



CITY COUNCIL AGENDA REQUEST FORM

Today's date: 12 / 14 / 16

Date of meeting 12 / 21 / 16

(City Council meetings are held the 1st and 3rd Wednesday of each month.)

Name of Citizen, Organization, Elected Official, or Department Head making request:

Scot Campbell

Address: City Hall

Phone number and email address: 263-0534 scampbell@sandpointidaho.gov

Authorized by: Scot Campbell

name of City official

Scot R Campbell (handwritten signature)

City official's signature

(Department Heads, City Council members, and the Mayor are City officials.)

Subject: parade and public assembly permit late application penalty

Summary of what is being requested: late filed permit applications have been a growing problem. Applicant should be held accountable for failing to meet deadlines. Asking City Council to approve penalties for late filed permit applications.

The following information MUST be completed before submitting your request to the City Clerk:

1. Would there be any financial impact to the city? Yes or No [] [x]
If yes, in what way?

2. Name(s) of any individual(s) or group(s) that will be directly affected by this action: Have they been contacted? Yes or No

3. Is there a need for a general public information or public involvement plan? Yes or No [] [x]
If yes, please specify and suggest a method to accomplish the plan:

4. Is an enforcement plan needed? Yes or No [] [x] Additional funds needed? Yes or No [] [x]

5. Have all the affected departments been informed about this agenda item? Yes or No [x] []

This form must be submitted no later than 6 working days prior to the scheduled meeting. All pertinent paperwork to be distributed to City Council must be attached.

ITEMS WILL NOT BE AGENDIZED WITHOUT THIS FORM

**CITY OF SANDPOINT
AGENDA REPORT**

DATE: December 14, 2016

TO: MAYOR AND CITY COUNCIL

FROM: Scot Campbell, City Attorney *ARC*

SUBJECT: Parade and Public Assembly Permit Late Application Penalties

DESCRIPTION/BACKGROUND:

The City receives late filed applications for parade and public assembly permits. These permits often involve street or partial street closures. Late filed applications make it difficult for the City to complete its review and mitigation plans. In the past there was no incentive for repeat offenders to comply with the application deadline.

STAFF RECOMMENDATION:

Approve penalty for applications filed less than twenty one days prior to the event and rejection of applications filed less than seven days prior to the event.

ACTION:

Amend Sandpoint City Code Title 6, Section 7, Paragraph 4 to provide a penalty for parade and public assembly permits that are submitted to the city less than twenty one days prior to the event.

WILL THERE BE ANY FINANCIAL IMPACT? No
HAS THIS ITEM BEEN BUDGETED? No

ATTACHMENTS:

Ordinance 6-6-4 amendment

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING SANDPOINT CITY CODE TITLE 6, CHAPTER 6, SECTION 4 – PARADES AND PUBLIC ASSEMBLIES, APPLICATION AND PROPER NOTICE; PROVIDING PENALTIES FOR APPLICATIONS RECEIVED BY THE CITY CLERK LESS THAN TWENTY ONE (21) DAYS PRIOR TO AN EVENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING SECTIONS; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS: Applications for parade and public assembly permits are required to be submitted to the City Clerk at least twenty-one (21) days and not more than one (1) year before a parade or public assembly is proposed to commence;

WHEREAS: Occasionally, applicants fail to meet the 21-day application deadline;

WHEREAS: Untimely applications cause the City extra time and work;

WHEREAS: The City does not want to completely prohibit events filing a late application but has determined that there should be penalties for applicant's failure to comply; and

WHEREAS: Applications filed less than seven (7) days prior to an event leave little time for the City and applicant to complete required permit conditions and will not be processed by the City.

Now therefore, be it ordained by the Mayor and City Council of the City of Sandpoint, Idaho:

Section 1. That Sandpoint City Code, Title 6, Chapter 6, Section 4 be amended as follows.

6-6-4: APPLICATION AND PROPER NOTICE:

A person seeking a parade/public assembly permit shall obtain an application form and file a completed application with the city clerk on forms provided.

An application for a permit shall be filed with the city clerk as soon as the applicant knows sufficient information to complete an application and at least twenty one (21) days and not more than one year before a parade or public assembly is proposed to commence.

Applications received by the city clerk less than twenty-one (21) days, but at least fourteen (14) days prior to the event shall be subject to a late penalty equal to one-half (1/2) the amount of the event filing fee. Applications received by the city clerk less than fourteen (14) days but at least seven (7) days prior to the event shall be subject to a late penalty equal to the event filing fee. These penalties are in addition to the initial filing fee. Applications received by the city clerk less than seven (7) days prior to an event will not be processed.

This chapter is subject to amendment or replacement at any time, and any application for a parade or public assembly permit shall be issued pursuant to the ordinance in effect at the time of the application, but conduct during the parade or assembly shall be governed by standards legally required at the time the event occurs.

ORDINANCE NO. _____

Section 2. Severability. Should any provision of this Ordinance be deemed unlawful or unconstitutional, such finding shall not affect the remaining provisions of this Ordinance.

Section 3. Repeal of Conflicting Provisions. All provisions of the current Sandpoint City Code which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Enacted by the City Council as an ordinance of the City of Sandpoint on the ___ day of _____, 20____.

Shelby Rognstad, Mayor

ATTEST:

Maree Peck, City Clerk

SUMMARY OF ORDINANCE NO. _____
Penalties for Late Parade/Public Assembly Permit Applications

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING SANDPOINT CITY CODE TITLE 6, CHAPTER 6, SECTION 4 – PARADES AND PUBLIC ASSEMBLIES, APPLICATION AND PROPER NOTICE; PROVIDING PENALTIES FOR APPLICATIONS RECEIVED BY THE CITY CLERK LESS THAN TWENTY ONE (21) DAYS PRIOR TO AN EVENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING SECTIONS; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

SECTION 1 amends City Code Title 6, Chapter 6, Section 4; SECTION 2 provides for severability; SECTION 3 provides for repeal of conflicting provisions; and SECTION 4 provides for publication and an effective date.

The full Ordinance is on file with the Sandpoint City Clerk and will be promptly provided during regular business hours to any citizen on personal request.

Dated the _____ day of _____, 20____.

Maree Peck, City Clerk

Publication Date: _____

STATEMENT OF LEGAL ADVISER

I, Scot R. Campbell, legal adviser for the City of Sandpoint, Idaho, have examined the foregoing summary of Sandpoint Ordinance No. _____ and find it to be a true and complete summary of said ordinance that provides adequate notice to the public of the contents thereof.

Scot R. Campbell, City Attorney