

ORDINANCE NO. 2007-1

AN ORDINANCE ADDING A NEW CHAPTER 9.16 TO THE ST. ANTHONY MUNICIPAL CODE; PROVIDING FOR A CURFEW FOR MINORS; PROVIDING DEFINITIONS; ESTABLISHING WHAT ACTS ARE PROHIBITED; ALLOWING FOR EXEMPTIONS; PROVIDING FOR ENFORCEMENT; ESTABLISHING THAT THE POWERS OF LAW ENFORCEMENT OFFICERS ARE NOT LIMITED BY THIS ACT; PROVIDING FOR PENALTIES; ESTABLISHING PARENTAL LIABILITY; PROVIDING FOR SEVERABILITY; AND, ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ST. ANTHONY, IDAHO, AS FOLLOWS:

1. A new Chapter 9.16 is hereby added to the St. Anthony municipal code, to read as follows:

Chapter 9.16

Curfew for Minors

Sections:

- 9.16.010 Purpose.
- 9.16.020 Definitions.
- 9.16.030 Prohibited act.
- 9.16.040 Exemptions.
- 9.16.050 Enforcement.
- 9.16.060 Powers of law enforcement officers not limited.
- 9.16.070 Penalties.
- 9.16.080 Parental liability.
- 9.16.090 Severability.

9.16.010: **Purpose:** The purposes of this chapter are to regulate and prohibit minors from remaining in public places during certain hours of the day; to protect minors from each other and from adult perpetrators of crime; to reduce nocturnal juvenile crime and juvenile delinquency; to promote family responsibility and parental control over their children; and to protect and promote the peace, health, safety, and welfare of the inhabitants of the city.

9.16.020 **Definitions:** For purposes of this chapter, a “public place” means any place to which the public or a substantial group of the public has access, including, but not limited to, any public street, sidewalk, avenue, highway,

road, curb area, alley, park, playground, or other public ground or public building, any common area of any school, hospital, apartment house, office building, transport facility, or shop, or any privately owned place of business operated for a profit to which the public is invited, including any place of amusement, entertainment, or eating place.

9.16.030 **Prohibited acts:**

A. It is unlawful for any minor under the age of 18 years to be present in a “public place,” as defined in Section 9.16.020 above, between the hours of 12:30 a.m. on any given day and 5:00 a.m. of the immediately following day, unless the minor satisfies one of the exemptions specified in Section 9.16.040.

B. It is unlawful for any minor under the age of 16 years to be present in a “public place,” as defined in Section 9.16.020 above, between the hours of 11:00 p.m. on any given day and 5:00 a.m. of the immediately following day, unless the minor satisfies one of the exemptions specified in Section 9.16.040.

9.16.040 **Exemptions:** The provisions of this chapter shall not apply when a minor satisfies any one of the following:

- A. The minor is accompanied by his or her parent(s), legal guardian(s), or other adult person(s) authorized by said parent(s) or guardian(s) to have the care and custody of the minor;
- B. The minor is on an errand at the direction of the minor’s parent(s), legal guardian(s), or other adult person(s) authorized by said parent(s) or guardian(s) to have custody and care of the minor;
- C. The minor is in a motor vehicle involved in interstate travel;
- D. The minor is present at, or traveling to or directly home from, a place or places that is connected with or required by a business, trade, profession or occupation in which said minor is lawfully engaged;
- E. The minor is involved in an “emergency situation,” which means for this purpose, any unforeseen set of circumstances that call for immediate action to prevent serious bodily injury or loss of life, including, but not limited to, a fire, natural disaster, or automobile accident;
- F. The minor is within 50 feet of the front of his or her residence;
- G. The minor is present at or traveling to or directly home from, a school, religious, or recreational activity supervised by adults and sponsored

by a school, religious, or civic organization, or other similar entity that assumes responsibility for the minor;

- H. The minor is present at, or traveling to or directly home from, a political fundraiser, rally or other political activity, or is otherwise exercising his or her First Amendment rights protected by the United States Constitution, provided that any such political event or other First Amendment-type activity is supervised by adults and/or sponsored by a political organization or other similar entity or organization that assumes responsibility for the minor.
- I. The minor is present at, or traveling to or directly home from, a public meeting, or place of public entertainment, such as a movie, play, sporting event, dance or school activity, provided such meeting, event or activity is a school-approved activity for the minor or is otherwise supervised by school personnel of said minor's school; or
- J. The minor has entered into a valid marriage, is on duty with the armed forces of the United States, or has otherwise had the disabilities of minority removed in the manner provided by law.

9.16.050 **Enforcement:** Before taking any law enforcement action under this chapter, a law enforcement officer shall ask the apparent offender's age and reason for being present in a "public place," as defined in this chapter, during curfew hours. The officer shall not issue a citation or make an arrest under this chapter unless the officer reasonably believes that a violation of section 9.16.030 has occurred and that based on the apparent offender's responses, no exemption under section 9.16.040 is applicable.

9.16.060 **Powers of law enforcement officers not limited:** Nothing in this chapter shall be construed in any way as to limit the power or right of a law enforcement officer(s) to make any investigation, detention or arrest as such law enforcement officer(s) would be permitted to make in the absence of this chapter.

9.16.070 **Penalties:** Violation of this chapter by a minor shall be punishable, upon his or her first conviction, by a fine not to exceed \$50.00. Any minor who violates this chapter within three years after another conviction for violation of this chapter, shall be punishable, upon conviction, by a fine not to exceed \$300.00.

9.16.080 **Parental liability:** Any parent(s), legal guardian(s), or other adult person(s) authorized by said parent(s) or guardian(s) to have care and custody of the minor, who knowingly permits, or by insufficient control, allows a minor to violate the curfew restrictions of this chapter is guilty of an infraction.

9.16.090 **Severability:** If any provision or clause of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not effect any other provision or application of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

2. This ordinance shall be in full force and effect after its passage and publication, all as provided by law.

PASSED THIS 10th DAY OF January, 2007.

CITY OF ST. ANTHONY, IDAHO



WILLARD D. BECK, MAYOR

ATTEST:



TACI STODDARD, CLERK

AN ORDINANCE AMENDING SECTION 5.08.140 OF THE ST. ANTHONY CITY CODE; REGULATING THE SALE OF LIQUOR WITHIN THE CITY OF ST. ANTHONY TO PERMIT THE SALE OF LIQUOR ON SUNDAYS AND ESTABLISHING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City Code currently forbids the sale of liquor on Sunday; and

WHEREAS, the City Council finds that this limitation is inconsistent with the Fremont County ordinance and City of Ashton ordinance that permit the sale of liquor on Sunday; and

WHEREAS, such inconsistency unfairly restricts businesses in St. Anthony from competing with businesses located in the County and neighboring communities;

NOW THEREFORE:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. ANTHONY, IDAHO THAT THE SECTION 5.08.140 OF THE ST. ANTHONY CITY CODE BE AMENDED BY STRIKING OUT THE WORD "SUNDAY," AS FOLLOWS:

1. 5.08.140 HOURS OF SALE: No liquor either by the drink or packaged sales not for consumption on the premises shall be sold, offered for sale or given away upon any licensed premises during the following hours:

A. ~~Sunday~~, Memorial Day, Thanksgiving Day and Christmas Day from one a.m. to ten a.m. the following day;

B. On any day of general or primary election until after the time when the polls are closed;

C. On any day between one a.m. and ten a.m. (Prior code §5-9-12).

2. That except as amended hereby, Section 5.08.140 shall continue in full force and effect, unmodified

3. This Ordinance shall be in full force and effect 30 days after its passage and publication, all as provided by law.

PASSED this 14th day of March, 2007.

CITY OF ST. ANTHONY, IDAHO

Willard D. Beck
WILLARD D. BECK, MAYOR

ATTEST:

Taci Stoddard
TACI STODDARD, CITY CLERK



AN ORDINANCE AMENDING SECTION 5.04.140 OF THE ST. ANTHONY CITY CODE; REGULATING THE SALE OF BEER WITHIN THE CITY OF ST. ANTHONY TO PERMIT THE SALE OF BEER ON SUNDAYS AND ESTABLISHING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City Code currently forbids the sale of beer on Sunday; and

WHEREAS, the City Counsel finds that this limitation is inconsistent with the Fremont County ordinance and City of Ashton ordinance that permit the sale of beer on Sunday; and

WHEREAS, such inconsistency unfairly restricts businesses in St. Anthony from competing with businesses located in the County and neighboring communities;

NOW THEREFORE:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. ANTHONY, IDAHO THAT THE SECTION 5.04.140 OF THE ST. ANTHONY CITY CODE BE AMENDED BY STRIKING OUT THE WORDS "SUNDAYS OR" AS FOLLOWS:

1. 5.04.140 HOURS OF SALE. A. It is unlawful for any person within the city, in any place licensed to sell beer either by the drink or packaged sales not for consumption on the premises, whether conducted for the pleasure or profit, to sell or permit to be consumed on the premises any beer between the hours of one a.m. and seven a.m. of any day.

B. It is unlawful to sell, offer for sale or give away beer by the drink or packaged sales not for consumption on the premises, on ~~Sundays~~ or Christmas Day. (Ord. 470, 1965: prior code §5-8-14).

2. That except as amended hereby, Section 5.04.140 shall continue in full force and effect, unmodified

3. This Ordinance shall be in full force and effect 30 days after its passage and publication, all as provided by law.

PASSED this 14th day of March, 2007.

CITY OF ST. ANTHONY, IDAHO

Willard D. Beck
WILLARD D. BECK, MAYOR

ATTEST:

Jane Stoddard
TACI STODDARD, CITY CLERK



Ordinance No. 2007- 4

AN ORDINANCE REPEALING SECTION 8.12.290 OF THE ST. ANTHONY CITY CODE TO ELIMINATE THE RIGHT TO REQUEST A HEARING BEFORE THE CITY COUNCIL FOR PERSONS NOTIFIED OF A VIOLATION OF THE ABOVE CHAPTER.

WHEREAS, Section 8.12.290 of the St. Anthony Municipal Code currently allows a person notified of a violation of Title 8, Chapter 12, Garbage, of the Municipal Code to request a hearing before the City Counsel; and

WHEREAS, the Municipal Code does not otherwise provide for hearings before the City Counsel for alleged violations and does not specify what the purpose of the hearing is or provide for the procedure to be used; and

WHEREAS, the City Counsel finds that this provision of the Municipal Code is inconsistent and unclear and may interfere with the proper administration of justice in such cases;

NOW THEREFORE:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. ANTHONY, IDAHO THAT SECTION 8.12.290 OF THE ST. ANTHONY CITY CODE BE AND HEREBY IS REPEALED AND THAT ALL OF SUCH SECTION SHALL BE STRICKEN FROM THE CODE, AS FOLLOWS.

~~8.12.290 VIOLATION HEARING REQUEST: Any person who is affected by any notice issued in connection with the enforcement of any provision of this chapter may request, and shall be granted, a hearing on the matter before the council. (Ord. 506 S2 (part), 1970: prior code S8-2-23 (part)).~~

This Ordinance shall be in full force and effect 30 days after its passage and publication, all as provided by law.

PASSED this 25th day of April, 2007.

CITY OF ST. ANTHONY, IDAHO

Willard D. Beck
WILLARD D. BECK, MAYOR

ATTEST:

Tara Stoddard
TARA STODDARD, CITY CLERK



ORDINANCE 2007- 5

2008 FISCAL YEAR FINAL APPROPRIATION BUDGET

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, APPROPRIATING THE SUM OF \$2,731,831 TO DEFRAY THE EXPENSE AND LIABILITIES OF THE CITY OF ST. ANTHONY FOR SAID FISCAL YEAR, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE.

BE IT ORDAINED by the Mayor and City Council of the City of St. Anthony, Fremont County, Idaho:

Section 1: That the sum of \$2,731,831 be, and the same is appropriated to defray the necessary expenditures and liabilities of the City of St. Anthony, Fremont County, Idaho, for the fiscal year beginning October 1, 2007.

Section 2: The objects and purposes for which such appropriation is made, and the amount of each object and purpose is as follows:

ESTIMATED EXPENDITURES	
GENERAL FUND	1,124,371
STREET FUND	200,625
GREENWAY FUND	350
SKATEPARK FUND	500
AIRPORT FUND	7,250
WATER FUND	445,350
SEWER FUND	689,407
SANITATION FUND	193,978
INDUSTRIAL PARK FUND	60,000
DARE	10,000
TOTAL	2,731,831

ESTIMATED REVENUES	
GENERAL FUND	
Property Tax	590,976
Franchise Tax, Licenses, Permits	44,500
State of Idaho	223,400
General Fund Other	265,495
STREET FUND	
State Hwy Users Fund	129,800
County Road and Bridge	28,000
City Contribution	40,825
Street Fund Other	2,000
GREENWAY	350
SKATEPARK	500
AIRPORT	7,250
WATER FUND	445,350
SEWER FUND	689,407
SANITATION FUND	193,978
INDUSTRIAL PARK FUND	60,000
DARE	10,000
TOTAL	2,731,831

Section 3: That a general tax levy on all taxable property within the City of St. Anthony be levied in and amount allowed by law for the general purposes for said City, for the fiscal year beginning October 1, 2007.

Section 4: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

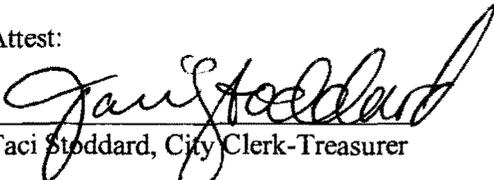
Section 5: This ordinance shall take effect and be in full force upon its passage, approval and publication in one issue of the Standard Journal, a newspaper of general circulation in the City of St. Anthony, and the official newspaper of the City.

PASSED under suspension of rules upon which a roll call vote was taken and duly enacted an Ordinance of the City of St. Anthony, Fremont County, Idaho, at a convened meeting of the City of St. Anthony City Council held on the 22nd day of August, 2007.



Willard D. Beck, Mayor

Attest:



Taci Stoddard, City Clerk-Treasurer

ORDINANCE 2007-6

AN ORDINANCE OF THE CITY OF ST. ANTHONY, IDAHO, AMENDING ORDINANCE NO 2006-7, THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006, AND ENDING SEPTEMBER 30, 2007; APPROPRIATING ADDITIONAL MONIES THAT ARE TO BE RECEIVED BY THE CITY OF ST. ANTHONY, IDAHO IN THE SUM OF \$159,778; AND PROVIDING AN EFFECTIVE DATE HEREOF.

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

SECTION 1. That Ordinance No. 2006-7, the appropriation ordinance for the City of St. Anthony, Idaho, for the fiscal year commencing October 1, 2006, and ending September 30, 2007, be and the same is hereby amended as follows:

That the additional sum of \$1,058,368 be appropriated out of the following revenues to be used for lawfully authorized activities within the funds indicated:

General Fund	\$34,718
Street Fund	9,200
Underage Drinking Grant	4,800
Police Equipment Fund	1,000
Lloyd Swenson Park	6,000
Impaired Driving Grant	7,000
Playground Equipment Fund	3,700
Police Grant Fund	850
Sewer Fund	543,100
Industrial Park Fund	<u>440,000</u>
Grand Totals	\$1,058,368

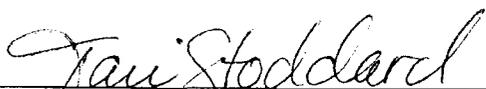
SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED by the City Council the 26th DAY OF September 2007, and **APPROVED** by the Mayor of the City of St. Anthony, Idaho, this 27th DAY OF September, 2007.



Willard D. Beck, Mayor

Attest:



Taci Stoddard, City Clerk



NOTICE IS HEREBY GIVEN that the City Council of the City of St. Anthony will hold a public hearing for consideration of an amendment to the 2007 fiscal year budget by appropriating additional monies received by the City of St. Anthony, said hearing to be held at City Hall at 420 North Bridge on the 26th day of September, 2007 at 7:00 pm

	FY 2005	FY 2005	FY 2006	FY 2006	FY 2007	FY 2007	FY 2006
	ACTUAL	ACTUAL	ACTUAL	ACTUAL	PROPOSED	PROPOSED	INCREASE
	EXPENTITURES	REVENUES	EXPENTITURES	REVENUES	EXPENTITURES	REVENUES	OVER ORIGINAL
							APPROPRIATION
General Fund	\$911,279	\$939,977	\$1,049,024	\$1,032,558	\$1,094,059	\$1,094,059	\$34,718 ✓
Street Fund	247,034	243,948	216952	216534	233,600	233,600	9,200 ✓
Underage Drinking Grant	2,078	2,294	3,547	3,331	4,800	4,800	4,800 ✓
Police Equipment Fund	0	0	0	0	1,000	1,000	1,000 ✓
Lloyd Swenson Park	0	0	0	0	6,000	6,000	6,000 ✓
Impaired Driving Grant	0	0	0	0	7,000	7,000	7,000 ✓
Playground Equipment Fund	0	0	0	0	3,700	3,700	3,700 ✓
Police Grant Fund	0	0	0	0	850	850	850 ✓
Sewer Fund	189,030	507,767	261,119	1,173,383	27,888,900	27,888,900	543,100
Industrial Park Fund	0	0	0	563,521	440,000	440,000	440,000 ✓

At said hearing any interested person may appear and show cause, if any he has, why such proposed appropriations ordinance amendment should or should not be adopted.

DATED this 13th day of September, 2007
Taci Stoddard, City Clerk-Treasurer

**NOTICE OF PUBLIC HEARING
PROPOSED BUDGET FOR FISCAL YEAR 2008
CITY OF ST. ANTHONY**

A public hearing, pursuant to Idaho Code 50-1002, for consideration of the proposed budget for the fiscal year that begins October 1, 2007, and ends September 30, 2008, will be held in the City Council Chambers, City Hall, 420 North Bridge, St. Anthony, Idaho, on Wednesday, August 22, 2007, at 7:00 pm. Written or oral comments about the proposed budget are welcome. Copies of the proposed FY2008 City of St. Anthony Budget (in detail) are available at City Hall from 9:00 a.m. to 5:00 p.m., weekdays. The budget includes information about the services and facilities proposed for fiscal year 2008 and the associated revenues projected within the budget. City Hall is accessible to persons with disabilities. Any person with disabilities desiring accommodations for the public hearing, please contact the City Office 624-3494 at least 48 hours prior to the public hearing. HEARING WILL BE HELD ON WEDNESDAY, AUGUST 22, 2007 AT 7:00 P.M.

	EXPENDITURES		
	FY2006 ACTUAL EXPENDITURES	FY2007 BUDGET EXPENDITURES	FY 2008 PROPOSED EXPENDITURES
GENERAL FUND	1,049,024	1,059,341	1,124,371
STREET FUND	216,952	224,400	200,625
GREENWAY FUND	31,995	45,400	350
SKATEPARK FUND	7,303	500	500
AIRPORT FUND	52,945	6,785	7,250
WATER FUND	437,841	407,000	445,350
SEWER FUND	261,119	543,100	689,407
SANITATION FUND	255,269	234,300	193,978
INDUSTRIAL PARK FUND	0	0	60,000
DARE	12,387	10,000	10,000
TOTAL	2,324,835	2,530,826	2,731,831

	REVENUES		
	FY2006 ACTUAL	FY2007 BUDGET	FY 2008 PROPOSED
GENERAL FUND			
Property Tax	512,900	555,525	590,976
Franchise Tax, Licenses, Permits	36,944	37,800	44,500
State of Idaho	215,162	216,500	223,400
General Fund Other	267,552	249,516	265,495
STREET FUND			
State Hwy Users Fund	131,327	132,000	129,800
County Road and Bridge	28,267	20,000	28,000
City Contribution	54,638	68,400	40,825
Street Fund Other	2,302	4,000	2,000
GREENWAY	34,555	45,400	350
SKATEPARK	639	500	500
AIRPORT	57,216	6,785	7,250
WATER FUND	423,060	407,000	445,350
SEWER FUND	1,173,383	543,100	689,407
SANITATION FUND	189,882	234,300	193,978
INDUSTRIAL PARK FUND	563,521	0	60,000
DARE	12,387	10,000	10,000
TOTAL	3,703,735	2,530,826	2,731,831

Taci Stoddard, City Clerk-Treasurer
City of St. Anthony

**NOTICE OF PUBLIC HEARING
PROPOSED BUDGET FOR FISCAL YEAR 2006-2007
CITY OF ST. ANTHONY**

A public hearing, pursuant to Idaho Code 50-1002, for consideration of the proposed budget for the fiscal year that begins October 1, 2006, and ends September 30, 2007, will be held in the City Council Chambers, City Hall, 420 North Bridge, St. Anthony, Idaho, on Wednesday, August 23, 2006, at 7:00 pm. Written or oral comments about the proposed budget are welcome. Copies of the proposed FY2007 City of St. Anthony Budget (in detail) are available at City Hall from 9:00 a.m. to 5:00 p.m., weekdays. The budget includes information about the services and facilities proposed for fiscal year 2007 and the associated revenues projected within the budget. City Hall is accessible to persons with disabilities. Any person with disabilities desiring accommodations for the public hearing, please contact the City Office 624-3494 at least 48 hours prior to the public hearing. HEARING WILL BE HELD ON WEDNESDAY, AUGUST 23, 2006 AT 7:00 P.M.

	EXPENDITURES		
	FY2005 ACTUAL EXPENDITURES	FY2006 BUDGET EXPENDITURES	FY 2007 ESTIMATED EXPENDITURES
GENERAL FUND	903,378	993,367	1,059,341
STREET FUND	247,009	186,573	224,400
GREENWAY FUND	25,621	700	45,400
SKATEPARK FUND	9,497	26,000	500
AIRPORT FUND	7,589	10,285	6,785
EDA GRANT FUND	292,722	0	0
ML TECHNOLOGY GRANT	82,623	0	0
SENIOR CENTER BLOCK GRANT	5,446	0	0
UTILITY FUND			
Sanitation	147,864	171,382	234,300
Water	302,795	383,900	426,305
Sewer	189,030	512,500	543,100
DARE	10,770	13,320	13,320
TOTAL	2,224,344	2,298,027	2,553,451

	REVENUES		
	FY 2004 ACTUAL	FY 2005 BUDGET	FY 2006 ESTIMATED
GENERAL FUND			
Property Tax	474,648	537,644	555,525
Franchise Tax, Licenses, Permits	53,136	32,350	58,300
State of Idaho	198,755	199,667	216,500
General Fund Other	126,004	223,706	229,016
STREET FUND			
State Hwy Users Fund	130,428	132,688	132,000
County Road and Bridge	23,416	18,000	20,000
City Contribution	78,537	28,385	68,400
Street Fund Other	0	7,500	4,000
UTILITY FUND			
Water Revenue	386,134	383,900	426,305
Sanitation Revenue	178,800	171,382	234,300
Sewer Revenue	507,767	512,500	543,100
DARE	10,000	13,320	13,320
GREENWAY	21,122	700	45,400
SKATEPARK	8,546	26,000	500
EDA Grant	392,313	0	0
ML TECHNOLOGY GRANT	80,630	0	0
SENIOR CENTER BLOCK GRANT	4,921	0	0
AIRPORT	4,063	10,285	6,785
TOTAL	2,679,220	2,298,027	2,553,451

Taci Stoddard, City Clerk-Treasurer
City of St. Anthony