

Welcome to tonight's City Council meeting!

The elected officials of the City of Bonners Ferry are appreciative of an involved constituency. Testimony from the public is encouraged concerning issues when addressed under the Public Hearing portion of the agenda. Any individual who wishes may address the council on any issue, whether on the agenda or not, during the Public Comments period. Normal business will preclude public participation during the business portion of the meeting with the discretion left to the Mayor and Council.

Vision Statement

Bonners Ferry, "The Friendliest City", strives to achieve balanced growth, builds on community strengths, respects natural resources, promotes excellence in Government, and values quality of life.

AGENDA
CITY COUNCIL MEETING
Bonners Ferry City Hall
7232 Main Street
267-3105
December 6, 2016
7:00 p.m.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Avista Gas Franchise Hearing

City – Motion to Suspend the Rules and Read Ordinance by Title Only for Avista Gas Franchise Ordinance

City – Adopt Ordinance No. 559 Avista Franchise (attachment)

Minor Subdivision Amendments (#AM04-16) Hearing

P&Z – Decision on Minor Subdivision Amendments (#AM04-16) and First Reading of Ordinance Repealing and Replacing Bonners Ferry City Code Title 12, Chapter 5, Concerning Minor Subdivisions (attachment)

PUBLIC COMMENTS

Each speaker will be allowed a maximum of five minutes, unless repeat testimony is requested by the Mayor/Council

GUESTS

REPORTS

Police/Fire/City Administrator/Economic Development Coordinator/Urban Renewal District

CONSENT AGENDA

1. Call to Order/Roll Call
2. Approval of Bills and Payroll
3. Treasurer's Report
4. Approval of November 15, 2016 Council Meeting Minutes, November 16, 2016 Special Council Meeting Minutes, and November 18, 2016 Special Council Meeting Minutes

OLD BUSINESS

5. City – Discuss and Consider Adoption of City of Bonners Ferry Billing Policy by Resolution 2016-12-01 (attachment)

NEW BUSINESS

6. P&Z – Deliberation and Decision on John and Sharlene Delaney Special Use Permit File #SUP 07-16 (attachment)
7. City – Approve Mayor's Recommendation for Reappointment of Traffic Safety Committee Members Richard Hollenbeck, Silas Thompson, and Howard Kent for Terms Expiring 12-31-18
8. Golf – Approve Mayor's Recommendation for Reappointment of Golf Committee Members Louise Carter and Steve Nelson for Terms Expiring 12-31-18
9. Street – Discuss Riverside Street Surface Transportation Plan (STP) Rural Grant versus Federal Lands Access Program Grant (FLAP) (attachment)
10. Fire – Authorize Visitor Center Janitor to Clean Fire Hall (attachment)

EXECUTIVE SESSION PURSUANT TO IDAHO CODE 74-206, SUBSECTION 1

(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general;

(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, or public school student;

(c) To acquire an interest in real property which is not owned by a public agency;

(d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code;

(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;

(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement;

(g) By the commission of pardons and parole, as provided by law;

(h) By the custody review board of the Idaho department of juvenile corrections, as provided by law;

(i) To engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed. The mere presence of a representative of the public agency's risk manager or insurance provider at an executive session does not satisfy this requirement; or

(j) To consider labor contract matters authorized under section 67-2345A [74-206A] (1) (a) and (b), Idaho Code.

ADJOURNMENT

INFORMATION

11. Police – Vehicle Damage Claim (attachment)
12. City – Incident Command Course Overview for Executives and Senior Officials on December 13, 2016 at 9:00 a.m. at Bonner County Administration Building (attachment)
13. Water/Sewer – Fee Increase Hearing on December 20, 2016 (attachment)

Notice of Public Hearing

Notice is hereby given that the Bonners Ferry City Council will hold a public hearing at City Hall, 7232 Main Street, on Tuesday, December 6, 2016, at 7:00 p.m. to consider the adoption of the Avista Gas Franchise Ordinance. The full text of this ordinance is available at City Hall for viewing by the public.

Anyone requiring special accommodation due to disability should contact the City Clerk at (208) 267-3105 at least two days prior to the meeting.

City of Bonners Ferry

Attest:

_____

Kris Larson, Clerk/Treasurer

Please publish: November 23, 2016

CITY OF BONNERS FERRY, IDAHO
ORDINANCE NO. 559

AN ORDINANCE GRANTING AVISTA CORPORATION, d/b/a AVISTA UTILITIES, A WASHINGTON CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE NONEXCLUSIVE RIGHT, PRIVILEGE, AUTHORITY AND FRANCHISE TO LOCATE, CONSTRUCT, INSTALL, OWN, MAINTAIN, REPAIR, REPLACE, EXTEND, OPERATE AND USE FACILITIES IN, UPON, OVER, UNDER, ALONG, AND ACROSS THE FRANCHISE AREA FOR PURPOSES OF THE TRANSMISSION, DISTRIBUTION AND SALE OF GAS.

Avista Corporation dba Avista Utilities ("Avista"), a Washington Corporation, which is authorized to do business within the state of Idaho, has filed with the City of Bonners Ferry, State of Idaho (the "City") a written application for a renewal of its Franchise to locate, construct, operate, maintain and use such plants, works, underground pipelines, equipment and appurtenances over, under, along and across all of City's rights of way and public property in the City for the purposes of the transmission, distribution and sale of Gas; and the City has determined it is in the interest of persons and businesses in this jurisdiction to have access to Avista's services;

THEREFORE, THE CITY OF BONNERS FERRY DOES ORDAIN:

SECTION 1.0 DEFINITIONS

For the purposes of this Franchise the following terms, phrases, words and their derivations shall have the meaning given in this Section. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. Words not defined shall be given their common and ordinary meaning.

Avista: means Avista Corporation, dba Avista Utilities, a Washington corporation, and its respective successors and assigns, agents and contractors.

City: means the City of Bonners Ferry, a municipal corporation of the State of Idaho, and its respective successors, assigns, agents and contractors.

Commission: means the Idaho Public Utilities Commission or such successor regulatory agency having jurisdiction over investor-owned public utilities in the State of Idaho.

Days: means business days.

Effective Date: means the date of legal publication of this Ordinance, upon which the rights, duties and obligations of this Franchise shall come into effect, and the date from which the time requirement for any notice, extension and/or renewal shall be measured.

Facilities: means, collectively, any and all gas transmission, and distribution systems and appurtenances owned by Avista, now and in the future in the Franchise Area, including but not limited to, Gas plants, Gas pipes, pipelines, mains, laterals, conduits, services, regulators, valves, meters, meter-reading devices, fences, vehicular protection devices, communication and control systems and other equipment, appliances, fixtures, attachments, appurtenances and other items necessary, convenient, or in any way appertaining to any and all of the foregoing for the purposes of transmission, distribution, storage and sale of Gas.

Franchise: means the grant by the City of rights, privileges and authority embodied in this Ordinance.

Franchise Area: means the surface and space above and below all public property and rights-of-way owned or held by the City, including, without limitation, rights-of-way for:

- public roads, streets, avenues, alleys, bridges, tunnels, City-owned easements, and highways that may hereafter be laid out, platted, dedicated, acquired or improved; and
- all City-owned utility easements dedicated for the placement and location of various utilities, provided such easements would permit Avista to fully exercise the rights granted under this Franchise within the area covered by the easement; and
- Any other specifically designated City-owned property.

Gas: means natural, manufactured, renewable and/or mixed gases.

Maintenance, maintaining, or maintain: means, without limit, repairing, replacing, upgrading, examining, testing, inspecting, and removing Avista Facilities, vegetation management, digging and excavating, and restoration of affected Right-of-way surfaces.

Parties: means City and Avista collectively.

Party: means either City or Avista individually.

Person: means a business entity or natural person.

Right-of-way: means the surface of and the space along, above, and below any street, road, highway, freeway, bridge, tunnel, lane, sidewalk, alley, City-owned utility easement and/or right-of-way now or hereafter held or administered by the City.

State: means the State of Idaho.

Tariff: means the rate schedules, rules, and regulations relating to utility service, filed with and approved by the Commission in effect upon execution and throughout the term of this Franchise.

SECTION 2.0 GRANT OF FRANCHISE

2.1 Grant

City hereby grants to Avista the right, power, privilege and authority to enter upon all roads, rights-of-way, streets, alleys, highways, public places or structures, lying within the Franchise Area to locate, construct, operate and maintain its Facilities for the purpose of controlling, transmitting and distributing Gas, as may be necessary to provide Gas service.

2.2 Effective Date

This Ordinance will be effective as of the date of approval, passage and publication as required by law.

2.3 Term

The rights, privileges and Franchise granted to Avista will extend for a term of twenty-five (25) years from the Effective Date, and shall continue year-to-year thereafter, until it is otherwise renewed for another twenty-five (25) year term, or terminated by either Party, with not less than 180 days prior written notice to the other Party.

2.4 Non-Exclusive Franchise

This Franchise is not an exclusive Franchise. This Franchise shall not prohibit the City from granting other franchises within the Franchise Area that do not interfere with Avista's rights under this Franchise. City may not, however, award a Gas Franchise to another party under more favorable or less onerous terms than those of this Franchise without this Franchise being amended to reflect such more favorable or less onerous terms.

2.5 Notice of City's Intent to Compete with Avista

In consideration of Avista's undertaking pursuant to this Franchise, the City agrees that in the event the City intends to engage in the business of providing Gas service during the life of this Franchise or any extension of this Franchise, in competition with Avista, the City will provide Avista with six (6) months' notice of such action.

2.6 Assignment of Franchise

Avista shall have the right to assign its rights, benefits and privileges under this Franchise. Any assignee shall, within thirty (30) days of the date of any assignment, file written notice of the assignment with the City together with its written acceptance of all terms and conditions of this Franchise. As permitted by federal and state law and Commission regulation, Avista shall have the right, without notice to or consent of the City, to mortgage or hypothecate its rights, benefits and privileges in and under this Franchise as security for indebtedness.

2.7 Franchise Taxes, Fees and Costs

Avista shall pay all permitting, license fees, costs and/or utility privilege taxes which it might be required to pay in connection with the issuance, maintenance, existence, continuation, or use of

this Franchise, to the extent permitted by state law or City ordinance now in effect or enacted during the term of this Franchise. The City reserves the right to designate the time and manner of payment of such fees, costs or taxes owed by Avista in connection with this Franchise. To the extent that any Franchise fees, taxes or other costs are imposed on Avista, City shall impose equivalent charges, fees, taxes or costs upon any other franchisee in a comparable business or otherwise competing with Avista.

2.8 Franchise Fees

As compensation for the Franchise granted by this ordinance, Avista shall pay to the City an amount equal to three percent (3%) of the annual gross revenue collected by Avista from its customers for natural gas consumed within the City to be paid quarterly. Gross revenue will be computed by deducting from the total natural gas billings of Avista the total net write-off of uncollectible accounts. If Grantee fails to pay the Franchise fee to the City within thirty (30) days of the end of each calendar quarter, Grantee shall pay a penalty in the amount of five percent (5%) of the amount due.

SECTION 3.0 AVISTA'S OPERATIONS AND MAINTENANCE

3.1 Compliance with Laws, Regulations, Codes and Standards

In carrying out any authorized activities under the privileges granted by this Franchise, Avista shall meet accepted industry standards and codes and shall comply with all applicable laws, regulations and ordinances of any governmental entity with jurisdiction over Avista's Facilities in the Franchise Area. This includes all applicable, laws, regulations and ordinances existing as of the Effective Date or may be subsequently enacted by any governmental entity with jurisdiction over Avista's operations within the Franchise Area. The City shall have the right to make and enforce reasonable rules and regulations pertaining to the conduct of Avista's operations within the Franchise Area. Prior to the adoption of any new rule, procedure or policy, Avista shall be provided a written draft document for comment with a response period of not less than thirty (30) days. Service shall be supplied to the City and its inhabitants in accordance with Avista's rules and regulations and Tariffs currently or subsequently filed with and approved by the Commission.

3.2 Facility Location by Avista and Non-Interference

Avista shall have the discretion to determine the placement of its Facilities as may be necessary to provide safe and reliable Gas service, subject to the following non-interference requirements. All construction, installation, repair or relocation of Avista's Facilities performed by Avista in the Franchise Area will be done in such a manner as not to interfere with the construction and maintenance of other utilities, drains, drainage and irrigation ditches and structures, and City-owned property within the Franchise Area.

3.3 Facility Location Information

Avista shall provide the City, upon the City's reasonable request, Facility location information in electronic or hard copy showing the location of its Facilities at specific locations within the Franchised Area, to the extent such information is reasonably available. Avista does not warrant the accuracy of any such Facility location information provided and, to the extent the location of Facilities are shown, such Facilities may be shown in their approximate location. With respect to any excavations within the Franchise Area undertaken by or on behalf of Avista or the City, nothing stated in this Franchise is intended (nor shall be construed) to relieve either party of their respective obligations arising under the State one-call law with respect to determining the location of existing underground utility facilities in the vicinity of such excavations prior to commencing work.

3.4 Vegetation Management – Removal of Trees/Vegetation Encroachment

The right of Avista to maintain its Facilities shall include the right, as exercised in Avista's professional discretion to minimize the likelihood that encroaching (either above or below the ground) vegetation can interfere with or limit access to Avista's Facilities, or pose a threat to public safety and welfare. Avista or its agents may, without recourse or payment of compensation, accordingly remove or limit the growth of vegetation which encroaches upon its Facilities and/or Gas transmission and distribution corridors within the Franchise Area.

3.5 Right of Excavation

For the purpose of implementing the privileges granted under this Franchise, and after any required notification is made to the City, Avista is authorized to make any necessary excavations in, under and across the streets, alleys, roads, rights-of-way and public grounds within the Franchise Area. Such excavation shall be carried out with reasonable dispatch and with as little interference with or inconvenience to the public as may be feasible. Avista shall remove all debris stemming from excavation and construction. The Right-of-way surface shall be restored by Avista after excavation, in accordance with applicable City and Avista specifications.

3.6 Emergency Work

In the event of an emergency requiring immediate action by Avista to protect the public health and safety or for the protection of its Facilities, or the property of the City or other persons in the Franchise Area, Avista may immediately proceed with excavation or other Right-of-way work, with concurrent notice to the City to the extent possible.

SECTION 4.0 RESERVATION OF CITY'S RIGHTS AND POWERS

4.1 Reservation of Right

The City, in granting this Franchise, does not waive any rights which it may not have or may subsequently acquire with respect to road rights-of-way or other property of City under this Franchise, and this Franchise shall not be construed to deprive the City of any such powers, rights or

privileges which it now has or may hereafter acquire to regulate the use of and to control the City's roads, rights-of-way and other public property covered by this Franchise. Nothing in the terms of this Franchise shall be construed or deemed to prevent the City from exercising at any time and any power of eminent domain granted to it under the laws of this State.

4.2 Necessary Construction/Maintenance by City

The construction, operation and maintenance of Avista's Facilities authorized by this Franchise shall not preclude the City, its agents or its contractors, from grading, excavating, or doing other necessary road work contiguous to Avista's Facilities; provided that Avista shall be given reasonable advance notice of said work, except in events of emergency when there exists an unforeseen and substantial risk or threat to public health, safety, welfare, or waste of resources, in which case the City will make reasonable efforts to contact Avista prior to doing said work; and provided further that the City, its agents and contractors, shall be liable for any damages, including any consequential damages to third parties, caused by said work to any Facilities belonging to Avista.

4.3 Expansion of Avista's Facilities

Facilities in the City's Franchise Area that are incidental to the Franchise Area, or that have been, or are at any future time acquired, newly constructed, leased, or utilized in any manner by Avista shall be subject to all provisions of this Franchise.

4.4 Change of Boundaries of the City

Any subsequent additions or modifications of the boundaries of the City, whether by annexation, consolidation, or otherwise, shall be subject to the provisions of this Franchise as to all such areas. The City shall notify Avista of the scope of any change of boundaries not less than thirty (30) days prior to such change becoming effective or in accordance with applicable state laws, and shall affirm, authorize and ratify all prior installations authorized by permits or other action not previously covered by this Franchise.

4.5 Removal of Abandoned Facilities

During the Term of this Franchise, or upon a revocation or non-renewal of this Franchise, the City may direct Avista to remove designated abandoned Facilities from the Franchise Area at its own expense and as soon as practicable, but only where such abandoned Facilities constitute a demonstrated threat to public health and safety. Avista shall not be required to remove, or pay for the removal of facilities it has previously abandoned to another franchisee, or utility under a joint use agreement, or Person granted permission to access Avista's facilities.

4.6 Vacation of Properties by City

If, at any time, the City shall vacate any road, Right-of-way or other public property which is subject to rights granted by this Franchise, such vacation shall be subject to the reservation of a perpetual easement to Avista for the purpose of constructing, reconstructing, operating, repairing, upgrading and maintaining Avista's Facilities on the affected property, pursuant to Idaho Code 50-311.

The City shall, in its vacation procedure, reserve and grant said easement to Avista for Avista's Facilities and shall also expressly prohibit any use of the vacated properties which will interfere with Avista's full enjoyment and use of said easement. Provided, that this provision shall apply only in instances where Avista has existing facilities in the right-of-way subject to vacation.

SECTION 5.0 RELOCATION OF AVISTA'S FACILITIES

5.1 Relocation of Facilities Requested by City

Upon request of the City, Avista shall relocate its Facilities as necessary within the Franchise Area or other City-owned property as specifically designated by the City for such purpose. For purposes of this provision, all reasonable efforts shall be made by the City, with input from Avista, to minimize the impacts of potential relocation. The City shall provide Avista reasonable notice of any intended or expected requirement or request to relocate Avista's Facilities. Said notice shall not be less than ninety (90) calendar days prior to any such relocation and, depending on the circumstances, may be greater than ninety (90) calendar days if necessary to allow Avista sufficient time to arrange for relocation. In cases of emergency, or where not otherwise reasonably foreseeable by the City, the notice requirements of this Section may be shortened by discussion and agreement between the Parties. The City shall use reasonable efforts to cause any such relocation to be consistent with any applicable long-term development plan(s) of the City.

In the event a relocation forces Avista off City's existing Public Right(s) of Way then the City shall accommodate such relocation by securing an acceptable, alternate location for utilities and removing any obstructions, including, without limitation, trees, vegetation or other objects that may interfere with the installation, operation, repair, upgrade or maintenance of Avista's Facilities on the affected Property.

If the City requires the subsequent relocation of any of Avista's Facilities within three (3) years from the date of relocation of such Facilities or installation of new Facilities, regardless of the cause for either the initial or subsequent relocation, the City shall bear the entire cost of such subsequent relocation.

Avista agrees to relocate all Facilities promptly within a reasonable time. Upon notice from the City, the parties agree to meet and determine a reasonable relocation time, which shall not exceed the time normally needed for construction projects of the nature of the City's relocation request unless otherwise mutually agreed.

Notwithstanding the above, Avista shall not be required to relocate facilities of other entities that were (i) granted access to Avista's Facilities through a Joint Use Agreement or (ii) abandoned to another franchisee. Such relocation of these types of facilities shall be accordance with Section 5.2 below.

This Section shall not apply to Facilities in place pursuant to private easement held by Avista, regardless of whether such Facilities are also located within the Franchise Area. In the event the

City requests relocation of Facilities that are in place pursuant to an existing easement, said relocation shall be treated in the same manner as a relocation requested by third parties under Section 5.2, below, with the City bearing the expense of relocation.

5.2 Relocation of Facilities Requested by Third Parties

City acknowledges that Avista is obligated to provide gas service and related line extension or relocation of Facilities for the benefit of its customers and to require compensation for such services on a non-preferential basis in accordance with applicable Tariffs.

If Facilities are to be relocated at the request of or for the primary benefit of a third party, the City shall not require Avista to relocate its Facilities until such time as a suitable location can be found and the third party has entered into an agreement to reimburse Avista for its reasonable costs of relocation.

5.3 Availability of Other Funds

In the event federal, state or other funds are available in whole or in part for utility relocating purposes, the City agrees to use reasonable efforts to apply for such funds, provided such funds do not interfere with the City's right to obtain the same or similar funds, or otherwise create any expense or detriment to the City. The City may recover all costs, including internal costs, associated with obtaining such funds.

SECTION 6.0 INDEMNITY

6.1 Indemnification of City

Avista agrees to defend and indemnify the City, its appointed and elected officers and employees or agents, from any and all liabilities, claims, causes of action, losses, damages and expenses, including costs and reasonable attorney's fees, that the City may sustain, incur, become liable for, or be required to pay, as a consequence of or arising from the negligent acts or omissions of Avista, its officers, employees or agents in connection with Avista's obligations under this Franchise; provided, however, that this indemnification provision shall not apply to the extent that said liabilities, claims, damages and losses were caused by or result from the negligence of the City, elected officers and employees or agents.

6.2 Indemnification of Avista

To the extent permitted by law, City agrees to defend and indemnify Avista, its officers and employees, from any and all liabilities, claims, causes of action, losses, damages and expenses, including costs and reasonable attorney's fees, that Avista may sustain, incur, become liable for, or be required to pay, as a consequence of or arising from the negligent acts or omissions of the City, its appointed and elected officers and employees or agents in connection with City's obligations under this Franchise; provided, however, that this indemnification provision shall not apply

to the extent that said liabilities, claims, damages, losses and so forth were caused by or result from the negligence of Avista, its employees or agents.

SECTION 7.0 FRANCHISE DISPUTE RESOLUTION

7.1 Non-waiver

Failure of a Party to declare any breach or default of this Franchise immediately upon the occurrence thereof, or delay in taking any action in connection therewith, shall not waive such breach or default, but the Party shall have the right to declare any such breach or default at any time. Failure of a Party to declare one breach or default does not act as a waiver of the Party's right to declare another breach or default. In addition, the pursuit of any right or remedy by the City shall not prevent the City from thereafter declaring a revocation and forfeiture for breach of the conditions of the Franchise.

7.2 Dispute Resolution by the Parties

Disputes regarding the interpretation or execution of the terms of this Franchise that cannot be resolved by department counterparts representing the Parties, shall be submitted to the City's Attorney and an attorney representing Avista for resolution. If a mutually satisfactory or timely resolution cannot then be reached by the above process, prior to resorting to a court of competent jurisdiction, the Parties shall submit the dispute to a non-binding alternate dispute resolution process agreed to by the Parties.

7.3 Right of Enforcement

No provision of this Franchise shall be deemed to bar the right of the City or Avista to seek judicial relief from a violation of any provision of the Franchise to recover monetary damages for such violations by the other party or to seek enforcement of the other Party's obligations under this Franchise by means of specific performance, injunctive relief or any other remedy at law or in equity pursuant to Section 7.4. Any litigation between the City and Avista arising under or regarding this Franchise shall occur, if in the state courts, in a court of competent jurisdiction, and if in the federal courts, in the United States District Court for the District of Idaho.

7.4 Attorneys' Fees and Costs

Each Party shall pay for its own attorneys' fees and costs incurred in any dispute resolution process or legal action arising out of the existence of this Franchise.

SECTION 8.0 GENERAL PROVISIONS

8.1 Training Requirements

Grantee recognizes that the City and its employees are not experts or readily familiar with the handling and distribution of natural gas. To provide the City with that expertise and familiarity, and to further assist the City in dealing with natural gas problems, Grantee will provide, at

Grantee's expense, City employee training for basic natural gas system operations and emergency action on not less than an annual basis, and more often when recommended by Grantee.

8.2 Franchise as Contract, No Third Party Beneficiaries

This Franchise is a contract between the Parties and binds and benefits the Parties and their respective successors and assigns. This Franchise does not and is not intended to confer any rights or remedies upon any persons, entities or beneficiaries other than the Parties.

8.3 Force Majeure

In the event that Avista is delayed in or prevented from the performance of any of its obligations under the Franchise by circumstances beyond Avista's control (Force Majeure) including, without limitation, third party labor disputes, fire, explosion, flood, earthquake, power outage, acts of God, war or other hostilities and civil commotion, then Avista's performance shall be excused during the period of the Force Majeure occurrence. Avista will use all commercially reasonable efforts to minimize the period of the disability due to the occurrence. Upon removal or termination of the occurrence Avista will promptly resume performance of the affected Franchise obligations in an orderly and expeditious manner.

8.4 Prior Franchises Superseded

As of the Effective Date this Franchise shall supersede all prior gas franchises for the Franchise Area previously granted to Avista or its predecessors by City, and shall affirm, authorize and ratify all prior installations authorized by permits or other action not previously covered by franchise. Termination of the prior Franchise shall not, however, relieve the Parties from any obligations which accrued under said Franchise prior to its termination, including but not limited to, any outstanding indemnity, reimbursement or administrative fee payment obligations.

8.5 Severability

The Franchise is granted pursuant to the laws of the State of Idaho relating to the granting of such rights and privileges by City. If any article, section, sentence, clause, or phrase of this Franchise is for any reason held illegal, invalid, or unconstitutional, such invalidity shall not affect the validity of the Franchise or any of the remaining portions. The invalidity of any portion of this Franchise shall not abate, reduce, or otherwise affect any obligation required of Avista.

8.6 Changes or Amendments

Changes or amendments to this Franchise shall not be effective until lawfully adopted by the City and agreed to by Avista.

8.7 Supremacy and Governing Law

This Agreement shall be interpreted, construed and enforced in all respects in accordance with the laws of the State of Idaho. In the event of any conflict between this Franchise and any City ordinance, regulation or permit, the provisions of this Franchise shall control. In the event of a conflict between the provisions of this Franchise and Avista's applicable Tariff on file with the

Commission, the Tariff shall control. Both Parties agree that, in seeking to enact ordinances, regulations, permitting or tariff requirements, they will endeavor to act in good faith and in a manner consistent with the purpose and intent of this Franchise.

8.8 Headings

The headings or titles in this Franchise are for the purpose of reference only and shall not in any way affect the interpretation or construction of this Franchise.

8.9 Acceptance of Franchise.

Avista shall, within thirty (30) days after passage of this Ordinance, file with the City Clerk, its acceptance of the terms and conditions of this Franchise.

8.10 Abandonment or Suspension of Franchise Rights and Obligations

Avista may at any time abandon the rights and authorities granted hereunder, provided that six (6) months' written notice of intention to abandon is given to City. In addition, pursuant to Section 8.6 and in the event a conflict exists between the terms of this Franchise and Avista's Tariff with the Commission that cannot be resolved, Avista may suspend or abandon the rights and obligations of this Franchise upon reasonable notice to the City.

8.11 Franchise Effective Date

The Effective Date of this Franchise shall be _____, 2016, after passage, approval and legal publication of this ordinance as provided by law, and provided that it has been duly accepted by Avista as specified above.

8.12 Subdivision Plat Notification

Upon receipt of an application and prior to final City approval of any new subdivision, the City shall mail notification of such application and final approval to Grantee. Such notification may also be provided to any other utility providers. City does not represent that by providing such notice that any new subdivision will utilize Avista as the utility provider. Any agreements with new subdivisions shall be between the owner of the subdivision and Avista and shall not be affected by this agreement.

City's Language Attesting to Approval and Passage of the Ordinance

PASSED by the City Council on _____, 2016

ATTEST:

Kris Larson, City Clerk

APPROVED by me on _____, 2016

David Sims, Mayor

Date of Publication: _____, 2016

Letter of Acceptance by Avista

HONORABLE MAYOR AND CITY COUNCIL
CITY OF BONNERS FERRY, COUNTY OF BOUNDARY, IDAHO

IN RE: City of Bonners Ferry Ordinance No. _____

“Granting a Franchise to Avista Corporation for the Construction, Operation and Maintenance of Natural Gas Facilities Within the City.”

Avista Corporation dba Avista Utilities, for itself, its successors and assigns, hereby accepts the terms and conditions of the Franchise Agreement contained in the subject Ordinance and files this written acceptance with the City of Bonners Ferry. This acceptance is executed on _____, 2016.

Avista Corporation dba Avista Utilities

By: _____
Dennis Vermillion
President, Avista Utilities

Copy Received for the City of Bonners Ferry

On: _____

By: _____

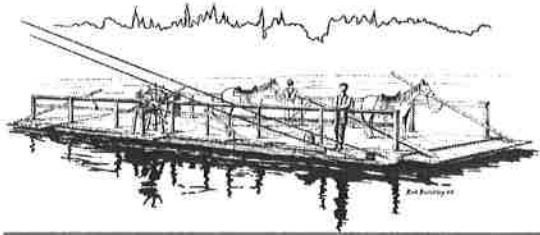
City Representative - Name

Gas Franchise Ordinance Summary for Publication

**NOTICE: CITY OF BONNERS FERRY
PROPOSED FRANCHISE ORDINANCE NO. _____ SUMMARY**

Ordinance No. _____ will grant Avista Corporation dba Avista Utilities a non-exclusive public utility franchise to locate, construct, install, own, maintain, repair, reconstruct, operate and use facilities within the City's public right of way [the Franchise Area] for the purposes of the transmission, control and distribution of natural gas within the City for a term of 25 years. Avista agrees to meet accepted industry standards and conform with applicable federal and state laws, as well as the regulations of the appropriate state regulatory body with jurisdiction, in the conduct of its operations under the Franchise. The City reserves the right to make reasonable rules and regulations pertaining to the conduct of Avista's operations within the Franchise Area. Avista must not interfere with any existing facilities of other utilities. Avista is authorized to make necessary excavations within the Franchise Area; excavations must be carried out with reasonable dispatch, and the area restored, with as little interference to the public as may be reasonable. Avista must relocate its facilities in the franchise area at the City's request. Avista may remedy encroachment of vegetation in connection with franchised activities. Provisions are made for informal dispute resolution.

(Final Reading of Ordinance _____ is anticipated to be held before the Bonners Ferry City Council on _____, 20__ at _____ [am / pm] in the City Council Chambers).



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

STAFF REPORT FOR MINOR SUBDIVISION AMENDMENTS AMENDMENT FILE- CITY COUNCIL #AM04-16

Prepared by: Lisa M. Ailport, AICP
City Planner

Project Description: The city has initiated a public hearing to consider changes to Title 12, Chapter 5 Minor Subdivisions. The purpose of the change is to stream line review of minor subdivisions by removing the requirement for a public hearing; to provide additional applicability language; to provide for clarity in the exemption standards; to provide administrative procedures for reviewing and entitling minor subdivisions; and to remove further division of land standards.

Publication: August 25, 2016
November 3, 2016

Political Subdivisions: August 30, 2016
October 28, 2016

Hearing Dates: Planning and Zoning: September 15, 2016
City Council: December 6, 2016

Hearing Packet: Staff Report
Notice
Draft ordinance language (9/15/2016 Ver.)

PROJECT BACKGROUND/SUMMARY

In a review of the minor subdivision language after a recent two lot subdivision request, the City Administrator and Planner reviewed the wording to determine if a more streamlined process could be developed.

Currently, minor subdivisions are processed very similar to regular subdivisions, but are defined differently and given separate chapters within Title 12, the subdivision title of Bonners Ferry

City Code. However, the process to entitlement of the preliminary plat is not much different between minor and regular plats. Below is a summary of how a plat tracks through the entitlement processes.

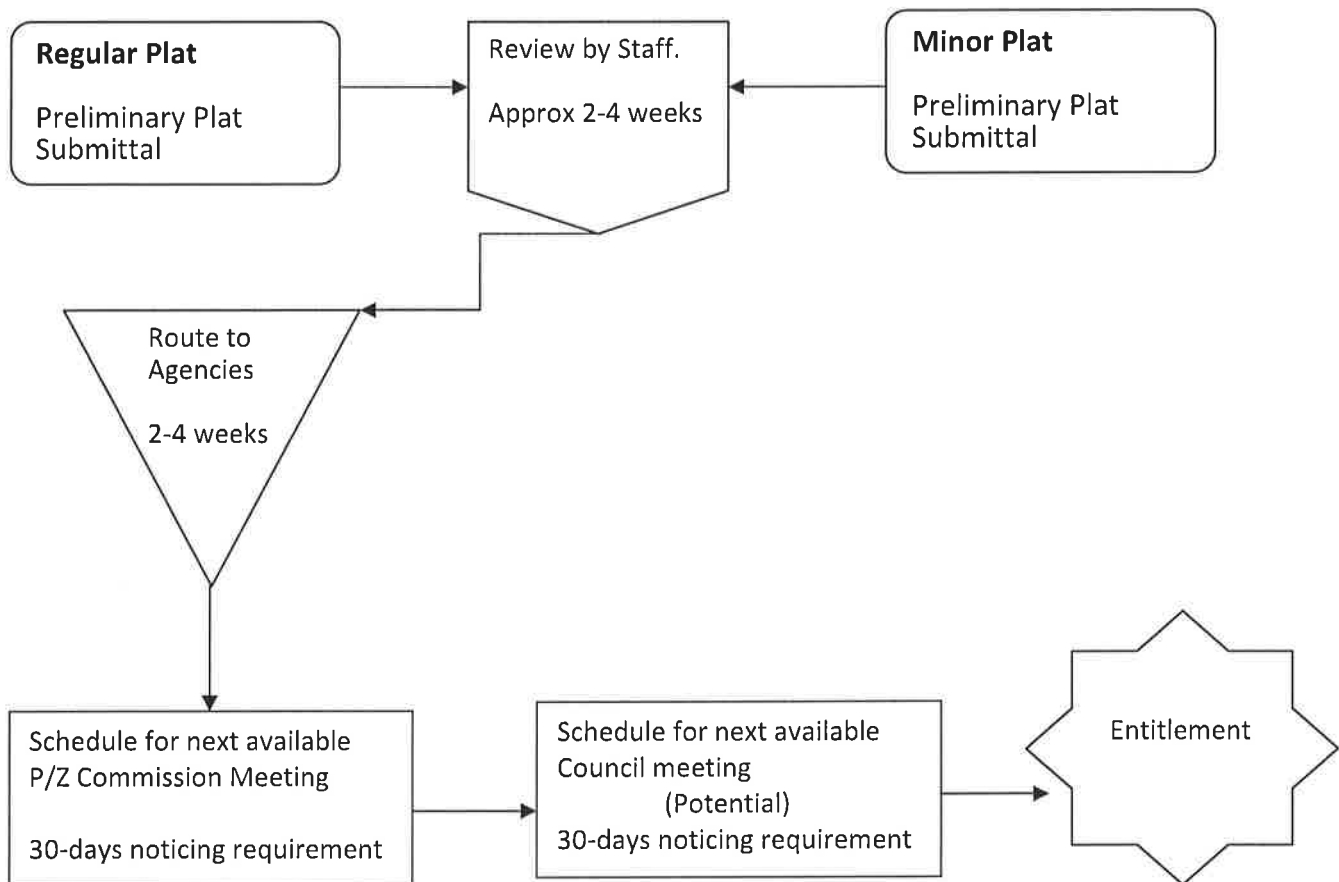
Plat Process:

Under section 12-3-4(B & C) a regular plat is reviewed by certain agencies for comment and the city for completeness before it is considered for a public hearing before the next available Planning and Zoning commission meeting.

Staff accepts the application for plat in at the front desk and completes review of the application to determine its completeness before sending it to agencies for review and comment. Typical response times for agencies to comment range from 2-4 weeks depending on availabilities of staff and when a specialized committee can meet (for example Traffic Safety).

For minor subdivision, at section 12-5-4 A-C, staff reviews the minor subdivision for completeness and then routes to agencies and jurisdictions which, in the judgment of staff may be affected by the proposal. Then, once the file has completed these steps, it is forwarded to the Planning and Zoning commission for review and a public hearing then to city council for final approval.

The flow chart may help illustrate how both of these files are processed under current language.

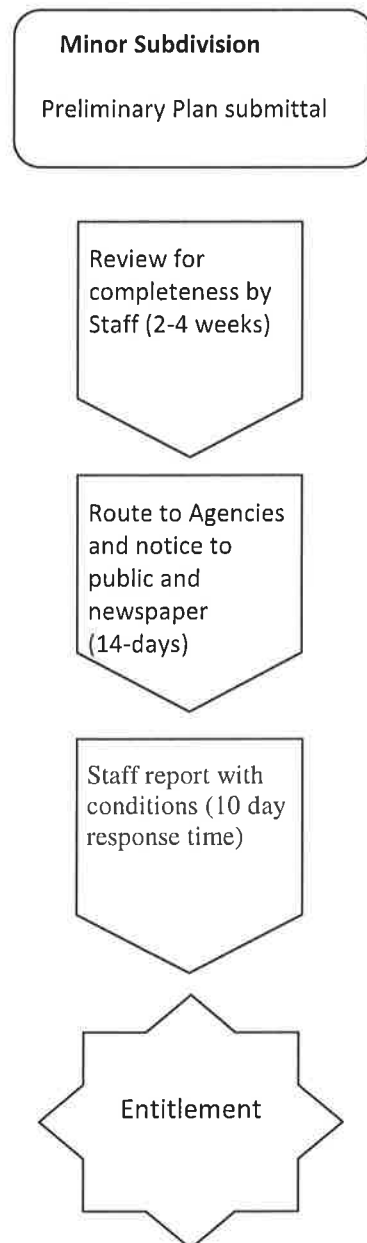


The absolute minimum timing for getting through the existing set up is no different if the applicant is applying for a minor subdivision or a regular subdivision.

This is where staff felt a change could be made to speed up review time and change the procedures.

In order to reduce the amount of processing time, staff looked into language that would support minor subdivisions as an administrative entitlement process rather than requiring it go to a public hearing. We also proposed raising the applicability standards for when a division of land meets the standards of a minor subdivision.

With the new language, the public and affected agencies would still be noticed of the future divisions, but the final decision would land with the City Administrator with rights of appeal going to City Council. This new process eliminates the Planning and Zoning Commission from holding a public hearing and combines the agency review and the public notice into one process. The new process could potentially reduce the minimum timing from 4 months down to 30-60 days.



PLANNING AND ZONING RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on September 15, 2016 in accordance with Idaho Code 67-6511 and unanimously recommended approval of the language as presented.

ORDINANCE REVIEW/SUMMARY

New language has been provided in below. Staff has prepared the language to show proposed new text as underlined and removed text as ~~stricken~~, with remaining text shown as is.

12-5-1: APPLICABILITY:

The division of land into four (4) or fewer contiguous lots, parcels, tracts or sites may be considered a minor subdivision provided it meets all criteria outlined in this section. If any one of the following criteria is not met, the developer must file a regular subdivision plat as outlined in this title. A minor subdivision shall be subject to all development standards established by this title. The proposed minor subdivision and all of the proposed development shall meet the following criteria:

A. Comply with all minimum standards and requirements of the zoning ordinance, and shall not require a zone change.

B. All lots shall ~~have maintain frontage on and~~ access onto an existing public street or a private street acceptable by city and generally meeting the city street standards and the standards contained herein. Dedication of additional right of way for future improvements may be required as a condition of approval. (Ord. 495, 12-20-2005)

C. At the time of preliminary plat submittal, all lots shall have adequate sewer and water services available to the subdivision.

D. The subdivision does not require extensions or improvements to sewer or water mains other than individual lateral connections to serve the future lots. Including installation of booster stations, pressure mains, and lift stations.

12-5-2: EXEMPTIONS:

The provisions of this chapter shall not apply to the following:

A. The transfer of land between two (2) adjacent property owners, which does not result in the creation of any additional ~~building site~~ lot or parcel.

B. Any division of land made by testamentary provision or the laws of descent. Parcels of land so created must comply with lot size, frontage, and other standards established by this code and other applicable laws to be eligible for a building permit or to qualify for establishment of a regulated land use

C. Any acquisition or division of land by a public agency for public right of way purposes. (Ord. 495, 12-20 2005)

12-5-3: APPLICATION:

An application for a minor subdivision must be submitted to the city with the following:

~~A. Each application shall be accompanied by a fee if an amount is established by resolution of the council~~
A fee, if an amount is established by resolution of the council;

B. Proof of ownership and consent from any lien holder granting authorization to subdivide the property;

~~C. A list, prepared by a title company licensed to do business in the state of Idaho, of the names and mailing addresses of all property owners whose property is adjacent to the property being proposed for development and others as required by the city. Such list shall be provided on self-adhesive labels in the number of copies necessary for the hearing(s) scheduled;~~

~~D. Legal description and tax parcel number of the parcel being divided;~~

C. One full sized copy of the proposed plat, one eleven inch by seventeen inch (11" x 17") copy of the proposed plat, ~~plus one copy of the proposed minor subdivision drawn in ink on a reproducible material eighteen inches by twenty seven inches (18" x 27") in size~~ and one digital copy of the proposed minor subdivision, prepared by a surveyor licensed in the state of Idaho, and which shall contain all applicable items listed at section 12-3-4(A) of this Title and shall be prepared in accordance with Title 50, Chapter 13 of the Idaho Code as it now exists or is subsequently amended.

12-5-4: PROCEDURES:

~~A. Upon receipt of a completed minor subdivision application, city staff will review the application to determine if it is complete and if it meets the criteria for a minor subdivision, and shall schedule a minor subdivision review with the developer.~~

~~B. The city will provide copies of submitted documents, as necessary, to outside agencies and jurisdictions, which, in the judgment of staff, may be affected by the proposal. In addition, the city will provide written notice to adjacent property owners. The notice shall provide a plan of the minor subdivision, general information concerning the proposal, and the time frame for submitting written comments. The period of time for comment or response shall not be less than fourteen (14) days from the date of notice.~~

~~C. The city staff shall then forward the minor subdivision review to the planning and zoning commission for review and public hearing and then to city council for approval.~~

~~D. A public hearing is not required unless such requirement is requested by the city council. (Ord. 495A, 5-16-2006)~~

12-5-4: PROCEDURE FOR APPROVAL OF MINOR PRELIMINARY PLAT:

A. The applicant shall file an application for a preliminary minor plat with the city, pursuant to the procedures of this title.

B. Upon the determination of by the administrator that an application is complete, the city shall:

1. Provide copies of submitted documents, as necessary, by first class mail to agencies, departments and jurisdictions, which, in the judgment of staff, may be affected by the proposal, allowing not less than fourteen (14) days for response.
2. Provide notice of the proposed subdivision by first class mail to all property owners of record within three hundred feet (300') of the external boundaries of the land being considered. The notice shall, at a minimum, include the applicant's name, a description of the proposed subdivision and the general location of the property. The notice shall advise of a fourteen- (14) day written comment period beginning the day after notice is postmarked.
3. Provide notice to the official county newspaper of record. The notice shall provide a summary of the proposal and advise of the fourteen-(14) day comment period.

C. At the close of the comment and review period and upon a determination by the administrator that the agency review comments have been addressed by the applicant, the administrator shall issue a staff report containing, at a minimum, proposed findings, reasoned decision and conditions of approval and a recommendation for action. Any response to the staff report by the applicant or interested parties shall be received by the city not later than ten (10) days after the issuance of the report.

D. Following the ten (10) day response period, the administrator shall consider the application for the preliminary minor plat, any comments received, the facts on the record and the standards for considering the subdivision application and may:

1. Approve the preliminary minor plat, as presented;
2. Approve the preliminary minor plat, as modified;
3. Continue action on the minor plat, pending changes to be made in the application, the subdivision design or the receipt of additional information;
4. Deny the application for preliminary minor plat;
5. Recommend the council hold a public hearing pursuant to the public hearing noticing requirements and procedures set forth in Idaho Code 67-6509, based upon the extent of public comment or other contested factors in the case which warrant a full hearing before the council. This option may be selected at any time following the initiation of the review and comment period when evidence of the record supports it, to ensure prompt processing of the application for hearing.

E. The administrator shall render a written decision, setting forth the ordinance provisions and standards as provided for at section 12-3-4H, the facts of the application and such conclusions that support the decision. If the administrator denies the preliminary minor plat, the administrator shall specify in the decision the actions, if any, which the applicant could take to obtain approval.

F. As a part of the decision for approving an application for a preliminary plat, the administrator may stipulate conditions to be placed on the final plat provided evidence of record is sufficient, which may include:

1. Minimizing adverse impacts on adjacent properties.
2. Designating the exact location and nature of development.
3. Requiring the provision of on- or off-site public facilities or services.
4. Assuring the development is maintained properly.

G. The preliminary minor plat shall be valid for a period not to exceed two (2) calendar years from the date of

approval. At any time prior to the expiration date of the preliminary minor plat, an applicant may make a written request to the administrator for an extension of the preliminary minor plat for a period up to two (2) years. The administrator shall consider such request for extension and the request must be approved or denied prior to the expiration date of the preliminary plat.

H. Any determination made by the administrator in the administration of this section may be appealed to the council by notifying the city in writing of the intent to appeal within ten (10) calendar days from the date of the written determination. Upon receipt of the appeal, the administrator shall schedule the application for a public hearing before the council, allowing sufficient time for notice. The council shall conduct a public hearing and consider the application, in accordance with the noticing procedures set forth in Idaho Code 67-6509.

12-5-5: FURTHER DIVISION OF LAND:

~~Any parcel of land used for a minor subdivision, the plat of which has been approved previously, will be reviewed by the city staff to determine if the applicant will use the minor subdivision or the subdivision method. (Ord. 495, 12-20-2005)~~

12-5-5 MINOR PLAT, CONTENTS OF FINAL PLAT, AND PROCEDURES FOR APPROVAL OF FINAL PLAT:

A. The contents of the final plat for minor subdivisions processed under the minor plat procedure shall be as set forth in Chapter 4 of this title.

B. The procedure for processing final plats of minor subdivisions utilizing the minor plat procedure shall be as set forth in Chapter 4 of this title.

PUBLIC COMMENTS

Staff forwarded the draft language to the surveying companies in town and had not heard any formal response regarding the draft language.

The draft language has also been placed on the City Website.

No other public comments have been received regarding the proposed changes to the minor subdivision language.

COMPREHENSIVE PLAN ANALYSIS / STAFF ANALYSIS

Idaho Code 67-6511, authorizes cities to make changes to zoning ordinances after considering the comprehensive plan. A review of the comprehensive plan provides for the following sections of compatibility:

1.2.7 New Growth: "...At the project review level, development generating new service demands can only approved if adequate public facilities and services are available to meet the needs of the development, or are funded by the developer."

Staff comment: The proposed modification will ensure through the applicability section that all public services will be existing prior to preliminary plat submittal. Therefore, only those areas of the city where infrastructure is already present will be applicable to this section of the subdivision chapter.

6.0 Land Use, Goal 9:

Input from citizens shall be encouraged at every level of land use decision making.

City approval for new development, both residential and businesses, should occur only after sufficient planning for rights-of-way, improvement and access have been evaluated accommodating increase traffic volumes

Staff comment: The original processes provided notification within 300 feet of property being subdivided; this new process will still maintain the public's opportunity to comment prior to the administrator making the final decision.

The applicability section requires that access to the future lots be available prior to preliminary plat submission that meets the city's street standards. This ensures that future minor subdivisions are occurring in areas that can already support additional levels of traffic and on roads that are already meeting city standards.

9.0 Public Services, Facilities and Utilities:

"...[the city should plan] to ensure that our existing and future citizens are provided with a safe and ample supply of water [and sewer].

Staff comment: Future divisions of land will need to show how no extension of services are necessary to completing the plat. All lot shall have services available to them at the time of preliminary plat.

13.0 Housing

Goal 1: Maintain and / or improve the quality of housing and residential development.

Staff comment: With the revised language, developers and or builders can quickly plat new parcels of land to add additional housing to quickly and more affordable than a development that requires additional roads, extension of water or sewer or new electrical lines brought to the property.

AUTHORITY

This ordinance amendment is proposed under the authority granted at Section 50-903, and 67-6509, 67-6511 and is subject to procedural requirements contained at section 67-6509 section 1-1-3, 2-1-5B and 11-6 et all of the Bonners Ferry City Code.

PUBLIC NOTICE/ PUBLIC COMMENTS

Staff sent notice of the proposed ordinance amendments to all taxing districts in the city and county Airport facility, pursuant to I.C. 67-6509 (see official notice list for taxing districts). Notice has also been provided to media outlets in the area and region. To date, no comments a have been received from either public agencies or the public.

MOTIONS BY THE GOVERNING BODY:

Motion to Approve: I move to approve this file AM04-16, to make changes to Title 12, Chapter

5 City of Bonners Ferry Code modifying them minor subdivisions chapter by removing the requirement for a public hearing; by providing additional applicability language; by providing for clarity in the exemption standards; by providing administrative procedures for reviewing and entitling minor subdivisions; and by removing further division of land standards, finding that it is in accordance with the general and specifics goals and standards of the City of Bonners Ferry comprehensive plan, as enumerated in the findings and reasoned statements below and based upon testimony received at this hearing.

I further move to adopt the following reasoned statement and conditions of approval as written (or as amended).

Motion to Deny: I move to deny this file AM04-16, to make changes to Title 12, Chapter 5 City of Bonners Ferry Code modifying them minor subdivisions chapter by removing the requirement for a public hearing; by providing additional applicability language; by providing for clarity in the exemption standards; by providing administrative procedures for reviewing and entitling minor subdivisions; and by removing further division of land standards, finding that it is not in accordance with the general and specifics goals and standards of the City of Bonners Ferry comprehensive plan, as enumerated in the findings and reasoned statements below and based upon testimony received at this hearing.

I further move to adopt the following findings and reasoned statement as written (or as amended), because [SPECIFY WHAT OR WHY THE STANDARDS DON'T MEET THE NEEDS OF THE CITY]. Furthermore, I move to adopt the following reasoned statements: (READ STATEMENTS, SPECIFYING WHETHER THE PROJECT MEETS OR FAILS TO MEET THE STANDARDS, BASED UPON THE FINDINGS OF RECORD).

REASONED STATEMENTS

Reasoned Statements: *The staff report and subsequent evidence in the record are the basis for the findings required in order to reach a reasoned decision. Based upon those findings, the following reasoned decisions are adopted by the Bonners Ferry Planning & Zoning Commission/City Council:

1. The amendment **IS/IS NOT** supported by the City of Bonners Ferry Comprehensive Plan.

Community Design	Special Areas and Sites
Natural Resource	Recreation
Population	Housing
Economic Development	Land Use
Hazardous Areas	Public Services, Facilities and Utilities
Transportation	Implementation
Property Rights	

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, REPEALING AND REPLACING BONNERS FERRY CITY CODE TITLE TWELVE, CHAPTER FIVE, CONCERNING MINOR SUBDIVISIONS IN ORDER TO PROVIDE APPLICABILITY LANGUAGE; PROVIDING FOR CLARITY IN EXEMPTIONS STANDARDS; PROVIDING FOR ADMINISTRATIVE PROCEDURES FOR REVIEWING AND APPROVING MINOR SUBDIVISIONS; PROVIDING FOR FINAL PLAT PROCEDURES; PROVIDING SEVERABILITY; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Planning and Zoning Commission held a duly noticed public hearing in accordance with Idaho Code 67-6509 and Idaho Code 67-6511 on September 15, 2016; and

WHEREAS, the City Council held a public hearing in accordance with Idaho Code 67-6509 and Idaho Code 67-6511 on _____; and

WHEREAS, the Mayor and City Council have deemed it in the public interest to enact new provisions within Bonners Ferry City Code Title Twelve, Chapter five, for the purpose of providing minor subdivision to be administratively reviewed and approved;

NOW THEREFORE, Be it ordained by the Mayor and the Council of the City of Bonners Ferry, Idaho, as follows:

Section 1: That Bonners Ferry City Code Chapter 5, Title 12 is hereby repealed in its entirety.

Section 2: That Chapter 5, Title 12, Bonners Ferry Code is hereby replaced to read as follows:

12-5-1: APPLICABILITY

The division of land into four (4) or fewer contiguous lots, parcels, tracts or sites may be considered a minor subdivision provided it meets all criteria outlined in this section. If any one of the following criteria is not met, the developer must file a regular subdivision plat as outlined in this title. A minor subdivision shall be subject to all development standards established by this title. The proposed minor subdivision and all of the proposed development shall meet the following criteria:

A. Comply with all minimum standards and requirements of the zoning ordinance, and shall not require a zone change;

B. All lots shall maintain frontage on and access onto an existing public street meeting the city street standards and the standards contained herein. Dedication of additional right of way for future improvements may be required as a condition of approval; (Ord. 495, 12-20-2005)

C. At the time of preliminary plat submittal, all lots shall have adequate sewer and water services available to the subdivision;

D. The subdivision does not require extensions or improvements to sewer or water mains other than individual lateral connections to serve the future lots. Including installation of booster stations, pressure mains, and lift stations.

12-5-2: EXEMPTIONS:

The provisions of this chapter shall not apply to the following:

A. The transfer of land between two (2) adjacent property owners, which does not result in the creation of any additional lot or parcel.

B. Any division of land made by testamentary provision or the laws of descent. Parcels of land so created must comply with lot size, frontage, and other standards established by this code and other applicable laws to be eligible for a building permit or to qualify for establishment of a regulated land use

C. Any acquisition or division of land by a public agency for public right of way purposes. (Ord. 495, 12-20 2005)

12-5-3: APPLICATION:

An application for a minor subdivision must be submitted to the city with the following:

A. A fee if an amount is established by resolution of the council;

B. Proof of ownership and consent from any lien holder granting authorization to subdivide the property;

D. One full sized copy of the proposed plat, one eleven inch by seventeen inch (11" x 17") copy of the proposed plat, and one digital copy of the proposed minor subdivision, prepared by a surveyor licensed in the state of Idaho, and which shall contains all applicable items listed at section 12-3-4(A) of this Title and shall be prepared in accordance with Title 50, Chapter 13 of the Idaho Code as it now exists or is subsequently amended.

12-5-4: PROCEDURE FOR APPROVAL OF MINOR PRELIMINARY PLAT:

A. The applicant shall file an application for a preliminary minor plat with the city, pursuant to the procedures of this title.

B. Upon the determination of by the administrator that an application is complete, the city shall:

1. Provide copies of submitted documents, as necessary, by first class mail to agencies, departments and jurisdictions, which, in the judgment of staff, may be affected by the proposal, allowing not less than fourteen (14) days for response.
2. Provide notice of the proposed subdivision by first class mail to all property owners of record within three hundred feet (300') of the external boundaries of the land being considered. The notice shall, at a minimum, include the applicant's name, a description of the proposed subdivision and the general location of the property. The notice shall advise of a fourteen- (14) day written comment period beginning the day after notice is postmarked.

3. Provide notice to the official county newspaper of record. The notice shall provide a summary of the proposal and advise of the fourteen-(14) day comment period.

C. At the close of the comment and review period and upon a determination by the administrator that the agency review comments have been addressed by the applicant, the administrator shall issue a staff report containing, at a minimum, proposed findings, reasoned decision and conditions of approval and a recommendation for action. Any response to the staff report by the applicant or interested parties shall be received by the city not later than ten (10) days after the issuance of the report.

D. Following the ten (10) day response period, the administrator shall consider the application for the preliminary minor plat, any comments received, the facts on the record and the standards for considering the subdivision application and may:

1. Approve the preliminary minor plat, as presented;
2. Approve the preliminary minor plat, as modified;
3. Continue action on the minor plat, pending changes to be made in the application, the subdivision design or the receipt of additional information;
4. Deny the application for preliminary minor plat;
5. Recommend the council hold a public hearing pursuant to the public hearing noticing requirements and procedures set forth in Idaho Code 67-6509, based upon the extent of public comment or other contested factors in the case which warrant a full hearing before the council. This option may be selected at any time following the initiation of the review and comment period when evidence of the record supports it, to ensure prompt processing of the application for hearing.

E. The administrator shall render a written decision, setting forth the ordinance provisions and standards as provided for at section 12-3-4H, the facts of the application and such conclusions that support the decision. If the administrator denies the preliminary minor plat, the administrator shall specify in the decision the actions, if any, which the applicant could take to obtain approval.

F. As a part of the decision for approving an application for a preliminary plat, the administrator may stipulate conditions to be placed on the final plat provided evidence of record is sufficient, which may include:

1. Minimizing adverse impacts on adjacent properties.
2. Designating the exact location and nature of development.
3. Requiring the provision of on- or off-site public facilities or services.
4. Assuring the development is maintained properly.

G. The preliminary minor plat shall be valid for a period not to exceed two (2) calendar years from the date of approval. At any time prior to the expiration date of the preliminary minor plat, an applicant may make a written request to the administrator for an extension of the preliminary minor plat for a period up to two (2) years. The administrator shall consider such request for extension and the request must be approved or denied prior to the expiration date of the preliminary plat.

H. Any determination made by the administrator in the administration of this section may be appealed to the council by notifying the city in writing of the intent to appeal within ten (10) calendar days from the date of the written determination. Upon receipt of the appeal, the administrator shall schedule the application for a public hearing before the council, allowing sufficient time for notice. The council shall conduct a public hearing and consider the application, in accordance with the noticing procedures set forth in Idaho Code 67-6509.

12-5-5 MINOR PLAT, CONTENTS OF FINAL PLAT, PROCEDURE FOR APPROVAL OF FINAL PLAT:

A. The contents of the final plat for minor subdivisions processed under the minor plat procedure shall be as set forth in Chapter 4 of this title.

B. The procedure for processing final plats of minor subdivisions utilizing the minor plat procedure shall be as set forth in Chapter 4 of this title.

Section 3: PROVISIONS SEVERABLE: The provisions of this Ordinance are hereby declared to be severable and if any provision of this Ordinance or application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

Section 4: EFFECTIVE DATE: This ordinance shall be effective upon its passage and publication in the manner provided by law.

APPROVED by the Mayor and City Council of the City of Bonners Ferry this _____ day of _____, 201__.

CITY OF BONNERS FERRY, IDAHO

BY: _____
Mayor

Attest:

Clerk, City of Bonners Ferry

NOTICE OF PUBLIC HEARINGS

Notice is hereby provided that public hearings pursuant to I.C. 67-6509 and I.C. 67-6511 and Bonners Ferry City Code have been set for the City of Bonners Ferry City Council for **NOVEMBER 15, 2016 AT 7:00 PM** at Bonners Ferry City Hall to consider recommendations to the City Council for the following:

File #AM04-16 Minor Subdivision Regulations – A public hearing to consider changes to Title 12, Chapter 5 Minor Subdivisions. The purpose of the change is to stream line review of minor subdivisions by removing the requirement for a public hearing; to provide additional applicability language; to provide for clarity in the exemption standards; to provide administrative procedures for reviewing and entitling minor subdivisions; and to remove further division of land standards.

The public is welcome and encouraged to attend the hearings or provide written response. Any written comment greater than 1 page must be submitted at least 6 days prior to the meeting. Written material not exceeding 1 page may be read into the record the day of the hearing. Public wishing to speak at the public hearing may do so in compliance with Resolution 2014-06-01, a copy of which is located at City Hall.

The deadline for submitting written comment and/or material is **November 9, 2016 by 5pm**. Written comment can be mailed to City of Bonners Ferry, Planning and Zoning, P.O. Box 149, Bonners Ferry, ID 83805, or faxed to (208) 267-4375.

Complete files are available for view at City Hall, located at 7232 Main, during regular business hours. Anyone requiring special accommodations due to disability should contact the City Clerk at (208) 267-3105 at least two days prior to the meeting.

ATTEST:


Kris Larson, City Clerk

PUBLISH: October 27, 2016
Mailed to Taxing Districts: October 20, 2016

Boundary County
PO Box 419
Bonners Ferry, ID 83805

BCSD # 101
7188 Oak St.
Bonners Ferry, ID 83805

SPOKESMAN-REVIEW
608 NORTHWEST BLVD., STE. 103
COEUR D'ALENE, IDAHO 83814

KSPT-KPND-KIBR RADIO
327 MARION
SANDPOINT, IDAHO 83864

City of Moyie Springs
PO Box 573
Moyie Springs, ID 83845

Boundary Volunteer Ambulance
PO Box 441
Bonners Ferry, ID 83805

Paradise Valley Fire
PO Box 3213
Bonners Ferry, ID 83805

South Boundary Fire
PO Box 148
Naples, ID 83847

Boundary County Road & Bridge
PO Box 1418
Bonners Ferry, ID 83805

Boundary County Library
PO Box Y
Bonners Ferry, ID 83805

City of Bonners Ferry
PO Box 149
Bonners Ferry, ID 83805

Cabinet Mountain Water
PO Box 1223
Bonners Ferry, ID 83805

Three Mile Water
PO Box 906
Bonners Ferry, ID 83805

Idaho Transportation Dept.
600 W. Prairie Ave.
Coeur d'Alene, ID 83815

Bonners Ferry Herald
PO Box 539
Bonners Ferry, ID 83805

Northern Air
64602 US Hwy 2
Bonners Ferry, ID 83805-5211

FILE NO.: AM04-16

HEARING DATE: December 6, 2016

PAGE 1 OF 1

RECORD OF MAILING APPROVED BY: *True*

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was mailed to the entities listed above, on this October 28, 2016.

Lisa M. Allport, AICP

Lisa M. Allport, City Planner

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, REPEALING AND REPLACING BONNERS FERRY CITY CODE TITLE TWELVE, CHAPTER FIVE, CONCERNING MINOR SUBDIVISIONS IN ORDER TO PROVIDE APPLICABILITY LANGUAGE; PROVIDING FOR CLARITY IN EXMPTIONS STANDARDS; PROVIDING FOR ADMINISTRATIVE PROCEDURES FOR REVIEWING AND APPROVING MINOR SUDIVISIONS; PROVIDING FOR FINAL PLAT PROCEDURES; PROVIDING SEVERABILITY; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Planning and Zoning Commission held a duly noticed public hearing in accordance with Idaho Code 67-6509 and Idaho Code 67-6511 on September 15, 2016; and

WHEREAS, the City Council held a public hearing in accordance with Idaho Code 67-6509 and Idaho Code 67-6511 on _____; and

WHEREAS, the Mayor and City Council have deemed it in the public interest to enact new provisions within Bonners Ferry City Code Title Twelve, Chapter five, for the purpose of providing minor subdivision to be administratively reviewed and approved;

NOW THEREFORE, Be it ordained by the Mayor and the Council of the City of Bonners Ferry, Idaho, as follows:

Section 1: That Bonners Ferry City Code Chapter 5, Title 12 is hereby repealed in its entirety.

Section 2: That Chapter 5, Title 12, Bonners Ferry Code is herby replaced to read as follows:

12-5-1: APPLICABILITY

The division of land into four (4) or fewer contiguous lots, parcels, tracts or sites may be considered a minor subdivision provided it meets all criteria outlined in this section. If any one of the following criteria is not met, the developer must file a regular subdivision plat as outlined in this title. A minor subdivision shall be subject to all development standards established by this title. The proposed minor subdivision and all of the proposed development shall meet the following criteria:

A. Comply with all minimum standards and requirements of the zoning ordinance, and shall not require a zone change;

B. All lots shall maintain frontage on and access onto an existing public street meeting the city street standards and the standards contained herein. Dedication of additional right of way for future improvements may be required as a condition of approval; (Ord. 495, 12-20-2005)

C. At the time of preliminary plat submittal, all lots shall have adequate sewer and water services available to the subdivision;

D. The subdivision does not require extensions or improvements to sewer or water mains other than individual lateral connections to serve the future lots. Including installation of booster stations, pressure mains, and lift stations.

12-5-2: EXEMPTIONS:

The provisions of this chapter shall not apply to the following:

A. The transfer of land between two (2) adjacent property owners, which does not result in the creation of any additional lot or parcel.

B. Any division of land made by testamentary provision or the laws of descent. Parcels of land so created must comply with lot size, frontage, and other standards established by this code and other applicable laws to be eligible for a building permit or to qualify for establishment of a regulated land use

C. Any acquisition or division of land by a public agency for public right of way purposes. (Ord. 495, 12-20 2005)

12-5-3: APPLICATION:

An application for a minor subdivision must be submitted to the city with the following:

A. A fee if an amount is established by resolution of the council;

B. Proof of ownership and consent from any lien holder granting authorization to subdivide the property;

D. One full sized copy of the proposed plat, one eleven inch by seventeen inch (11" x 17") copy of the proposed plat, and one digital copy of the proposed minor subdivision, prepared by a surveyor licensed in the state of Idaho, and which shall contains all applicable items listed at section 12-3-4(A) of this Title and shall be prepared in accordance with Title 50, Chapter 13 of the Idaho Code as it now exists or is subsequently amended.

12-5-4: PROCEDURE FOR APPROVAL OF MINOR PRELIMINARY PLAT:

A. The applicant shall file an application for a preliminary minor plat with the city, pursuant to the procedures of this title.

B. Upon the determination of by the administrator that an application is complete, the city shall:

1. Provide copies of submitted documents, as necessary, by first class mail to agencies, departments and jurisdictions, which, in the judgment of staff, may be affected by the proposal, allowing not less than fourteen (14) days for response.
2. Provide notice of the proposed subdivision by first class mail to all property owners of record within three hundred feet (300') of the external boundaries of the land being considered. The notice shall, at a minimum, include the applicant's name, a description of the proposed subdivision and the general location of the property. The notice shall advise of a fourteen- (14) day written comment period beginning the day after notice is postmarked.

3. Provide notice to the official county newspaper of record. The notice shall provide a summary of the proposal and advise of the fourteen-(14) day comment period.

C. At the close of the comment and review period and upon a determination by the administrator that the agency review comments have been addressed by the applicant, the administrator shall issue a staff report containing, at a minimum, proposed findings, reasoned decision and conditions of approval and a recommendation for action. Any response to the staff report by the applicant or interested parties shall be received by the city not later than ten (10) days after the issuance of the report.

D. Following the ten (10) day response period, the administrator shall consider the application for the preliminary minor plat, any comments received, the facts on the record and the standards for considering the subdivision application and may:

1. Approve the preliminary minor plat, as presented;
2. Approve the preliminary minor plat, as modified;
3. Continue action on the minor plat, pending changes to be made in the application, the subdivision design or the receipt of additional information;
4. Deny the application for preliminary minor plat;
5. Recommend the council hold a public hearing pursuant to the public hearing noticing requirements and procedures set forth in Idaho Code 67-6509, based upon the extent of public comment or other contested factors in the case which warrant a full hearing before the council. This option may be selected at any time following the initiation of the review and comment period when evidence of the record supports it, to ensure prompt processing of the application for hearing.

E. The administrator shall render a written decision, setting forth the ordinance provisions and standards as provided for at section 12-3-4H, the facts of the application and such conclusions that support the decision. If the administrator denies the preliminary minor plat, the administrator shall specify in the decision the actions, if any, which the applicant could take to obtain approval.

F. As a part of the decision for approving an application for a preliminary plat, the administrator may stipulate conditions to be placed on the final plat provided evidence of record is sufficient, which may include:

1. Minimizing adverse impacts on adjacent properties.
2. Designating the exact location and nature of development.
3. Requiring the provision of on- or off-site public facilities or services.
4. Assuring the development is maintained properly.

G. The preliminary minor plat shall be valid for a period not to exceed two (2) calendar years from the date of approval. At any time prior to the expiration date of the preliminary minor plat, an applicant may make a written request to the administrator for an extension of the preliminary minor plat for a period up to two (2) years. The administrator shall consider such request for extension and the request must be approved or denied prior to the expiration date of the preliminary plat.

H. Any determination made by the administrator in the administration of this section may be appealed to the council by notifying the city in writing of the intent to appeal within ten (10) calendar days from the date of the written determination. Upon receipt of the appeal, the administrator shall schedule the application for a public hearing before the council, allowing sufficient time for notice. The council shall conduct a public hearing and consider the application, in accordance with the noticing procedures set forth in Idaho Code 67-6509.

12-5-5 MINOR PLAT, CONTENTS OF FINAL PLAT, PROCEDURE FOR APPROVAL OF FINAL PLAT:

A. The contents of the final plat for minor subdivisions processed under the minor plat procedure shall be as set forth in Chapter 4 of this title.

B. The procedure for processing final plats of minor subdivisions utilizing the minor plat procedure shall be as set forth in Chapter 4 of this title.

Section 3: PROVISIONS SEVERABLE: The provisions of this Ordinance are hereby declared to be severable and if any provision of this Ordinance or application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

Section 4: EFFECTIVE DATE: This ordinance shall be effective upon its passage and publication in the manner provided by law.

APPROVED by the Mayor and City Council of the City of Bonners Ferry this _____ day of _____, 201__.

CITY OF BONNERS FERRY, IDAHO

BY: _____
Mayor

Attest:

Clerk, City of Bonners Ferry

CITY OF BONNERS FERRY
RESOLUTION NO. 2016-12-01

A RESOLUTION OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING AMENDMENTS TO THE BILLING AND FACILITY EXTENSION POLICIES AND PROVIDING AN EFFECTIVE DATE

WHEREAS the City Council of the City of Bonners Ferry desires to make amendments to its Utility Billing and Facility Extension Policies in order to continue to provide services to the citizens of Bonners Ferry in the most efficient and cost-effective manner possible, and to establish procedures for billing and utility services that shall be followed by staff,

WHEREAS the City Council and Mayor have reviewed the attached Billing and Facility Extension Policies and believe that the policies should be adopted and become effective immediately following their adoption and approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONNERS FERRY AS FOLLOWS:

1. That the attached Billing Policy is hereby adopted and approved as policy of the City of Bonners Ferry, effective immediately.
2. That the attached Facility Extension Policy is hereby adopted and approved as policy of the City of Bonners Ferry, effective immediately.

ADOPTED AND APPROVED THIS 6TH DAY OF DECEMBER, 2016.

David Sims, Mayor

ATTEST:

Kris Larson, City Clerk

POLICY IV.B BILLING AND COLLECTIONS

A. NEW ACCOUNTS

1. NEW CUSTOMERS: Must request service by written application for utility service and pay required fees and deposits as identified in the Fee Resolution as adopted by the Bonners Ferry City Council and listed in Appendix A.
2. NEW SERVICES: If a service connection does not exist, the customer must request a facilities extension and also pay amounts as defined in the City's Facility Extension policy IV.C.

B. SECURITY DEPOSITS

1. REQUIREMENTS: Required for all new residential electrical accounts unless a letter of payment history is provided. Required for all new commercial and industrial accounts.
2. AMOUNT: See Fee Resolution as adopted by the Bonners Ferry City Council and listed in Appendix A.
3. LETTER OF PAYMENT HISTORY: The security deposit will be waived on residential accounts if the customer has the previous 12 months consistent on-time full payment history with the City or can document the previous 12 months consistent on-time full payment history with another utility by correspondence on utility letterhead. This letter must show historic payment obligation for like sized account.
4. DUE DATE: The deposit will be collected at the time of application. If payment arrangement is needed on the deposit, a minimum of fifty percent of the deposit amount will be collected at the time of application and the remaining amount by the due date of the first billing cycle on the account.
5. DEPOSIT REFUNDS: The City will credit the deposits to the customer's account only when requested after 12 months of consistent on-time full payment history or when the account is closed.
6. INTEREST: Will not be paid on security deposits.
7. BANKRUPTCY: If a customer has previously declared bankruptcy while a utility customer of the City of Bonners Ferry, the security deposit required shall double. Additionally, the deposit shall not be refunded to the account until there has been 24 months of consistent on-time full payment history or when the account is closed.

C. BILLING POLICY

1. DUE DATE: Payment shall be due and payable by the date printed on the bill.
2. RATES: Billing rates are as adopted by the Bonners Ferry City Council, and as defined in Appendix B for Electrical, Appendix C for Water, Appendix D for Sewer and Appendix E for Garbage. If billing rate discrepancies exist between this policy the latest City Fee Resolution, the latest Fee Resolution will be applied.
3. If an error is found in billing or a mechanical meter malfunction is found, the billing will be corrected retroactively for up to a three year period.

D. BILL PAYMENT PROCESS

1. Bill mailed and due 14 days later

POLICY IV.B BILLING AND COLLECTIONS

2. On the 15th day a Reminder Letter is mailed if there is a past due (30 day) balance over \$100 letting the customer know it must be paid within five days or an arrangement for payment is made.
3. An order to disconnect service is then generated if the balance is not paid or arrangement for payment made within the five day period from the date the Reminder Letter is mailed. A door hanger fee will be charged.
4. A customer can delay termination of service for an additional thirty (30) days from scheduled disconnect date by obtaining a certificate from a doctor or public health official stating that a medical emergency would exist or a medical condition would be aggravated if the service is turned off. Payment arrangements must be made before the thirty day window expires. The certificate must be signed by the person diagnosing the medical condition and must name the person affected.

E. CONNECT AND DISCONNECT POLICY

1. CHARGES: Connect and disconnect charges will be made for all connects and disconnects at the rates shown in Appendix A.
2. DISCONNECT REASONS: The City will, with notice and reasonable time for compliance, disconnect services for the following reasons:
 - a. Violation of and/or noncompliance with any applicable Federal, State or other local laws, regulations and codes.
 - b. Discovery of meter tampering.
 - c. Any reason stated in E3.
 - d. Other appropriate circumstances.
3. IMMEDIATE DISCONNECT REASONS: The City may immediately and without notice disconnect services for the following reasons:
 - a. Nonpayment of City utility bills.
 - b. Diversion or unauthorized use of City utility services.
 - c. Discovery of a condition determined by the City to be hazardous.
 - d. Other appropriate circumstances.
4. DELINQUENT ACCOUNTS:
 - a. A "Door Hanger Charge" will be required each time City personnel are required to make a personal visit to the premises for the purposes of collections on a delinquent account. The customer will be charged as identified in the Fee Resolution as adopted by the Bonners Ferry City Council and listed in Appendix A.
 - b. Delinquent accounts shall be disconnected after receipt of disconnect notice unless payment arrangements have been made with the City.
 - c. Account holder shall have the right to a hearing before the Utility Grievance Board in order to show cause why the service should not be disconnected. Account holder shall be responsible for scheduling and participating in the hearing prior to the scheduled date of disconnect. The Utility Grievance Board shall be composed of one staff member from the Utility Billing

POLICY IV.B BILLING AND COLLECTIONS

Department (typically the billing supervisor) and a staff member from City Administration (typically the City Administrator).

d. Accounts shall not be reconnected until the connect charges, disconnect charges, arrears, amount owed up through the reading taken on the day of disconnection, and any new required deposits have been paid in full or a payment arrangement with the City has been made.

5. RECONNECT REQUIREMENTS: After a service has been disconnected by customer request or for non-payment, the City shall require the service to be brought up to City standards before reconnection.

6. DISCONNECT FOR MAINTENANCE AND CONVENIENCE: By request of the customer and when it is convenient to the City; the City will provide routine off-on service to its customers during normal working hours at no cost to the customer. If such service becomes excessive, generally more than two hours of labor per year or outside of normal working hours, the City may charge for such service. The charge will be the actual labor cost expended for such service.

F. CLOSED ACCOUNTS

1. PROCESS:

- a. Customer must complete a request to discontinue utility services form.
- b. The customer receives a closing bill that is due 14 days later. Customer continues to be billed until account is paid or turned over to collection agency.

G. COLLECTION POLICY FOR CLOSED ACCOUNTS

1. PROCESS:

- a. Closing bill mailed (due 14 days later)
- b. Final collection notice mailed 30 days before sending to Credit Bureau
- c. City of Bonners Ferry will file a lien for the unpaid balance.

H. RETIRED ACCOUNTS

1. AN ACCOUNT WILL BE RETIRED UNDER THE FOLLOWING CIRCUMSTANCES

- a. Written request by the property owner.

2. REQUEST FOR SERVICE AT A LOCATION FROM WHICH A SERVICE HAD BEEN RETIRED

- a. The new service will be installed per the Extension Policy 4C

I. PROJECT SHARE

- a. Funds remain in Boundary County to assist local customers.
- b. Boundary County Community Action Agency
PO Box 627
Bonners Ferry, ID 83805
(208)267-3663
- c. Any refund of \$2.50 or less will be donated to Project Share.

POLICY IV.B
BILLING AND COLLECTIONS

J. NON-SUFFICIENT FUND (NSF) CHECK POLICY

1. When the City receives a bad check the receipt is cancelled from accounts receivable and the customer is charged a bad check fee
2. NOTIFICATION: The Clerk will attempt to contact the party to inform them of the NSF check to make arrangements for alternate payment method or to redeposit the check.
3. NSF ACTION:
 - a. The customer will be charged a bad check fee each time a check is deemed NSF.
 - b. The City Clerk will advise the Police Department of the NSF check when appropriate.

K. COMFORT LEVEL BILLING PLAN OR BUDGET PLAN

1. CUSTOMER REQUIREMENTS: Customer must have 12 months of complete timely payment history with the City before they can participate in the comfort level billing plan or budget plan.
2. EXPLANATION: Comfort Level Billing charges are based on a rolling average of the previous 12 months usage. Budget Plan is an equalized payment method based on the prior 12 months billing history.

L. LANDLORD/RENTAL DWELLING POLICY

1. PURPOSE: It is the City's goal with regard to rental dwelling units to avoid connects and disconnects to the greatest extent possible.
2. TRANSFER OF SERVICE: Upon receipt of written notice from tenant vacating a property, the utility accounts shall revert back to the landlord's name unless requested otherwise by landlord.
3. TENANT'S LIABILITY: If the service is placed in the landlord's name and the tenant has outstanding utility bills, the tenant may be subject to the collection process

M. METER READING

1. Meters are read monthly or when a final read is necessary.

N. ESTIMATED BILLING

1. When the City is unable to gain reasonable access to a meter, the City will estimate the reading for a billing period based on the historical usage of that service.
2. When a meter fails in service the City will estimate the reading for that billing period based on the historical usage of that service.

O. WATER LEAKS

1. When a major water leak is discovered on the customer's lines the City will provide bill relief under the following conditions.
 - a. Only for the billing cycle in which the leak is detected.
 - b. The leak must be external to any structures.
 - c. Not greater than ½ of the amount in excess of the normal water usage, as estimated by the City
 - d. The consumer must notify City Hall within thirty days of the billing date.

POLICY IV.B
BILLING AND COLLECTIONS

- e. The consumer must provide a detailed explanation, in writing, of the conditions.
- f. If the leak is caused by negligence, the City will not absorb any of the loss.

POLICY IV.B
BILLING AND COLLECTIONS
Appendix A

Schedule of Security Deposits, Connect Charges, and Disconnect Charges

A. ELECTRIC

1. Security Deposit Rates:
 - Residential \$200.00
 - Commercial/Industrial
 - Existing Service Two month average of previous customer, \$200 minimum.
 - New Service Two month average estimated by City, \$200 minimum.
2. Connect and Disconnect Rates
 - Door hanger charge \$25.00
 - Connect and Disconnect
 - During Working Hours \$30.00
 - Outside of Working Hours \$90.00

B. GARBAGE

1. Security Deposit Rates:
 - None.
2. Connect and Disconnect Rates
 - None.

C. WATER

1. Security Deposit Rates:
 - None.
2. Connect and Disconnect Rates
 - Connect and Disconnect
 - During Working Hours \$30.00
 - Outside Working Hours \$90.00

D. SEWER

1. Security Deposit Rates:
 - None.
2. Connect and Disconnect Rates
 - None.

POLICY IV.B
BILLING AND COLLECTIONS
Appendix B

Schedule of Electric Rates
Effective 10/1/09
Large Industrial Rate 12/1/09

	Revenue Class	Rate Schedule	Monthly Base Rate	KWH Charge	KVA Demand Charge
Residential	01	ER1PB	\$ 10.47	\$ 0.0600	\$ -
Residential	01	ER1PX	\$ 14.91	\$ 0.0600	\$ -
Interdepartmental	07	ES1PB	\$ 10.47	\$ 0.0575	
Interdepartmental	07	ES1PX	\$ 14.91	\$ 0.0575	
Interdepartmental	07	ES3PB	\$ 32.83	\$ 0.0575	
Interdepartmental	07	ES3PX	\$ 41.80	\$ 0.0575	
Interdept. w/Demand	07	EC1PB	\$ 10.47	\$ 0.0420	\$ 6.00
Interdept. w/Demand	07	EC1PX	\$ 14.91	\$ 0.0420	\$ 6.00
Interdept. w/Demand	07	EC3PB	\$ 32.83	\$ 0.0420	\$ 6.00
Interdept. w/Demand	07	EC3PX	\$ 41.80	\$ 0.0420	\$ 6.00
Pumping & Drainage	09	ES3PX	\$ 41.80	\$ 0.0575	
Pumping & Drainage	09	EC1PB	\$ 10.47	\$ 0.0485	\$ 6.00
Pumping & Drainage	09	EC1PX	\$ 14.91	\$ 0.0485	\$ 6.00
Pumping & Drainage	09	EC3PB	\$ 32.83	\$ 0.0485	\$ 6.00
Pumping & Drainage	09	EC3PX	\$ 41.80	\$ 0.0485	\$ 6.00
Self Consumed	11	ES1PB	\$ 10.47	\$ 0.0575	\$ -
Self Consumed	11	ES1PX	\$ 14.91	\$ 0.0575	\$ -
Self Consumed	11	ES3PB	\$ 32.83	\$ 0.0575	\$ -
Self Consumed	11	ES3PX	\$ 41.80	\$ 0.0575	\$ -
Self Cons. w/ Demand	11	EC1PB	\$ 10.47	\$ 0.0420	\$ 6.00
Self Cons. w/ Demand	11	EC1PX	\$ 14.91	\$ 0.0420	\$ 6.00
Self Cons. w/ Demand	11	EC3PB	\$ 32.83	\$ 0.0420	\$ 6.00
Self Cons. w/ Demand	11	EC3PX	\$ 41.80	\$ 0.0420	\$ 6.00
Small Commercial	20	ES1PB	\$ 10.47	\$ 0.0575	\$ -
Small Commercial	20	ES1PX	\$ 14.91	\$ 0.0575	\$ -
Small Commercial	20	ES3PB	\$ 32.83	\$ 0.0575	\$ -
Small Commercial	20	ES3PX	\$ 41.80	\$ 0.0575	\$ -
Large Commercial	21	EC1PB	\$ 10.47	\$ 0.0420	\$ 6.00
Large Commercial	21	EC1PX	\$ 14.91	\$ 0.0420	\$ 6.00
Large Commercial	21	EC3PB	\$ 32.83	\$ 0.0420	\$ 6.00
Large Commercial	21	EC3PX	\$ 41.80	\$ 0.0420	\$ 6.00
Secondary Industrial	31	EC3PB	\$ 32.83	\$ 0.0440	\$ 5.15
Secondary Industrial	31	EC3PX	\$ 41.80	\$ 0.0440	\$ 5.15
Primary Industrial	31	EP3PB	\$ 32.83	\$ 0.0440	\$ 4.73
Primary Industrial	31	EP3PX	\$ 41.80	\$ 0.0440	\$ 4.73

POLICY IV.B
BILLING AND COLLECTIONS

Large Industrial	41	EL3PX	\$ 12,000.00	\$ 0.0260	\$ 4.37
Street Light	51	ESTREET	\$ 4.10		
Security Light	51	ESECURE	\$ 7.48		
Remote Read Device		EREMOTE	\$ 10.00		
No Meter Access		BELN	\$ 15.00		
Fiber Optics	21	FIBER	\$ 44.20		

B = inside customers

X = outside customers

A. DEFINITIONS

1. Inside and Outside rates are determined by City Boundaries
2. Electricity usage is measured in Kilowatt Hours (KW) and Kilovolt Amps (KVA).
3. Base Charge is the account service fee independent of usage.
4. No Meter Access is any meter point that is not accessible to the City Crews or Meter Reader due to locked or lockable physical barriers.

POLICY IV.B
BILLING AND COLLECTIONS

Appendix C

Schedule of Water Rates

Water rates effective January 11, 2016

<u>TYPE</u>	<u>CODE</u>	<u>BASE CHARGE</u>	<u>USE IN CUBIC FEET</u>	<u>RATE</u>	<u>PER</u>
RESIDENTIAL (Minimum)	WOFF01	\$ 39.39	OFF @ CURB	N/A	
Metered					
RESIDENTIAL <1" to 1"	WR101	\$ 46.27	1000	0.01868	Cubic Foot
RESIDENTIAL 1.5"	WR1.501	\$ 84.62	1000	0.01868	Cubic Foot
FIRE LINES	WFL		FIRE ONLY	\$ 11.20	Inch
CHECK METERS	WCH	\$ 47.36			
COMMERCIAL < 1"	WC1	\$ 47.36	0-1000	0.01904	Cubic Foot
COMMERCIAL 1"	WC1	\$ 47.36	0-1000	0.01904	Cubic Foot
COMMERCIAL 1.5	WC1.5	\$ 114.87	0-200	0.01904	Cubic Foot
COMMERCIAL 2"	WC2	\$ 148.61	0-200	0.01904	Cubic Foot
COMMERCIAL 3"	WC3	\$ 192.14	0-200	0.01904	Cubic Foot
COMMERCIAL 4"	WC4	\$ 378.17	0-200	0.01904	Cubic Foot
INDUSTRIAL < 1"	WI1	\$ 47.36	0-1000	0.01904	Cubic Foot
INDUSTRIAL 1.5"	WI1.5	\$ 114.87	0-200	0.01904	Cubic Foot
INDUSTRIAL 2"	WI2	\$ 148.61	0-200	0.01904	Cubic Foot
INDUSTRIAL 3"	WI3	\$ 192.14	0-200	0.01904	Cubic Foot
UNUSED SERVICE	WOFF	\$ 39.39		N/A	
NON-METERED <1"	WN1	\$ 76.42	UNLIMITED	N/A	
NON-METERED 1"	WN 1	\$ 76.42	UNLIMITED	N/A	
Commercial rate code plus MD for Multi- Dwelling Units		\$64.15 plus \$14.84 per unit	0-1800	0.01904	Cubic Foot

POLICY IV.B BILLING AND COLLECTIONS

A. DEFINITIONS

1. Inside and Outside rates are determined by City Boundaries
2. Water usage is measured in Cubic Feet. One cubic foot approximately 7.48 gallons.
3. Base Charge is the account service fee independent of usage.

B. APARTMENT BUILDINGS AND MULTIPLEXES

1. When there is one meter for multiple residential units the commercial rates are applicable.
2. When each residential unit is metered residential rates apply.
3. Charges are applicable whether the unit is occupied or unoccupied.

C. COMMERCIAL BUSINESSES WITH RESIDENTIAL DWELLING UNITS

1. Charged on the normal commercial meter rate.
2. Charges are applicable whether the unit is occupied or unoccupied.

D. BULK SALES

1. At metered hydrant – Connect and Disconnect Charge plus water rate per Cubic Foot.
2. At coin-op - \$.25 per 100 gallons.
3. Unmetered - \$50 minimum plus \$.25 per 100 gallons and \$75 account deposit.

POLICY IV.B
BILLING AND COLLECTIONS

Appendix D

Schedule of Sewer Rates

Sewer rates effective January 2016

<u>TYPE</u>	<u>CODE</u>	<u>BASE CHARGE</u>	<u>USE</u>	<u>RATE</u>	<u>PER</u>
Residential	SR01	\$ 28.05	UNLIMITED		
Interdepartmental	SC07	\$ 25.64	UNLIMITED	\$ 25.64	EDU
Small Commercial	SC20	\$ 25.64	UNLIMITED	\$ 25.64	EDU
Commercial	SC21	\$ 25.64	UNLIMITED	\$ 25.64	EDU
Industrial	SI31	\$ 25.64	UNLIMITED	\$ 25.64	EDU

A. EDU DEFINITION

1. An EDU is an equivalent dwelling unit.
2. For single family residences there is one EDU per residence.
3. For apartments and multiplexes each unit is considered an EDU.
4. For commercial services each 4,500 gallons of water usage is considered one EDU.

B. MISCELLANEOUS

1. The minimum charge for any commercial service is one EDU.
2. Sewer charges are applicable whether the unit is occupied or unoccupied.

C. COMMERCIAL BUSINESSES WITH RESIDENTIAL DWELLING UNITS

1. Rate is one EDU per 4,500 gallons of water usage. Minimum charge is 1 EDU per dwelling unit plus 1 EDU per business.
2. Charges are applicable whether the unit is occupied or unoccupied.

POLICY IV.B
BILLING AND COLLECTIONS

Appendix E

Schedule of Garbage Rates

Garbage Rates Effective 12-01-14

<u>TYPE</u>	<u>CODE</u>	<u>BASE CHARGE</u>	<u>USE</u>	<u>RATE</u>	<u>PER</u>
Residential	1BGB	\$		12.00	
Commercial	N/A				

A. UNOCCUPIED RESIDENCES

1. Charges are applicable whether the unit is occupied or unoccupied.

B. APARTMENT BUILDINGS AND MULTIPLEXES

1. Can either contract directly with the garbage company or pay the residential rate for each unit.

C. COMMERCIAL BUSINESSES

Contract directly with the garbage

POLICY IV.B
BILLING AND COLLECTIONS

Appendix F

Rate Class Definitions

A. Customer Class Codes

1.

- 01 Residential
- 07 Self Consumed
- 09 Pumping & Drainage
- 11 Self Consumed
- 20 Small Commercial
- 21 Commercial
- 31 Industrial
- 51 Street Lighting

B. Residential

- 1. Service provided to a single family premise or accessory structure used for dwelling.
- 2. Service provided for other non-commercial uses

C. Commercial

- 1. Service provided to a premise or facility used for commercial services.
- 2. Service for mixed commercial and residential uses.
- 3. Small / Large Commercial for electric billing
 - a) Small Commercial will be for services 200Amps or less
 - b) Large Commercial will be for services of greater than 200Amps

D. Industrial Services

- 1. Uses of an industrial nature.
 - a) For Electric Services this is an installed capacity of over 1,000 kva (1 mva).
- 2. Primary Metered Services.
 - a) When a customer has the meter installed at primary voltage.
 - b) For primary metered services the customer owns all facilities past the disconnecting point. The meter may be installed upstream or downstream of the disconnect.
- 3. Large Industrial for electric billing
 - a) Large industrial customers shall be primary metered services of greater than 2.5mva of installed capacity.

Interdepartmental

- 4. Services for the City of Bonners Ferry.
- 5. They will be billed at the appropriate commercial rate.

POLICY IV.B
BILLING AND COLLECTIONS

E. Pumping and Drainage

1. Agricultural pumping services.

F. Street Lights

1. Lights owned by a public entity, in the public rights-of-ways, and used for public safety.

G. Security Lights

1. Area lighting for private or public entities not in the public rights-of-ways.

H. Miscellaneous Charges

1. Remote Read Device.
 - a) Charge when the meter is not accessible and a remote read device is installed. In addition the property owner must pay for the cost of installing the device.
2. No Meter Access.
 - a) Charge when the meter is not accessible during normal meter reading hours. This can be due to, but not limited to, fences, meter location, and dangerous animals.

POLICY IV.C FACILITY EXTENSION POLICY

A. GENERAL REQUIREMENTS

1. SERVICE RELIABILITY: The City does not guarantee constant or uninterrupted delivery of utility services.
2. FACILITY EXTENSION REQUIREMENTS: It shall be the determination of the City whether an extension of the system backbone is required. This applies to the extension of Primary Electrical Power, Main Water Line, and/or Main Sewer Line. Generally only City owned facilities will be placed longitudinally in public rights-of-ways and all water and sewer lines placed longitudinally in public rights-of-ways will be main lines.

B. SERVICE AREA

1. ELECTRIC:
 - a) The City will only provide electric service in the service area as defined in the territorial agreement with Northern Lights Incorporated or where it is beneficial to all parties and documented by written approval of both Northern Lights Incorporated and the Bonners Ferry City Council
2. WATER AND SEWER:
 - a) The City provides service inside the City Limits of Bonners Ferry
 - b) To the extent possible it is the intention of this policy to:
 - (1) Limit new water service outside City limits to those properties that have a grandfathered/vested right to water service created by, monetary participation by the owner or a predecessor in interest, in construction of the main that would provide service to the property.
 - (2) Ensure the integrity of City boundaries.
 - (3) Minimize expenses for the City Water Dept. in upgrading facilities solely serving properties outside City limits.
 - (4) Ensure that the quality and quantity of City water service for City residents is not diminished by providing new water service outside City limits.
 - (5) Require qualifying properties to annex if possible or require the owner to consent to future annexation.
 - c) The City will provide service to individual services outside the City Limits under the following conditions:

POLICY IV.C
FACILITY EXTENSIONS

- (1) Where the property owner provides written consent to annexation and such consent is recorded at the court house.
 - (2) Where the residence being served can be provided pressures meeting DEQ's pressure requirements.
 - (3) The service is inside the service area shown Appendix A map.
 - (4) Where the service is not in the service area of another utility.
 - (5) The installation of additional main line is not required.
- d) The City at the discretion of the City Council may provide service to subdivisions outside of the City Limits only under a contract with the developer, the subdivision is not contiguous and annexation is not possible, and it meets the following minimum requirements:
- (1) It meets all of the conditions of B.2.b).
 - (2) The subdivision meets the standards of a subdivision inside the City of Bonners Ferry municipal boundaries.
 - (3) The developer pays all cost of for installation and system improvements required to serve the development without impact to existing City customers.
- e) Where water or sewer is a condition of easement.

C. NEW FACILITY EXTENSIONS

1. CUSTOMER REQUIREMENTS FOR FACILITY EXTENSIONS:

- a) APPLICATION: Complete and sign the New Utility Application form.
- b) PROPERTY DOCUMENTATION: Provide copies of all required plats and legal descriptions covering the property which is to be serviced and properties that must be crossed to service such property.
- c) EASEMENT: Secure written easements granting permission of the City to construct and maintain utility facilities on the properties involved. When easements are not available service shall not be considered available.
- d) RIGHT-OF-WAY CLEARING: Clearing right-of-way of trees and vegetation to the City's specifications so as to allow installation and safe operations of utilities facilities.
- e) PAYMENT OF COST: Pay the estimated cost of construction as estimated by the City. All fees and deposits must be paid prior to scheduling construction of the job.
 - (1) The customer pays the full cost associated with the facility extension unless otherwise specified. This cost to include but not limited to all

POLICY IV.C
FACILITY EXTENSIONS

permits, licenses, actual labor with overheads, material with a handling fee, and any cost for independent contractors retained by the City for construction of the facility extension.

(2) Capitalization Fees:

- (a) Residential: A Capitalization fee as determined by City resolution will be charged for any service connected to the City system per equivalent dwelling unit (EDU).
- (b) Commercial and Apartments: the Capitalization fee is prorated by the City based on the estimated EDUs, with a 1 EDU minimum.
- (c) Retired Services: No Capitalization fee will be charged for reactivated services.
- f) PERMITS: Provide a copy of all permits as required by state law.
- g) SERVICE CONNECTION SPECIFICATIONS: Provide service connections per the City's requirements. Specifications for service equipment are defined in the City's Policy IV.D and in "Water and Sewer Service Requirements and Guidelines" for water and sewer services. These Requirements and Guidelines are available from City Hall.

2. CITY RESPONSIBILITIES FOR NEW FACILITY EXTENSIONS:

- a) ESTIMATES: The City will provide estimates of the construction cost and fees. These estimated costs and fees must be paid prior to the job being scheduled.
 - b) COST PAID BY THE CITY: The City pays the cost for the meter, if required. The City provides the first single phase transformer at no cost to the customer. The customer is responsible for two thirds of the cost of multi-phase transformer banks.
3. OWNERSHIP: The change of ownership is at the point where the City's facilities are joined to the customer owned equipment. For electrical services this is generally at the weather head on overhead services or at the bottom of the vertical conduit below the meter on underground services. For water services this is generally at the curb valve or meter. For sewer services this is generally at the mainline tap.

D. NEW LARGE SINGLE ELECTRIC LOAD

1. For the City of Bonners Ferry a New Large Single Load (NLSL) is defined as new load to the system having an anticipated usage of over One (1) Average Megawatt.
2. The City may set a new rate and class for any NLSL, which will be determined by the Bonners Ferry City Council. This rate will be based on the impact to the existing customer's rates, the price of Tier 2 power from BPA, and the economic impact of the new customer.

E. BILLING:

1. The monthly bill shall commence when the service is installed and available.
2. Garbage charges will commence with any other City utility service.

F. SERVICE UPGRADES:

1. EXISTING CITY FACILITIES: On services where the City's facilities are adequate to serve the upgraded service there is no charge.
2. UPGRADED CITY FACILITIES: On services where the City's facilities are inadequate to serve the upgraded service, the customer pays the full cost associated with the facility upgrade unless otherwise specified. This cost to include but not limited to all permits, licenses, actual labor with overheads, material with a handling fee, and any cost for independent contractors retained by the City for construction of the facility extension.

a) Exceptions:

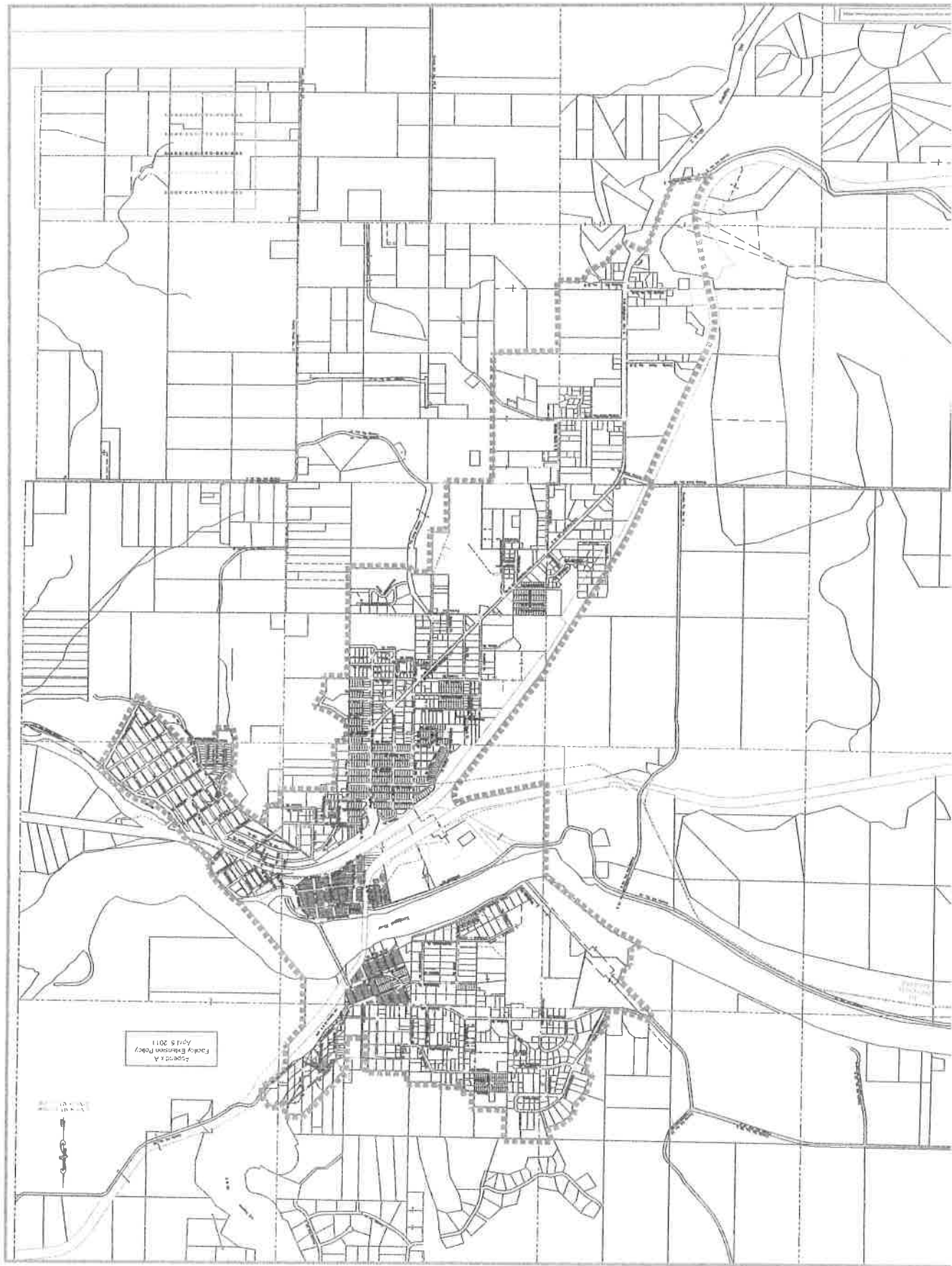
- (1) For electrical service upgrades to multi-phase services the customer is responsible for the prorated cost difference between the existing transformer bank and the new bank with the same 2/3 split as in new extensions.

G. FACILITY MOVES:

1. DEFINITION: Any change to the City's facilities, requested by the customer or required due to the customer's action, which entails construction of new facilities or changes to existing facilities. This includes overhead/underground conversions of primary or secondary wire, changes to meet code required clearances, and/or structures built over City facilities, and/or changes degrading the operation of the water and sewer system.
2. COST: Cost will be the same as for new facility extensions.

H. TEMPORARY SERVICE:

1. DEFINITION: A temporary service is for a facility not expected to be in place for over 6 months, or is for construction purposes of a permanent facility and will be removed after construction of that permanent facility
2. CUSTOMER REQUIREMENTS: Customer to provide the service and all secondary wire and/or piping.
3. ESTIMATES: The City will provide an estimate of the in and out cost. This cost must be paid before the job is scheduled.
4. CUSTOMER COST: The customer pays the cost for actual labor with overheads, material with a handling fee, and any cost for independent contractors.





CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

STAFF REPORT FOR JOHN AND SHARLENE DELANEY SPECIAL USE PERMIT – CITY COUNCIL FILE #SUP 07-16

Prepared by: Lisa M. Ailport, AICP
City Planner

Project Description: John and Sharlene Delaney are seeking approval to operate a professional office (Boundary Abstract Title Insurance) in a Residential A zone. According to the application a total of 4 employees will serve the business and operating hours will be between 8am and 5pm, Monday through Friday. The site is commonly known as the Flatlander and has in the past hosted other businesses on premise.

Location: The site is located at 6977 Main Street

Parcel size: 0.279 of an acre or $\pm 12,153$ square feet

Applicant: John and Sharlene Delaney

Property Owner: Same as applicant

Application Filed with City: September 28, 2016

Notice Provided:

Mailed:	October 20, 2016
Site Posted:	November 10, 2016
Published in Paper:	October 27, 2016

Hearing Dates:

Planning and Zoning:	November 17, 2016
City Council:	December 6, 2016 (Deliberations Only)

Packet Information: Staff Report
Application and Site Plan(s)
Notification
Agency Comments
Public Comments (if any)

APPLICABLE CITY CODES:

§11-5-3, Limitations
§11-5-5 General Standards
§11-13-2 & 3- Provisions, Design and Maintenance
§11-14-5, & 8 Signs, sign setbacks (Ord. 554)

§11-5-4- Application filing contents
§11-5-6, Conditions and Safeguards
§11-13 4, &5 Off-Street Parking
§11-2-3 & Appendix B, Table 2 (Ord. 553)



Aerial of vicinity

PROJECT OVERVIEW/ SUMMARY

The applicant's are seeking approval for a professional office space in the Residential A zone. The site is located on the corner of Madison and Main Street (AKA Highway 95) and at the terminus of where Washington Street intersects with Madison street.

Prior to the current ownership, the location had been used as a commercial business. A review of City records did not reveal a special use had been previously granted, so presumably the use operated under the current definition of a home occupation. Commonly known as the Flatlander, the previous business included services such as audio, video, print and web design (Yelp.com).

Boundary Abstract, a local title and escrow business wishes to relocate to the site from its current location in the downtown district (application). The use requires a special use permit because the zoning is Residential A, professional office spaces are allowed but take a special use permit (Commercial use table Title 11, Appendix B, Bonners Ferry City Code.)

Professional office spaces are defined within Title 11, Appendix A as being: *Offices and related spaces maintained and used as a place of business, such as doctors, dentists, engineers, attorneys, architects, accountants and other persons providing professional services.*

Boundary Abstract has provided professional title insurance services in Boundary County since 1915

(website) and more specifically in the downtown area for the life of the business (applicant testimony).

According to the application, the hours of operations will remain the same as the current location which are Monday through Friday 8am-5pm. The business will employ up to four employees at the site and the location provides for parking both in the alleyway and along Madison Street. Only one additional parking space is proposed to be added along Madison Street and that would be to accommodate customers and guests. The applicant is proposing to have all staff park in the alleyway, which accesses off of Main Street (aka Highway 95). The applicant proposes that all guests and customers will enter the business from Madison Street.

PROPERTY DESCRIPTION

Site Acreage: 0.279 of an acre, or ±12,153 square feet, known as Assessor Parcel #RPB0820002008CA

- A. Access: The site is served by Madison Street, a paved public right-of-way and a ±16-foot wide alleyway accessed from Main Street (aka Highway 95).
- B. Services: The site is served by city sewer and water; the site is also within the city fire district, and is served by city police.
- C. Table of surrounding uses and zones:

Compass	Comp Plan Designation	Current Zoning	Surrounding uses/Densities
Site	Residential	Residential A	0.279-acre lot
North	Residential	Residential A	0.53 and 0.44 acre tracts; residential, church and medical/professional office space.
South	Residential	Residential A	0.1432- and 0.286 acre residential tracts
East	Residential	Residential A	0.1432- and 0.286 acre residential tracts
West	Residential	Residential AA	0.14 and 0.35 acre residential tracts

AGENCY COMMENTS

The following agencies were contacted for comment regarding the proposed application, City of Bonners Ferry Streets, Fire Department, Sewer/Water Department, Electric Utility Department, Police Department, Boundary County School District, Idaho Transportation Department, Traffic Safety Committee and the City contract building inspector Pat Park. The following agencies/departments commented to the file:

Idaho Transportation Department commented to the file on October 21, 2016 with the following statement: *“The Idaho Transportation Department has reviewed the proposed special use permit and want to advice the permittee that the [ITD] is finalizing the development of road rehabilitation project and the subject property falls at the northern extend of the project. On premise advertising signs shall remain outside of the ITD right of way.*

Bonners Ferry Street Department commented to the file on October 18, 2016 with the following statement: *I can see maybe a small tree removal in the back that will be a future site problem coming out of the Alley also on the Madison street side I would like there to not be any parking in front of the small garage/shed. I can only see some possible site distance problems from the City Street point of view. This on top of the requirements being met and built for the access permit that was approved on 10/17/16.*

Traffic Safety Committee met on October 19, 2016. A summary of the recommendations for the special use are provided below. Copies of the draft minutes are included with the packet. *The traffic safety committee provides the following recommendations to the Planning and zoning commission:*

1. *There shall be no more than 2 parking spaces located off of Madison*
2. *There shall be no parking in front of the existing garage off of Madison*
3. *No on street parking shall be allowed off Madison as a result of this special use permit*

Lastly, the traffic safety committee was concerned with traffic congestion from Washington Street, Madison Street and cars that may be backing into Madison Street from your location. They asked that the applicant consider a parking design that does not require backing movements onto Madison Street.

PUBLIC COMMENTS

Staff did receive a question at the counter by a member of the public regarding the use falling within the tolerances of professional offices definition. They felt that professional offices are places where services are only by individuals that hold professional licenses, such as a professional engineer or a practicing licensed attorney.

Staff Response: Staff reviewed the definition of professional office listed in Appendix A of Title 11 and while the examples used within the definition do include professionals that typically carry licenses (*such as doctors, dentists, engineers, attorneys, architects, accountants*), the definition is broaden when it includes "*other persons providing professional services.*" There is currently no definition of professional services within city code. Staff reviewed widely accepted dictionaries, such as Merriam and Webster and Oxford which define professionals as "*relating to a job that requires special education, training, or skill; done or given by a person who works in a particular profession (Merriam Webster definition, Online version)*". Oxford's defines professionals slightly differently, "*A person engaged or qualified in a profession; Or, "A person competent or skilled in a particular activity."* Oxford, does not specifically define what is a professional service is. However, professional service is defined by Merriam Webster as "*A service requiring specialized knowledge and skill usually of a mental or intellectual nature and usually requiring a license, certification, or registration.*"

Staff has interpreted professional services in the past as a business that has a typical deliverable of a service not a product, and isn't otherwise defined as retail business. Such as in the case of Aspen Personal Care located on the corner of Monroe and Main and Homeschooling network authorized with Blessed Beginnings business along Washington Street. Both businesses proposed to operate a service at the locations and both were classified as professional offices.

With this specific request, staff in a pre-application interview on September 8, 2016, with the applicant discussed the type of business that Boundary Abstract is and found the product deliverable to be primarily service oriented. While deliverables such as title reports and plat certificates are products they sell, staff felt they didn't rise to the level of a "retail" type business. And, to clarify the point of professional offices including licensed businesses, Title Companies in the state are regulated and licensed under Title 41, Section 1004, Idaho Code, which states:

41-1004. LICENSE REQUIRED. (1) A person shall not sell, solicit or negotiate insurance in this state for any class or classes of insurance unless the person is licensed as a producer for that line of authority in accordance with this chapter.

It is because of the above review that staff still believes Boundary Abstract is classified as a professional office and is allowed, specially permitted in the Residential A zone.

PLANNING AND ZONING RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on November 17, 2016 in accordance with Idaho Code 67-6509 and on a vote of 6-1, with one abstention, recommended approval of the file as presented.

STANDARDS REVIEW:

Pursuant to Bonners Ferry City code §11-5-5, the governing body shall review the particular facts and circumstances of each proposed special use in terms of the following standards and shall find adequate evidence showing the proposed use will meet the standards.

Standards Review Table- Bonners Ferry City Code (see applicable codes above)	Findings Based upon evidence of record
Is the special use is provided for in city code?	Table 2, Commercial use table provides for professional office space in the Residential A zone, conditionally.
Will the proposed use be harmonious with objectives of the comprehensive plan and zoning ordinance?	The application lists hours of operation to coincide with typical “business hours,” of 8am -5pm M-F.
Is proposed use harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area?	Testimony by the applicant on 11/2/2016 indicates the existing house will not change in appearance or functionality. Other than signage as shown on the site plan, the building can function as a single family dwelling with or without the use occurring on the property.
Will the use be hazardous or disturbing to existing neighborhood uses?	Hours of operation will align with typical business hours of 8am -5pm M-F. Conduct of the business will not include the use of hazardous materials (application).
Will use be adequately served by essential public facilities and services?	The site has sewer, water and city electrical. No additional services are required or necessary in order for the business to be sited at the location. No comments were received from the city sewer, water or electrical departments.
Will use cause excessive public expenditures for services or be detrimental to economic welfare of community?	No extensions of any services are necessary to adequately serve the property. The site is currently served with sewer, water and electricity.
Will the proposed use involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or general welfare by excessive traffic, noise, smoke, fumes, glare or odors, or other factors determined to be nuisances?	The application does not address number of trips / day that is expected at the site. The traffic safety committee recommended three conditions be placed on the use (see conditions) regarding parking, storage and access.

Standards Review Table- Bonners Ferry City Code (see applicable codes above)	Findings Based upon evidence of record
	ITD commented to the file indicating the location is near the furthest northern extent of improvements to Main street (AKA State Highway 95). No recommendations or restrictions were imposed or requested by the State (application/file record).
Are vehicle approaches designed to avoid interference with traffic on surrounding public thoroughfares?	<p>Traffic Safety minutes show concern with the location of the site in reference to grades along Madison street and the Washington Street intersection. The committee recommended three conditions be placed on the special use permit in order to mediate traffic concerns. Those include:</p> <ol style="list-style-type: none"> 1. <i>There shall be no more than 2 parking spaces located off of Madison</i> 2. <i>There shall be no parking in front of the existing garage off of Madison</i> 3. <i>No on street parking shall be allowed off Madison as a result of this special use permit.</i> <p>It was also recommended by the Committee that the applicant design a parking lot that did not require backing movements onto Madison street to avoid any potential future conflicts at the property (see committee draft minutes).</p>
Will proposed use result in destruction, loss or damage of natural, scenic, or historic features of major importance?	The site is not known to be located on any registers of national historical sites (The National Register of Historic Places in Idaho, page 24).
Additional zoning standards	Evidence of record
Parking requirements of §11-13-5 require 1 space for every 250 square feet of gross floor area.	5 spaces are required, the applicant has shown 7 spaces on the site plan.
Signs	The site plan shows a location for a future sign. While no specific signage is proposed as part of this special use permit, future allowances shall be in accordance with Title 11, Chapter 14 sign ordinance
Standards of specific use	There are currently no additional standards for specific uses for professional office spaces.

DRAFT MOTIONS BY THE PLANNING & ZONING COMMISSION:

Motion to Recommend Approval: I move to approve this file SUP07-16, for a professional office space in the residential A zone at 6977 Main Street, finding that it is in accordance with the general and specific goals and standards of the City of Bonners Ferry comprehensive plan and zoning codes, as enumerated in the findings and standards table above. I further move to adopt the following reasoned statement and conditions of approval as written (or as amended).
[READ REASONED STATEMENTS]

The actions to be taken to obtain the special use permit is to complete the conditions of approval as adopted.

Motion to Recommend Denial: I move to recommend denial of this file SUP07-16, for a professional office space in the residential A zone at 6977 Main Street, finding that it is not in accord with the general and specific goals and standards of the City of Bonners Ferry comprehensive plan and zoning codes, because [SPECIFY WHAT STANDARDS IN THE ABOVE TABLE THE PROPOSAL FAILS TO MEET AND WHY].

Furthermore, I move to adopt the following reasoned statements: (READ STATEMENTS, SPECIFYING WHETHER THE PROJECT MEETS OR FAILS TO MEET THE STANDARDS, BASED UPON THE FINDINGS OF RECORD).

The actions to be taken to receive approval is:

1. Submit a new petition that meets the standards of the City of Bonners Ferry special use permit applications; or
2. Pursue such remedies as provided for at Title 67 Chapter 65, Idaho Code.

REASONED STATEMENTS

***The staff report and subsequent evidence in the record are the basis for the findings required in order to reach a reasoned decision. Based upon those findings, the following reasoned decisions are adopted by the Bonners Ferry Planning & Zoning Commission/City Council:**

Reasoned Statements:

1. The special use **IS/IS NOT** a special use, as allowed for in the zone district in which it is located.
2. The use **WILL/WILL NOT** be harmonious with and in accordance with the general objective or specific objective of the comprehensive plan, based upon the evidence of record enumerated in the findings above.
3. The use **WILL/WILL NOT** be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity. Therefore, the use **WILL/WILL NOT** change the essential character of the area.
4. The use **WILL/WILL NOT** be hazardous or disturbing to existing neighboring uses.
5. The use **IS/IS NOT** served by adequate public facilities and services, or that the person responsible for providing such services **WILL/WILL NOT** be able to provide any such service.

6. The use **WILL/WILL NOT** create excessive additional requirements at public cost for public facilities and services and **WILL/WILL NOT** be detrimental to the economic welfare of the community.

7. The use **WILL/WILL NOT** involve activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, or other factors determined to be nuisances.

8. The use **WILL/WILL NOT** have vehicular approaches to the property that create interferences with traffic on surrounding public thoroughfares.

9. The use **WILL/WILL NOT** result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

CONDITIONS OF APPROVAL

1. All applicable conditions of approval shall be met or maintained prior to issuance of the Special Use Permit by the City. Any condition that runs with the land shall stay in affect while the use is in operation. Subsequent owners of the parcel shall be required to apply for a special use permit if they desire to continue the special use, pursuant to Bonners Ferry City Code §11-5-3. Failure to meet any condition of approval may be grounds for revocation of the permit by the City.
2. The use shall be developed and operated in accordance with the approved application, site plan, and/or conditions as approved with this application. Failure to operate within the bounds of this permit may result in revocation of the permit by the city.
3. Pursuant to I.C. 67-6512(D)(2-3), the city may regulate the timing and duration of development. Therefore, this special use permit shall expire if not recorded by the city within two (2) years of the date of written approval.
4. A minimum of five (5) off-street parking spaces shall be maintained for the life of the use at the business. None of the dedicated parking spaces shall be used for vehicle sales, storage, repair work or dismantling, pursuant to Bonners Ferry City Code §11-13-2(K).
5. There shall be no more than 2 parking spaces located off of Madison Street, and there shall be no parking in front of the existing garage located off of Madison Street.
6. There shall be no on-street parking allowed off Madison Street for employees or patrons of the business for the life of the special use permit.

With regards to the application for the Special Use Permit for 6977 Main Street

I can see maybe a small tree removal in the back that will be a future site problem coming out of the Alley also on the Madison street side I would like there to not be any parking in front of the small garage/shed. I can only see some possible site distance problems from the City Street point of view. This on top of the requirements being met and built for the access permit that was approved on 10/17/16.

Thanks

John Youngwirth

City Street Supt.

10/18/16



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

October 10, 2016

TO:

- | | |
|--|--|
| <input checked="" type="checkbox"/> City of Bonners Ferry Street Dept. | <input checked="" type="checkbox"/> City of Bonners Ferry Utility (Electric) |
| <input checked="" type="checkbox"/> City of Bonners Ferry Fire Dept. | <input checked="" type="checkbox"/> City of Bonners Ferry Police Dept. |
| <input checked="" type="checkbox"/> City of BF Utility (Sewer/Water) | <input checked="" type="checkbox"/> Traffic Safety Committee |
| <input checked="" type="checkbox"/> Boundary County School District | <input type="checkbox"/> Fish and Wildlife Service |
| <input type="checkbox"/> Idaho Dept. of Env. Quality | <input checked="" type="checkbox"/> Other: Pat Parks, Building Inspector |
| <input type="checkbox"/> Panhandle Health District | <input type="checkbox"/> Other _____ |
| <input checked="" type="checkbox"/> Idaho Dept. of Transportation | |

FROM: Lisa M. Ailport, AICP, City Planner

SUBJECT: John and Sharlene Delaney, File #SUP07-16 Professional Office space in Residential A

The enclosed application has been submitted to the City of Bonners Ferry for processing. John and Sharlene Delaney are seeking approval to operate a professional office (Boundary Abstract Title Insurance) in a Residential A zone. According to the application a total of 4 employees will serve the business and operating hours will be between 8am and 5pm, Monday through Friday. The site is located at 6977 Main Street. The site is commonly known as the Flatlander and has in the past hosted other businesses on premise. Please review the application relative to your agency's area of expertise and include any recommended conditions of approval or if any additional information is requested by your agency prior to City staff scheduling or holding this project for public hearing. This request for additional information will be forwarded to the project applicant and project representative for their response. Please reference the project name and file number in your response.

Please respond by **October 21, 2016 by 5:00 pm**, in order for your comments to be included with the file record. Comments received after the above date, may be entered as public comments. If no response is provided, staff will conclude your agency has no objections to the project or recommended conditions.

If you have no comment or response, you may indicate below and return this form to the City as soon as possible to speed processing time. Thank you for your assistance.

NO COMMENT _____
Agency Name, Initials of Agency Representative

Date

c: Applicant (w/o enclosures)

NOTICE OF PUBLIC HEARINGS

Notice is hereby provided that public hearings pursuant to I.C. 67-6509 and I.C. 67-6511 and Bonners Ferry City Code have been set for the City of Bonners Ferry Planning and Zoning Commission for **NOVEMBER 17, 2016 AT 5:30PM** at Bonners Ferry City Hall to consider recommendations to the City Council for the following:

File #SUP07-16 – Special Use Permit for a Professional Office space in Residential A Zone: John and Sharlene Delaney are seeking approval to operate a professional office (Boundary Abstract Title Insurance) in a Residential A zone. According to the application a total of 4 employees will serve the business and operating hours will be between 8am and 5pm, Monday through Friday. The site is located at 6977 Main Street. The site is commonly known as the Flatlander and has in the past hosted other businesses on premise.

The public is welcome and encouraged to attend the hearings or provide written response. Any written comment greater than one (1) page must be submitted at least six (6) days prior to the meeting. Written material not exceeding one (1) page may be read into the record the day of the hearing. Public wishing to speak at the public hearing may do so in compliance with Resolution 2014-06-01, a copy of which is located at City Hall.

The deadline for submitting written comment and/or material is **November 9, 2016 by 5pm**. Written comment can be mailed to City of Bonners Ferry, Planning and Zoning, P.O. Box 149, Bonners Ferry, ID 83805, or faxed to (208) 267-4375.

Complete files are available for view at City Hall, located at 7232 Main, during regular business hours. Anyone requiring special accommodations due to disability should contact the City Clerk at (208) 267-3105 at least two days prior to the meeting.

City of Bonners Ferry Planning and Zoning Dept.

ATTEST: Lisa M. Ailport
PUBLISH: October 27, 2016
Mailed to property owners: October 20, 2016

Boundary County Assessor

RPB09200010030A
MONKS,
JOHN ET AL

RPB0920001002AA
SIMS LIVING
TRUST

RPB00000277510A
HAGGETT, DAVID

RPB09200020020A
RIVERVIEW PARK

RPB0920003008AA
MORMAN,
GAYLE W

RPB0920003005BA
KREZMAN,
PATRICK

RPB0920003002AA
BRAZELL,
MICHAEL JAMES

RPB09200030010A
GILLHAM
FAMILY TRUST

RPB1040001001CA
CC&P
ENTERPRISES LLC

RPB0920003010AA
BONNERS FERRY,
CITY OF

RPB0920003015BA
NEUMEYER,
STEVE EDWARD

RPB0920003011AA
MOYER, STEVEN D

RPB0920003012AA
BRAZELL,
MICHAEL JAMES

RPB1040001001AA
MCKENNEY, ROBERT
CARLOS GENE

RPB0920002009AA
ROBBINS
REVOCABLE TRUST

RPB0920002004BA
UNRUH, JAMES D

RPB1040001001BA
HOUGH, ANITA M

RPB0820010009AA
SIMS LIVING
TRUST

RPB0820010006AA
TESTA,
CAROLYN L

RPB0820010004AA
DILLARD,
BRONSON

RPB08200100010A
STATE OF IDAHO
HWY DEPT

62N 1E 27

RPB0820001006EA
PROVIDENCE BIBLE
PRESBYTERIAN

RPB0820001003AA
NEUMEYER,
STEVE EDWARD

RPB058000B0010A
PEREIRA,
CYNTHIA A

RPB0820010007AA
CHASE,
JAMES

RPB0820009002AA
RINGERING,
BRENT A

RPB0820002006BA
KLOPFENSTEIN, LEE

RPB1058000A002AA
TRILL, JANET

RPB0820009007AA
TRUEDEL,
MARK D

RPB0820009005AA
JACOBSON, DAVID W

RPB0820009003AA
RIEKENA,
RICHARD B

RPB0820002008CA
DELANEY,
SHARLENE R

RPB08200020050A
FISHER, BARRY

RPB0820002004AA
LOVE,
ADAM-JON J

RPB0820009014BA
ROUSH, ANNA
LYNN JAMES

RPB08200020110A
BAKER, GERTRUDE
E ESTATE

RPB0820002013BA
HANSON, EDWARD

RPB1000000279160A
TRUEDEL,
ERICKA A

RPB0820009011AA
SPEASE, DAVID

RPB0820009016AA
FALCON,
GARY T ETUX

RPB0820002009BA
BANK OF
FAIRFIELD

RPB0820002012AA
HANSON, EDWARD

RPB0820002015AA
PANHANDLE LLC

RPB0820002016AA
LUTZ, MARY HAE

RPB00000279170A
ROBERTSON,
STEVEN E

RPB08200080060A
BENDER, ERIC J

RPB0820008005AA
MAXFIELD, DAVID

RPB0820008002AA
HINNAU,
TERRY A

RPB08200030060A
BJORAKER,
MICHAEL W

RPB0820003008AA
SCARLETT,
JOSEPH E

RPB0820003005AA
OVERMAN,
CASSANDRA L

RPB08200030010A
MOLINE,
MELINDA

RPB0820003002BA
HAMPTON, MELINDA

RPB0820003004A
TOLBERT,
MICHAEL B

RPB00000279180A
SPALDING,
VANCE R

RPB08200030110A
BORRA, MARY M

RPB0820003010CA
WALL, DON

RPB0820003012AA
STAHL, THOMAS A

RPB0820003014BA
MELLEM,
SCHELLE M OOD

RPB0820003016AA
BOURASSA,
KATIE F

RPB00000279200A
EHRMANTROUT
REVOCABLE TRUST

This map is provided for informational purposes only. Every effort has been made to ensure accuracy and completeness. This county will in no way be held responsible for any errors or omissions and assumes no responsibility for providing updates or corrections.

With regards to the application for the Special Use Permit for 6977 Main Street

I can see maybe a small tree removal in the back that will be a future site problem coming out of the Alley also on the Madison street side I would like there to not be any parking in front of the small garage/shed. I can only see some possible site distance problems from the City Street point of view. This on top of the requirements being met and built for the access permit that was approved on 10/17/16.

Thanks

John Youngwirth

City Street Supt.

10/18/16

The Traffic Safety Committee meeting convened at noon at City Hall. Present for the meeting were Richard Hollenbeck, Howard Kent, John Marquette, Foster Mayor, Don Lindsay, Police Chief Vic Watson, City Administrator Mike Klaus, Planning and Zoning Coordinator Lisa Ailport, Street Superintendent John Youngwirth, and Clerk Kris Larson.

Richard Hollenbeck moved to approve the August 17, 2106 meeting minutes. John Marquette seconded the motion. The motion passed, all in favor.

The special use permit application (File #SUP07-16) from John and Sharlene Delaney for professional office space at 6977 Main Street was discussed. Lisa Ailport said previously there was a home based business at this address. She said even though it was a commercial venue it was not officially approved by the City. This special use permit application is following the City rules and will go through the proper processes. Vic said this will go to Planning and Zoning. Lisa said there will be a public hearing. Howard Kent asked if Delaney's purchased the property. Lisa said they did. John Marquette asked if they are planning to move the title company to this location. Lisa said that is the plan.

Vic said there is a map in the packet for parking spaces and they have developed more parking spaces to enhance the business. The Delaney's will install gravel and asphalt.

Silas Thompson joined the meeting at 12:12 p.m.

Vic said there will be employee parking behind the building with access from an alley and public access will be off Madison Street. John Youngwirth approved the encroachment permit. John Delaney told John Youngwirth that five parking spaces will be required and two of them will be for the public. The public parking spaces off Madison will be graveled up closer to the building. John Youngwirth said there are plenty of parking spaces in the back of the building. Lisa will look at conditioning the property for the parking area. Vic posed the question about safety of vehicles accessing Madison Street. Lisa asked about the amount of traffic that the business will produce. Mike Klaus said standard residential loading is two parking spaces, and it looks like the extra parking needed is addressed in the additional parking accessed from the alley. Howard asked if anyone knew how many customers visit the title company per day. This was not known. Vic said the traffic flow is listed in the application. There are four employees. The additional employee and customer parking proposal is from the alleyway. Mike suggested the parking for employees be flipped with the proposed customer parking off Madison. Vic said the employees could be moving more than the customers as title companies have to visit the courthouse quite often.

Lisa asked if there is concern about the traffic coming on and off the highway on Madison Street. She said ITD did not have any problems.

Vic said if the employees are utilizing the alley, it takes the stress away from Madison/Highway 95 intersection. He expressed concern about the parking spaces off Madison as those vehicles will be backing out onto Madison. John Youngwirth said there will be site distance for vehicles backing onto Madison Street. Richard Hollenbeck suggested signage direct public to the alleyway for parking. John Youngwirth said there is not a turning lane on the Highway for the

alley. Vic said you cannot drive from Madison through the property to the alley. Mike agreed as there is a garage in the way for a drive through. Vic said two customer spaces will be allowed off Madison Street. John Youngwirth again said there is good site distance for people backing out on Madison Street so they can see the traffic coming down the hill to the highway.

Mike Klaus said if the garage were not there, one way parking could be developed behind the building and the vehicle traffic could turn onto Madison Street and then turn into the property and come around so they exit on the alley to Highway 95.

Vic questioned if the Traffic Safety recommended approval and then found out there was a problem if it could be re-evaluated. Lisa said there would have to be conditions in the special use permit. Silas asked if it is possible to enter a trial or probationary period as a condition. Lisa said this would be difficult as there would have to be documentation.

Lisa suggested that there be a map with congested areas listed so we can proactively help prospective businesses know there could be issues. Lisa said there is education needed for the public for special use permits. John Marquette said local people in particular are used to doing things like they used to and now there are more restrictions and rules.

Don Lindsay spoke about snow berms in the wintertime. John Marquette said that is a good point as the alleyways are not always plowed as early as the streets.

The group discussed other businesses that require back out parking. Lisa said it does not sound like there are any precedent setting problems for businesses backing into streets. Mike said Jackson Street and Monroe Street do not have as much vehicle traffic as Madison Street so this causes him some concerns. There is heavy vehicle traffic on Madison Street particularly with the City vehicles using Madison/Washington Street daily. Vic said since there are only two parking spaces off Madison Street it should not cause an issue. Howard asked if the applicant would be interested in removing the garage so a throughway could be developed for parking. Lisa said this could be asked of the applicant due to the concerns.

Vic again reiterated that there is enough space behind the parking spaces off Madison to easily view the traffic moving on Madison Street. Silas asked if there could be a requirement for people to back into the parking spaces. Vic said we could not require this and it requires a special skill set for backing into smaller spaces.

John Youngwirth said the parking space in front of the garage should be marked as no parking because it is too small and does not have site distance for backing onto Madison.

Recommendations: No parking in front of the garage; no more than two parking spaces off Madison Street; consider utilizing property to accommodate off street parking that does not require backing onto Madison Street; no on street parking on Madison Street. Foster moved to approve the recommendations. Silas seconded the motion and it passed, all in favor.

Vic said there were issues with the railroad bridge on Bonner Street. This summer there were a couple campers that took the top off their campers due to the height restrictions. The new

warning signs state 11 foot clearance. John Youngwirth said it is actually 11 feet 7 inches but he is saying it is only 11 feet.

The group discussed Browne/Wells Street intersection where it meets Chippewa. There was a complaint received by a resident and John Youngwirth told the person that there has not been a stop sign in the past thirty years. Foster moved that there be no additional signage. Richard seconded the motion. The motion passed, all in favor.

There being no further business the meeting adjourned at 1:14 p.m. Richard moved and Silas seconded.

DRAFT



IDAHO TRANSPORTATION DEPARTMENT

600 W. Prairie Ave.
Coeur d'Alene, ID 83815-8764

(208) 772-1200
itd.idaho.gov

October 21, 2016

TO: Lisa Ailport, City Planner
City of Bonners Ferry

FROM: Robert Beachler
Acting Permit Coordinator

RE: SUP07-16, John & Sharlene Delaney
6977 Main St, Bonners Ferry
Agency Comments

The Idaho Transportation Department has reviewed the proposed Special Use Permit for 6977 Main St. and wants to advise permittee that the Idaho Transportation Department is finalizing the development of road rehabilitation project and the subject property falls at the northern extent of the project.

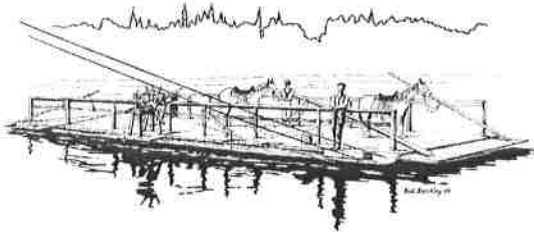
On premise advertising signs shall remain outside of ITD Right of Way.

Respectfully,

A handwritten signature in black ink, appearing to read 'R. BEACHLER', with a long horizontal flourish extending to the right.

Robert Beachler
Acting Permit Coordinator

cc: DTE/file
Planning/Roberson



MEMO

CITY OF BONNERS FERRY
CITY ENGINEER/ADMIN

Date: December 6, 2016
To: Mayor and City Council
From: Mike Klaus, City Engineer/Admin
Subject: Transportation Grant Opportunities

Mayor and Council,

Boundary County received a FLAP Grant (Federal Lands Access Program) to rebuild Riverside Street from City limits to the Myrtle Creek Bridge. The new road design includes dropping the road grade and widening the travel way to accommodate pedestrian and bike traffic on one side of the street. To provide for traffic continuity and safety, I believe that it would make sense for the City to discuss the idea of applying for a FLAP Grant to reconstruct Riverside Street within City limits.

If the City was able to procure funding for the same street improvements as the County, a continuous bike and pedestrian lane would be available from downtown to the Myrtle Creek Bridge. Two options for funding such a project for the City would be through the Surface Transportation Program (STP)-Local Rural funds, or through the FLAP Grant program. In looking at the benefits of either program, it appears that applying for FLAP Grant may have some greater advantages than the STP-Rural funds.

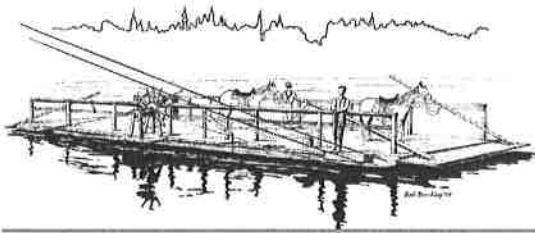
One of the advantages is that a project coupled together with an adjacent project (like the County's) may be more appealing to the funding agency because it solves a more regional issue. There are some other advantages that I would like to discuss at the Council meeting.

Please call with any questions.

Thank you,



Mike



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

Memo

To: Mayor and City Council
From: Kris Larson, Clerk/Treasurer
Date: 12/02/16
Re: Janitorial Services for Fire Hall

We are needing someone to clean the Fire Hall, specifically the entryway, upstairs and two stairways. Gary Lutz used to check it every week and if it needed cleaned he would do it. Gary retired in April so our Firemen have been taking on the task. Fire Chief Pat Warkentin said this is not working out, and we need someone to do it. I spoke to Squire Fields, Visitor Center Janitor, and he is interested in taking on the task. The wages for Squire for cleaning the Fire Hall would be \$11.00 per hour paid out of the Fire Department Budget.

We are asking for authorization to have Squire clean the Fire Hall on an as needed basis.

Thank you,

Kris

My 1st Report of an Incident/Accident
(To be completed by the Risk Manager and sent to ICRMP)



VEHICLE DAMAGE

(Damage to YOUR Vehicles Insured by ICRMP)

Name of Our Entity:	City of Bonners Ferry
Address:	P.O. Box 149, Bonners Ferry, ID 83805
Phone #:	(208) 267-3105
Date Incident Occurred:	11-19-16
Where did the Incident Occur?	Pape Machinery parking lot.
Describe What Happened:	Officer Langan was turning right around a building & struck a wooden post with the passenger side of the pickup bed. This resulted in a large dent.
Who reported the claim to you?	Chris Langan
Department Involved in Incident:	Police
Employee(s) Involved in Incident:	Chris Langan
Make, Model & VIN # Of Our Vehicle Or Equipment Involved:	2011 GMC Pickup VIN 1GTR2VE35BZ2922874
Date Signed:	11-29-16
Risk Manager Signature:	Kris Larson, Clerk/Treasurer

(Please attach any additional documentation you deem necessary)



Bonners Ferry City Police

Off. Chris Langan
208-267-4394

To: Sgt Cowell

CC: LT Frye, Chief Watson

From: Officer C. Langan

Date: 11-19-16

Subject: Vehicle Crash

On November 19th 2016 at approximately 1800 hrs. I was driving through the parking lot of Pape machinery, looking for a deer that had been struck on Highway 95 a short time earlier.

I was traveling north at less approximately 5 mph. I was turning right, around a building. I did not turn wide enough and struck a wood post with the passenger side of my truck bed, resulting in a very large dent.

I reported the incident to Sgt Cowell.

I contacted Corporal Randal with the Boundary County Sheriff's Office to do a crash report.

I went to the Boundary Community Hospital, where I provided a post-accident UA and breath sample.

Officer Chris Langan, BFPD 64

BOUNDARY CO SHERIFFS OFFICE

CASE REPORT - 216CR0007111

Printed 11/20/2016-21:31

By 1338RANDA

Page 1

NOT IBR COMPLIANT Sector 7 Level 9 NOT REVIEWED

CORE DATA

Case Report# 216CR0007111

Other#

Master CR#

Classification

Ranking

Reported As ACCIDENT

Time Reported (SAT) 11/19/2016 18:12

Taken By P1452PETE

Reported How RADIO

Time of Occurrence

To

Injuries

Weapons

Stolen Property\$

Stolen Vehicle\$

Damaged Property\$

Damaged Vehicle\$

Scene 6632 MAIN ST

Sector 7

Premise

Time Dispatched

Time On Scene

Time Cleared Scene

Assigned To BCSO

1338RANDA

Cleared

NOT IBR COMPLIANT

MORE CORE

Pattern

Time-Of-Day

Weather Condition

Forms Prepared

MEMBERS

ASSIGNED RANDALL CLINT (1338RANDA)

NAMES

AIDED LANGAN, CHRIS

M

DOB U

SocSec U

Address C/O BFPD BONNERS FERRY, ID 83805

Home Phone 208-267-2412

Employer

Work Phone

State#/NCIC# /

Occupation

Deposed N

Gang

Arrest#

ID How/By

BOUNDARY CO SHERIFFS OFFICE

CASE REPORT - 216CR0007111

Printed 11/20/2016-21:31

By 1338RANDA

Page 2

NOT IBR COMPLIANT

Sector 7 Level 9
NOT REVIEWED

NAMES (continued...)

COMPLNANT	BCSO	DOB	SocSec
Address			Home Phone
Employer	Occupation		Work Phone
State#/NCIC# /	Arrest#		Deposed
Gang	ID How/By		

VEHICLES

DAMAGED	BFPD64	ID	22	Value	U
Make	11 GMC SRA TRU BLK			VIN	1GTR2VE35BZ2922874
Registered To				State-Entry#	
Address	PO BOX 149 BONNERS FERRY, ID 83847			NCIC-Entry#	

DISPATCH WRITTEN BY P1452PETE ON 11/19/2016

18:14 P1452PETE> 1505 REQUEST ACCIDENT CALL BE OPENED FOR 64 STRIKING A LIGHT POLE WITH HIS PATROL VEHICLE

PRELIMINARY WRITTEN BY 1338RANDA ON 11/20/2016

Details:

On 11-19-16 at about 1812 hours, I took a fleet vehicle collision report for the Bonners Ferry Police Department.

Incident Location:

The collision occurred with an out-building at 6632 Main Street (Pape Machinery) in Bonners Ferry, Idaho.

Narrative:

Please see IMPACT Report for collision narrative.

Closing Statement:

Case closed.

Randall / 1505

Randall BCSO/1505

Idaho Vehicle Collision Report

ITD 0090 (Rev. 06-1) Idaho Transportation Department

Collision Information

Agency Code 1100		Officer No. 1505		Report District		Case No. 216CR0007111			
Date of Collision 11/19/2016	Day of Collision Saturday	Time 18:16	Police Dispatched 18:16	Police Arrived 18:20	EMS Dispatched	EMS Arrived	Lanes Blocked <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date Cleared	Time Cleared
<input checked="" type="checkbox"/> Within City/Town or _____ Miles <input type="checkbox"/> N <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> W of		City or Town Bonnerr Ferry		County Boundary					
Interchange No.		R. R. Crossing No.		On Private Property <input checked="" type="checkbox"/>		EMS Provider (first one to arrive) No EMS Provider Dispatched			
Name of Primary Road / Parking Lot / Driveway / Alley Pape Machinery Out-Building						No. of Lanes		Posted Speed	
In Intersection With: Secondary Road / Parking Lot / Driveway / Alley						Posted Speed			
Intersection Type		01 1 Not at intersection 2 Four-way Intersection 3 Five-point or more 4 Roundabout 5 Traffic Circle 6 T-Intersection 7 Y-Intersection							
Outside an Intersection		300 <input type="checkbox"/> Miles <input type="checkbox"/> N <input type="checkbox"/> E <input checked="" type="checkbox"/> Feet <input type="checkbox"/> S <input checked="" type="checkbox"/> W of		Name of First Reference Point (Cross Street / Mile Post Marker) Highway 95					
		300 <input type="checkbox"/> Miles <input type="checkbox"/> N <input type="checkbox"/> E <input checked="" type="checkbox"/> Feet <input checked="" type="checkbox"/> S <input type="checkbox"/> W of		Name of Second Reference Point (Cross Street / Mile Post Marker) Augusta Street					
Photos <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Local Agency Use 1		Local Agency Use 2		Latitude (GPS)		Longitude (GPS)	
Light Conditions		05 1 Day 2 Dawn/Dusk 3 Dark - Street Lights On 4 Dark - Street Lights Off 5 Dark - No Street Lights							
Weather Conditions (2 selections possible)		03 1 Clear 2 Cloudy 3 Rain 4 Snow 5 Sleet/Hail 6 Fog 7 Blowing Dust/Sand 8 Severe Cross Winds A Smoke/Smog B Blowing Snow							
Road Surface Conditions		1 Dry 2 Wet 3 Slush 4 Ice 5 Snow 6 Mud/dirt/gravel 7 Water - standing/moving 11 Oil 12 Sand 9 Other							
Other Road Conditions		0 None 1 Ruts/Bumps/Holes 2 Slick Asphalt (Bleeding) 3 Washboard 4 High/Low Shoulder 5 Loose Gravel/Seal Coat 7 Lane Closed A Poor Pavement Markings 9 Other							
Road Type		1 2-Way & Raised/Depressed Divider 2 2-Way & 2-Way Left-Turn Lane/Divider 3 1-Way 4 2-Way & No Divider 5 Ramp 6 Alley 7 Rest Area 8 Port Of Entry A 2-Way & 2 Double Yellow Painted Divider 9 Other							
Road Surface Type		1 Concrete 2 Paved (Asphalt/Brick) 3 Gravel/Stone 4 Dirt 9 Other							
Vertical Roadway Geometrics		1 Upgrade/Downgrade 3 Hillcrest 5 Level							
Horizontal Roadway Geometrics		1 Straight 2 Curve							
Traffic Control		00 0 None 2 Yield 3 Traffic Signal 4 Flashing Beacon 5 Traffic Signal - Pedestrian only 6 RRX - Gates/Signal 7 RRX - Flashing Beacon 8 Officer/Flagger 10 Stop Sign on Cross Street Only 12 Stop Signs all Directions 13 RRX - Stop Sign 14 School Zone A School Bus Signal B No Passing Barrier Line 9 Other							
Traffic Control Status		1 Functioning 2 Not Functioning 3 Removed							
Work Zone Crash Location		1 Before the First Work Zone Warning Sign 2 Advance Warning Area 3 Transition Area 4 Activity Area (Work incident area) 5 Termination Area							
Work Zone Type		1 Lane Closure 2 Lane Shift / Crossover 3 Intermittent or Moving Work 4 Work on Shoulder or Median 9 Other							
Work Zone Workers Present		Y Yes N No -U Unknown							
Work Zone Law Enforcement Present		1 No 2 Officer Present 3 Law Enforcement Vehicle only							

Property Damage (additional property damage may be added in the Narrative)

Item Damaged		Estimated Damage
Owner's Name		\$
Owner Address		
Item Damaged		Estimated Damage
Owner's Name		\$
Owner Address		

Witnesses (additional witnesses may be added in the narrative)

Witness Name		Home Phone	Work Phone
Witness Address			
Witness Name		Home Phone	Work Phone
Witness Address			

Unit Information

Case No.: **216CR0007111**

Page 2 of 5


Unit No.: **1**

See Events page for a list of event codes →	First Harmful Event 48	Most Harmful Event 48	General Direction of Travel	Street <input checked="" type="checkbox"/> North/South <input type="checkbox"/> East/West	Unit * <input checked="" type="checkbox"/> N <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> W	On (Street Name) Pape Machinery Out-Building
First Event Relationship to Junction	<input type="checkbox"/> 0 Nonjunction <input type="checkbox"/> 1 In Intersection <input type="checkbox"/> 2 Intersection Related <input type="checkbox"/> 3 At Driveway/Alley/Parking Lot <input type="checkbox"/> 4 Driveway/Alley/Parking Lot Related <input type="checkbox"/> 5 On Ramp <input type="checkbox"/> 6 Ramp Related <input type="checkbox"/> 7 At Railroad Crossing <input type="checkbox"/> 8 Railroad Crossing Related <input type="checkbox"/> 9 Other					

Unit Type	Unit Use
1 Pedestrian 2 Pedalcycle 3 Motorcycle 4 Moped 5 ATV 6 Car 10 Motor Home 11 Snowmobile 12 Equestrian 15 Bus - 16 or more seats 21 Truck - 2 Axle/6 Tires 22 Truck - 3+ Axle 23 Truck With Trailer 24 Bobtail/Tractor - No Trailer 25 Tractor - 1 Trailer 26 Tractor - 2 Trailers 27 Tractor - 3 Trailers 28 Train 30 Farm Equipment 31 Scooter 32 Pickup 33 SUV/Crossover 34 Cargo Van 40 Construction Equipment 41 Van - 1 to 8 seats 42 Van/Bus - 9 to 15 seats 99 Other -U Hit & Run	0 No Specialized Use 1 Police 2 Ambulance 3 Driver Training 4 Government 5 Taxi 6 Fire 7 Wrecker 8 Bus - School 10 Bus - Intercity (e.g. Greyhound) 11 Bus - Public Transit, Commuter 13 Bus - Tour / Charter 14 Limousine 15 Military 16 Shuttle 17 Snow Plow 9 Other NA Non-Vehicle

Emergency Use	Attachment
1 YES: In transit, Emergency Lights Activated 2 YES: In transit, Emergency Lights NOT active 3 YES: STANDING or PARKED, Emergency Lights Activated 4 YES: STANDING or PARKED, Emergency Lights NOT active 5 NO: NOT on an Emergency Response	0 None 1 Boat Trailer 2 Utility Trailer 3 Travel Trailer 4 Towed Vehicle 5 Mobile Home 9 other

Unit / Vehicle / Owner									
Unit Type 32	Unit Use 01	Non-Contact Unit <input type="checkbox"/>	Emergency Use 05	License Plate No. BFPD64	State ID	VIN (Vehicle Identification No.) 1GTR2VE35BZ292874			
Year 2011	Make GMC	Model Sierra			Color Black	Attachment 1 00	Attachment 2 00		
Owner Last Name Bonnors Fery Police Dept			Owner First Name	M.I.	Insured? Yes	Insurance Company Name Idaho Counties Risk Management		Policy No. 35A02018100115	
Owner Address Po Box 149				City Bonnors Ferry		State ID	Zip 83805		

Damage	Initial Point of Impact 03	Auto / Motorcycle / Tractor with Semi Trailer	Trailing Unit #1	Trailing Unit #2
Principal Point of Impact 03	13 Top and Windows 14 Undercarriage		33 Top 34 Undercarriage	53 Top 54 Undercarriage
Extent of Deformity 02	0 No Damage 1 Very Minor 2 Minor 3 Minor-Moderate 4 Moderate 5 Moderate-Severe 6 Severe 7 Very Severe NA Non-Vehicle			
Towed Due to Damage <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If Yes, Towed By Not Towed			

Contributing Circumstances (3 possible)				
00	0 None	8 Overcorrected	17 Wheel Defect	27 Physical Impairment
00	1 Exceeded Posted Speed	10 Improper Backing	18 Light Defect	28 Improperly Parked
00	2 Speed Too Fast For Conditions	11 Improper Turn	19 Other Vehicle Defect	31 Previous Accident
00	3 Too Slow for Traffic	12 Failed to Signal	21 Alcohol Impaired	32 Distracted IN or ON Vehicle
	4 Improper Overtaking	13 Failed to Yield	22 Inattention	34 Drug Impaired
	5 Improper Lane Change	14 Failed to Obey Stop Sign	23 Vision Obstruction	35 Improper Use of Turn Lane
	6 Following Too Close	15 Failed to Obey Signal	24 Asleep, Drowsy, Fatigued	36 Animal(s) in Roadway
	7 Drove Left of Center	16 Tire Defect	25 Sick	37 Emotional - Depressed, Angry, Disturbed
Distracted By (if # 32 selected)	1 Electronic Communication Device (Cell, CB Radio, Etc.) 2 Other Electronic Device (Navigation device, DVD player, IPODS) 3 Passenger 4 Other Inside the Vehicle 5 Previous vehicle Crash/Ticketing Incident/Abandoned Vehicle 6 Other External Distraction Outside Vehicle NA Not Distracted			
Vision Obstructed By (if # 23 selected)	0 None 1 Curve In Road 2 Hill Crest 3 Roadway Slope/Snowbank 4 Tree/Crop/Bush 5 Reflection From Surface 6 Bright Sunlight 7 Bright Headlights 10 Rain/Snow/Ice ON windows 11 Cracked/Dirty Windows 12 Splash/Spray From Other Vehicle 13 Moving Vehicle 14 Parked Vehicle 15 Traffic Sign 16 Billboard/Fence 17 Building 18 Vehicle Stopped on Roadway 19 Contents in Vehicle Interior 20 Signs/Stickers/Decals on Windows 99 Other			

Commercial Vehicle									
Cargo Body	0 None 1 Bus 2 Van/Enclosed Box 3 Cargo Tank 4 Flatbed 5 Dump 6 Concrete Mixer 7 Auto Transporter 8 Garbage/Refuse 10 Pickup Bed 11 Belly Dump/Hopper 12 Intermodal Container Chassis 13 Log 14 Pole Trailer 15 Vehicle Towing another Vehicle 9 Other								
GVWR Total	1 10,000 lbs or less 2 10,001 - 26,000 lbs 3 More than 26,000 lbs NA Not Applicable								
Carrier Type	1 Interstate Carrier 2 Intrastate Carrier 3 Not in Commerce/Government 4 Not in Commerce/Other Truck or Bus 9 Other Operation/Not specified								
Carrier Name	Carrier Address			City	State	Zip	Country		
MC / MX No.	DOT No.	Hazardous Materials			Placard	Spilled	Placard No.		
	-U				<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No			
Hazard Class Number	1 Explosives 2 Gases - Compressed, Dissolved or Refrigerated 3 Flammable Liquid 4 Flammable Solids - Combustible, Water Reactive 5 Oxidizing Substances - Organic Peroxides 6 Poisonous (Toxic) and Infectious Substances 7 Radioactive Material 8 Corrosives 9 Miscellaneous Dangerous Goods								

Driver / Pedestrian / Pedalcyclist

11	Driver		Pedestrian / Pedalcyclist						
	↑ Operator Action	1 Going Straight 2 Turning Right 3 Right Turn on Red 4 Turning Left 5 Left Turn on Red 6 U-Turn 7 Merging 8 Changing Lanes 10 Passing	11 Negotiating Curve 12 Stopped in Traffic 13 Slowing in Traffic 14 Starting in Traffic 15 Parking 18 Backing 20 Avoiding Obstacle 21 Avoiding Vehicle, Pedestrian, Pedalcycle	22 Pursuing Vehicle 23 Fleeing Pursuit 24 Racing 25 Parked Vehicle 26 Driverless Vehicle in Motion 64 Entering/Exiting Parked or Standing Vehicle 65 Entering/Leaving Parking Lot, Driveway, Alley	30 Crossing at Intersection, Crosswalk 31 Crossing at Intersection, NO Crosswalk 35 Crossing at Mid-block, Crosswalk 36 Crossing at Mid-block, NO Crosswalk 40 Walk/Ride with Traffic in Bike Lane 41 Walk/Ride with Traffic NO Bike Lane 42 Walk/Ride Facing Traffic in Bike Lane 43 Walk/Ride Facing Traffic NO Bike Lane	44 Walk/Ride on Sidewalk 50 Standing ON Roadway 51 Playing ON Roadway 52 Working ON Roadway 60 Enter/Exit School Bus 70 Not ON Roadway 99 Other			
Hit & Run <input type="checkbox"/>	Last Name Langan	First Name Chris	M.I.	Home Phone	Work Phone 208-267-2412				
Address Po Box 149		City Bonnors Ferry	State ID	Zip 83805					
Driver's License No. -U	License State ID	License Class D	<input type="checkbox"/> Commercial License		Sex M				
Endorsements (list all) NA	<input type="checkbox"/> School Bus <input type="checkbox"/> Hazardous materials <input type="checkbox"/> Motorcycle <input type="checkbox"/> Tanker vehicle <input type="checkbox"/> Passenger <input type="checkbox"/> Double / triple trailers <input checked="" type="checkbox"/> Combination of tank vehicle & hazardous materials <input type="checkbox"/> OTHER non commercial license endorsements NA None / Not applicable								
Restrictions (list all) 00	00 None A Daylight only until 16 B Corrective Lenses C Mechanical Devices (i.e. Adaptive devices) <input type="checkbox"/> Prosthetic Aid E Automatic Transmission F Outside Mirror G Limited to Daylight Only H Limited to Employment I Limited Other J Special restrictions K Intrastate Only <input type="checkbox"/> No vehicle equipped with air brakes M Except Class A Bus N Except Class A & Class B Bus O Except Tractor-Trailer P Learner's Permit Restrictions Q 6 mo - 1 Under 17 Nonrelative R 3 - wheel motorcycle only S Seasonal CDL T Identity Not verified <input type="checkbox"/> Motorcycle-No passenger <input type="checkbox"/> Idaho DL in possession W Ignition Interlock device <input checked="" type="checkbox"/> Non-Freeway Y Community Work Center Z Except Classes A & B School Buses 01 Farm Waiver 02 Military Vehicles Only 99 Other								
(See key at bottom of page for the following fields) →	Protective Device 03	Airbag Deployment 05	Airbag Location NA	Injury O	Ejection 01	Trapped 01	Transported By	Idaho Code Number(s) / Violation(s) 00 Not Cited	<input checked="" type="checkbox"/> Not Cited
Transported To (if injured)								No Medical Care Provider Needed	
EMS Provider								No EMS Provider Needed	
1	← Alcohol / Drug Involvement		Alcohol Test	← 1 None Given 3 Blood Test 5 Breath Test 7 Vitreous Fluid →		Drug Test			
	1 Neither Alcohol nor Drugs Detected 3 Yes, Drugs 2 Yes, Alcohol 4 Yes, Both		BAC Test Results	Drug Used (if known)		Drug Test Results			

Passengers (additional passenger information may be added in the Narrative)

Full Name	Sex	Date of Birth	Seating	Protective Device	Airbag Deployment	Airbag Location	Injury	Ejection	Trapped	Transported By
Address (Street; City, State Zip)	Home Phone	Work Phone								
Injured Transported To	EMS Provider									

Seating

Vehicle Front	11 Sleeper Section (Truck Cab)	16 Pedestrian
1 2 3	12 Passenger-Enclosed Non-Trailing Unit	17 Pedalcycle
4 5 6	13 Passenger-Unenclosed Non-Trailing Unit	18 Equestrian
7 8 10	14 Trailing Unit	99 Other (e.g. child on lap, gas tank)
↑	Motorcycle	15 Riding On Exterior Non-Trailing Unit
		Unknown

Protective Device

0 None	12 Child Restraint System - Forward Facing
1 Shoulder Belt	13 Child Restraint System - Rear Facing
2 Only	14 Booster Seat
3 Lap Belt Only	15 No Helmet
5 Shoulder and Lap	Unknown
6 Helmet Used	
9 N/A Non-Motorist	

Airbag Deployment

1 Deployed
2 Deactivated
3 Missing
4 Not Equipped
5 Not Deployed
NA Not Applicable
Unknown

Airbag Location

DEPLOYED:
1 Front
2 Side
3 Combination
4 Curtain
5 Other
NA Not Applicable

Injury

A Incapacitating	K Dead
B Non-Incapacitating	O None Evident
C Possible	Unknown

Ejection

1 Not Ejected	3 Partially Ejected
2 Totally Ejected	I Thrown From Cycle/Animal

Trapped

1 Not Trapped
2 Trapped, extrication unit use
3 Trapped, other extrication method

Transported By

1 Ambulance / EMS	4 Private Vehicle
2 Police Car	5 Not Transported
3 Helicopter	

Event

Single Unit Non-Collision	Single Unit Collision With	Multi-Unit Collision
1 Overtum	14 Pedestrian	20 Parked Car - on Private Property
2 Separation of Units	15 Pedalcycle	50 Head-On
3 Cargo Loss/Shift	16 Railroad Train	51 Rear-End
4 Jackknifed	17 Animal - Domestic	60 Backed Into
5 Ran Off Road	18 Animal - Wild	61 Parked Car
6 Down Hill Runaway	19 Other Object Not Fixed	52 Sideswiped Same
7 Fire/Explosion	21 Impact Attenuator	53 Sideswiped Opposite
8 Gas/Inhalation	22 Bridge/Pier/Abutment	58 Angle
9 Other Non-Collision	23 Bridge/Parapet End	54 Head-On Turning
10 Loss of Control	24 Bridge Rail	56 Rear-End Turning
11 Fell/Pushed/Jumped	25 Overpass	59 Angle Turning
12 Non-Collision Injury	26 Guardrail Face	62 Same Dir Turning
13 Immersion	27 Guardrail End	
71 Came Back on Road	28 Concrete Traffic Barrier	
72 Drove Left of Center	30 Traffic Sign Support	
76 Cross Median	39 Other Post, Pole or Support	
82 Vehicle Equipment Failure (Blown Tire/Brake Failure)	40 Delineator Post	
	41 Culvert	
	42 Curb	
	43 Ditch	
	44 Embankment	
	45 Fence	
	46 Mailbox	
	47 Tree	
	48 Building/Wall	
	49 Other Fixed Object	
	74 Cable Barrier	
	77 Struck by Falling/Shifting Cargo or Anything set in motion by a motor vehicle	
	78 Thrown or Falling Object	
	80 Traffic Signal Support	
	81 Utility/Light Support	
		Any Situation
		98 Non-Contact Unit
		99 Other


Event Location

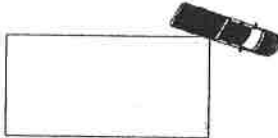
1 On Roadway	3 Right Shoulder	5 Outside Right-Of-Way	7 Median	A In Parking Lot	P Private Property
2 Left Shoulder	4 Roadside or Sidewalk	6 Off Roadway-Location Unknown	8 Gore	B Parking Lot Access Rd	9 Other

Events - list events for ALL units in the order they occurred

Unit Number	1																		
Event	48																		
Unit Number																			
Event Location	P																		

Sketch the Scene





Pape Machinery

Not to Scale

Narrative (additional information / additional passengers - indicate unit no. and all information for additional passengers)

Driver, Officer Langan, said that as he was conducting a security check of the property, his vehicle scraped along a corner beam of a building overhang. This caused minor damage to his vehicle and almost no visible damage to the structure. Officer Langan was not injured.

Randall / 1505

Randall BCSO / 1505

Investigating Officer's Name and/or Number	Report Date	Approved By	Approval Date
Cpl. C. Randall - Cpl Randall	11/20/2016		

NOTE: Crash Reports need to be transmitted to Idaho Transportation Department's Office of Highway Safety



November 18, 2016

To: Executives and Senior Officials
From: Bonner and Boundary County Emergency Management

Bonner County and Boundary County Emergency Management is hosting an Incident Command Course ICS-402 Overview for Executives and Senior Officials.

We encourage you or someone from your organization to attend this course. This is a great course for newly elected officials and those that have not previously attended.

We hope to see you there.

Date: December 13, 2016-Tuesday
Time: 9:00 AM – 12:00 PM
Location: Bonner County Administration Building, 1500 Highway 2
First Floor Conference Room
Sandpoint, ID

There is no tuition fee for this course.

You can register by going to the Idaho Learning Management System at www.idahoprepares.com and selecting the course in the course catalog. It may not be posted until next week.

Any questions, please contact 208-265-8867

Sincerely,

Bob Howard
Director

Dave Kramer
Director

Notice
Fee Increase Hearing

The City of Bonners Ferry will meet on December 20, 2016 at 7:00 p.m. in the City Hall Council Chamber, 7232 Main Street, Bonners Ferry, Idaho, for the purpose of taking public testimony regarding the new/increased fees listed below and to explain the reasons for such fees or increases. The following items will be considered:

Sewer Proposed Rate Increase is 15%

	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Base Charge	\$24.84/EDU	\$28.05/EDU	\$31.26/EDU	\$34.47/EDU	\$37.68/EDU

The reasons for the proposed sewer rate increases are to cover the costs of operating the system, capital improvement costs, build up a reserve, and to meet regulatory requirements mandated by Idaho Department of Environmental Quality and United States Environmental Protection Agency.

Water Residential Class Proposed Rate Increase is 5%

	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Base Charge	44.26	46.27	48.80	51.24	53.80
Excess Charge	0.01779/cf	0.01868/cf	0.01961/cf	0.02059/cf	0.02162/cf

Water Commercial Class Proposed Rate Increase is 6%

	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Base Charge					
<1"	44.68	47.36	50.20	53.21	56.40
1"	44.68	47.36	50.20	53.21	56.40
1.5"	108.37	114.87	121.76	129.07	136.81
2"	140.20	148.61	157.53	166.98	177.00
3"	181.26	192.14	203.67	215.89	228.84
4"	356.76	378.17	400.86	424.91	450.40
Excess Charge	0.01796/cf	0.01904/cf	0.02018/cf	0.02139/cf	0.02267/cf

Water Commercial Class Multi-dwelling Unit Proposed Rate Increase is 6%

	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Base Charge	60.52	64.15	68.00	72.08	76.40
Excess Charge	0.01796/cf	0.01904/cf	0.02018/cf	0.02139/cf	0.02267/cf
Per Unit Charge	14.00	14.84	15.73	16.67	17.67

The reasons for the proposed water rate increases are to cover maintenance and operation costs of the system, capital improvement costs, build a reserve, and to meet regulatory requirements mandated by Idaho Department of Environmental Quality and United States Environmental Protection Agency.

Any person requiring a special accommodation due to a disability condition should contact the Bonners Ferry City Clerk at (208) 267-3105. This contact should be made at least two days prior to the hearing.

Please publish: December 8, 2016
December 15, 2016