

SUMMARY OF
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, AMENDING SECTIONS OF TITLE 17 "ZONING REGULATIONS", OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF POCATELLO SPECIFICALLY AMENDING CHAPTER 17.01 "GENERAL PROVISIONS", AND 17.06 "SPECIAL USE STANDARDS" TO REMOVE REDUNDANCIES, PROVIDE CLARITY, AND IMPROVE THE FUNCTION OF THE TITLE; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

The full text of this ordinance is available at the City Clerk's Office, Pocatello Municipal Building, 911 North 7th, Pocatello, Idaho.

THE FOREGOING SUMMARY IS APPROVED for publication this ____ day of _____, 2026, by the City Council of the City of Pocatello.

CITY OF POCATELLO, a municipal
corporation of Idaho

MARK DAHLQUIST, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

I have reviewed the foregoing summary and believe that it provides a true and complete summary of Ordinance No. _____ and that the summary provides adequate notice to the public of the contents of this ordinance.

DATED this ____ day of _____, 2026.

JARED JOHNSON, City Attorney

PUBLISH:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCA TELLO, A MUNICIPAL CORPORATION OF IDAHO, AMENDING SECTIONS OF TITLE 17 "*ZONING REGULATIONS*", OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF POCA TELLO SPECIFICALLY AMENDING CHAPTER 17.01 "*GENERAL PROVISIONS*", AND 17.06 "*SPECIAL USE STANDARDS*" TO REMOVE REDUNDANCIES, PROVIDE CLARITY, AND IMPROVE THE FUNCTION OF THE TITLE; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, City Planning and Development Services staff initiated a review of Pocatello Municipal Code Title 17 "Zoning Regulations", as planning staff is charged with overseeing the orderly growth and development of the City of Pocatello; and

WHEREAS, City Planning and Development Services staff presented the proposed modifications to the City Council at the August 13, 2026 Work Session; and

WHEREAS, a public hearing before the Planning and Zoning Commission was held on September 9, 2026. Based on testimony and deliberations among the Commission members, the Commission recommended approval of the proposed zoning code amendments with revisions; and

WHEREAS, the City Council held a Public Hearing on October 1, 2026, at which City Staff presented the proposed code amendments as revised and recommended the City Council adopt those amendments as prepared; and

WHEREAS, the City Council has determined that the proposed amendments of Title 17 "Zoning Regulations" are consistent with the existing codes governing zoning, are consistent with the City's Comprehensive Plan and are in the best interest of the citizens of the City of Pocatello.

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

Section 1: That Pocatello Municipal Code 17.01 “General Provisions” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, shall be amended to read as follows:

17.01.150: DEFINITIONS:

~~MANUFACTURED HOME: Any factory built house structure transportable in one or more sections built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities. Contrast with commercial coach, recreational vehicle or motor home, which are not manufactured homes. A “manufactured home” means a manufactured home as defined in Idaho Code Section 39-4105, as amended from time to time, which definition is incorporated herein by reference. For purposes of this Code, a manufactured home is distinguished from a commercial coach, recreational vehicle, or motor home, which are not manufactured homes.~~

~~MANUFACTURED HOME, INSIGNIA: Any manufactured home that bears an insignia or certification label showing that its construction complies with the standards established by the Idaho state department of labor and industries pursuant to RCWW 43.22 for homes built between 1968 and 1976, or by the U.S. department of housing and urban development pursuant to the national manufactured home construction and safety standards act of 1974 (42 USC 5401-5426 as now existing and in accordance with any amendments that may hereafter be made thereto) for homes built since June 1976.~~

~~MANUFACTURED HOME, NONINSIGNIA: Any manufactured home that does not bear the insignia or certification referenced above; sometimes referred to as a mobile home.~~

MOBILE HOME: Any dwelling unit that does not bear an insignia or certification demonstrating compliance with Idaho State Department of Labor and Industries or HUD standards, is factory-assembled and generally constructed prior to June 1976 and equipped with necessary service connections and made so as to be readily moveable as a unit or units on their own running gear and designed with or without a permanent foundation. See Idaho Code section 39-4105.

Section 2: That Chapter 17.06 “Special Use Standards” of the Revised and Compiled

Ordinances of the City of Pocatello, 1983, shall be amended to read as follows:

17.06.100: ACCESSORY DWELLING UNITS:

C. Accessory Dwelling Standards:

1. Accessory ~~Residential~~ Dwelling Unit: An accessory ~~residential~~ dwelling unit is a second dwelling unit either within or added to ~~an existing detached single-family dwelling~~, or constructed as a separate accessory structure on the same lot as the single-family dwelling. The accessory dwelling unit functions as a complete, independent living facility, with provisions within the unit for a separate kitchen, bathroom, and sleeping area. All standards of this code shall be met, except as modified herein.

2. Density: One (1) accessory ~~residential~~ dwelling unit is permitted within or added to an existing detached single-family dwelling or constructed as a separate accessory structure. An accessory dwelling unit may be allowed as an accessory use to a primary single-family dwelling on any residential lot that meets the minimum lot size of the applicable residential district. Accessory dwelling units will not be counted in density calculations.

3. Unit Size: An accessory ~~residential~~ dwelling unit shall not exceed ~~seven hundred fifty (750) one thousand (1,000) square feet in size and shall not have more than one bedroom or sleeping room or seventy-five percent (75%) of the size of the primary single-family dwelling unit.~~

4. Off Street Parking: ~~If on street parking is available adjacent to the primary dwelling and off site parking standards are met for the primary dwelling, only one additional off street parking space shall be required for the accessory residential unit. If on street parking is not available for the primary structure, two (2) off street parking spaces shall be provided for the accessory dwelling unit. Accessory dwelling units do not require off-street parking in addition to what is required for the primary single-family dwelling.~~

5. Building Height: The height of the accessory ~~residential~~ dwelling unit shall not exceed the height of the ~~main structure or as permitted by the underlying zoning district, whichever is less~~ primary single-family dwelling unit, measured at the peak, or twenty feet (20') in height, whichever is greater.

6. Orientation And Access: For accessory residential units in structures other than the primary dwelling on a lot, a walkway shall be provided from the unit to the street on which the primary dwelling fronts or an adjacent alley. The walkway shall be a minimum of three feet (3') wide and shall be finished with a hard, all weather surface. On corner lots, the accessory residential unit may be oriented to a different street than the primary dwelling, and the walkway may be provided to a street other than the front street. If the entrances to both the primary and

accessory dwelling unit face the same street, the entrance to the accessory dwelling unit shall be minimized in appearance.

7. Design Compatibility: In order to maintain an exterior consistent with the primary dwelling, the accessory dwelling unit shall have siding, roofing materials, exterior paint colors, window trim, and roof style that ~~match~~ are compatible to that of the primary dwelling unit; ~~unless a case can be made for alternative designs.~~

8. Utility Hookups: Shared or separate utility hookups must comply with city requirements.

~~—9. Deed Restriction: A deed restriction shall be recorded requiring that either the primary unit or the accessory unit be owner occupied.~~

~~109.~~ Substandard Lots Prohibited: Subdivision or other lot split into substandard lots shall be prohibited.

17.06.200: ACCESSORY STRUCTURES:

A. Residential Zoning Districts: Accessory structures are permitted by right in all residential zoning districts, subject to the following:

1. Dimensional Requirements:

b. Accessory structures ~~may~~ shall not exceed the height of the primary structure, measured at the peak, or twenty feet (20') in height, whichever is greater;

2. Nondimensional Requirements:

~~d. The erection of video programming receiving dishes or antennas shall meet the requirements of the federal communications commission.~~

17.06.300: MANUFACTURED/MOBILE HOME AND RECREATIONAL VEHICLE PARK:

D. Manufactured Homes On Individual Lots: Any manufactured home proposed for placement on an individual lot outside of a manufactured/mobile home park shall meet the following standards:

1. ~~Be an insignia home~~ Adhere to all standards as required by Idaho Code section 39-4105;
2. ~~Be multisectional and enclose a space of not less than one thousand (1,000) square feet~~
Be either a single section or multisectional and shall enclose a space of at least four hundred (400) square feet for a single section or eight hundred (800) square feet for a multisectional manufactured home, not including garage or other noninhabitable space;

17.06.700: STARTER HOME SUBDIVISIONS:

A. Purpose: The purpose of this section is to allow for starter home subdivisions which enable additional housing opportunities and compact neighborhood design as defined by the State of Idaho (see Idaho Code §67-6541).

B. Applicability: Starter home subdivisions are permitted provided they are in compliance with the provisions set forth in this section as well as all applicable provisions set forth in Title 16: Subdivision Regulations. Infill development standards and administrative adjustments outlined in this Title shall not apply to starter home subdivisions. The provisions of this section shall be applied in conjunction with the provisions of the underlying zoning district and all applicable development standards as required in this Title. Where the provisions of this section and the underlying zoning district conflict, the requirements of this section shall apply. The provisions of this section shall not supersede state or local laws that protect public health, safety, and welfare.

C. Starter Home Subdivision Criteria: All starter home subdivisions shall meet the following criteria:

1. Housing Types: A starter home subdivision shall be comprised of single-family detached dwellings only.

2. Zoning Districts: A starter home subdivision shall be located in one of the following zones:

- a. Residential Estate (RE);
- b. Residential Low Density (RL);
- c. Residential Medium Density Single-Family (RMS);
- d. Residential Medium Density Multi-Family (RMM);

e. Residential High Density (RH).

3. Acreage: A starter home subdivision shall be located on at least four (4) acres of land.

4. Density: Lots shall not exceed one thousand five hundred (1,500) square feet in size unless infrastructure limitations, lot configuration, or environmental constraints make it unfeasible.

5. Setbacks: Minimum setback requirements shall include the following, all other setbacks not listed shall adhere to the requirements set forth in the underlying zoning district:

a. Front and Rear: fifteen feet (15') or the minimum setback requirement of the underlying zoning district, whichever is less;

b. Side Facing Street: five feet (5');

c. Side: five feet (5').

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Section 3: That all other Sections and Chapters of Title 17 shall remain in full force and effect.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this _____ day of _____, 2026.

CITY OF POCA TELLO, a municipal
corporation of Idaho

MARK DAHLQUIST, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

SUMMARY OF
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCA TELLO, A MUNICIPAL CORPORATION OF IDAHO, AMENDING SECTIONS OF TITLE 6 "ANIMALS", OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF POCA TELLO SPECIFICALLY AMENDING CHAPTER 6.04.150 "*INDIVIDUAL DOG LICENSING REQUIRED*" AND 6.04.155 "*INDIVIDUAL CAT LICENSING REQUIRED*" TO PROVIDE MORE EFFICIENT PROCESSES FOR ANIMAL LICENSING AND LICENSING VIOLATIONS AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

The full text of this ordinance is available at the City Clerk's Office, Pocatello Municipal Building, 911 North 7th, Pocatello, Idaho.

* * * * *

THE FOREGOING SUMMARY IS APPROVED for publication this ____ day of November, 2026, by the City Council of the City of Pocatello.

CITY OF POCA TELLO, a municipal
corporation of Idaho

MARK DAHLQUIST, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

* * * * *

I have reviewed the foregoing summary and believe that it provides a true and complete summary of Ordinance No. _____ and that the summary provides adequate notice to the public of the contents of this ordinance.

DATED this ____ day of November, 2026.

JARED JOHNSON, City Attorney

PUBLISH:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, AMENDING SECTIONS OF TITLE 6 "ANIMALS", OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF POCATELLO SPECIFICALLY AMENDING CHAPTER 6.04.150 "*INDIVIDUAL DOG LICENSING REQUIRED*" AND 6.04.155 "*INDIVIDUAL CAT LICENSING REQUIRED*" TO PROVIDE MORE EFFICIENT PROCESSES FOR ANIMAL LICENSING AND LICENSING VIOLATIONS AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, City Animal Services staff initiated a review of Pocatello Municipal Code Title 6 "Animals", as staff is charged with overseeing the care and enforcement for the City of Pocatello animal services; and

WHEREAS, City Animal Services staff presented the proposed modifications to the City Council at the October 8, 2026 Work Session; and

WHEREAS, the City Council has determined that the proposed amendments are appropriate and are in the best interest of the citizens of the City of Pocatello.

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

Section 1: That Pocatello Municipal Code 6.04.150 "Individual Dog Licensing Required" of the Revised and Compiled Ordinances of the City of Pocatello, 1983, shall be amended to read as follows:

6.04.150: INDIVIDUAL DOG LICENSING REQUIRED:

B. The owner/custodian shall be responsible for securely attaching the metallic license tag to a collar or harness and ensuring that the dog wears the collar at all times while in public.

C. All such licenses shall be valid for a period of one year from ~~June 1 to May 31 of the following year~~ the date of the issuance of the license. It shall be the responsibility of the owner, or custodian in the absence of the owner, of each and every dog to obtain a new license annually.

E. The owner or custodian (or parent or guardian if the owner/custodian is a minor) of any animal found to be within the city and found to be not licensed may be issued ~~a notice of violation and assessed the fee per occurrence as set by annual resolution of the city council, to be paid at the animal services center. The notice and fee shall be independent of any Idaho uniform citation which may be issued~~ an infraction with a fine of Thirty Dollars (\$30.00).

Section 2: That Chapter 6.04.160 “Individual Cat Licensing Required” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, shall be amended to read as follows:

6.04.155: INDIVIDUAL CAT LICENSING REQUIRED:

C. All such licenses shall be valid for a period of one year from ~~June 1 to May 31 of the following year~~ the date of the issuance of the license. It shall be the responsibility of the owner, or custodian in the absence of the owner, of each and every cat to obtain a new license annually.

E. The owner or custodian (or parent or guardian if the owner/custodian is a minor) of any animal found to be within the city and found to be not licensed may be issued ~~a notice of violation and assessed the fee per occurrence as set by annual fee resolution adopted by the city council, to be paid at the animal services department. The notice and fee shall be independent of any Idaho uniform citation which may be issued~~ an infraction with a fine of Thirty Dollars (\$30.00).

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Section 3: That all other Sections and Chapters of Title 6 shall remain in full force and effect.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this _____ day of _____, 2026.

CITY OF POCA TELLO, a municipal
corporation of Idaho

MARK DAHLQUIST, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

SUMMARY OF
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCA TELLO, A MUNICIPAL CORPORATION OF IDAHO, AMENDING SECTIONS OF TITLE 5 “*BUSINESS LICENSES AND REGULATIONS*”, OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF POCA TELLO SPECIFICALLY AMENDING CHAPTER 5.04 “*GENERAL PROVISIONS*” AND CHAPTER 5.56 “*TAXICABS*”; AND ADDING CHAPTERS 5.72 “*SCHOOL CROSSING GUARDS*”, CHAPTER 5.76 “*TRAVELING CARNIVAL OR CIRCUS*”, AND CHAPTER 5.80 “*TEMPORARY USE PERMIT*” TO REMOVE REDUNDANCIES, PROVIDE CLARITY, AND IMPROVE THE FUNCTION OF THE TITLE; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

The full text of this ordinance is available at the City Clerk's Office, Pocatello Municipal Building, 911 North 7th, Pocatello, Idaho.

* * * * *

THE FOREGOING SUMMARY IS APPROVED for publication this ____ day of November, 2026, by the City Council of the City of Pocatello.

CITY OF POCA TELLO, a municipal
corporation of Idaho

MARK DAHLQUIST, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

* * * * *

I have reviewed the foregoing summary and believe that it provides a true and complete summary of Ordinance No. _____ and that the summary provides adequate notice to the public of the contents of this ordinance.

DATED this ____ day of November, 2026.

JARED JOHNSON, City Attorney

PUBLISH:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, AMENDING SECTIONS OF TITLE 5 “*BUSINESS LICENSES AND REGULATIONS*”, OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF POCATELLO SPECIFICALLY AMENDING CHAPTER 5.04 “*GENERAL PROVISIONS*” AND CHAPTER 5.56 “*TAXICABS*”; AND ADDING CHAPTERS 5.72 “*SCHOOL CROSSING GUARDS*”, CHAPTER 5.76 “*TRAVELING CARNIVAL OR CIRCUS*”, AND CHAPTER 5.80 “*TEMPORARY USE PERMIT*” TO REMOVE REDUNDANCIES, PROVIDE CLARITY, AND IMPROVE THE FUNCTION OF THE TITLE; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Pocatello Police Department and Building Department staff initiated a review of Pocatello Municipal Code Title 5 “Business Licenses and Regulations”, as Police and Building Department staff are charged with overseeing licensing and enforcement for the City of Pocatello; and

WHEREAS, Pocatello Police Department and Building Department staff presented the proposed modifications to the City Council at the August 13, 2026 and October 8, 2026 Work Sessions; and

WHEREAS, the City Council has determined that the proposed amendments of Title 5 are in the best interest of the citizens of the City of Pocatello.

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

Section 1: That Pocatello Municipal Code 5.04 “General License Regulations” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, shall be amended to read as follows:

CHAPTER 5.04
GENERAL LICENSE AND PERMIT REGULATIONS

SECTION:

5.04.010: ~~General Provision~~ Definitions

5.04.020: ~~Miscellaneous License and Fees~~ General Provisions

5.04.040: Issuance or Denial

5.04.050: Revocation or Suspension

5.04.060: Appeals

5.04.070: Penalty

5.04.010: ~~GENERAL PROVISIONS~~ DEFINITIONS:

~~No person shall engage in, carry on, or attempt to engage in or carry on any trade, business, or profession for which a license may be required by this title without first having obtained such a license from the city clerk, or in the case of building contractors, from the building official or his authorized representative. All such licenses shall be valid, unless otherwise specifically provided, for one calendar year from January 1 through twelve o'clock (12:00) midnight, December 31. Fees shall not be prorated.~~

The following words and phrases shall be construed as defined in this section, unless the context clearly indicates a different meaning or a different definition is specifically provided for a particular use:

APPLICANT: A person who applies for a license to engage in or operate a regulated business within the City.

CONVICTION: An individual is considered to have been convicted of a criminal offense for purposes of this title when: A. A judgment of conviction, adjudication, or withheld judgment has been entered against the individual by any Federal, State, military or local court; B. There has been a finding of guilt against the individual by any Federal, State, military, or local court; C. A plea of guilty or no contest by the individual has been accepted by any Federal, State, military, or local court; or D. The individual has entered into or participated in first offender, deferred adjudication, or other arrangement or program where judgement of conviction has been withheld. This includes when the individual has entered into participation in a drug court, mental health court, domestic violence court, or other specialty court.

LICENSE OR PERMIT: Written permission from the City to engage in or operate a business regulated by the City pursuant to this Code.

LICENSEE: A person holding a valid license issued by the City.

5.04.020: MISCELLANEOUS LICENSES AND FEES GENERAL PROVISIONS:

No person shall engage in, carry on, or attempt to engage in or carry on any trade, business, or profession for which a license or permit may be required by this title without first having obtained such a license or permit from the Pocatello Police Department Licensing & Enforcement Officer or Chief's designee, or as applicable, from the designated Planning and Development Services official, the designated Parks & Recreation official or the designated Building Department official.

Unless otherwise specifically provided, fees shall be set by annual resolution by the City Council and shall not be prorated; licenses and permits granted hereunder may be renewed annually, provided that the applicant possess all of the qualifications and none of the disqualifications set forth herein and provided the applicant requests renewal prior to the expiration of their current license; and all such licenses or permits shall be in effect for a period of approximately one (1) year, where the license or permit shall run from the date of issuance until twelve o'clock (12:00) midnight the following year on the last day of the month in which the license or permit was originally issued, unless said license or permit was otherwise suspended or revoked.

Unless otherwise specifically provided, the Licensing & Enforcement Officer or Chief's designee, designated Planning & Development Services official, designated Parks & Recreation official, or the designated Building Department official may grant a license or permit expiration extension of up to thirty (30) days upon receipt of a written request from the licensee.

5.04.030: CRIMINAL HISTORY CHECKS:

Whenever a criminal history check is required to determine the suitability of an applicant for a license or permit under this title, including, but not limited to, crossing guards, solicitors, or peddlers, ~~daycares~~, taxicabs or for-hire transportation operators, security guards, and private detectives ~~agencies~~, ~~the licensing department shall require~~ the applicant ~~to~~ shall provide fingerprints and information necessary for the Licensing and Enforcement Officer or Chief's designee to obtain criminal history information from the Idaho ~~s~~State ~~p~~Police and the ~~f~~Federal ~~b~~Bureau of ~~i~~Investigation. Pursuant to section 67-3008, Idaho Code, and ~~e~~Congressional ~~e~~Enactment ~~p~~Public ~~L~~aw 92-544, the staff shall submit a set of the applicant's fingerprints and the required fees on forms prescribed by the ~~s~~State to the Idaho ~~s~~State ~~p~~Police, ~~b~~Bureau of ~~e~~Criminal ~~i~~Identification (or any other agency which may hereafter be so authorized in its place by the ~~s~~State) for a criminal records check of state and national databases. ~~The licensing department and the police department~~ Licensing and Enforcement Officer or Chief's designee shall receive the information from the Idaho ~~s~~State ~~p~~Police and from the ~~f~~Federal ~~b~~Bureau of ~~i~~Investigation and shall use it to evaluate the fitness of applicants for the licenses or permits, pursuant to standards and criteria separately set out in this title. Further dissemination or other use of the criminal history information is hereby prohibited, as also specified by state and federal law.

5.04.040: ISSUANCE OR DENIAL:

The Licensing & Enforcement Officer or Chief's designee, designated Planning & Development Services official, designated Parks & Recreation official, or designated Building Department official shall review the application and, where applicable, the results of the criminal history and background check, and shall issue a license or permit to any applicant who meets the requirements as set out in these chapters. If the Licensing Officer or Chief's designee, designated Planning & Development Services official, designated Parks & Recreation official, or designated Building Department official does not find that the applicant meets the qualification as set out in these chapters, they shall deny the license or permit application.

Upon denial of a license or permit, Licensing & Enforcement Officer or Chief's designee, designated Planning & Development Services official, designated Parks & Recreation official or designated Building Department official shall provide written notice of the decision to the applicant. When verification of delivery is necessary, notice shall be sent by certified mail.

5.04.050: REVOCATION OR SUSPENSION:

Licenses or permits issued pursuant to the provisions of these chapters may be revoked or suspended by the Licensing & Enforcement Officer or Chief's designee, designated Planning & Development Services official, designated Parks & Recreation official, or designated Building Department official whenever it finds that the licensee has violated the provisions of these chapters.

Upon revocation or suspension of a license or permit, Licensing & Enforcement Officer or Chief's designee, designated Planning & Development Services official, designated Parks & Recreation official, or designated Building Department official shall provide written notice of the decision to the applicant. When verification of delivery is necessary, notice shall be sent by certified mail.

5.04.060: APPEALS:

Unless otherwise specifically provided, if a license or permit is denied, revoked, or suspended, the applicant may request, in writing to the Licensing & Enforcement Officer or Chief's designee, designated Planning & Development Services official, designated Parks & Recreation official, or designated Building Department official within thirty (30) days, an appeal before the City Council. If the denial, revocation, or suspension of the license is overturned by the City Council, the license will be granted or reinstated. If the denial, revocation, or suspension is upheld by the City Council, the license will not be granted or reinstated. The decision of City Council is final and an applicant may not reapply for said license or permit for one (1) year from the first date of denial.

A person aggrieved by the decision of the City Council may seek Judicial Review in the 6th Judicial District Court, state of Idaho, in and for the county of Bannock. The petition for Judicial Review shall be filed within twenty-eight (28) days of the City Council's decision and the issues to be presented shall be limited to the evidence presented to the City Council. The District Court shall preside in its appellate capacity.

5.04.070: PENALTY:

Failure to comply with the requirements set out herein may constitute a violation subject to a misdemeanor citation in accordance with Pocatello Municipal Code 1.04.040 and/or license suspension or revocation.

Section 2: That Chapter 5.56 “Taxicabs” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, shall be amended to read as follows:

CHAPTER 5.56 TAXICABS OR FOR-HIRE TRANSPORTATION

SECTION:

5.56.020: License Required; Application Fee

5.56.040: ~~Issuance or Denial of License~~ Disqualifications for License

5.56.050: ~~Disqualifications for License~~ Display of License and Fare Rates

5.56.060: ~~Term of License~~

5.56.070: ~~License Renewal; Fee~~

5.56.080: ~~Display of License and Fare Rates~~

5.56.090: ~~Revocation/Suspension~~

5.56.010: DEFINITIONS:

NON-EMERGENCY MEDICAL TRANSPORTATION COMPANY: A company that exclusively provides prearranged transportation for patients to or from medical appointments, treatment, healthcare facilities, or other medically necessary services; does not accept on-demand ride requests from the general public; and conducts criminal background checks on all employees who provide or coordinate transportation services.

TAXICAB OR FOR-HIRE TRANSPORTATION: Any motor vehicle regularly used for the purpose of transporting ~~persons~~ members of the general public for hire, which receives ~~or discharges~~ passengers within the city limits, or advertises for such use, whether or not such vehicle or vehicles are engaged in carrying passengers entirely within the city limits; providing that "taxicab or for-hire transportation" as defined in this section does not include a school bus or other motor vehicle used exclusively for the transportation of children to and from school, nor a motor bus operated by a public transit system, nor a motor bus with a seating capacity of over seven (7) passengers operated on a regular schedule over regularly designated streets, nor courtesy cars provided free of charge to the hotel/motel guests for transport to and from the airport, nor vehicles operating for the purpose of carrying United States mail or other United States property, nor vehicles that are exempt from municipal licensing under the Transportation Network Company Services Act, Idaho Code §49-37, nor any vehicle that exclusively provides prearranged non-emergency medical transportation.

TAXICAB OR FOR-HIRE TRANSPORTATION BUSINESS: The conducting of a general taxicab or for-hire transportation business, whether by providing a central dispatch service only, contracting with individual taxicab or for-hire transportation operators/drivers, or employing such operators/drivers, or any combination thereof.

TAXICAB OPERATOR OR DRIVER: The person who operates a taxicab or for-hire vehicle upon and through the streets, avenues and alleys.

5.56.020: LICENSE REQUIRED; APPLICATION;~~FEE~~:

It is unlawful for any person to operate a taxicab or for-hire transportation business or to drive or operate a taxicab or for-hire vehicle within the city limits without first obtaining a ~~taxicab or For-Hire Transportation~~ Business license or a ~~taxicab or For-Hire Transportation~~ Operator's license. Persons operating a ~~taxicab~~ such business shall provide all information and complete all forms applicable ~~for a taxicab business~~ as is set out for taxicab or for-hire transportation operators in the following subsections, and must also include the name of the business, its mailing and street address, and telephone number on the application.

All Taxicab or For-Hire Transportation Operator licenses are valid only when associated with and operating under a duly licensed Taxicab or For-Hire Transportation Business license and shall not be issued or recognized as stand-alone licenses independent of a licensed Taxicab or For-Hire Transportation Business.

A. An applicant must complete ~~a form~~ an application provided by the Pocatello ~~Police~~ Department, giving full name and any aliases or maiden names, current residence, place(s) of residence for ~~one full year previous to moving to his present address~~ the previous five (5) years, age date of birth, nationality physical descriptors, height, color of eyes and hair, place of birth, whether they have been licensed to drive in any other state length of time he has resided in the city, whether a citizen of the United States, places of previous employment, whether married or single, whether he has they have ever been convicted of a felony; or a misdemeanor involving moral turpitude or possession or sale of controlled substances, the make, model, and VIN of the vehicle which he they will be operating as a ~~taxicab~~ taxicab or for-hire transportation operator and, if so, whether ~~he has they have~~ he has they have previously been licensed as a ~~driver or chauffeur~~ taxicab or for-hire transportation operator and, if so, whether his

~~their~~ license has ever been revoked and for what cause, and that ~~he has~~ they have read and familiarized ~~himself~~ themselves with all traffic laws and regulations relative to the operation of motor vehicles on the public streets and highways.

B. Each applicant must ~~have his fingerprints and two (2) photographs of himself taken by the police department. One photograph shall be attached to the application and one to the license, if granted~~ provide a headshot photograph for their ID card.

C. Each applicant must sign a consent form for the Pocatello pPolice dDepartment to conduct a criminal history and background check, as set out in Pocatello Municipal Code 5.04.030. ~~The applicant shall provide fingerprints and information necessary to obtain criminal history information from the Idaho state police and the federal bureau of investigation. Pursuant to section 67-3008, Idaho Code, and congressional enactment public law 92-544, the staff shall submit a set of the applicant's fingerprints and the required fees on forms prescribed by the state to the Idaho state police, bureau of criminal identification (or any other agency which may hereafter be so authorized in its place by the state) for a criminal records check of state and national databases. The licensing department and the police department shall receive the information from the Idaho state police and from the federal bureau of investigation and shall use it to evaluate the fitness of applicants for the licenses, pursuant to standards and criteria separately set out in this title. Further dissemination or other use of the criminal history information is hereby prohibited, as also specified by state and federal law.~~

D. Each applicant must show a current, valid ~~class-D~~ driver's license and show proof of current vehicle registration and liability insurance in the amount specified in this chapter.

E. ~~The application for a taxicab operator's license and a taxicab business license must be accompanied by a nonrefundable fee in an amount established by resolution of the city council.~~

5.56.030: INSURANCE REQUIREMENTS:

The applicant must provide proof of general public liability insurance upon the vehicle to be operated as a taxicab in the following minimum amounts: twenty-five thousand dollars (\$25,000.00) per person and fifty thousand dollars (\$50,000.00) for two (2) or more people for personal injury, and fifteen thousand dollars (\$15,000.00) for property damage.

Licensees shall maintain the required insurance coverage in full force and effect for the duration of the license. The licensee shall notify the Licensing & Enforcement Officer or Chief's designee in writing within five (5) business days of any cancellation, lapse, reduction, or other material change in coverage and shall promptly provide updated proof of insurance demonstrating continued compliance with this section. Failure to maintain or provide proof of required insurance may result in suspension or revocation of the license.

5.56.040: ISSUANCE OR DENIAL OF LICENSE:

~~The chief of police shall review the application and the results of the criminal history and background check, and may issue a taxicab driver's license to any applicant who meets the requirements of this chapter. If the chief of police is not satisfied that the applicant meets the~~

~~qualifications to operate a taxicab, he may deny the license application. Any applicant so denied a license may appeal the chief's decision by requesting in writing an appearance before the city council to offer evidence why the application should be reconsidered. A majority vote of the city council is then sufficient to issue or confirm denial of the license.~~

5.56.0540: DISQUALIFICATIONS FOR LICENSE:

~~The chief of police~~ Licensing and Enforcement Officer or Chief's designee ~~may~~ shall deny a license to any person who ~~fails to meet the following requirements:~~

- ~~A. Minimum~~ Is under the age of eighteen (18);
- ~~B. Freedom from epilepsy, vertigo, ear trouble or any other infirmity of body or mind which might render him unfit for the safe operation of a taxicab;~~
- ~~C. Ability to read, write, and speak the English language;~~
- ~~D. Freedom from addiction to the use of intoxicating liquors or drugs;~~
- ~~E. Criminal record free from conviction for any felony, or for any crimes involving moral turpitude or violence or possession or sale of any controlled substance;~~
- ~~FB. Possession of a valid,~~ Does not possess a current, valid ~~class D Idaho~~ driver's license;
- ~~GC. Possession of~~ Does not possess proof of current insurance on the vehicle to be operated as a taxicab or for-hire transportation vehicle; ~~and~~
- ~~HD. Possession of~~ Does not possess proof of current ~~Idaho~~ registration on the vehicle to be operated as a taxicab or for-hire transportation vehicle;
- ~~E. Has had a similar license revoked within two (2) years by any jurisdiction;~~
- ~~F. Is required to register as a sex offender pursuant to Idaho Code §18-8301 et seq. or Idaho Code §18-8401 et seq.;~~
- ~~G. Has been convicted within the last two (2) years of the following misdemeanors: any force against a person or property; any threats of force against the person of another; domestic battery or assault; stalking; harassment or telephone harassment; violation of a protection order or no contact order; possession of a concealed weapon; or indecent exposure;~~
- ~~H. Has been convicted within the last two (2) years of the following moving violations: driving under the influence, reckless driving, and eluding police;~~
- ~~I. Has ever been convicted of the following: sexual battery or assault, aggravated assault, sexual exploitation or sexual abuse of a minor or vulnerable adult, enticement of a minor, child pornography, kidnapping, lewd conduct with a minor, prostitution, rape, felony injury to a child, or homicide; or~~

J. Has been convicted of any other felony within the last five (5) years.

The Licensing & Enforcement Officer or Chief's designee shall have the authority to deny any application if the applicant has been convicted of any offense substantially similar in nature to those listed above, regardless of the specific title, wording, or classification of the offense. Determination of whether an offense is substantially similar shall be made at the reasonable discretion of the Licensing & Enforcement Officer or Chief's designee and with oversight from their supervisor based on the elements of the offense and the underlying conduct.

If, at any time during the term of the license, a licensee is found to meet any of the disqualifying criteria set forth in this section, the Licensing & Enforcement Officer or Chief's designee may suspend or revoke the license in accordance with applicable procedures.

5.56.060: TERM OF LICENSE:

~~Licenses issued hereunder shall be valid from the date of issuance until twelve o'clock (12:00) midnight, December 31 of the year of issuance, unless sooner revoked or suspended.~~

5.56.070: LICENSE RENEWAL; FEE:

~~Licenses granted hereunder may be renewed annually, provided that the applicant can show that he possesses all of the qualifications, and none of the disqualifications, listed in this chapter, and provided the applicant requests renewal no later than thirty (30) days prior to the expiration of his/her current license. The fees for taxicab driver's license renewals and taxicab business license renewals shall be established by resolution of the city council.~~

5.56.0850: DISPLAY OF LICENSE AND FARE RATES:

Upon approval of the Licensing and Enforcement Officer or Chief's designee, applicants will receive a Taxicab or For-Hire Transportation Business and/or Operator's license. Additionally, operators will be issued an ID badge with their photograph and business information. Licenses or ID badges granted hereunder shall at all times be prominently displayed within the taxicab or for-hire transportation vehicle so as to be visible to passengers. Furthermore, the fare rates to be charged passengers shall be listed and displayed within the taxicab so as to be visible clearly disclosed to passengers prior to the commencement of any trip. No fares other than those posted disclosed may be charged.

5.56.090: REVOCATION/SUSPENSION:

~~Licenses issued pursuant to the provisions of this chapter may be revoked or suspended for a specific time by the city council whenever it finds that the licensee has violated the provisions of this chapter; provided, however, no such license shall be revoked or suspended unless charges in writing are first filed with the city council setting forth the nature of such charges against such license. Upon the filing of such charges, the city council shall fix a time and place for a hearing and shall cause a copy of the charges, together with the notice of the time and place of hearing, to be served upon the licensee at least ten (10) days prior to the date fixed for the hearing. The decision of the city council shall be final and shall be communicated in writing to the licensee within fifteen (15) days of the hearing.~~

Section 3: That Chapter 5.72 “School Crossing Guards” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, shall be added as a new section to read as follows:

CHAPTER 5.72
SCHOOL CROSSING GUARDS

SECTION:

5.72.010: Definitions

5.72.020: License Required: Application

5.72.030: Disqualifications for License

5.72.040: Display of ID Badge

5.72.050: Terms of License

5.72.010: DEFINITIONS:

For the purpose of this chapter, the words set out in this section shall have the following meanings:

SCHOOL CROSSING GUARD: Any person hired or authorized by a school to supervise, direct, and/or assist children crossing streets at designated school locations.

5.72.020: LICENSE REQUIRED; APPLICATION:

It is unlawful for any person to supervise, direct, and/or assist children crossing streets at designated school locations license without a school Crossing Guard license. Applicants shall provide all information and complete all forms applicable as set out in the following subsections.

A. An applicant must complete an application provided by the Pocatello Police Department, giving full name and any aliases or maiden names, current residence, place(s) of residence for the previous five (5) years, physical descriptors, place of birth, whether they have ever been convicted of a felony or misdemeanor, and proof of employment by the School District or company providing such services to the School District;

B. Each applicant must provide a current valid photo ID and a headshot photograph for their ID card;

C. Each applicant must sign a consent form for the Pocatello Police Department to conduct a criminal history and background check as set out in Pocatello Municipal Code 5.04.030.

5.72.030: DISQUALIFICATIONS FOR LICENSE:

The Licensing & Enforcement Officer or Chief's designee shall deny a license to any person who:

- A. Is under the age of eighteen (18);
- B. Has had a similar license revoked within two (2) years by any jurisdiction.;
- C. Is required to register as a sex offender pursuant to Idaho Code 18-8301 et seq. or Idaho Code 18-8401 et seq.;
- D. Has been convicted within the last two (2) years of the following misdemeanors: any force against a person or property; any threats of force against the person of another; domestic battery or assault; stalking; harassment or telephone harassment; violation of a protection order or no contact order; possession of a concealed weapon; or indecent exposure;
- E. Has been convicted within the last two (2) years of the following moving violations: driving under the influence, reckless driving, and eluding police;
- F. Has ever been convicted of the following: sexual battery or assault, aggravated assault, sexual exploitation or sexual abuse of a minor or vulnerable adult, enticement of a minor, child pornography, kidnapping, lewd conduct with a minor, prostitution, rape, felony injury to a child, or homicide; or
- G. Has been convicted of any other felony within the last five (5) years.

The Licensing & Enforcement Officer or Chief's Designee shall have the authority to deny any application if the applicant has been convicted of any offense substantially similar in nature to those listed above, regardless of the specific title, wording, or classification of the offense. Determination of whether an offense is substantially similar shall be made at the reasonable discretion of the Licensing & Enforcement Officer or Chief's Designee and with oversight from their supervision based on the elements of the offense and the underlying conduct.

If, at any time during the term of the license, a licensee is found to meet any of the disqualifying criteria set forth in this section, the Licensing & Enforcement Officer or Chief's designee may suspend or revoke the license in accordance with applicable procedures.

5.72.040: DISPLAY OF ID BADGE:

Upon approval of the Licensing Officer or Chief's designee, applicants will receive a School Crossing Guard license and ID badge. ID badges granted hereunder shall be worn and made visible at all while conducting crossing guard duties.

5.72.050: TERMS OF LICENSE:

School Crossing Guard licenses shall be valid from the date of issuance and expire at 12:00 a.m. (midnight) on August 14 following the date of issuance. If an initial application is submitted within 60 days prior to August 14, the license shall expire at 12:00 a.m. (midnight) on August 14 of the following year.

Section 4: That Chapter 5.76 “Traveling Carnival or Circus” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, shall be added as a new section to read as follows:

CHAPTER 5.76 **TRAVELING CARNIVAL OR CIRCUS**

SECTION:

5.76.010: Definitions

5.76.020: Permits Required: Application

5.76.030: Insurance Requirements

5.76.040: Disqualifications for Permit

5.76-050: Display of Permit

5.76.060: Terms of License

5.76.070: Permit Fees

5.76.010: DEFINITIONS:

For the purpose of this chapter, the words set out in this section shall have the following meanings:

TRAVELING CARNIVAL: A temporary, mobile, or itinerant commercial amusement enterprise, open to the public, that operates for a limited period of time at a specified location and offers amusement rides, mechanical rides, games, attractions, concessions, or similar entertainment activities. A traveling carnival is characterized by the transportation and temporary assembly of rides, equipment, and structures at a site that is not a permanent amusement facility.

TRAVELING CIRCUS: A temporary, mobile, or itinerant commercial entertainment enterprise, open to the public, that presents performances such as acrobatics, aerial acts, clown acts, stunt

performances, trained animal acts, exhibitions, or similar attractions and that operates from temporary structures, tents, arenas, or other facilities assembled for a limited duration at a specified location.

5.76.020: PERMIT REQUIRED; APPLICATION:

It is unlawful for any person, business, organization, promoter, coordinator, sponsor, or operator to operate, conduct, sponsor, host, manage, maintain, or permit a Traveling Carnival or Traveling Circus within the City without first obtaining a valid Traveling Carnival and Circus Permit. Applicants shall provide all information and complete all forms applicable as set out in the following subsections.

Applications shall be submitted at least fourteen (14) days before the first day of the proposed event. The Building Official or designee may reject or deny any application submitted fewer than fourteen (14) days prior to the event if there is insufficient time to complete the required reviews or approvals.

A. An applicant must complete an application provided by the Building Department giving the business name, mailing address, and contact information for the event promoter, coordinator, sponsor, or operator; emergency contact information to be used during the event; the address where the activity will occur, along with contact information for the local business/individual allowing use of their property; an event description, along with dates, hours of operation, anticipated crowd size; and a site plan or map with ride, tent, structure, parking, restroom, and food vendor locations, emergency access routes, and a fire safety plan.

B. For events with amusement rides, mechanical rides, games, or similar entertainment activities, the applicant must provide proof of regular equipment maintenance through safety inspection and/or maintenance records;

C. Each applicant must provide proof of public liability insurance coverage.

5.76.030: INSURANCE REQUIREMENTS:

Each applicant must provide proof of public liability insurance coverage in an amount not less than one million dollars (\$1,000,000.00). The City of Pocatello shall be listed thereon as a certificate holder and an additional insured. Said proof of insurance shall stipulate that the City of Pocatello be held harmless in the event any claim is made.

5.76.040: DISQUALIFICATIONS FOR PERMIT:

The Building Official or designee shall deny a permit if:

A. The applicant has made any false material representation in the application;

B. The applicant fails to provide any of the items or information required by the application;

C. The event will substantially interfere or conflict with any other event for which a permit has already been granted or activity already scheduled for a site or with the provision of public safety or other City services in support of such other previously scheduled event;

D. The event promoter, coordinator, sponsor, or operator failed to pay for any costs incurred from a previously permitted event; or

E. The applicant fails to obtain, or fails to demonstrate compliance with, any permit, approval, inspection, or authorization required by the City's Building Department or Fire Department for the proposed event.

If, at any time during the term of the permit, a licensee is found to meet any of the disqualifying criteria set forth in this section, the Building Official or designee may suspend or revoke the permit in accordance with applicable procedures.

5.76.050: DISPLAY OF PERMIT:

The permit issued pursuant to this chapter shall be prominently displayed at the principal ticket booth, admissions area, or management office and shall be available for inspection by any City official upon request.

5.76.060: TERMS OF PERMIT:

For the duration of the event, the business, organization, promoter, coordinator, sponsor, or operator, shall be responsible for maintaining refuse containers, removing litter, providing restroom facilities, maintaining adequate lighting, and providing security personnel when determined necessary by the Building Official or designee.

Upon approval by the Building Official or designee and under review of the Building Department and Fire Department, the Traveling Carnival or Traveling Circus permit shall be valid only at the specified location for the dates and times listed on the application and subject to daily inspections of the premises by a designated inspector.

5.76.070: PERMIT FEES:

A. Applications for permits shall be accompanied by fees as set by the annual resolution of the City Council.

B. A double permit fee shall be charged and/ or a misdemeanor citation shall be issued if the applicant fails to acquire the necessary permits prior to commencement of construction.

Section 5: That Chapter 5.80 “Temporary Use Permit” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, shall be added as a new section to read as follows:

CHAPTER 5.80
TEMPORARY USE PERMIT

SECTION:

5.80.010: Definitions

5.80.020: Permit Required: Application

5.80.030: Insurance Requirements

5.80.040: Disqualifications for Permit

5.80.050: Display of ID Badge

5.80.060: Terms of Permit

5.80.070: Permit Fees

5.80.010: DEFINITIONS:

For the purpose of this chapter, the words set out in this section shall have the following meanings:

TEMPORARY USE: A temporary or seasonal outdoor sales location established for the retail sale of items like, but not limited to cut or living Christmas trees, wreaths, garlands, holiday greenery, tree stands, or related holiday merchandise for a period not exceeding sixty (60) consecutive days.

5.80.020 PERMIT REQUIRED; APPLICATION:

It is unlawful for any person to establish, operate, manage, or maintain a temporary ~~Christmas tree~~ sales lot within the City without first obtaining a Temporary Use Permit. Applicants shall provide all information and complete all forms required by the City as set forth in this chapter.

A permit application shall be submitted no fewer than fourteen (14) calendar days prior to the proposed opening date of the sales lot.

A. An applicant must complete an application provided by the Building Department, giving the business name, mailing address, and contact information for the owner, operator, or manager; the address where the activity will occur, along with contact information for the local business/individual allowing use of their property; the dates and hours of operation; and a site plan showing sales area, parking, temporary structures, electrical service, lighting, fire lanes, and access points.

B. Each applicant must provide proof of public liability insurance coverage.

EXEMPTION: A grocery store, nursery, home improvement store, or other permanent retail establishment is exempt from obtaining a Temporary Use Permit when selling Christmas trees or other seasonal items as an incidental part of its regular merchandise.

This exemption shall not apply when the sale requires temporary electrical installations, temporary structures, tents, generators, temporary occupancy, or any other condition requiring permits or inspections by the Building Department or Fire Department.

5.80.030: INSURANCE REQUIREMENTS:

Each applicant must provide proof of public liability insurance coverage in an amount not less than one million dollars (\$1,000,000.00). The City of Pocatello shall be listed thereon as a certificate holder and an additional insured. Said proof of insurance shall stipulate that the City of Pocatello be held harmless in the event any claim is made.

5.80.040: DISQUALIFICATIONS FOR PERMIT:

The Building Official or designee shall deny a permit if:

- A. The applicant has made any false material representation in the application;
- B. The applicant fails to provide any of the items or information required by the application;
- C. The proposed sales location would conflict with another permitted use or event previously approved for the same location or would unreasonably interfere with the provisions of public safety or other City services;
- D. The lot operator or manager failed to pay for any costs incurred from a previously permitted event; or
- E. The applicant fails to obtain, or fails to demonstrate compliance with, any permit, approval, inspection, or authorization required by the City's Building Department or Fire Department for the proposed event.

If, at any time during the term of the permit, a licensee is found to meet any of the disqualifying criteria set forth in this section, the Building Official may suspend or revoke the permit in accordance with applicable procedures.

5.80.050: DISPLAY OF PERMIT:

The permit issued pursuant to this chapter shall be prominently displayed at the sales location and shall be available for inspection by any City official upon request.

5.80.060: TERMS OF PERMIT:

For the duration of the event, the operator or manager shall be responsible for maintaining refuse containers, removing litter, and maintaining adequate lighting.

Upon approval by the Building Official or designee and under review of the Building Department and Fire Department, the permit shall be valid only at the specified location for the dates and times listed on the application and subject to daily inspections of the premises by a designated inspector.

5.80.070: PERMIT FEES:

A. Applications for permits shall be accompanied by fees as set by the annual resolution of the City Council.

B. A double permit fee shall be charged and/or a misdemeanor citation shall be issued if the applicant fails to acquire the necessary permits prior to commencement of construction.

///

Section 6: That all other Sections and Chapters of Title 5 shall remain in full force and effect.

Section 7: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this _____ day of _____, 2026.

CITY OF POCA TELLO, a municipal
corporation of Idaho

MARK DAHLQUIST, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

SUMMARY OF
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, REZONING APPROXIMATELY 2.03 ACRES OF LAND LOCATED AT 3934 JASON AVENUE, IDAHO, FROM ZONING DESIGNATION COMMERCIAL GENERAL (CG) TO RESIDENTIAL/COMMERICAL/PROFESSIONAL (RCP), WITH A CONCURRENT AMENDMENT TO THE FUTURE LAND USE MAP FROM COMMERCIAL (C) TO MIXED-USE (MU), SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS LOTS 16-19 BLOCK 2, PALMER TRACTS, BANNOCK COUNTY, IDAHO; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

The full text of this ordinance is available at the City Clerk's Office, Pocatello Municipal Building, 911 North 7th, Pocatello, Idaho.

THE FOREGOING SUMMARY IS APPROVED for publication this ____ day of November, 2026, by the City Council of the City of Pocatello.

CITY OF POCATELLO, a municipal
corporation of Idaho

MARK DAHLQUIST, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

I have reviewed the foregoing summary and believe that it provides a true and complete summary of Ordinance No. _____ and that the summary provides adequate notice to the public of the contents of this ordinance.

DATED this ____ day of November, 2026.

JARED JOHNSON, City Attorney

PUBLISH:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCA TELLO, A MUNICIPAL CORPORATION OF IDAHO, REZONING APPROXIMATELY 2.03 ACRES OF LAND LOCATED AT 3934 JASON AVENUE, IDAHO, FROM ZONING DESIGNATION COMMERCIAL GENERAL (CG) TO RESIDENTIAL/COMMERICAL/PROFESSIONAL (RCP), WITH A CONCURRENT AMENDMENT TO THE FUTURE LAND USE MAP FROM COMMERCIAL (C) TO MIXED-USE (MU), SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS LOTS 16-19 BLOCK 2, PALMER TRACTS, BANNOCK COUNTY, IDAHO; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Dakota Worrell made application to the City to rezone approximately 2.03 acres of land from Commercial General (CG) to Residential/Commercial/ Professional (RCP) with a concurrent amendment to the Future Land Use Map designation from Commercial (C) to Mixed-Use (MU), said property more particularly described as Lots 16-19, Block 2, Palmer Tracts, Bannock County, Idaho; and

WHEREAS, the Planning and Zoning Commission held a Public Hearing on September 9, 2026, to consider the rezoning request, as required by law, and thereafter recommended approval of the request; and

WHEREAS, the City Council being fully advised and having held a Public Hearing on the request October 1, 2026, adopting its written decision October 15, 2026, in compliance with the laws of the State of Idaho and of the City of Pocatello, having decided to grant the rezoning request; and

WHEREAS the proposed rezone is in compliance with the laws of the State of Idaho and of the City of Pocatello.

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

Section 1: That the land located at 3934 Jason Avenue, Pocatello, Idaho, more particularly described as Lots 16-19, Block 2, Palmer Tracts, Bannock County, Idaho, and previously zoned Commercial General (CG) is hereby rezoned to Residential/Commercial/Professional (RCP) with a concurrent amendment to the Future Land Use Map from Commercial (C) to Mixed-Use (MU).

Section 2: That this ordinance repeals all ordinances or parts of ordinances in conflict herewith.

Section 3: That the official zoning map adopted by the City of Pocatello and on file with the City Clerk in accordance with applicable law be amended to incorporate the change of zoning provided for in this Ordinance.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this _____ day of November, 2026.

CITY OF POCA TELLO, a municipal
corporation of Idaho

MARK DAHLQUIST, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

STATE OF IDAHO)
 :ss
County of Bannock)

On this _____ day of November, 2026, before me, the undersigned, a Notary Public for the State, personally appeared Mark Dahlquist and Konni R. Kendell, known to me to be the Mayor and City Clerk, respectively, of the City of Pocatello, and acknowledged to me that they executed the foregoing instrument for and on behalf of said municipal corporation and that said municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

(SEAL)

NOTARY PUBLIC FOR IDAHO
Residing in: _____
Commission expires: _____