main Street.
- C. Precinct 3 polling location shall be at the Lemhi County Brooklyn Annex at 200 Fulton Street. (Ord. 09-741, eff. 9-02-2009)

CHAPTER 10
CITY INITIATIVE AND REFERENDUM

SECTION:

- 1-10- 1: Creation of Rights
- 1-10- 2: Number of Petitioners Required
- 1-10- 3: Requirements
- 1-10- 4: Time for Filing Petitions
- 1-10- 5: Special Election on Petition

1-10-1: **CREATION OF RIGHTS:** The people of the City shall have the right to enact ordinances through the initiative process, and to repeal ordinances through the referendum process, according to the procedures set forth herein. (Ord. 79-430, 7-2-79; amd. Ord. 15-800, 04-15-15)

1-10-2: **NUMBER OF SIGNATURES:** To enact an ordinance by initiative or to repeal an ordinance by referendum, there shall be attached or appended to the petition the signatures of the legal voters of the City equal to at least twenty percent (20%) of the total number of electors who cast votes at the last general municipal election in the City of Salmon. (Ord. 79-430, 7-2-79; amd. Ord. 15-800, 04-15-15)

1-10-3: **REQUIREMENTS:** Requirements for signatures, verification of valid petitions, printing of petition, and time limits shall be as specified in Idaho Code Title 34, Chapter 18, except as modified by Idaho Code §50-501.

1-10-4: **TIME FOR FILING REFERENDUM PETITIONS:** Referendum petitions with the requisite number of signatures shall be filed with the City Clerk not less than sixty (60) days following the final adoption of the ordinance to be subject to referendum. (Ord. 79-430, 7-2-79; amd. Ord. 15-800, 04-15-15)

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1-10-5: **ELECTION:** An election for initiative or referendum shall be provided as prescribed in Idaho Code §34-106. (amd. Ord. 15-800, 04-15-15)

CHAPTER 11
CITY PLANNING AND DEVELOPMENT

SECTION:

- 1-11-1: Comprehensive Plan
1-11-2: Area of City Impact
1-11-3: Development Code

1-11-1: **COMPREHENSIVE PLAN:**

- A. Adoption: Pursuant to section 67-6509(c), Idaho Code, the City adopts by reference that certain document entitled the "Salmon Comprehensive Plan" as the Official Comprehensive Plan for the City.
- B. Signatures; Copies on File: The Comprehensive Plan shall be signed by the Mayor and City Council and kept on file with the City Clerk and be made available to the public at reasonable times for viewing at the Clerk's office. (Ord. 92-547, 2-19-92)

1-11-2: **AREA OF CITY IMPACT:**

- A. Area of City Impact Boundaries: The area of City impact for the City of Salmon is established within the boundaries illustrated on the map attached to Ordinance 94-578 on file in the office of the Clerk, which is hereby made a part of this Chapter.
- B. Comprehensive Plan for the Salmon Area of City Impact:
1. The Lemhi County Comprehensive Plan, including future amendments, shall apply within the area of City impact established by this Section.
 2. The Lemhi County Comprehensive Plan shall provide that subdivision and land development within the area of City impact established by this Section proceed sequentially (or nearly so) outward from the City limits.

- C. Zoning Ordinance for the Salmon Area of City Impact: The Lemhi County Development Code, including future amendments, shall apply within the area of City impact established by this Section, except as provided in subsection 1-11-2D, below.
- D. Subdivision Ordinance for the Salmon Area of City Impact: The Salmon Development Code, including future amendments, shall apply to all proposed subdivisions within the area of City impact established by this Section.
- E. Notice of Development Activity and Reciprocal Notice of Changes in Plans and Ordinances:
 - 1. Lemhi County shall provide Salmon with written notice of all proposed zoning changes, subdivisions, and other significant land development activity proposed within the area of City impact established by this Section.
 - 2. Salmon shall provide one copy of all changes in its Comprehensive Plan Development Code to Lemhi County and the County shall reciprocate in kind.
- F. Transfer of Jurisdictions: Any developer may, upon filing a complete and properly prepared petition for annexation to the City, request that planning, zoning, and Building Code jurisdiction be immediately transferred to the City, in advance of the actual approval of the annexation. This request shall be made, in writing, to the County Zoning Administrator, who shall independently confirm that the request for annexation has been properly filed and notify the City Zoning Administrator of the transfer. (Ord. 94-578, 12-7-94, eff. 12-7-94)

1-11-3: **DEVELOPMENT CODE:**

- A. Adoption: Pursuant to section 67-6511, Idaho Code, the City adopts by reference that certain document entitled the "Salmon

Development Code" as the official zoning and subdivision regulations of the City. This Development Code consists of the following Chapters:

- Chapter I. Establishes the purpose of the ordinance, identifies the enabling statute pursuant to which it is adopted, repeals conflicting ordinances, defines vested right and nonconforming uses and establishes rules for interpretation.
- Chapter II. Establishes a City Planning and Zoning Commission and provides for the appointment of a Zoning Administrator.
- Chapter III. Requires a permit for all land development and building activity in the City and establishes procedures for the administration of this Ordinance, including the procedures for processing permit applications required by Idaho Code, section 67-6535.
- Chapter IV. Creates zoning districts and overlay zoning districts for use in the City and adopts an Official Map for these districts. It also provides rules for interpretation of zoning district boundaries.
- Chapter V. Establishes the purpose of each zoning district, lists the uses permitted in each district upon approval of a building permit and lists the uses permitted in each zoning district after public review for compliance with the applicable performance standards and approval of a special use permit. This Chapter also establishes specification standards for each zoning district.
- Chapter VI. Establishes performance standards for land and building activity in the City. Certain performance standards apply to all developments, while others apply only to developments for which a special use is required.

Chapter VII.	Regulates the division of land for sale and development.
Chapter VIII.	Provides regulations for the development of manufactured home parks.
Chapter IX.	Provides the tools needed to assure that the improvements required by this Ordinance are in fact installed and maintained.
Chapter X.	Requires a permit for the placement of a sign, establishes regulations for the location of signs, where and how signs may be illuminated, provides for the identification and maintenance of signs and sets forth when signs are abandoned.
Chapter XI.	Provides definitions for terms used in this Ordinance.
Appendix A.	Sets forth the procedures and requirements for development in the flood plain and open space overlay zoning district, procedures for variances in these areas and the definitions pertaining to these areas.
Appendix B.	Sets forth model hearing notices.
Appendix C.	Sets forth the detailed performance standards for home occupations.
Appendix D.	Sets forth detailed performance standards for off-street parking and loading.
Appendix E.	Sets forth the detailed performance standards for the design and construction of streets, sidewalks and the placement of street lights.
Appendix F.	Sets forth detailed performance standards for buffering.
Appendix G.	Sets forth detailed performance standards for the platting of lot splits and subdivisions.

- B. Copies On File: The full text of the Salmon Development Code will be kept on file by the City Clerk and be made available to the public at reasonable times for viewing at the City Clerk's office. (Ord. 92-561, 12-16-1992; amd. Ord. 95-580, 1-18-1995; Ord. 96-586, 10-07-1996; Ord. 97-589, 2-05-1997; Ord. 97-595, 9-17-1997; Ord. 98-602, 4-15-1998; Ord. 2000-613, 7-05-2000; Ord. 2001-621, 9-05-2001; Ord. 2002-628, 3-20-2002; Ord. 02-648, 2-05-2003; Ord. 04-668, 4-21-2004; Ord. 06-703, 7-05-2006; Ord. 07-721, 10-17-2007; Ord. 07-722, 10-17-2007).