

**CITY OF POCATELLO**  
**CITY COUNCIL STUDY SESSION AGENDA**

August 11, 2016 · 9:00 AM  
Council Chambers | 911 N 7th Avenue

1. ROLL CALL

2. LIBRARY BOARD UPDATE

Representatives from the Library Board will discuss the Board's goals and projects, as well as Council's policies and expectations.

3. HOUSING AUTHORITY OF POCATELLO UPDATE

Representatives from the Pocatello Housing Authority will discuss the Authority's goals and projects, as well as Council's policies and expectations.

4. POCATELLO ARTS COUNCIL UPDATE

Representatives from the Pocatello Arts Council will discuss the Art Council's goals and projects, as well as City Council's policies and expectations.

5. PROPOSED CITY CODE AMENDMENTS—VEHICLES AND TRAFFIC

Engineering and Street Department staff will present proposed changes to Pocatello Municipal Code Title 10, "Vehicles and Traffic". The proposed changes are: 1) update portions of the current code and 2) implement a new section regarding speed limits within a construction zone. An ordinance has been prepared based upon said updates/amendments for Council action at a subsequent meeting.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM5.PDF](#)

6. PROPOSED CITY CODE AMENDMENTS—ANIMAL CONTROL

Richard Stewart, Animal Control Director, will present suggested changes to Pocatello Municipal Code 6.04, "Animal Control", to implement two new sections to the code. The proposed changes are: 1) implementation of a dangerous animal registry; and 2) requiring individual cat licenses. An ordinance has been prepared based on the proposal for Council action at a subsequent meeting.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM6.PDF](#)

7. PROPOSED AMENDMENTS—USE OF ALCOHOLIC BEVERAGES IN CITY PARKS

Parks and Recreation staff will be present to review current policy and recommended revisions to current City Code (12.36.060: BEER/WINE PERMITS), regarding the allowance of alcoholic beverages in City Parks.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM7.PDF](#)

8. COUNCIL WORKING LUNCH

Members of the Council may choose to participate in a working lunch in the Paradise Conference Room to discuss general City topics. No formal action will be voted on.

**AGENDA**

**ITEM**

**NO. 5**

# Pocatello Municipal Code

## Revisions to Title 10.16 Vehicles and Traffic



Zak Johnson, Engineering Intern  
Sukriti Panthi, Engineering Intern  
Deirdre Castillo, City Engineer  
Mike Neville, Traffic Supervisor

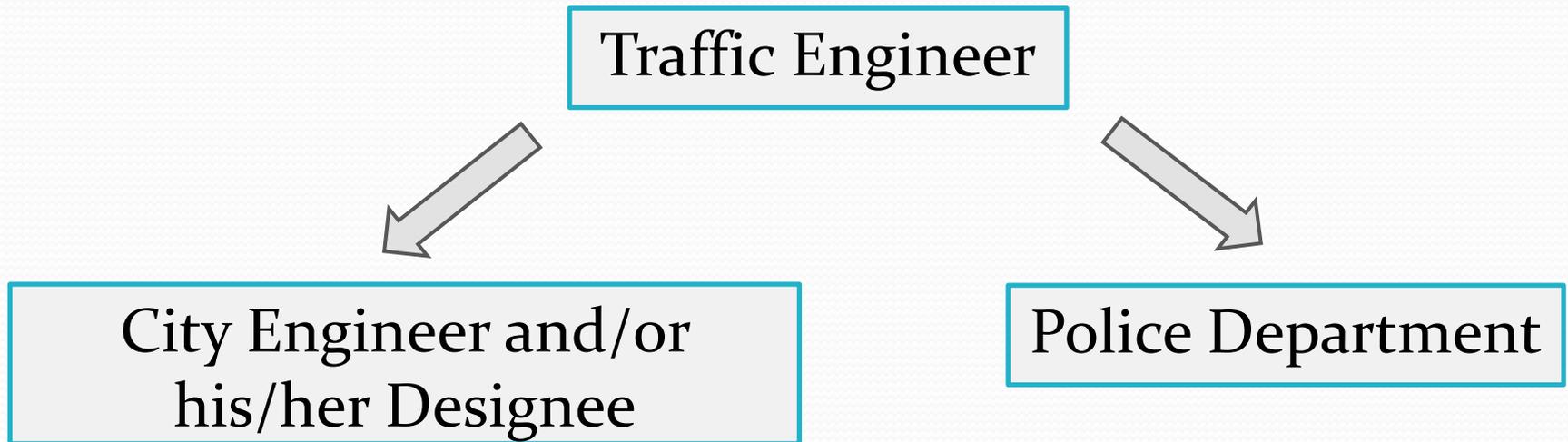
August 11, 2016  
City Council Study Session

# Proposed Revisions

- 1) Replace “traffic engineer” with “city engineer and/or his/her designee” or “police department”
- 2) Add no-parking zone on Olympus Drive
- 3) School zone speed limit nomenclature changes
- 4) Speed limit reduction on Garfield Avenue
- 5) Addition of 35 mph speed limits to Highland Blvd. and Kirkham Road
- 6) Addition of 45 mph speed limit on South Valley Road
- 7) Authority to lower speed limit in construction zone

# Reference to Traffic Engineer

- The position of Traffic Engineer no longer exists
- Police Department has historically performed some duties



# City Engineer or his Designee

- 15 Sections of PMC Title 10 are affected
- Majority of traffic issues are reviewed and implemented by the Traffic Supervisor
  - Maintenance of signs and striping
  - Load restrictions
  - Parking prohibited
- Items of consequence or items that require the decision of a licensed engineer are overseen by the City Engineer
  - Speed limits
  - Controversial location of crosswalks

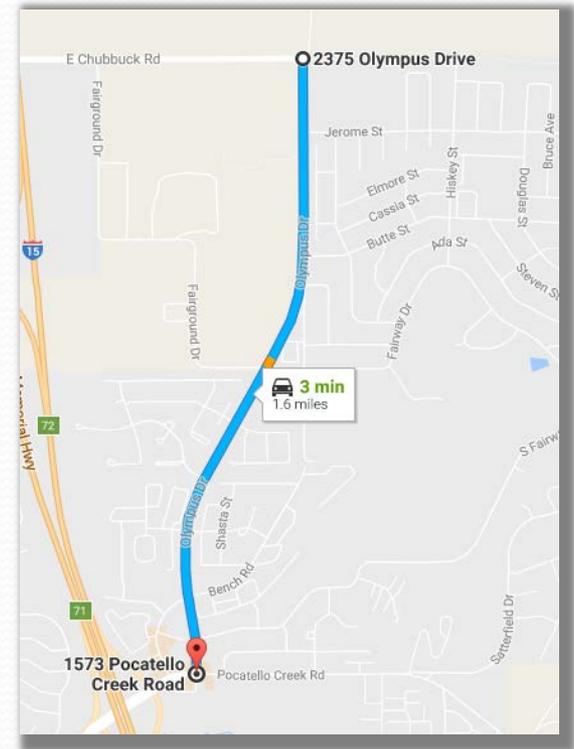
# Police Department

- 3 Sections of PMC Title 10 are affected
- Police Department has historically handled some traffic related issues
  - Restricted area permits
  - Visitor permits
  - Unlawful use of decals or permits



# Addition of “No Parking Zone”

Olympus Drive from  
Pocatello Creek Road to East  
Chubbuck Road



Proposed Revision #2

# School Zones Speed Limit



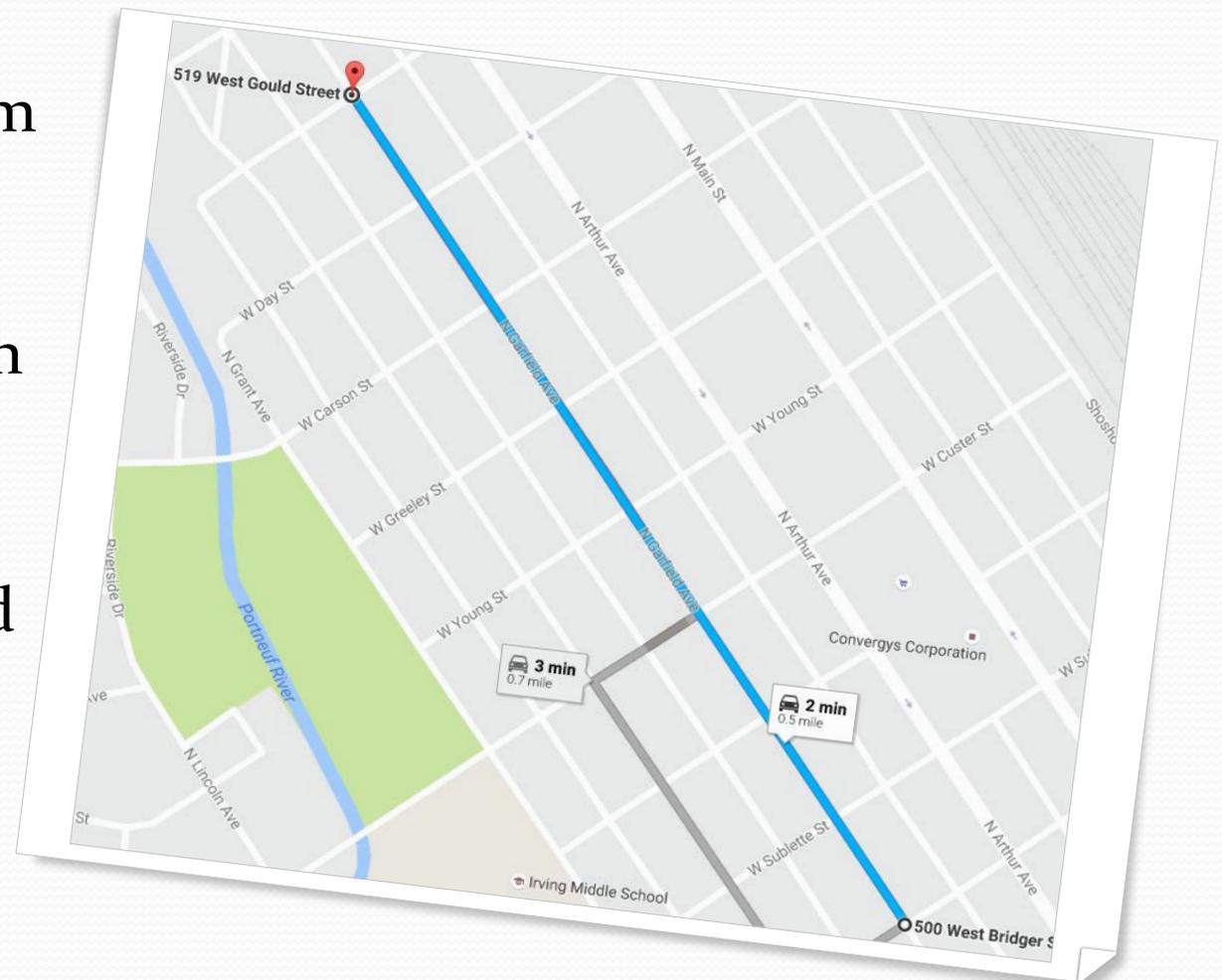
From 7:00 A.M until 5:30 PM



Or When Flashing

## Garfield Avenue from Gould to Bridger

- 85<sup>th</sup> percentile speed is 28 mph
- Current speed limit is 30 mph
- Purposed speed limit is 25 mph



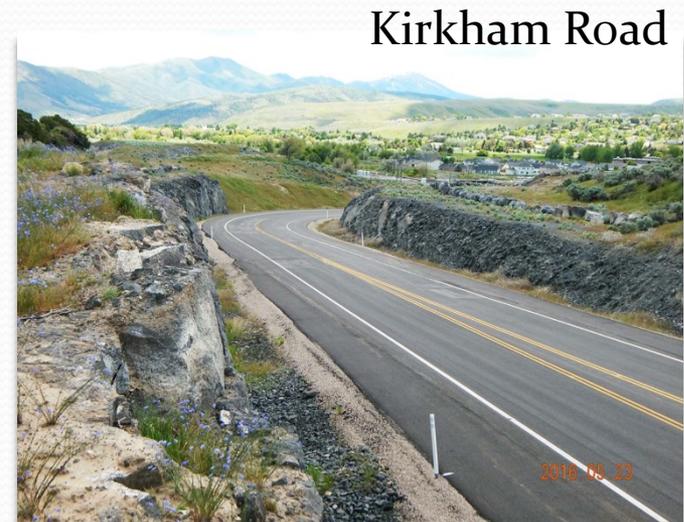
# Speed Limit Reduction

# 35 MPH Speed Limit Additions

- Highland Blvd. is currently signed for 35 mph but is not included in PMC 10.16.050.
- Kirkham Road is the new tie-in street between South Valley Road and South 2<sup>nd</sup> Avenue.



Highland Blvd.



# 45 MPH Speed Limit Addition

- South Valley Road was opened to the public in December 2015 and is not listed in PMC 10.16.060.



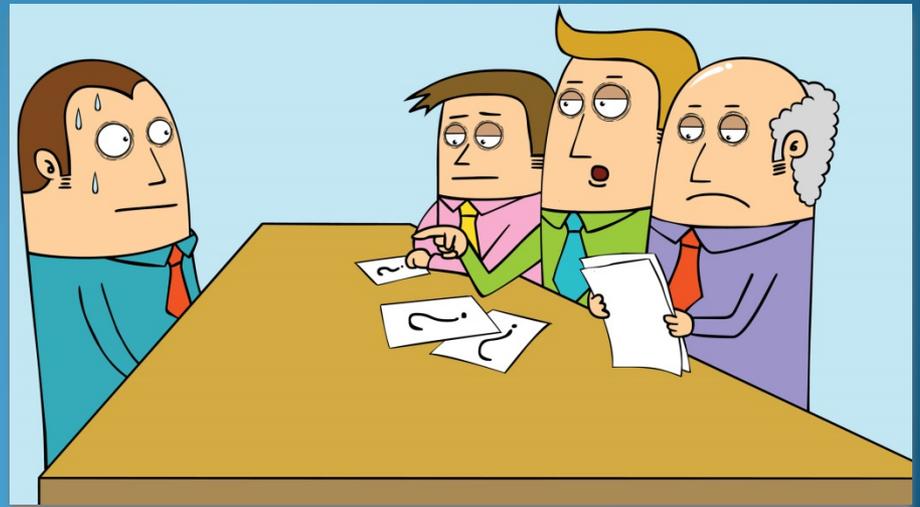
# Construction Zone Speed Limit

- Provides authority for the city engineer to temporarily lower the speed limit in a construction zone.



# Thank You!

Do you have any questions?



## **Memorandum**

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To: Mayor Blad and City Councilmembers

Cc: Michael Jaglowski, Public Works Director  
 Tom Kirkman, Street Superintendent  
 Mike Neville, Traffic Supervisor  
 Dean Tranmer, City Attorney

From: Deirdre Castillo, City Engineer and Zak Johnson, Engineering Intern

Date: August 3, 2016

Re: Proposed Ordinance to Amend Portions of PMC Title 10 "Vehicles and Traffic"

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### **Background**

Changes in staffing levels and street conditions have prompted city staff to review the Pocatello Municipal Code Title 10 "Vehicles and Traffic". Several areas need to be updated as follows:

- 1) Change wording in several locations in city code that refers to "traffic engineer" to "city engineer and/or his/her designee" or to "police department".
- 2) Adding a no parking zone to Olympus Drive
- 3) School zone speed limit nomenclature changes
- 4) Speed limit reduction on Garfield Avenue
- 5) Addition of speed limits to Highland Blvd. and Kirkham Road
- 6) Addition of speed limit to South Valley Road
- 7) Authority to change the speed limit in a construction zone

### **Discussion**

**1) Change "Traffic Engineer" to "City Engineer and/or his/her Designee" or "Police Department"**

Several areas of the PMC refer to the authority of the Traffic Engineer. Since the departure of the last traffic engineer, duties have fallen to the Traffic Supervisor and/or City Engineer. Items of consequence or items that require the decision of a licensed engineer have been overseen by the City Engineer, although the majority of traffic related issues has been reviewed and implemented by the Traffic Supervisor. In addition, the Police Department has been handling vehicle parking permits for several years. Replacement of "traffic engineer" to "police department" will bring the PMC up to date.

There are no future plans to hire a Traffic Engineer. As such, the PMC code should be revised to replace all reference to the "traffic engineer" with "city engineer and/or his/her designee" or "Police Department". Following are all sections of the PMC where the nomenclature will be changed:

- a) 10.04.040: AUTHORITY OF ~~TRAFFIC ENGINEER~~ CITY ENGINEER AND/OR HIS/HER DESIGNEE; OBEDIENCE TO REGULATORY DEVICES:

The ~~traffic engineer~~ city engineer and/or his/her designee is authorized to regulate traffic within the city limits and to place and maintain traffic control signs, signals, markers, and other devices as he may deem necessary, including, but not limited to, the placement of speed limit signs, one-way street signs, stop signs, yield signs, truck route signs, and pavement markings; the designation and painting of curbs along loading zones, timed parking zones, no parking zones, and traffic lanes; the regulation of turning movements, and so forth. It is unlawful for any person to drive, stop, stand, or park in violation of any signs, traffic control devices or markings so placed within the city limits. (Ord. 2289, 1989)

b) 10.04.060: CARTS OR ANIMALS ON ROADWAYS:

A. Any person propelling any cart or driving any animal drawn vehicle, or riding any animal upon a roadway, shall be subject to the provisions of this title applicable to the driver of any vehicle, except those provisions of this title which by their own nature can have no application.

B. No animals may travel or be ridden upon the newly constructed surface of any roadway. The ~~traffic engineer~~ city engineer and/or his/her designee may at the request of the street superintendent erect temporary signs prohibiting such travel. (Ord. 2289, 1989)

c) 10.04.080: LOAD RESTRICTIONS ON CERTAIN STREETS:

Weight restrictions on certain streets may be set by the ~~traffic engineer~~ city engineer and/or his/her designee, and when signs are erected giving notice of weight restrictions, it is unlawful for any person to operate on such street any vehicle with a gross weight in excess of the amount specified. (Ord. 2289, 1989)

d) 10.04.090: VEHICLE RESTRICTIONS ON CERTAIN STREETS OR AREAS:

The ~~traffic engineer~~ city engineer and/or his/her designee may determine and designate certain streets or areas upon which certain classes of motorized or non-motorized vehicles are prohibited, or streets upon which all motorized or non-motorized vehicles are prohibited, and when signs are erected giving notice thereof, it is unlawful for any person to disobey the restrictions stated on such signs. (Ord. 2289, 1989)

e) 10.04.140: GENERAL SAFETY REQUIREMENTS:

In addition to any police officer, the ~~traffic engineer~~ city engineer and/or his/her designee, street superintendent, and the public works director, or their designees, are hereby authorized to require that contractors or other parties performing work which requires blocking off or using a portion of any city right of way erect signs, barricades, warning cones, and similar devices or markings in accordance with standards set out in the latest edition of the "Manual Of Uniform Traffic Control Devices". Provided, however, that no contractor or his agents or employees may pile dirt or debris or construction materials on any right of way unless specifically permitted to do so under terms of an excavation or right of way permit. The public works director or his designees are hereby authorized to issue a stop work order for any project not conforming to said standards and requirements. The stop work

order shall be in addition to any uniform traffic citation which may be issued by a police officer to any person refusing or failing to comply. (Ord. 2739 § 1, 2004)

f) 10.08.040: NO STOPPING, STANDING, OR PARKING WITHIN AREAS SIGNED AS NO PARKING ZONES:

A. There shall be no stopping, standing or parking of motor vehicles, trailers, boats, or any other vehicles, or equipment within the following areas:

1. Those portions of public streets and roadways designated by means of signs erected by the traffic engineering staff city engineer and/or his/her designee, as no parking zones.

2. No parking zones in public or private parking lots, where such zones are clearly designated by painted lines and prominent signs placed by property owners or occupants.

B. City traffic control personnel are specifically authorized to enter upon private property, when necessary, for the sole purpose of enforcing this prohibition. (Ord. 2670 § 2, 2001; Ord. 2289, 1989)

g) 10.08.070: BUS STOPS:

The traffic engineer city engineer and/or his/her designee, in cooperation with the public transportation director, may designate bus stops at such locations and in such number as may be necessary for the convenience of the public. Bus stops shall be marked with a sign. (Ord. 2289, 1989)

h) 10.08.080: LIMITED TIME AND PERMIT ONLY PARKING ZONES:

The traffic engineer city engineer and/or his/her designee is authorized to establish limited time and parking by permit only parking zones, from time to time as traffic conditions require, upon streets and on other property selected for the location of such zones; to fix the time limit for the legal parking of vehicle in these zones; and to erect signs as necessary to give notice of the zones and time limits. It is unlawful for any person to cause, allow, or permit any vehicle registered in the name of or operated by such person to park in violation of any such zone. (Ord. 2289, 1989)

i) 10.08.140: NIGHT PARKING PROHIBITED ON CERTAIN STREETS:

The parking of motor vehicles is on the following streets prohibited between the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M. Monday through Friday for the purpose of permitting street cleaning:

A. Arthur Avenue from West Bonneville intersection to West Fremont intersection;

B. Center Street from Grant Avenue intersection to Seventh Avenue intersection;

C. Fifth Avenue from East Bonneville intersection to East Fremont intersection;

D. Fourth Avenue from the intersection of East Lewis Street to the intersection of East Clark Street;

E. Main Street from West Benton intersection to West Wyeth intersection;  
F. Union Pacific Avenue from West Bonneville Street to West Fremont Street intersection;

G. West Bonneville Street, West Lewis Street, West Center Street, West Clark Street, West Lander Street and West Fremont Street between Union Pacific Avenue and Arthur Avenue.

H. Such other streets within the commercial districts which the traffic engineer city engineer and/or his/her designee and street department deem necessary to include on the street cleaning program. The traffic engineer city engineer and/or his/her designee is hereby authorized to erect signs clearly prohibiting parking as set forth above. (Ord. 2458 § 1, 1994: Ord. 2401 § 1, 1992: Ord. 2359 § 1, 1991: Ord. 2289, 1989)

j) 10.12.020: REVERSIBLE ONE-WAY STREETS AND ALLEYS:

The traffic engineer city engineer and/or his/her designee is authorized to designate, and to erect suitable signs or devices to so inform the public, portions of streets and/or alleys or specific lanes upon which vehicular traffic is restricted to travel in one direction during one period and the opposite direction during another period of the day. (Ord. 2289, 1989)

k) 10.16.010: ERECTION OF SIGNS:

The traffic engineer city engineer and/or his/her designee may erect appropriate speed limit signs as he deems necessary to give notice and advise the general public of the maximum speed limits enacted in this chapter. (Ord. 2289, 1989)

l) 10.16.080: REGULATION OF SPEED BY TRAFFIC SIGNALS:

The traffic engineer city engineer and/or his/her designee is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections and may erect appropriate signs giving notice thereof. (Ord. 2289, 1989)

m) 10.30.080: PARKING PROVISIONS ON PARADE ROUTES:

The police chief or his designee is hereby authorized to determine whether parking should be prohibited on any or all streets along a parade route, to determine the time limits for any such prohibitions, and to provide for towing of any vehicles found parked in violation of such time limits. The traffic engineer city engineer, police chief, or their designees shall have the authority to post signs to alert the public to the proposed no parking zones and the police department is further authorized to have any vehicles parked in violation of the notices towed at the owner's expense. (Ord. 2632 § 1, 1999)

n) 10.34.020: DESIGNATION OF RESIDENT ONLY PARKING AREAS;  
ISSUANCE OF PERMITS:

A. For purposes of this chapter, "resident only" permits shall be construed to include permits for employees of churches or other service organizations within the designated resident only areas. For purposes of this chapter, references to the "traffic engineering staff", "~~traffic engineer~~" "city engineer", or "city staff" shall be construed to mean any staff member or officer designated by the mayor to operate, manage, or conduct the program.

B. Said persons are hereby authorized to issue resident only permits to employees described above as well as to issue passes/permits for healthcare providers, in home service providers, meals on wheels, and similar organizations to allow their staff to attend to clients living in all the resident only parking areas. The ~~traffic engineer~~ city engineer and/or his/her designee is hereby authorized to establish procedures for applications and issuance of permits in accordance with this chapter, design appropriate application forms, order supplies, erect or remove signs as needed, and perform such other duties and services as might be necessary to carry out the purposes of this chapter.

C. The ~~traffic engineer~~ city engineer and/or his/her designee shall establish resident only parking areas and erect signs to so notify the public along those streets in the vicinity of Pocatello High School, Highland High School, and Idaho State University which he deems appropriate based upon his traffic and congestion studies. The studies shall consider the extent to which legal on street parking spaces are occupied by motor vehicles; the extent to which vehicles parking in the area are vehicles other than resident vehicles; and the extent to which resident motor vehicles in the residential area cannot be accommodated by the number of available off street parking spaces. Notification of this designation and the procedures for obtaining permits shall be mailed to each residence and/or property owner along the streets so designated by the ~~traffic engineer~~ city engineer and/or his/her designee. Parking in such areas during the hours of seven thirty o'clock (7:30) A.M. to five thirty o'clock (5:30) P.M. shall be allowed only for vehicles displaying either a resident's decal or a visitor's permit card or an all-area pass. (Ord. 2684 § 1, 2002; Ord. 2408, 1992)

o) 10.34.030: REMOVAL OF DESIGNATION; DELETION OF STREETS FROM  
RESIDENT ONLY PARKING AREAS:

Information generated through the original designation process and criteria set forth in this chapter shall also be utilized by the ~~traffic engineer~~ city engineer and/or his/her designee in determining whether to remove the resident only designation from any portion of an area previously so designated.

A. Procedure; Notice: The ~~traffic engineer~~ city engineer and/or his/her designee may remove a resident parking only area from designation under the program or delete a portion thereof after giving written notice of such intentions to the residents of dwelling units and other affected parties in the area subject to the proposed changes. The notice shall contain a description of the area or streets to

be deleted from the permit parking area and the date, time, and place of a public hearing to consider the proposed changes.

B. Hearing and Results: The ~~traffic engineer~~ city engineer and/or his/her designee shall explain the factors justifying his proposal and hear objections at this hearing and shall render a final decision on the proposal within thirty (30) days of the hearing. Said decision shall be rendered, in writing, and filed with the Pocatello police department with copies mailed to residents along the affected streets. If removal from designation is approved, the ~~traffic engineer~~ city engineer and/or his/her designee shall cause all signs designating the area as resident only parking to be immediately removed. (Ord. 2684 § 2, 2002; Ord. 2408, 1992)

p) 10.34.040: PERMITS; FORM; APPLICATION; FEE REQUIRED; RESTRICTED AREAS:

B. Application, Number And Type Of Permits: Applicants must appear in person and sign and complete a form provided by the city, certifying their status as full time residents, or other parties eligible under this chapter, and present proof of identification, address, current vehicle registration, and license plate number. Owners of residential rental property who reside outside the area may receive one visitor tag upon presentation of proof of ownership of the property and payment of the required fee in addition to the requirements listed above. Fees shall be non-refundable and shall not be prorated. Fees for the 2002-2003 program shall be as set forth herein. Thereafter, fees shall be set by annual resolution of the city council. After determination of an applicant's qualifications and receipt of the fees, the ~~traffic engineering~~ Police Department staff may issue permits as follows...

q) 10.34.050: VISITOR PERMITS:

The ~~traffic engineer~~ Police Department shall issue two (2) visitor permit cards for each residence in the areas for residents to give to visitors for temporary display in vehicles parked on the streets. Residents who are planning events which require additional temporary permits may request them from the ~~traffic engineer~~ Police Department and must return any such additional permits to the office of the ~~traffic engineer~~ Police Department no later than three (3) days after the event. Failure to return extra permit cards will result in revocation of resident parking privileges and the ~~traffic engineer~~ Police Department is hereby authorized to so revoke the permit and notify the police department and the resident of the revocation. (Ord. 2408, 1992)

Additional decals or tags may be issued, upon receipt of the appropriate fee, if the ~~traffic engineer~~ Police Department or designee determines that extenuating circumstances warrant the deviation. An aggrieved party may appeal the decision to the public works director in writing within seven (7) days of the decision. Fees for 2002-2003 for extra decals or visitor's permits shall be five dollars (\$5.00) each; for replacement of lost visitor tags, three dollars (\$3.00).

r) 10.34.080: UNLAWFUL USE OF DECALS OR PERMITS:

B. It shall be unlawful and a violation of this chapter for a person holding a valid parking permit issued pursuant hereto to permit the use or display of such permit on a motor vehicle other than that for which the permit is issued or intended. It shall be unlawful and a violation of this chapter for a person possessing visitor tags issued pursuant hereto to permit the use or display of such tag on a vehicle parked in the resident only area unless the driver/occupants are on the premises or inside the residence for which the permit was issued while the vehicle is so parked. Such conduct shall constitute an unlawful act both by the person holding the parking permit/tag and the person who so uses or displays the permit/tag. In addition to any other penalties, such a violation shall result in revocation of the resident's permit for the balance of the year and the ~~traffic engineer~~ Police Department shall so notify the resident and the ~~police department~~. In the event a vehicle bearing a permit decal is sold, the owner shall remove the decal and inform the ~~traffic engineer~~ Police Department staff who shall in turn cancel that permit.

**2) Olympus Drive “No Parking Zone” Addition**

The street section of Olympus Drive is not wide enough to allow for on-street parking in addition to the existing traffic lanes. With the completion of the Olympus Drive Widening Project and the Wellness Complex, it has become evident to staff that the PMC needs to be updated to reflect this. As such, PMC 10.08.130 shall be updated as follows:

10.08.130 PARKING PROHIBITED ON DESIGNATED STREETS; NO SIGNS REQUIRED.  
Add “Olympus Drive from the intersection of Pocatello Creek Road to Chubbuck Road”

**3) School Zones Speed Limit Nomenclature**

Existing flashing beacons within school zones set a 20 mph speed limit during specific hours. It is now standard traffic engineering practice to set the 20 mph speed limit when the lights are flashing. These beacons can be programmed to flash according to the school district schedule. As such, PMC 10.16.030 shall be updated to allow regulation of the school zone speed limit for both beacon signs.

10.16.030: AREAS TWENTY MILES PER HOUR/SCHOOL ZONES:

After due consideration of the need therefor, there is established a maximum speed limit not to exceed twenty (20) miles per hour in the following areas, which are school zones; except, however this speed limit shall be in effect only Monday through Friday, inclusive, from seven o'clock (7:00) A.M. until five thirty o'clock (5:30) P.M., or when flashing, from the last Monday in August through June 15 of each year ....

**4) Garfield Avenue - Gould to Bridger Speed Reduction Study**

City staff received a public request to lower the speed limit on Garfield Avenue from 30mph to 25mph. This spring city staff contacted the Bannock Transportation Planning

Organization (BTPO) and asked for them to conduct a speed survey (the black tubes stretched across the roadway). The March 21, 2016 report lists the 85th percentile speed as 28mph or lower and recommends setting the speed limit at 25mph. In addition, there have been multiple accidents (25) with a total of three (3) injuries on that section of Garfield Avenue in the past three years.

City engineers follow the State of Idaho's guidelines in setting speed limits. ITD Traffic Manual Section 103.03 specifically states that a traffic speed study is a requirement in determining the correct speed to be implemented on roads or highways. The speed study will determine the 85th percentile speed. This is the speed at which 85% of the vehicles travel at or below. The reason for the use of the 85th percentile is because the probability of crash occurrences is the lowest for vehicles traveling at or about this speed.

Staff has reviewed the request for the reduction of the speed agrees that it should be lowered. Garfield Avenue between Gould and Bridger is the only section of road in the nearby vicinity with a 30mph speed limit. It would be beneficial to make each road in that area uniform with regards to the speed. Upon approval of the ordinance change, city staff will remove the existing 30mph speed limit signs.

PMC 10.16.040 Areas Thirty Miles per Hour shall be amended as follows:

Fifteenth Avenue	From Oak Street to Bonneville Street except the area indicated for Washington School zone
<del>Garfield Avenue</del>	<del>From Gould Street to West Bridger Street</del>
Hiline Road	From Pocatello Creek Road to Quinn, except the area indicated for Syringa School zone
Hospital Way	From East Center Street to East Terry Street

**5) Addition of 35mph Speed Limit to Highland Blvd. and Kirkham Road**

Two streets shall be added to the 35mph speed limit designation. Highland Blvd., located on the West Bench, has been signed as 35mph for many years but is not included as such in the PMC. Kirkham Road is the new tie-in road that was constructed as part of the South Valley Connector Project. It was designed for 35mph.

PMC 10.16.050 Areas Thirty-Five Miles per Hour shall be amended as follows:

Gould Street	From McKinley Avenue to Garfield
<u>Highland Blvd.</u>	<u>From Buchanan Avenue to Valleyview Drive</u>
Hiline Road	From <u>E.</u> Quinn to the city limits
<u>Kirkham Road</u>	<u>From South Valley Road to South 2<sup>nd</sup> Avenue</u>
Main Street	From West Custer to King Street

**6) Addition of 45mph Speed Limit to South Valley Rd**

South Valley Road opened to the public on December 23, 2015. It is designed and signed for 45mph speed limit. It is a new street and needs to be added to the PMC speed limit section. In addition, since the opening of South Valley Road and Kirkham Road, there is very little traffic traveling on South 2<sup>nd</sup> Avenue between Kirkham Road and the old Cheyenne Avenue Bridge. That portion of South 2<sup>nd</sup> Avenue should no longer be signed at 45mph.

PMC 10.16.060 Areas Forty-Five Miles per Hour shall be amended as follows:

South Second Avenue	From the pump house at the south end of Ross Park to <u>Kirkham Road, Cheyenne, except that portion governed by the 20 mile per hour curve warning sign and the railroad crossing area</u>
South Valley Road	From South 5 <sup>th</sup> Avenue to Bannock Highway

**7) Authority to Change Speed Limit in a Construction Zone**

The PMC does not currently allow the city to temporarily lower the speed limit in construction zones. Construction zones are often confusing for motorists with merging lanes and nearby construction workers and equipment. The safety of motorists, pedestrians, and workers is the top priority and must be an integral part of every construction project. Drivers will only reduce their speed when a clearly perceived need is recognized; so, speed reduction zones should be limited to work areas and time periods that specifically justify their use. A lower speed limit within a construction zone is safer for workers and drivers. The State of Idaho already lowers the speed limit in a construction zone. If adopted, the new section in the PMC would read as follows:

**10.16.090 CONSTRUCTION ZONE SPEED LIMIT**

The city engineer and/or his/her designee is hereby authorized to determine whether the lawfully posted speed limit should be temporarily lowered during construction activities on City roadways so as to permit the movement of traffic in an orderly and safe manner. All temporarily speed limit signage shall be posted in accordance to the Idaho Transportation Department Traffic Manual and/or the Manual on Uniform Traffic Control Devices (MUTCD).

**Recommendation**

The City Engineer recommends that the Mayor and City Councilmembers approve the proposed ordinance to amend portions of Title 10 "Vehicles and Traffic" to change wording in several locations in city code that refers to "traffic engineer" to "city engineer and/or his/her designee" or to "police department", adding a no parking zone to Olympus Drive, school zone speed limit nomenclature changes, speed limit reduction on Garfield Avenue, addition of speed limits to Highland Blvd. and Kirkham Road, addition of speed limit to South Valley Road, and authority to change the speed limit in a construction zone.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, AMENDING SECTIONS OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF POCATELLO, 1983 MORE PARTICULARLY SECTIONS 10.04.040, 10.04.060, 10.04.080, 10.04.090, 10.04.140, 10.08.040, 10.08.070, 10.08.080, 10.08.140, 10.12.020, 10.16.010, 10.16.080, 10.30.080, 10.34.020, and 10.34.030 TO AMEND THE POSITION OF "TRAFFIC ENGINEER" TO "CITY ENGINEER AND/OR HIS/HER DESIGNEE"; ~~AMENDED SECTION 10.34.050 "VISITOR PERMITS" FROM "CITY ENGINEER"~~ **SECTIONS 10.34.040, 10.34.050, and 10.34.080 TO AMEND THE POSITION OF "TRAFFIC ENGINEER"** TO "POCATELLO POLICE DEPARTMENT"; AMENDING SECTION 10.16.030 TO ALLOW FOR "OR WHEN FLASHING" SCHOOL ZONE SPEED LIMIT SIGNAGE IN CONJUNCTION WITH THE TIMEFRAME; ENACTING A NEW SECTION 10.16.090 "CONSTRUCTION SPEED ZONE LIMIT" TO PROVIDE FOR AUTHORITY TO REDUCE SPEED LIMIT IN CONSTRUCTION AREAS AS APPLICABLE; AMENDING SECTION 10.08.130 TO INCORPORATE A NO PARKING ZONE FOR ALL OF OLYMPUS DRIVE, FROM POCATELLO CREEK INTERSECTION TO EAST CHUBBUCK ROAD; REMOVE GARFIELD AVENUE FROM GOULD STREET TO BRIDGER STREET FROM SECTION 10.16.040; AMENDING SECTION 10.16.050 TO INCLUDE HIGHLAND BLVD. AND KIRKHAM ROAD WITH A SPEED LIMIT OF 35MPH; AND AMENDING SECTION 10.16.060 TO INCLUDE SOUTH VALLEY ROAD WITH A SPEED LIMIT OF 45MPH; PROVIDING THAT ALL OTHER SECTIONS OF CHAPTER 10.16 SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW, THE RULE REQUIRING THAT AN ORDINANCE BE READ ON THREE SEPARATE OCCASIONS HAVING BEEN DISPENSED WITH.

WHEREAS, the City Engineering Department in conjunction with the Street Department have reviewed Chapter 10.16 as it relates to the speed regulations of vehicles and traffic and have recommend numerous amendments to said code; and

WHEREAS, the position of City Traffic Engineer no longer exists within the City therefore staff recommends all references to this position be modified to reflect the "City Engineer and/or his/her designee"; and

~~WHEREAS, the Pocatello Police Department issues visitor permits as outlined in PMC Section 10.34.050 therefore the position of "City Engineer" should be changed to "Pocatello Police Department" to be consistent with current policy; and~~

**WHEREAS, the Pocatello Police Department issues restricted area and visitor permits as outlined in PMC Sections 10.34.040 and 10.34.050, and regulates unlawful use of decals or permits as outlined in PMC Section 10.34.080, therefore the position of “Traffic Engineer” should be changed to “Pocatello Police Department” to be consistent with current policy; and**

WHEREAS, the City Street Department has purchased “when flashing” signals to accompany school zone signage. The School District #25 Administration as well as the City Police Chief are in full support of this addition and believe it to be beneficial to the traffic flow and decrease congestion when a speed reduction is not warranted (i.e. when children are not at play during school hours); and

WHEREAS, the City Public Works Department crews perform construction and maintenance work on City streets each year while allowing traffic to continue along the same roadway. In the best interests of safety, for the City employees as well as the vehicle operators, City Staff recommends enacting a new City Code, modeled after the State Code, giving authority to the City Engineer to reduce traffic speed limit(s) when necessary in construction zones; and

WHEREAS, with the lane extension of Olympus Drive, City Staff recommends that from its intersection with Pocatello Creek Road to East Chubbuck Road be a “No Parking” area identified in the City Code with no sign on the roadway required;

WHEREAS, a traffic study was conducted on March 21, 2016 to consider the speed on Garfield Avenue between Gould Street and Bridger Street, which study provided a recommendation of 28mph or lower. Therefore, City Staff recommends that this section of roadway be removed from Section 10.16.040 “Areas Thirty Miles Per Hour” thereby allowing the roadway to be marked 25mph under Section 10.16.020 “General Speed Limit”; and

WHEREAS, there are three (3) additional speed limits for roadways that need to be added to the City Code due to the addition of new roads within our system and some existing roads being left out of the Code. Highland Blvd. and Kirkham Road shall be added to Section 10.16.050 “Areas Thirty Five Miles Per Hour” and South Valley Road shall be added to Section 10.16.060 “Areas Forty Five Miles Per Hour”; and

WHEREAS, City Staff presented the above code modifications, additions, and deletions to the City Council at the August 11, 2016 Study Session at which time the Council directed the preparation of an Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF POCATELLO AS FOLLOWS:

*Section 1:* That Sections 10.04.040, 10.04.060, 10.04.080, 10.04.090, 10.04.140, 10.08.040, 10.08.070, 10.08.080, 10.08.140, 10.12.020, 10.16.010, 10.16.080, 10.30.080, 10.34.020, and 10.34.030 of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be amended as the position of “Traffic Engineer” no longer exists in the City and the position of “City Engineer and/or his/her designee” shall replace the position of “Traffic Engineer” in all references contained within these Sections of Chapter 10.

*Section 2:* That ~~Section 10.34.050 “Visitor Permits” of the Revised and Compiled Ordinances of the City of Pocatello, 1983,~~ shall be amended to read as follows: **That Sections 10.34.040, 10.34.050, and 10.34.080 of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be amended as the position of “Traffic Engineer” no longer exists in the City and the position of “Traffic Engineer” shall be changed to “Pocatello Police Department” to be consistent with current policy in all references contained within these Sections of Chapter 10.**

**10.34.050 — Visitor Permits**

\*\*\*

~~The traffic engineer Pocatello Police Department shall issue two (2) visitor permit cards for each residence in the areas for residents to give to visitors for temporary display in vehicles parked on the streets. Residents who are planning events which require additional temporary permits may request them from the traffic engineer Pocatello Police Department and must return any such additional permits to the office of the traffic engineer Pocatello Police Department no later than three (3) days after the event. Failure to return extra permit cards will result in revocation of resident parking privileges and the traffic engineer Pocatello Police Department is hereby authorized to so revoke the permit and notify the police department and the resident of the revocation.~~

\*\*\*

*Section 3:* That Section 10.08.130 “Parking Prohibited on Designated Streets; No Signs Required” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be amended to read as follows:

**10.08.130 Parking Prohibited on Designated Streets; No Signs Required**

Memorial Drive from the intersection of East Terry Street to the intersection of East Bonneville Street.

\*\*\*

Olympus Road **Drive** from the intersection of Pocatello Creek Road to East Chubbuck Road

\*\*\*

Pine Street, easterly from the east right of way line of Wilson Avenue to the intersection of Yellowstone Avenue, and from the intersection of Yellowstone Avenue easterly along the northerly curb line a distance of one hundred thirty feet (130'), and along the southerly curb line a distance of thirty feet (30').

*Section 4:* That Section 10.16.030 “Areas Twenty Miles Per Hour/School Zones” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be amended to read as follows:

**10.16.030: AREAS TWENTY MILES PER HOUR/SCHOOL ZONES:**

\*\*\*

After due consideration of the need therefor, there is established a maximum speed limit not to exceed twenty (20) miles per hour in the following areas, which are school zones; except, however this speed limit shall be in effect only Monday through Friday, inclusive, from seven o'clock (7:00) A.M. until five thirty o'clock (5:30) P.M., or when flashing, from the last Monday in August through June 15 of each year:

\*\*\*

**Section 5:** That Section 10.16.040 “Areas Thirty Miles Per Hour” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be amended to read as follows:

10.16.040 Areas Thirty Miles Per Hour

\*\*\*

Fifteenth Avenue	From Oak Street to <u>East Bonneville Street</u> except the area indicated for Washington School zone
<del>Garfield Avenue</del>	<del>From Gould Street to West Bridger Street</del>
Hiline Road	From Pocatello Creek Road to <u>E. Quinn Road</u> , except the area indicated for Syringa School zone

\*\*\*

**Section 6:** That Section 10.16.050 “Areas Thirty Five Miles Per Hour” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be amended to read as follows:

10.16.050 Areas Thirty Five Miles Per Hour

\*\*\*

Gould Street	From McKinley Avenue to Garfield
<u>Highland Blvd.</u>	<u>From Buchanan Avenue to Valleyview Drive</u>
Hiline Road	From <u>E. Quinn</u> to the city limits

<u>Kirkham Road</u>	<u>From South Valley Road to 2<sup>nd</sup> Avenue</u>
<u>Main Street</u>	<u>From West Custer to King Street</u>

\*\*\*

**Section 7:** That Section 10.16.060 “Areas Forty Five Miles Per Hour” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be amended to read as follows:

**10.16.060 Areas Forty Five Miles Per Hour**

\*\*\*

<u>South Second Avenue</u>	<u>From the pumphouse at the south end of Ross Park to <u>Kirkham Road</u>. <del>Cheyenne, except that portion governed by the 20 mile per hour curve warning sign and the railroad crossing area</del></u>
<u>South Valley Road</u>	<u>From South 5<sup>th</sup> Avenue to Bannock Highway</u>

**Section 8:** That a new Section titled 10.16.090 “Construction Zone Speed Limit” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be enacted to read as follows:

\*\*\*

**10.16.090 CONSTRUCTION ZONE SPEED LIMIT**

The City Engineer and/or his/her designee is hereby authorized to determine whether the lawfully posted speed limit should be temporarily lowered during construction activities on City roadways so as to permit the movement of traffic in an orderly and safe manner. All temporary speed limit signage shall be posted in accordance to the Idaho Transportation Department Traffic manual and/or the Manual on Uniform Traffic Control Devices.

\*\*\*

**Section 9:** That all other Sections of Chapter 10 shall remain in full force and effect.

**Section 10:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law, the rule requiring that an ordinance be read on three separate occasions having been dispensed with.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF POCA TELLO, a municipal  
corporation of Idaho

\_\_\_\_\_  
BRIAN C. BLAD, Mayor

ATTEST:

\_\_\_\_\_  
RUTH E. WHITWORTH, City Clerk

DRAFT

**AGENDA**

**ITEM**

**NO. 6**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF POCA TELLO, A MUNICIPAL CORPORATION OF IDAHO, REVISING TITLE 6, CHAPTER 4, “ANIMAL CONTROL” OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF POCA TELLO, MORE PARTICULARLY BY REVISING SECTION 6.04.060 “RESTRAINT AND CARE OF DANGEROUS ANIMALS” TO IMPLEMENT A DANGEROUS ANIMAL REGISTRY AND ENACTING A NEW SECTION 6.04.155 “INDIVIDUAL CAT LICENSING REQUIRED”; PROVIDING THAT ALL OTHER SECTIONS OF CHAPTER 6.04 SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW, THE RULE REQUIRING THAT AN ORDINANCE BE READ ON THREE SEPARATE OCCASIONS HAVING BEEN DISPENSED WITH.

WHEREAS, the Animal Control Director recommends the implementation of a new subsection to Title 6, Chapter 4 of the Pocatello Municipal Code requiring the owner of an animal found to be dangerous, by a Court of Law, to register said animal with the Pocatello Animal Control Department. Said dangerous animal registry will require the animal’s owner to comply with additional safety precautions such as verification of vaccinations, proper signage, and proper enclosure or confines for said animal in da fenced yard as well as creating a monitoring/tracking system for said dangerous animal; and

WHEREAS, the Animal Control Director also recommends requiring individual cat licensing for cats 3 months or older similar to the City’s individual dog licensing requirements. Said licensing will allow for proper identification of the cat as well as ownership if and when a cat is found at large; and

WHEREAS, the Animal Control Director presented the proposed code language to the City Council at the August 11, 2016 Study Session at which time the Council directed the preparation of an Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF POCA TELLO AS FOLLOWS:

*Section 1:* That Section 6.04.060 “Restraint and Care of Dangerous Animals”, of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be hereby amended to read as follows:

**6.04.060 Restraint and Care of Dangerous Animals:**

\* \* \*

G. Dangerous Animal Registry: The owner of any animal found to be dangerous, by a Court of Law, shall within forty-five (45) days of such finding, obtain a dangerous animal registration certificate from the Animal Control Department for a fee, as set forth in the City’s annual Fee Resolution adopted by the City Council, in addition to other fees that may be authorized by law. The Animal Control Department shall also provide the owner with a uniformly designed tag that identifies the animal as dangerous. The owner shall affix the tag to the animal’s collar and ensure that the animal wears the collar and tag at all times. By January 31 of each year, until such time as the dangerous animal is deceased, all certificates obtained pursuant to this subsection shall be updated and renewed for a fee, as set forth in the City’s annual Fee Resolution adopted by the City Council, and in the same manner as the initial certificate was obtained. The Animal Control Department shall post registration information on the City of Pocatello Dangerous Animal Registry.

H. All dangerous animal registration certificates or renewals thereof required to be obtained under this subsection shall only be issued to persons 18 years of age or older who present satisfactory evidence: (i) of the animal’s current rabies vaccination, if applicable; (ii) that the animal has been neutered or spayed; and (iii) that the animal is and will be confined in a proper enclosure or is and will be confined inside the owner’s residence or is and will be muzzled and confined in the owner’s fenced-in yard until the proper enclosure is constructed. In addition, owners who apply for certificates or renewals thereof under this subsection shall not be issued a certificate or renewal thereof unless they present satisfactory evidence that: (i) their residence is and will continue to be posted with clearly visible signs warning both minors and adults of the presence of a dangerous animal on the property; and (ii) the animal has been permanently identified by means of a registered microchip implantation.

~~G.~~ I. Cash Bond Required:

\*\*\*

*Section 2:* That a new section 6.04.155 titled “Individual Cat Licensing Required”, be enacted to the Revised and Compiled Ordinances of the City of Pocatello, 1983, and be read as follows:

\*\*\*

**6.04.155 Individual Cat Licensing Required:**

- A. The owner or custodian of any cat which has reached the age of three (3) months must buy a cat license and renew it annually from the animal control center or other duly authorized entity, provided, however, that the owner or manager of any commercial kennel or pet shop offering cats for sale may so buy and renew a "commercial animal establishment license" which shall cover all the cats under his/her care which are offered for sale.
- B. The owner/custodian shall be responsible for providing proof of a registered microchip which can be used for the purpose of a city tag. Microchips can be purchased at Animal Services, veterinarian clinics, or at microchip clinics.
- C. All such licenses shall be valid for a period of one year from June 1 to May 31 of the following year. It shall be the responsibility of the owner, or custodian in the absence of the owner, of each and every cat to obtain a new license annually.
- D. The Animal Control Department shall keep a record of all licenses issued under the terms of this Chapter, showing the name, address, and phone number of each owner or custodian, the number of the license, the name, sex, breed, age and color of each animal, the date issued, and the amount paid.
- E. The owner or custodian (or parent or guardian if the owner/custodian is a minor) of any animal found to be within the City and found to be not licensed may be issued a notice of violation and assessed the fee per occurrence as set by Annual Fee Resolution adopted by the City Council, to be paid at the Animal Control Department. The notice and fee shall be independent of any Idaho uniform citation which may be issued.

\*\*\*

***Section 3:*** That all other Sections of Title 6, Chapter 4 "Animal Control" shall remain in full force and effect.

BE IT FURTHER ORDAINED THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF POCA TELLO, a municipal  
corporation of Idaho

\_\_\_\_\_  
BRIAN C. BLAD, Mayor

ATTEST:

\_\_\_\_\_  
RUTH E. WHITWORTH, City Clerk

DRAFT

**AGENDA**

**ITEM**

**NO. 7**



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**Date: August 11, 2016**

**TO: Mayor Blad and Council Members**

**From: John Banks, Parks & Recreation Director**

**RE: Alcoholic Beverages in City Parks**

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Current Pocatello City Code (12.36.060: BEER/WINE PERMITS) states that groups of individuals may obtain a special permit to possess and consume beer/wine in conjunction with picnics and group activities in the following locations/areas:

- Lower Ross Park
- Upper Ross Park
- Raymond Park
- Bonneville Park

For the above locations, Parks & Recreation Department Staff is given authority to administratively approve and issue permits, in accordance with regulations established by the director and set out on the permit or application. Permit regulations of note include:

- Permittee is responsible for ensuring that all persons consuming alcoholic beverages at an event are of legal age to do so, in accordance with local and state law.
- Consumption of beer/wine or possession of any can, bottle or other receptacle containing beer/wine that has been opened, or a seal broken, or the contents of which have been partially removed, is not permitted in parking lots, or children's play areas.
- Permittee is responsible for the conduct of all attendees of the event, and disruptive or obnoxious behavior/excessive noise shall be prohibited and may result in immediate revocation of the permit and immediate termination of the event for which the permit was issued.
- Permittee agrees to defend, indemnify and hold the City of Pocatello, its officers, directors, employees, and representatives harmless from and against any and all actions, claims, demands, judgments, attorney's fees, costs, damages to persons or property, penalties, obligations, expenses or liabilities of any kind.
- Applications for park locations approved administratively by Staff are required to be submitted 5 days prior to the event. Applications for park locations requiring City Council approval are required to be submitted 3 weeks prior to the event.

Consumption and/or possession of beer/wine is limited to the area designated on the permit, and Beer/Wine permits are currently assessed a \$50 fee per adopted fee resolution.

In addition, current City Code states that alcohol may be consumed in other parks where consumption of such beverages *is allowed by the City Council*. In other words, when Council grants an exception allowing alcohol in a park facility other than those select pre-approved locations listed above.

Each Spring & Summer during the yearly park facility reservation season (April 15 – October 15), Staff receives numerous requests from park patrons and annual community-wide special events for alcohol location “exceptions” to City Code, which are in turn brought forward to City Council for consideration, per current City Code.

Due to the on-going and significant number of alcohol exception requests received each spring/summer, several questions have been raised regarding whether or not certain park locations are appropriate for allowing alcohol consumption, including:

- Proximity of area (typically park pavilions) where alcohol is allowed to playground areas and children.
- Immediate proximity of area where alcohol is allowed to surrounding homeowners, and the potential for disruptive/unruly behavior.
- Whether the location requested is a larger Community Park (Ross Park, etc.), a smaller Neighborhood Park (Bonnevill Park, etc.), or a Natural/Landscaped Area (Sacajawea Park, Simplot Square, etc.).

In regards to alcohol exception requests received for facilities not specifically listed in the current code, the vast majority of requests tend to be concentrated on the following locations (in order of popularity):

- Centennial Park
- Sister City Park
- OK Ward Park
- Ammon Park
- Alameda Park
- Fort Hall Replica

Staff is comfortable with alcohol being allowed/permitted on an on-going basis at the above popular and most frequently requested additional locations, for the following reasons:

- The proximity of pavilion areas are not directly adjacent to playground areas or homeowners at each location; and/or
- Past Council exceptions granted at the above locations have **not** proven to be problematic in any way (i.e. there is not a history of complaints received or concerns raised by park patrons/surrounding residents, nor are park areas being left in a state of messiness or disrepair).
- Many annual community-wide special event exception requests, which have a history of approval by Council for the benefit of the community, are hosted at the above listed locations.

Therefore, Staff recommends the following revisions to current City Code for section 12.36.060 (BEER/WINE PERMITS):

**12.36.060: BEER/WINE PERMITS:**  

Groups of individuals may obtain a special permit to possess and consume beer/wine in conjunction with picnics, and group activities, and/or special events in areas of Ross park, Bonneville park, Raymond park, Centennial park, Sister City park, OK Ward park, Ammon park, Alameda park and the Fort Hall Replica, as well as in certain softball areas. ~~and other parks where consumption of such beverages is allowed by the city council, as well as in certain softball areas.~~ Staff may issue permits for the above listed locations in accordance with regulations established by the director and set out on the permit or on the application. Alcohol is not permitted in the playground areas of any City park. Glass alcoholic beverage containers are prohibited. Consumption/possession of alcohol will be limited to the above listed locations, and will not be permitted at any other City park facility. Requests for exception will not be considered. Consumption/possession shall be limited to the permit area, which shall be designated on the permit. Fees shall be set by annual resolution of the city council and applications must be accompanied by the appropriate fee. (Ord. 2697 § 15, 2002; Ord. 2650 §§ 1, 2, 3, 2000; Ord. 2114 § 1, 1983; prior code § 9-12-6).

It is the opinion of Staff that the revised list of facilities would provide an acceptable and sufficient variety and amount of City facilities to meet current and long-term community needs in the accommodation of a wide array of functions and special events of all types for residents/individuals, groups, and organizations.

**Surrounding City Regulations**

For Council reference, the following table provides information on the policies of surrounding cities in regards to alcoholic beverages in City Parks:

CITY	Alcohol Allowed in Parks?	At all Parks or Limited/ Select Locations?	Alcohol permit required? If so, cost?	Is there an ability to request specific City Council approval to allow alcohol at specific events, or at locations where alcohol is not normally allowed?	Types of alcohol allowed: Beer? Wine? Liquor?	*Notes
Idaho Falls	Yes	Limited	Yes \$50.00 + 3% of sales (*see Notes)	Yes, permit requests approved by the Police Dept. & City Treasurer (per Council approved policy)	Beer & Wine only	Permits may <i>only</i> be obtained by a licensed vendor, regardless of event type (large event, private family party, etc.)
Twin Falls	Yes	All Parks  (however, <i>not allowed at lake</i> )	Yes  No additional fee assessed	Alcohol permit for <i>special events</i> approved on case by case basis by City Clerk. Private/ family function requests approved by Staff.	Any, as long as it is not in a glass container	Refundable Keg Fee assessed. Refund tied to satisfactory clean-up of facility used.
American Falls	Yes	All Parks	Yes  No additional fees	Police or Mayor approves <i>all</i> individual alcohol permit requests	Any, as long as it is not in a glass container	Selling of alcohol is <i>not</i> permitted. Community-wide Special Events have to go through a separate procedure.
Lava Hot Springs	Yes	Yes (only have one park)	Yes \$25 Fee	Council approves <i>all</i> alcohol permit requests	No.	
Blackfoot						Staff was not able to obtain requested information from City of Blackfoot prior to report submission. If received, information will be provided on 8-11-16.



8/4/16

# CITY OF POCATELLO BEER/WINE PERMIT (ORD.12.36.060)

Name of Permittee \_\_\_\_\_ ID Verified  DOB: \_\_\_\_\_  
mm/dd/yyyy

Address \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_  
City Zip

Date(s) of Event \_\_\_\_\_ Time(s) \_\_\_\_\_ am pm to \_\_\_\_\_ am pm

Nature of Event \_\_\_\_\_

Location \_\_\_\_\_ Ross Park Area (list area): \_\_\_\_\_  
(i.e. Lower Ross Pavillon, Upper Ross Pavillon, etc.)

\_\_\_\_\_ Raymond Park Pavillon \_\_\_\_\_ Bonneville Park

\_\_\_\_\_ Other\* Name of Park (REQUIRED): \_\_\_\_\_  
\*(Requires special exception to City Codes)

1. Permittee shall be in attendance at the event;
2. This permit is not transferable or assignable;
3. Permit is valid only for the date and hours of the event as specified;
4. Permittee is 21 years of age or older;
5. Permittee is responsible for ensuring that all persons attending the event who consume alcoholic beverages are of legal age to do so according to local and state law;
6. Consumption of any beer/wine or possession of any can, bottle or other receptacle containing any beer/wine that has been opened, or a seal broken, or the contents of which have been partially removed, is not permitted in parking lots, or children's play areas;
7. Any sale of alcoholic beverages is prohibited; unless authorized through the state;
8. Permittee is responsible for the conduct of all attendees of the event;
9. The area utilized for the event must be left clean when the event is completed;
10. Disruptive or obnoxious behavior or excessive noise shall be prohibited and may result in immediate revocation of the permit and immediate termination of the event for which the permit was issued;
11. Park hours shall be observed; and;
12. This permit does not guarantee a reservation of any park facilities; park reservation must be made separate through the Parks & Recreation Department.

Permit further agrees to defend, indemnify and hold the City, its officers, directors, employees, and representatives harmless from and against any and all actions, claims, demands, judgments, attorney's fees, costs, damages to persons or property, penalties, obligations, expenses or liabilities of any kind that may be asserted or claimed by any person or entity (including but not limited to any employee, agent or contractor of Permittee) in any way arising out of or in connection with this Permit or the event carried on by Permittee at the above identified park, or any area to which Permittee has access hereunder, whether or not there is concurrent active or passive negligence on the part of City, and/or acts for which the City would be held strictly liable, but excluding the sole active negligence and willful misconduct of City.

**IF APPROVAL IS GRANTED, THIS BEER PERMIT MUST BE IN POSSESSION OF THE APPLICANT  
AT THE STATED LOCATION, DATE (S) AND TIME STATED ON THIS PERMIT.**

\_\_\_\_\_  
Signature of Permittee Date

<b>FOR OFFICIAL USE ONLY:</b>		
Fee Amount: _____	Date Paid: _____	Receipt #: _____
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied*	Signature: _____ Date: _____
*Reason for Denial: _____		
Called for permit pick up:	Date: _____ Initial: _____ Result: _____	
	Date: _____ Initial: _____ Result: _____	

## Beer/Wine Permit

Before proceeding to the Beer/Wine Permit application you must read the City Code below regarding alcoholic beverages in public parks and check the acknowledgement box at the bottom of the page.

### Alcoholic Beverages in Public Parks

Per City Code section 12.36.060:

If you desire to have alcohol at your event a Beer/Wine Permit must be obtained. Permit applications may be acquired at the Community Recreation Center located at 144 Wilson Ave, Pocatello, ID. Applicants must be at least 21 years old and bring a valid, picture ID at the time of application. Payment of \$50.00 is due with submission of application. Permit applications must be submitted a minimum of 5 days prior to your event to allow time for approval by the Director of Parks & Recreation. Approved permits must be on-hand during your event.

**PLEASE NOTE:** Possession/consumption of alcohol in any City park, without an approved permit, is unlawful and subject to citation under City Code sections 12.36.140 and 1.04.040.

#### **ALCOHOLIC BEVERAGES IN PUBLIC PARKS NOT SPECIFICALLY LISTED UNDER CITY**

**CODE SECTION 12.36.060:** Prior approval by City Council is required:

If you desire to have alcohol at your event a Beer/Wine Permit must be obtained. Permit applications may be acquired at the Community Recreation Center located at 144 Wilson Ave, Pocatello, ID. Applicants must be at least 21 years old and bring a valid, picture ID at the time of application. **Beer/Wine permit applications for parks not specifically listed under City Code Section 12.36.060 must be approved by the City Council. To allow sufficient time for the Council approval process, applications must be received at least 3 weeks prior to your event date.** Approved permits must be on-hand during your event.

**PLEASE NOTE:** Possession/consumption of alcohol in any City park, without an approved permit, is unlawful and subject to citation under City Code sections 12.36.140 and 1.04.040.

### Next Step

To access the application, please click the "Next" button. Once you have completed the form and signed it electronically, your application will be reviewed by Parks & Recreation staff who will contact you.