### TITLE 1

**ADMINISTRATION**

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*City of Wallace*
CHAPTER 1
OFFICIAL CITY CODE

SECTION:

1-1-1: Title
1-1-2: Acceptance
1-1-3: Amendments
1-1-4: Code Alterations

1-1-1: TITLE: Upon the adoption by the City Council, this City Code is hereby declared to be and shall hereafter constitute the Official City Code of Wallace. This City Code of ordinances shall be known and cited as the WALLACE CITY CODE and is hereby published by authority of the Council and shall be supplemented to incorporate the most recent legislation of the City as provided in Section 1-1-3 of this Chapter. Any reference to the number of any section contained herein shall be understood to refer to the position of the same number, its appropriate chapter and title heading, and to the general penalty clause relating thereto, as well as to the section itself, when reference is made to this City Code by title in any legal documents. (2000 Code)

1-1-2: ACCEPTANCE: The City Code, as hereby presented in printed form, shall hereafter be received without further proof in all courts and in administrative tribunals of this State as the ordinances of the City of general and permanent effect, except the excluded ordinances enumerated in Section 1-2-1 of this Title. (2000 Code)

1-1-3: AMENDMENTS: Any ordinance amending the City Code shall set forth the title, chapter and section number of the section or sections to be amended, and this shall constitute sufficient compliance with any statutory requirement pertaining to the amendment or revision by ordinance of any part of this City Code. All such amendments or revisions by ordinance shall be immediately forwarded to the codifiers, and the said ordinance material shall be prepared for insertion in its proper place in each
copy of this City Code. Each such replacement page shall be properly identified and shall be inserted in each individual copy of the City Code. (2000 Code)

1-1-4: CODE ALTERATIONS: It shall be deemed unlawful for any person to alter, change, replace or deface in any way any section or any page of this City Code in such a manner that the meaning of any phrase or order may be changed or omitted. Replacement pages may be inserted according to the official instructions when so authorized by the City Council. The City Clerk/Treasurer shall see that the replacement pages are properly inserted in the official copies maintained in the office of the Clerk/Treasurer. Any person having custody of a copy of the City Code shall make every effort to maintain said Code current as to the most recent ordinances passed. Such person shall see to the immediate insertion of new or replacement pages when such are delivered or made available to such person through the office of the City Clerk/Treasurer. Said Code books, while in actual possession of officials and other interested persons, shall be and remain the property of the City and shall be returned to the office of the City Clerk/Treasurer when directed so to do by order of the City Council. (2000 Code)
CHAPTER 2

SAVING CLAUSE

SECTION:

1-2-1: Repeal Of General Ordinances
1-2-2: Public Ways And Public Utility Ordinances
1-2-3: Court Proceedings
1-2-4: Severability Clause

1-2-1: REPEAL OF GENERAL ORDINANCES: All general ordinances of the City passed prior to the adoption of this City Code are hereby repealed, except such as are included in this City Code or are by necessary implication herein reserved from repeal (subject to the saving clauses contained in the following sections), and excluding the following ordinances which are not hereby repealed: tax levy ordinances; appropriation ordinances; ordinances relating to boundaries and annexations; franchise ordinances and other ordinances granting special rights to persons or corporations; contract ordinances and ordinances authorizing the execution of a contract or the issuance of warrants; salary ordinances; ordinances establishing, naming or vacating streets, alleys or other public places; improvement ordinances; bond ordinances; ordinances relating to elections; ordinances relating to the transfer or acceptance of real estate by or from the City; and all special ordinances. (2000 Code)

1-2-2: PUBLICWAYS AND PUBLIC UTILITY ORDINANCES: No ordinance relating to railroad crossings with streets and other public ways, or relating to the conduct, duties, service or rates of public utilities shall be repealed by virtue of the adoption of this City Code or by virtue of the preceding Section, excepting as the City Code may contain provisions for such matters, in which case, this City Code shall be considered as amending such ordinance or ordinances in respect to such provisions only. (2000 Code)

City of Wallace
1-2-3: COURT PROCEEDINGS:

A. Prior Acts: No new ordinance shall be construed or held to repeal a former ordinance whether such former ordinance is expressly repealed or not, as to any offense committed against such former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former ordinance, or in any way whatever to affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued or claim arising before the new ordinance takes effect, save only that the proceedings thereafter shall conform to the ordinance in force at the time of such proceeding, so far as practicable. If any penalty, forfeiture or punishment may be mitigated by any provision of a new ordinance, such provision may be, by consent of the party affected, applied to any judgment announced after the new ordinance takes effect.

B. Extend To All Repeals: This Section shall extend to all repeals, either by express words or implication, whether the repeal is in the ordinance making any new provisions upon the same subject or in any other ordinance.

C. Currently Pending Actions: Nothing contained in this Chapter shall be construed as abating any action now pending under or by virtue of any general ordinance of the City herein repealed, and the provisions of all general ordinances contained in this Code shall be deemed to be continuing provisions and not a new enactment of the same provisions; nor shall this Chapter be deemed as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the City under any ordinance or provision thereof in force at the time of the adoption of this City Code. (2000 Code)

1-2-4: SEVERABILITY CLAUSE: if any section, subsection, subdivision, paragraph, sentence, clause or phrase of this City Code or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Code, or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective. (2000 Code)

City of Wallace
CHAPTER 3
DEFINITIONS

SECTION:
1-3-1: Construction Of Words
1-3-2: Definitions, General
1-3-3: Catchlines

1-3-1: CONSTRUCTION OF WORDS:

A. Whenever any word in any section of this City Code importing the plural number is used in describing or referring to any matters, parties or persons, any single matter, party or person shall be deemed to be included, although distributive words may not have been used. When any subject matter, party or person is referred to in this City Code by words importing the singular number only, or a particular gender, several matters, parties or persons and the opposite gender and bodies corporate shall be deemed to be included; provided, that these rules of construction shall not be applied to any section of this City Code which contains any express provision excluding such construction or where the subject matter or context may be repugnant thereto.

B. The word "ordinance" contained in the ordinances of the City has been changed in the content of this City Code to "Title", "Chapter", "Section" and/or "subsection" or words of like import for organizational and clarification purposes only. Such change to the City's ordinances is not meant to amend passage and effective dates of such original ordinances. (2000 Code)

1-3-2: DEFINITIONS, GENERAL: Whenever the following words or terms are used in this Code, they shall have such meanings herein ascribed to them, unless the context makes such meaning repugnant thereto:

City of Wallace
AGENT: A person acting on behalf of the principal with authority conferred by the principal to the agent, either expressly or by implication.

CITY: The City of Wallace, County of Shoshone, State of Idaho.

CODE: The City Code of the City of Wallace.

COUNCIL: Unless otherwise indicated, the City Council of the City of Wallace, Idaho.

COUNTY: The County of Shoshone, State of Idaho.

EMPLOYEES: Whenever reference is made in this Code to a City employee by title only, this shall be construed as though followed by the words "of the City of Wallace".

GENDER: A word importing either the masculine or feminine gender only shall extend and be applied to the other gender and to persons.

LICENSE: The permission granted for the carrying on of a business, profession or occupation.

NUISANCE: Anything offensive to the sensibilities of reasonable persons, or any act or activity creating a hazard which threatens the health and welfare of inhabitants of the City, or any activity which by its perpetuation can reasonably be said to have a detrimental effect on the property of a person or persons within the community, or that activity which arises from unreasonable, unwarranted or unlawful use by a person of his own property, working obstruction or injury to the right of another, or to the public.

OCCUPANT: As applied to a building or land, shall include any person who occupies the whole or any part of such building or land whether alone or with others, or who has possession of or who can control what goes on on the premises.

City of Wallace
OFFENSE: Any act forbidden by any provision of this Code or the omission of any act required by the provisions of this Code.

OFFICERS: Whenever reference is made in this Code to a City officer by title only, this shall be construed as though followed by the words "of the City of Wallace".

OPERATOR: The person who is in charge of any operation, business or profession.

OWNER: As applied to a building or land, shall include any person, any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of a part of such building or land.

PERSON: Any public or private corporation, firm, partnership, association, organization, government, legal representative, trustee or receiver, trustee in bankruptcy, or any other group acting as a unit, as well as a natural person.

PERSONAL PROPERTY: Shall include tangible or intangible property and every description of money, goods, chattels, effects, evidence of rights in action and all written instruments by which any pecuniary obligation, right or title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished and every right or interest therein, whether it has any intrinsic value or not.

RETAILER: Unless otherwise specifically defined, shall be understood to relate to a person engaged in the sale of goods, merchandise, articles or things direct to the consumer.

RIGHT OF WAY: The privilege of the immediate use of the roadway or other property.

STATE: The State of Idaho.

City of Wallace
STREET: Shall include thoroughfares such as alleys, lanes, courts, boulevards, public ways, public squares, public places and sidewalks, or urban ways used for travel.

TENANT: As applied to a building or land, shall include any person who occupies the whole or any part of such building or land, whether alone or with others.

WHOLESALER: The terms "wholesaler" and "wholesale dealer" as used in this Code, unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things to persons who purchase for the purpose of resale.

WRITTEN, IN WRITING: May include printing and any other mode of representing words and letters, but when the written signature of any person is required by law to any official or public writing or bond, it shall be in the proper handwriting of such person, or in case such person is unable to write, by such person's proper mark. (2000 Code)

1-3-3: CATCHLINES: The catchlines of the several sections of the City Code are intended as mere catchwords to indicate the content of the section and shall not be deemed or taken to be titles of such sections, nor be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any division or section hereof, nor unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or reenacted. (2000 Code)

City of Wallace
CHAPTER 4

GENERAL PENALTY

SECTION:

1-4-1: General Penalty
1-4-2: Application Of Provisions
1-4-3: Liability Of Officers
1-4-4: Rate Of Credit On Fine For Days In Jail

1-4-1: GENERAL PENALTY:

A. Misdemeanor: Unless specifically provided elsewhere, any person convicted of a violation of any section or provision of this City Code deemed a misdemeanor may be fined in a sum not to exceed three hundred dollars ($300.00) for any single offense and may be confined in the County jail for a period of not more than six (6) months. Either or both such fine and imprisonment may be imposed; and in addition thereto, any person so convicted shall pay such costs as the court may assess.

B. Infraction: When the offense is designated as an infraction by any section or provision of this City Code or by State law, it is punishable only by a penalty not exceeding one hundred dollars ($100.00) and no incarceration may be imposed.

C. Federally Mandated Programs: Any city which is participating in a federally mandated program, wherein penalties or enforcement remedies are required by the terms of participation in the program, may enforce such requirements by ordinance, to include a criminal or civil monetary penalty not to exceed one thousand dollars ($1,000.00), or imprisonment for criminal offenses not to exceed six (6) months, or to include both a fine and imprisonment for criminal offenses. (2000 Code)

2. I.C. § 18-113A.

City of Wallace
1-4-2: APPLICATION OF PROVISIONS:

A. Application Of Penalty Provisions:

1. The penalty provided in this Chapter shall be applicable to every section of this City Code the same as though it were a part of each and every separate section. Any person convicted of a violation of any section of this City Code where any duty is prescribed or obligation imposed or where any action which is of a continuing nature is forbidden or is declared to be unlawful shall be deemed guilty of a misdemeanor unless otherwise provided. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues unless otherwise specifically provided in this City Code.

2. Whenever the doing of any act or the omission to do any act constitutes a breach of any section or provision of this City Code, and there shall be no fine or penalty specifically declared for such breach, the provisions of this Chapter shall apply.

B. One Recovery For Same Offense: In all cases where the same offense is made punishable or is created by different clauses or sections of this City Code, the prosecuting officer may elect under which to proceed, but not more than one recovery shall be had against the same person for the same offense; provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced. (2000 Code)

1-4-3: LIABILITY OF OFFICERS: No provision of this City Code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty unless the intention of the City Council to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty. (2000 Code)

1-4-4: RATE OF CREDIT ON FINE FOR DAYS IN JAIL: In default of the payment of any fine and the costs of prosecution, or either of them, upon conviction under any of the ordinances of the City, the defendant shall be committed to the County jail at the rate not less than one day for each thirty five dollars ($35.00) of such fine and costs, or at a rate
then applicable to a detention facility wherein the defendant is committed.  
(Ord. 350, 9-14-1959; amd. 2000 Code)
CHAPTER 5
MAYOR AND CITY COUNCIL

SECTION:

1-5-1: Election; Term
1-5-2: President
1-5-3: Salaries
1-5-4: Monthly Meetings
1-5-5: Quorum
1-5-6: Rules And Order Of Business
1-5-7: Ordinances
1-5-8: City Clerk/Treasurer To Record Proceedings
1-5-9: Custody Of Seal And Records
1-5-10: Committees

1-5-1: ELECTION; TERM: The City Council, consisting of six (6) members, and the Mayor shall be elected to office for four (4) year terms at the time and in the manner as provided by the laws of the State. The City Council shall be the legislative department of the City and shall perform such duties and have such powers as may be delegated by statute to it. (2000 Code)

1-5-2: PRESIDENT: At the first meeting in January following election, the City Council shall elect one of its members to serve as President of the Council. (2000 Code)

1-5-3: SALARIES: Commencing January 1, 1990, the salaries of the Mayor and the members of the City Council shall be as follows:

A. Mayor: The Mayor shall receive an annual salary in the sum of three thousand six hundred dollars ($3,600.00) payable at the rate of three hundred dollars ($300.00) monthly.
Council Members: Each member of the City Council shall receive an annual salary in the sum of six hundred dollars ($600.00) payable at the rate of fifty dollars ($50.00) monthly. (Ord. 504, 8-16-1989)

MONTHLY MEETINGS: Council meetings shall be held on the second Tuesday of each month beginning May 1998, and continuing until otherwise amended. Such meetings begin at six o'clock (6:00) P.M., and shall be held at the Wallace City Hall, 702 Cedar Street, Wallace, Idaho, in the Council chambers unless otherwise designated. (Ord. 404(A), 4-14-1998)

QUORUM: A majority of the members of the Council shall constitute a quorum. (1944 Code § 1-303)

RULES AND ORDER OF BUSINESS: The City Council shall establish such rules and order of business as they see fit for the conduct of their meetings and for the transaction of such business as may properly come before it. Such rules and order of business may be amended at any time by a majority vote of the Council. (1944 Code § 1-304)

ORDINANCES:

A. Presentment Of Ordinances: All ordinances shall be written or printed and presented to the Council by a member or a committee at a regular or special meeting. (1944 Code § 1-401)

B. Manner Of Passing: Every such ordinance shall be read at length in meetings of the Council on three (3) different days. At each reading of such ordinance it shall be open to discussion and amendment and may be referred to a committee, and shall be passed to the next reading, unless by a vote of the Council some other disposition is made of it. On final passage, the yeas and the nays shall be called and recorded and a concurrence of a majority of all the members elected to the Council shall be required for its passage. Provided, that three-fourths (3/4) of the members of the Council present may dispense with the three (3) readings and pass the ordinance at any meeting. (1944 Code § 1-402)
C. Endorsement After Passage: When such ordinance is passed it shall be signed by the Clerk/Treasurer, and the date of its passage by the Council shall be added thereto; within three (3) days thereafter, it shall be presented to the Mayor, or in case of his absence from the City, to the President of the Council for his consideration. If he approves the same he shall attach his signature thereto, together with the date of such approval. (1944 Code § 1-403; amd. 2000 Code)

D. Veto By Mayor; Passage Over Mayor's Veto: Should the Mayor not approve the ordinance, he shall return the same to the Council, with his objections to the same in writing, on or before the date of the next regular meeting after the same was presented to him. When an ordinance is so returned by the Mayor, the Council shall proceed to reconsider the same. If on such reconsideration, two-thirds ($2/3$) of the members elected to the Council vote in the affirmative the ordinance shall become a law notwithstanding the Mayor's veto. (1944 Code § 1-404)

E. Certificate Attached When Passed Over Mayor's Veto: When any ordinance has been passed over the Mayor's veto, as provided in subsection D of this Section, the City Clerk/Treasurer shall annex a certificate to the ordinance stating that the same was vetoed by the Mayor, giving the date of such veto, and that on reconsideration by the Council, it received the required two-thirds ($2/3$) vote of all the members elected to the Council, together with the date of such action. (1944 Code § 1-405; amd. 2000 Code)

F. Ordinance Becoming Law Without Mayor's Signature: Should the Mayor refuse or neglect to sign any such ordinance or return the same with his objections in writing, on or before the date of the next regular meeting after the same was submitted to him, it shall become a law without his signature. (1944 Code § 1-406)

G. Certificate Attached When Mayor Fails To Sign Or Veto: When any ordinance has become a law without the signature of the Mayor, as provided in subsection F of this Section, the City Clerk/Treasurer shall annex to such ordinance a certificate to the effect that the Mayor has failed to sign or veto the same, and it has therefore become a law without his signature. (1944 Code § 1-407; amd. 2000 Code)

H. When Ordinance Passed: An ordinance shall be considered passed on the date of its approval by the Mayor, and in case of his vetoing an ordinance, on the date of the passage of such ordinance over his
veto, and in the case of the failure of the Mayor to sign or veto an ordinance, on the date of the next regular meeting after such ordinance was presented to him. (1944 Code § 1-408)

I. Effective Date Of Ordinances: All ordinances, unless otherwise provided in such ordinance, shall take effect and be in force from and after their passage, approval and publication. Publication shall be made by being inserted in one issue of the official paper of the City1. (1944 Code § 1-409)

1-5-8: CITY CLERK/TREASURER TO RECORD PROCEEDINGS: The City Clerk/Treasurer shall attend all meetings of the Council and keep a correct journal of its proceedings. (1944 Code § 1-305; amd. 2000 Code)

1-5-9: CUSTODY OF SEAL AND RECORDS: The City Clerk/ Treasurer shall have custody of the Corporate Seal of the City and all records, papers, and files relating to the proceedings or business of the Council; the Clerk/Treasurer shall have custody of all ordinances and when the same are published, he shall record the same at length together with the affidavit of publication in an ordinance book which shall be designated as "Ordinance Book Number ______ of the City of Wallace." The original of all ordinances shall be filed and preserved by the City Clerk/Treasurer in an orderly file maintained for that purpose. (1944 Code § 1-306; amd. 2000 Code)

1-5-10: COMMITTEES:

A. Mayor To Appoint Committees: It shall be the duty of the Mayor, upon organization of the Council, to appoint the following committees of the Council, consisting of three (3) members each, except as otherwise provided:

1. Finance Committee.

2. Street and Alley Committee.

3. Rules and Ordinance Committee.

1. See Section 1-10-3 of this Title.
4. Park and Library Committee.

5. City Buildings Committee.

6. Health and Sanitation Committee (2 members).

7. Sewer and Light Committee.


10. Swimming Pool Committee.


B. Finance Committee: It shall be the duty of the Finance Committee to see that all bonds required of any of the officers of the City shall be properly executed and filed; to audit and approve, or reject, all claims presented to the Council for allowance; to check up and audit all accounts and reports of the several officers of the City; to keep advised of the amount of money in the hands of the City Clerk/Treasurer in the several funds, and to advise the Council, in case the money in any fund shall be exhausted, before the allowance of any claim upon such fund, and further to have general supervision over the financial affairs of the City. (1944 Code § 1-308; amd. 2000 Code)

C. Street And Alley Committee: It shall be the duty of the Street and Alley Committee to inspect and require to be kept in repair all walks and sidewalks now existing, or that may hereafter be constructed by any ordinance duly passed by the Council in the City; they shall see that such walks are kept free from obstructions and in good repair, and in case they, or any of them, have or receive notice of any defects or breakages in any such walks or sidewalks, or of any obstructions thereon, they shall give immediate notice to the owner or occupant of the lot abutting on such walk, or to the person so obstructing such walk, to repair or remove the same; it shall be their duty to see that the streets and alleys of the City are kept free from all encroachments and obstructions, and in good repair, they shall have general supervision of all work done thereon by the overseer of streets. (1944 Code § 1-309)

D. Rules And Ordinance Committee: It shall be the duty of the Rules and Ordinance Committee, with the assistance and advice of the City
Attorney, to prepare all ordinances recommended by the City Council; and before any ordinance or resolution shall be presented to the Council for passage, it must be submitted to the Rules and Ordinance Committee. (1944 Code § 1-310)

E. Park And Library Committee: It shall be the duty of the Park and Library Committee to have general supervision over the City Library and City Park, and they shall have the care and maintenance of all property of the City thereon, they shall make such improvements as may be directed by the City Council, and shall make such rules and regulations regarding the use of the City Park and City Library as may be deemed to be to the best interest of the public. (1944 Code § 1-311)

F. Health And Sanitation Committee: It shall be the duty of the Health and Sanitation Committee, in connection with the Panhandle Health District or its agent, to see that the sanitary ordinances are observed and enforced; to inspect the alleys and public buildings and see that all refuse, filth and decayed matter are removed therefrom, and to report the maintenance of any nuisance to the Council. (1944 Code § 1-312; amd. 2000 Code)

G. City Buildings Committee: It shall be the duty of the City Buildings Committee to have general supervision over all the City buildings, to provide suitable quarters for the members of the Fire Department and for the officers of the City, and to keep the property and buildings belonging to the City insured against loss by fire. (1944 Code § 1-313; amd. 2000 Code)

H. Sewer And Light Committee: It shall be the duty of the Sewer and Light Committee to have general supervision over the sewer system of the City, and to see that all sewer mains are kept free from obstructions and are properly flushed when required, and they shall see that all sewer connections are made in accordance with the City ordinances; they shall also have supervision over the street lighting of the City, and shall report to the Council any failure or neglect in lighting the City, on the part of the company furnishing same. (1944 Code § 1-314)

I. Police And Police Regulations Committee: The Police and Police Regulations Committee shall be composed of the Mayor as chairman, and three (3) members of the Council, to be chosen and named by the Mayor, and it shall be their duty to exercise a strict supervision over the police force, to see that they perform all of the duties, that are required of them by the laws and ordinances, and in

City of Wallace
case of default to report the same to the City Council at its next regular meeting. They shall have the power to direct and control the actions of any member of such police force in any manner consistent with the laws and ordinances. (1944 Code § 1-315; amd. 2000 Code)

J. Fire And Water Committee: It shall be the duty of the Fire and Water Committee to have a general oversight and care over the property and proceedings of the Fire Department, to look after all the hydrants attached to the water mains in the City, and see that these are kept properly protected and open so that the water therein may be unobstructed by frost or in any other manner; and to see that the East Shoshone Water District, their successors and assigns, keep and maintain a sufficient supply of water in the mains of the City at all times for fire purposes. (1944 Code § 1-316; amd. 2000 Code)

K. Swimming Pool Committee: It shall be the duty of the Swimming Pool Committee to exercise a strict supervision over the City swimming pool. They shall adopt such rules and regulations governing the use of such pool as they deem best for the public interest. All employees at such pool shall be subject to their orders and supervision. (1944 Code § 1-317)

L. Garbage Committee: The Garbage Committee shall have supervision of the enforcement of the City garbage ordinance and/or franchise agreement(s) for the regulation of refuse or garbage within the City limits. It shall have charge of and oversee that the sanitary provisions of the garbage ordinance or franchise agreement(s) are complied with and enforced. They shall have the power to establish such rules and regulations not inconsistent with any garbage ordinance or franchise agreement or other City ordinances, as they shall deem in the best interests of the health, safety and welfare of the public. (1944 Code § 1-318; amd. 2000 Code)
PROOF OF PUBLICATION

CITY OF WALLACE
703 CEDAR ST.
WALLACE, ID 83873

s/ Daniel C. Drewry, being first duly sworn deposes and says:
SHOSHONE NEWS-PRESS, a daily newspaper of general circulation in
county, published in the city of Kellogg, in the County of Shoshone
the State of Idaho, and which has been published continuously in said
the county for a period of 78 weeks immediately prior to the publication
notice hereinafter described, and that the

LEGAL NOTICE

#102

of which the annexed is a true copy, was published in each regular
weekly/daily issue of said newspaper, and not in supplement thereto,
a period of one (1) consecutive weeks/days, the first
publication thereof being in the issue dated 12/24/03.

STATE OF IDAHO

COUNTY OF

Shoshone

On this 25th day of December in the year of 2003
before me, a Notary Public, personally appeared Daniel C. Drewry
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho
Residing in Kellogg, Idaho
My Commission expires:
09/14/07
CHAPTER 6
CITY ADMINISTRATOR

SECTION:

1-6-1: Position Established
1-6-2: Appointment
1-6-3: Responsibilities
1-6-4: Additional Rights, Duties And Obligations

1-6-1: POSITION ESTABLISHED: There is hereby established the position of City Administrator. (Ord. 96-01, 3-7-1996)

1-6-2: APPOINTMENT: A City Administrator may be appointed by the Mayor, with the majority consent of the full City Council. The City Administrator shall serve at the pleasure of the Mayor, subject to the removal provisions set forth in Idaho Code section 50-206, or its successor, unless said City Administrator is a party to an express employment contract, approved by the Mayor and City Council, which provides otherwise. Such a contract is authorized hereby. The City Administrator shall be subject to policy direction and supervision by the Mayor. (Ord. 96-01, 3-7-1996)

1-6-3: RESPONSIBILITIES: The City Administrator shall be responsible for management and supervision of the City and/or its departments as designated by the Mayor. Such duties may be changed at any time by direction of the Mayor or by resolution of the City Council. Unless otherwise directed by the Mayor or by formal City Council action, the City Administrator shall have supervisory authority concerning the activities of all City operating departments, pursuant to Resolution R96-86. (Ord. 96-01, 3-7-1996)

City of Wallace
1-6-4: ADDITIONAL RIGHTS, DUTIES AND OBLIGATIONS: Such additional rights, duties, and responsibilities as the Mayor and City Council deem appropriate to assign to the City Administrator may be set forth in Mayoral directives or City Council resolutions addressing such matters. Such resolutions shall be maintained in the records of the City Clerk/Treasurer. Any rights or administrative prerogatives established by such resolutions shall inure to the administrative position held by the City Administrator and shall not be personal rights of the individual appointed to the position. (Ord. 96-01, 3-7-1996; amd. 2000 Code)
CHAPTER 7
OFFICERS AND EMPLOYEES

SECTION:

1-7-1: Appointive Officers
1-7-2: Bonds
1-7-3: Salaries
1-7-4: City Clerk/Treasurer
1-7-5: City Attorney
1-7-6: Public Works Superintendent

1-7-1: APPOIN'TIVE OFFICERS:

A. Appointments: The Mayor shall appoint, subject to approval of the City Council, a City Clerk/Treasurer, City Attorney, and Police Chief. The Mayor may appoint, subject to approval by the City Council, such other officers as may be deemed necessary for the efficient operation of the business of the City.

B. Terms Of Office: All appointments under this Chapter shall be deemed to be for an indeterminate period of time or in accordance with any applicable contract thereto. Termination of any appointed official's term of office may be effected by the Mayor, at any time, subject to the approval of the City Council of the Mayor's action, at the next regularly scheduled City Council meeting or at a special meeting called for that purpose, or where applicable, in accordance with any contractual agreement executed by the parties thereto. (2000 Code)

1-7-2: BONDS:

A. Amount: The officers hereinafter named, shall, before they enter upon the duties of their respective offices, give bonds, to the City for the faithful performance of their duties, in the amount hereinafter specified;

City of Wallace
1. Clerk: The City Clerk in the sum of ten thousand dollars ($10,000.00);

2. Treasurer: The City Treasurer in the sum of ten thousand dollars ($10,000.00); and

3. Chief Of Police: The Chief of Police in the sum of five thousand dollars ($5,000.00).

B. Failure To Provide: The failure on the part of any of the above named officers to give bond herein named before the commencement of his term of office, shall be grounds for, and the City Council may thereupon declare such office vacant and proceed to fill such office as required by law. (Ord. 358, 10-10-1960; amd. 2000 Code)

1-7-3: SALARIES: Salaries of the appointive officers and the employees of the City shall be as approved in the City budget. (Ord. 504, 8-16-1989)

1-7-4: CITY CLERK/TREASURER:

A. Duties:

1. As Clerk: In all cases where the duty is not expressly charged to any other department or office, the City Clerk/Treasurer shall have supervision, control and responsibility of all of the records of the City. The City Clerk/Treasurer shall serve as Clerk of the City Council and perform such other duties of a like nature as shall be required by the Council.

   a. Records Of City Council: The City Clerk/Treasurer shall be responsible for the recording, filing, indexing and safekeeping of all proceedings of the City Council and shall have published all proceedings, legal notices, ordinances, and resolutions that are required to be published by this Code or by State statute.

   b. Ordinances: The City Clerk/Treasurer shall record in full, uniformly and permanently, all ordinances and shall authenticate the same.
c. Election Records: The City Clerk/Treasurer shall keep and maintain all election records and have custody of all property used in connection with elections.

d. Notify Of Term Expirations: The City Clerk/Treasurer shall notify the appointing authority of the impending expiration of the term of office of a member of any board or commission at least thirty (30) days before the expiration of the term.

e. Official Seal: The City Clerk/Treasurer shall be the custodian of the Official Seal of the City.

f. Copies Of Records: The City Clerk/Treasurer shall furnish to any member of the City Council, a certified copy of any record or document in his custody and he may furnish such a copy to any other person upon payment of a fee to be determined by the City Council.

g. License: In all cases where the duty is not expressly charged to any other department or office, the City Clerk/Treasurer shall issue all licenses in accordance with the provisions of this Code. A record of all licenses issued, including the name of the person to whom issued, the amount of the license fee, and the purpose of the license shall be kept by the City Clerk/Treasurer.

h. Bonds: The City Clerk/Treasurer shall keep a complete record of all outstanding bonds of the City and report such record regularly to the City Council.

i. Warrants: The City Clerk/Treasurer shall countersign all warrants and keep a "Warrant Register and Abstract of Expenditures" showing the number of warrants issued and the person to whom issued, the date redeemed, the interest paid and the several funds against which each of said warrants is drawn.

2. As Treasurer: In all cases where the duty is not expressly charged to any other department or office, the City Clerk/Treasurer shall act to promote, secure and preserve the financial and property interests of the City. He shall safely keep in designated depositories all funds belonging to the City and all other securities in safety deposit boxes of an approved institution designated by the City Council.

1. See Section 1-10-4 of this Title.
a. Accounts: The City Clerk/Treasurer shall keep in proper books a full and accurate account of all the monies received and disbursed by him in behalf of the City, specifying the time of receipt and disbursement, from whom received and to whom disbursed, and on what account received and disbursed, and how paid.

b. Monies:

(1) The City Clerk/Treasurer shall receive and have custody of all monies paid to the City and shall disburse monies upon the official warrant of the City when so ordered by the City Council. (2000 Code)

(2) It shall be the duty of the City Clerk/Treasurer, before receiving money from any officer of the City, or other person, to require said officer or person to apply for a certificate authorizing the City Clerk/Treasurer to receive said money; said certificate shall show the name of the officer or person paying said money, the amount, for what received and the fund to which the same is apportioned, and the City Clerk/Treasurer shall attach a copy of said certificate to his monthly report. (1944 Code § 1-503; amd. 2000 Code)

B. Warrants:

1. Payment: Warrants shall be paid by the City Clerk/Treasurer from funds available in the order in which the warrants are presented for payment. When a warrant is presented for payment and no funds are available, the City Clerk/Treasurer shall plainly mark the warrant "Not Paid for Want of Funds" and enter the same in a book maintained for such purpose which shall be known as the "Warrant Register". Such warrants shall bear interest at the rate of seven percent (7%) per annum from the date of presentation until paid.

Warrants shall be called for payment in the order in which they were presented whenever sufficient funds are available to the City Clerk/Treasurer to make such payment.

2. Cancellation: The City Clerk/Treasurer shall cancel all warrants and other evidence of debt against the City, whenever paid by him, by writing or stamping across the face thereof the words "Paid by the City Clerk/Treasurer" with the date of payment written or stamped thereon. These warrants and evidences of debt, so cancelled, shall be filed immediately with the City.
C. Claims And Damages:

1. Claims: All claims against the City must be filed, in writing, with the City Clerk/Treasurer. Claims must present a full account of the items and must contain a verification, under oath, by the claimant to the effect that the claim is correct, reasonable and just and that no part of said claim has been paid. All such claims must be approved by the City Council before payment can be made.

2.Damages: All claims for damages against the City must be filed with the City Clerk/Treasurer within six (6) months after such time as the damage is alleged to have accrued. All such claims shall specify the time, place, character and cause of damage and no action shall be maintained against the City for any claim for damages until after sixty (60) days have elapsed after such presentation. Allowance of any claim for damages against the City shall be made only by ordinance.

D. Reports:

1. Monthly Report: The City Clerk/Treasurer shall make a detailed report to the City Council during the first week of each month showing the business of his office during the month preceding, showing the balance on hand to the credit of the different funds, the amounts received during the month, and on what account, together with such other information as may be required by the City Council.

2. Quarterly Report: The City Clerk/Treasurer shall cause to be published for at least one insertion in the official newspaper of the City, a full statement of the receipts and expenditures of the City, showing sources of revenue and disposition of funds. This quarterly report shall be published before the third Monday of the months of May, August, November, and February.

E. Delivery to Successor: The City Clerk/Treasurer shall deliver to his successor in office all materials, records, and resources of the office. (2000 Code)

1-7-5: CITY ATTORNEY:

A. Appointment: The City Attorney shall be appointed by the Mayor subject to the approval of the City Council. He shall hold office for the duration of his appointment unless sooner removed by the Mayor with the concurrence of the City Council.
B. Duties:

1. Suits And Actions: The City Attorney shall prosecute or defend any and all suits or actions at law or equity to which the City may be a party, or in which it may be interested, or which may be brought against, or by, any officer of the City on behalf of the City, or in the capacity of such person as an officer of the City.

2. Judgments: It shall be the duty of the City Attorney to see to the full enforcement of all judgments or decrees rendered or entered in favor of the City, and of all similar interlocutory orders.

3. Advise: The City Attorney shall be the legal advisor of the City, and shall render advice on all legal questions affecting the City, whenever requested to do so by any Municipal official. Upon request by the Mayor or by the City Council, he shall reduce any such opinion to writing.

4. Special Assessments: It shall be the duty of the City Attorney to see to the completion of all special assessment proceedings and condemnation proceedings.

5. Ordinances And Documents: It shall be the duty of the City Attorney to draft or supervise the phraseology of any contract, lease or other documents or instruments, to which the City may be a party; and upon request of the City Council to draft ordinances covering any subjects within the power of the City. (2000 Code)

1-7-6: PUBLIC WORKS SUPERINTENDENT:

A. Appointment: The Mayor may appoint, with approval of the City Council, a Public Works Superintendent who shall hold office for the duration of his appointment or until such time as he shall be removed by the Mayor.

B. Duties: The Public Works Superintendent shall supervise all Municipal work as follows:

1. Streets And Alleys: He shall supervise the grading, surfacing, repairs and maintenance of all streets and alleys.

2. Sewer: He shall supervise the installation and maintenance of all sewer lines in the City, except the installation of sewer projects which are accomplished by contract.

City of Wallace
3. Water: He shall supervise the installation and maintenance of all water mains and water services, except the installation of water mains so accomplished by contract.

4. Parks: He shall supervise the maintenance of City parks and public grounds.

5. Equipment: He shall have charge of and supervise the repair and upkeep of all public works equipment.

6. Employment And Supervision: He may employ, with the consent of the Mayor and the City Council, such help as is needed to carry on the work of the City, such help to be directly under his supervision.

7. Reports: The Superintendent shall present to the City Council at its regular meeting each month a written report of the public works accomplished the preceding month and also, as far as can be foreseen, public works planned for the current month. (2000 Code)
CHAPTER 8

ELECTIONS

SECTION:

1-8-1: Officers Of Election
1-8-2: Assigned Positions Of Council Members
1-8-3: Supplies
1-8-4: Polling Places

1-8-1: OFFICERS OF ELECTION:

A. Appointment: The City Council shall, prior to each election, appoint three (3) capable and discreet persons, possessing the qualifications of electors, as election officers. Two (2) of such persons shall be designated as judges of election and one of such persons as clerk of election. (1944 Code § 1-801; amd. 2000 Code)

B. Term Of Office: Such officials shall hold office for the period of two (2) years and shall be the officials of all elections, both general and special, during that period. (1944 Code § 1-802)

C. Notice Of Appointment: The City Clerk shall give such appointees notice of their appointment and shall request each appointee to give notice of his acceptance or declination of his appointment to the City Clerk within ten (10) days thereafter. (1944 Code § 1-803)

D. Vacancies: Any vacancies arising in the office of election officials shall be filled by the City Council at any regular or special meeting called for that purpose. If such vacancy does not become apparent until the time for the opening of the polls the duly appointed election officers present may fill such vacancies from any electors present. (1944 Code § 1-804)

E. Compensation: The compensation of judges and clerks of election shall be the then current amount for minimum wage for the period from the opening to the closing of the polls, through election service
after the closing of the polls and counting of the ballots. (1944 Code § 1-806; amd. 2000 Code)

1-8-2: **ASSIGNED POSITIONS OF COUNCIL MEMBERS:** The City Clerk shall assign a number to each Council seat which shall consist of six (6) members for the City Council. Any candidate seeking election to the Council shall file for one of the assigned Council seats. (Ord. 99-04, 5-11-1999)

1-8-3: **SUPPLIES:** The City Council shall designate suitable polling places and cause the same to be provided with suitable voting compartments, supplies, official stamps, ballot boxes and such other supplies as County Commissioners are required to provide for State elections. (1944 Code § 1-805)

1-8-4: **POLLING PLACES:** The polling place for elections for the City shall be the Council chambers of the City Hall located at 703 Cedar Street. (Ord. 99-04, 5-11-1999)
CHAPTER 9
LIBRARY

SECTION:
1-9-1: Carnegie Donation Accepted
1-9-2: City To Erect Building; Tax Levy Pledged
1-9-3: Building Site Designated
1-9-4: Committee To Be Appointed

1-9-1: **Carnegie Donation Accepted:** The offer of the Honorable Andrew Carnegie to give to the City the sum of twelve thousand dollars ($12,000.00) for a public library building to be erected in said City upon condition that said City furnish a site for same and pledge the sum of at least one thousand two hundred dollars ($1,200.00) annually to maintain a library in such building after the same is erected be and the same is hereby accepted and that the said City in consideration of such gift does hereby pledge itself to comply with all the conditions accompanying said gift. (1944 Code § 1-1001)

1-9-2: **City To Erect Building; Tax Levy Pledged:** The City, in consideration of the receipt of the said sum does hereby pledge itself to use the whole of the same in the erection of a suitable library building upon the site hereinafter particularly described and the furnishing of said building and does pledge itself to appropriate annually the sum of at least one thousand two hundred dollars ($1,200.00) for the maintenance of a free public library in such building; that there be and hereby be levied for the year 1910 and for each and every succeeding year thereafter a tax of one mill on the dollar of all the taxable property of the City to constitute a Public Library Fund, which shall be kept by the Clerk/Treasurer separate and apart from all other monies of the City, and be used exclusively, for the purchase of books, periodicals, necessary furniture and fixtures, and whatever is required for the maintenance of a free public library and reading room in such building to be erected from the monies received from the said Honorable Andrew Carnegie. Provided, however, that should the assessed valuation of the taxable property for any

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year be insufficient to produce at least one thousand two hundred dollars ($1,200.00) with such levy or for any reason the sum collected from such levy is in any year less than one thousand two hundred dollars ($1,200.00), then there shall be appropriated from the General Fund of the City a sum each year sufficiently large to make up the difference which may exist between the amount collected from said levy and the sum of one thousand two hundred dollars ($1,200.00) which the City hereby pledges itself to donate each year for the purpose of maintaining a free public library and reading room in such building. (1944 Code § 1-1002; amd. 2000 Code)

1-9-3: **BUILDING SITE DESIGNATED:** There be and hereby is set aside the following described lot, piece or parcel of land situate, lying, and being in the City of Wallace, County of Shoshone, State of Idaho, and now owned by said City, particularly described as follows, to-wit:

Beginning at a point 1 foot north and 101.5 feet west of the intersection of Fifth and River Streets, running thence west 100 feet; thence north 100 feet; thence east 100 feet, thence south 100 feet to the place of beginning, containing an area of 0.229 acres. Upon which said library building shall be built under the direction of an appropriate committee appointed by the Mayor and approved by the Council, and which said committee shall be subject to the control of the City Council and Mayor, in such position thereon as shall be determined by said committee subject to approval of the Council and Mayor, which said tract of land shall forever be used exclusively for such building and the maintenance of a free public library and reading room therein, together with appropriate parks, lawns, trees and flower gardens thereabout and walks leading thereto.

(1944 Code § 1-1003)

1-9-4: **COMMITTEE TO BE APPOINTED:** The Mayor shall, with the approval of the Council, appoint a suitable building committee which shall have full charge of the erection and construction of such building, which said committee shall report to and be under the direction and control of the City Council and Mayor. (1944 Code § 1-1004)
CHAPTER 10
MISCELLANEOUS PROVISIONS

SECTION:

1-10-1: Corporate Limits
1-10-2: Corporate Seal
1-10-3: Official Newspaper
1-10-4: Official Depository

1-10-1: CORPORATE LIMITS:

A. Original Corporate Limits: All the territory contained within the lines hereinafter described, situated in Shoshone County, State of Idaho, shall comprise the Municipal corporation of the City, and all of the laws and ordinances now in force in said City or which may be regularly adopted, shall be in force in said territory.

The following is the description of the exterior boundary lines of the City aforesaid, and such lines are hereby established, designated, adopted and accepted as the boundary lines of the City of Wallace:

Beginning at corner No. 1, a cedar post from which the north quarter corner of section 34, township 48, north range 4; east of the Boise meridian, bears east 250 feet; thence south 1,786.44 feet to corner No. 2; thence east 6,269.76 feet to corner No. 3; thence north 1,766.44 feet to corner No. 4, situated 739.36 feet east of the north quarter corner of section 35, township 48, north range 4, east of the Boise meridian; thence north 69 degrees west 2,084.7 feet to corner No. 5; thence north 1,893 feet to corner No. 6; thence west 4,323.53 feet to corner No. 7; thence south 2,540 feet to corner No. 1, the place of beginning.

B. Territory Added: The following described territory, divided into lots of less than five (5) acres each, and contiguous and adjacent to the
East boundary of the City of Wallace, County of Shoshone, State of Idaho, shall be and hereby is annexed to and made a part of the City of Wallace:

The boundary of said territory begins at Corner No. 4 of the City of Wallace, according to the official survey thereof, thence North 70 degrees 00 minutes East 1150.0 feet to a point South of the County Highway designated Corner No. 4-A; thence north 20 degrees 00 minutes West 640.00 feet to a point designated Corner No. 4-B; thence South 70 degrees 00 minutes West 1886.2 feet to a point designated Corner No. 4-C, being the intersection of said line with the Wallace City Boundary; thence South 69 degrees 00 minutes East 975.5 feet along the present City Boundary to Corner No. 4 and the place of beginning.

C. Filing: The City Clerk/Treasurer is ordered to file a copy of the Ordinance codified in this Section with the County Recorder of Shoshone County, Idaho, and it is hereby ordered that the cost of said survey of the territory hereby annexed be assessed and prorated to the present owners of said lands within the territory above described and that said assessments be handled the same as a regular tax. (1944 Code § 1-101; amd. 2000 Code)

1-10-2: CORPORATE SEAL:

A. Design: The Corporate Seal of the City shall be circular in form with inner and outer circles. The outer circle shall be one and one-half inches (1 1/2") in diameter over all, and the inner circle shall be one inch (1") in diameter over all. It shall bear upon the space between the two (2) circles the words, "City of Wallace, Idaho," and upon the space within the inner circle the words, "Corporate Seal".

B. Adopted: The Seal described in subsection A of this Section be and the same is hereby adopted as the Corporate Seal of the City. (1944 Code § 1-1102)

1-10-3: OFFICIAL NEWSPAPER:

A. Designation: It shall be the duty of the City Council at any regular meeting of said Council, to designate some newspaper published and printed in the City as the official City paper, in which shall be
published all ordinances, resolutions and other notices by law required to be published, or authorized by a vote of the Council, which official newspaper may be changed at any regular meeting of said Council by a majority vote of the City Council. (1944 Code § 1-1103)

B. Affidavit Of Publication: It shall be the duty of the publisher and printer of such paper, within five (5) days after the completion of the publication of any ordinance, resolution or notice of the Council of the City, to file with the City Clerk/Treasurer an affidavit of the publication thereof, showing the dates, upon which such publication commenced and ended, the number of times published and the name of the paper in which it was published, to which affidavit shall be attached a copy of the ordinance, resolution or notice so published, taken from the regular issue of such paper, which proof of publication shall be recorded in case of an ordinance as required by Section 1-5-8 of this Title. (1944 Code § 1-1104; amd. 2000 Code)

1-10-4: OFFICIAL DEPOSITORY: First Security Bank of Idaho, N.A., is hereby designated as the official depository of Municipal funds for the City. The Clerk/Treasurer is hereby ordered, required and directed to keep monies belonging to, or in the care of the City, coming into his hands and into the hands of the City in the above named depository. (Ord. 341, 11-14-1957; amd. 2000 Code)
CHAPTER 11
AREA OF CITY IMPACT

SECTION:
1-11-1: Legislative Purpose
1-11-2: Geographic Area
1-11-3: Comprehensive Plan
1-11-4: Subdivision Ordinance
1-11-5: Zoning Ordinances
1-11-6: Code And Ordinance Administration And Enforcement
1-11-7: Renegotiation

1-11-1: LEGISLATIVE PURPOSE: The purpose for establishing an area of City impact is to identify a logical urban fringe area adjoining the City. The urban fringe area is realizing, or will realize, growth and development pressures that must be planned and managed in an orderly fashion. The area of City impact recognizes trade area, geographic factors and the potential delivery of public services as being associated with the City and comprised of areas that may reasonably be annexed to the City in the near and distant future. (Ord. 95-01A, 8-8-1995)


A. Legal Description: The following is the geographic description of impact boundary as provided on the County Map:

THE START POINT IS:

NORTHWEST CORNER OF SECTION 27, Then;
EAST to the intersection of 22, 23, 26, 27,
NORTH TO MID POINT OF 23,
EAST to the center of 23,
NORTH through 14 to the SOUTH border of 11, 
EAST to the intersection of 11, 12, 13, 14, 
NORTH to the intersection with the continued WESTWARD 
LINE extended from intersection of sections 7, 8, 17 and 18, 

Then:

NORTH to the mid point of 8, 
EAST to the WEST boundary of 10.

THIS WILL BE THE MOST NORTH-WEST POINT OF THE 
BOUNDARY:

Then SOUTH to the mid point of 16; 
WEST to the EAST boundary of 18, 
SOUTH to the intersection of 17, 18, 19, 20, 
WEST to the EAST boundary of 13, 
SOUTH to the intersection of 19, 24, 25, 30, 
WEST to the midpoint of 24, 
SOUTH to the center of 25, 
EAST to the WEST boundary of 29. From this point; 
SOUTH to the midpoint of 31, 
WEST to the EAST boundary of 25, 
SOUTH to the NORTH boundary of 1,2 
WEST to the EAST boundary of 3. 

THIS IS THE SOUTHERN MOST POINT OF THE 
BOUNDARY:

Then WEST to the SOUTH-WEST corner of 3, 
NORTH to the SOUTH boundary of 33, 
EAST to the WEST boundary of 34, 
NORTH to the intersection of 21, 22, 27, 28.

City of Wallace
B. Map:

(Ord. 95-01-B, 1-9-1996)

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1-11-3:  COMPREHENSIVE PLAN: The Comprehensive Plan for Shoshone County and subsequent amendments thereto as officially adopted by the City shall apply to the City area of City impact within the unincorporated area of the City. Both the City and Shoshone County shall amend their Comprehensive Plans to be consistent with this agreement, if required. (Ord. 95-01A, 8-8-1995)

1-11-4:  SUBDIVISION ORDINANCE: The Subdivision Ordinance and subsequent amendments thereto as officially adopted by the City shall apply to the area of City impact within the City limits. However, the subdivision ordinance of the unincorporated area of Shoshone County outside of the City limits of the City shall be subject to the County ordinances pertaining to the division of original parcels of record, plat amendments, lot line adjustments, minor subdivisions, short plats or administrative lot splits. The County shall consult the City in those areas which may impact the City even though the area may be outside of the City limits and the City shall be given the opportunity to contribute to any plan involving those areas. (Ord. 95-01A, 8-8-1995)

1-11-5:  ZONING ORDINANCES: The Title 13 of this Code, and subsequent amendments thereto as officially adopted by the City shall apply to the area of City impact within the City limits of the City. However, the Zoning Ordinance, Zoning Map and subsequent amendments thereto as pertaining to the unincorporated area of Shoshone County, Idaho, shall be subject to the County ordinances involving such matters. The County shall consult the City in those areas which may impact the City even though the area may be outside of the City limits and the City shall be given the opportunity to contribute to any plan involving those areas. (Ord. 95-01A, 8-8-1995)

1-11-6:  CODE AND ORDINANCE ADMINISTRATION AND ENFORCEMENT: The City shall be responsible for the administration and enforcement of the City's ordinances listed in Sections 1-11-3, 1-11-4 and 1-11-5 and shall receive all permit fees for inspections performed to recapture direct costs of inspections, administration, legal publications, and other costs arising from the process. Appeal and hearing procedures shall follow those adopted by the City presently and in the future. (Ord. 95-01A, 8-8-1995)
1-11-7: RENEGOTIATION: The area of City impact agreement shall be reviewed by the City and Shoshone County at least once every five (5) years and shall be renegotiated at any time upon the request of either party hereto. Renegotiation shall begin thirty (30) days after written request by either the City or County and shall follow procedures for the original negotiation, as set forth in Idaho Code section 67-6526. (Ord. 95-01A, 8-8-1995)