

CITY OF WALLACE
703 Cedar St., Wallace, Idaho
Regular Council Meeting
February 12, 2025 - 5:00 p.m.

AGENDA

- Call to order
- Roll Call
- Flag Salute
- Motion to Amend (*Action Item*)
- **Consent Agenda:** (*Action Item*) - Any item can be removed from the consent agenda at the request of any member of the Council and that item will be considered separately later. Approval by roll call vote.
 - A. Approve the minutes of the January 8, 2025 regular meeting.
 - B. Approve the **accounts payable including transfers** for the month of January totaling \$46,051.33 and the advance payroll for February. Below are the expenses listed by fund and may include fund transfers, service charges, fees, refunds and other accounting procedures.

Line item breakdowns are available in monthly printout from the City Clerk.

GENERAL	\$19,851.77
STREET	\$18,834.57
LIBRARY	\$5,327.13
PARKS & REC	\$1,522.88
INSURANCE	\$0
SEWER	\$514.98

Reports: Mayor: *Mogensen* Sheriff: *Richardson*
Fire: *Shaffer* Street: *Bisconer*
Finance: *Cooper* Library: *Mattila*
Parks and Recreation: *Lien*

Business:

1. Parking issues in Wallace – Tanner Marshall
2. Consider street closure for North Idaho Craft Beer Historic Pub Crawl - (*Action Item*)
3. Consider street closure for Huckleberry Festival - (*Action Item*)
4. Consider street closure for Slippery Gulch - (*Action Item*)
5. Consider street closure for Paw Parade - (*Action Item*)
6. Consider street closure for Silver Valley Pride event - (*Action Item*)
7. Presentation by Bicycle Rides Northwest for their event in July - (*Action Item*)
8. Consider re-appointment of Sarah Muphy to P&Z - (*Action Item*)
9. Discuss changes to area of local impact – Ben Allen, legal counsel
10. Council workshop for Ordinance 2025-01 “Special Events”
11. Executive Session pursuant to IC 74-206(1)(f): to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. (*Action Item*)

Adjournment (*Action Item*)

City Hall is accessible to persons with disabilities. Any person needing accommodations to participate in the above noticed meeting should contact the City Clerk’s office, 208-752-1147 at least 48 hours prior to the meeting.

REGULAR COUNCIL MEETING
WALLACE, IDAHO
January 8, 2025

Mayor Mogensen called the meeting to order at 5:00 p.m. in the council chambers.

Roll Call: Council members present: Patrick Richardson, Elmer Mattila, Cindy Lien, and Dean Cooper.
Council members absent: Rick Shaffer and Michele Bisconer.

Flag Salute

Consent Agenda

Council member Lien made a motion to approve the minutes of the December 11, 2024 regular meeting, accounts payable for December in the amount of \$189,708.92, transfers and the advanced payroll January. Seconded by council member Cooper. Roll Call. Richardson Aye; Mattila Aye; Lien Aye; and Cooper Aye. Carried

Reports

Mayor:

One hundred twenty-four people have signed up for Text My Gov.

Sheriff:

Council member Richardson read the Sheriff's report submitted by Sheriff Lindsey stating that during the month of December 2024 the Shoshone County Sheriff's Department was dispatched to 116 calls for service within the city of Wallace. Seventeen of those calls resulted in a written report. A report was attached. Council member Cooper stated the new report showing the graphs is "wonderful". Deputy Minier was present. Council member Lien made a motion to accept the report. Seconded by Council member Mattila. All in favor. Carried.

Fire:

Council member Lien read the Fire report submitted by Fire Chief John Miller stating that Shoshone County Fire District One personnel responded 12 times for medical emergencies and 4 fire response in December 2024. There is a fire engine at the Wallace fire station. The department has conducted a few business inspections. No burn permits are needed. Council member Mattila made the motion to approve the Fire report as submitted and read. Seconded by Council member Lien. All in favor. Carried.

Street:

No report given.

Finance:

Council member Cooper read the Finance report submitted stating that the General fund has \$723,863.45; Street \$-62,495.08; Library \$-12,937.98; Parks & Rec. \$-16,366.64; Insurance \$-16,765.13; and Sewer \$287,235.29 for a total of \$935,267.19. Savings \$34,801.55, Mt. West CD \$210,879.10, Wallace Inn UDAG CD \$205,758.38. Council member Mattila made a motion to approve the finance report as submitted and read. Seconded by Council member Lien. All in Favor. Carried.

Library:

Council member Mattila read the library report. In December, the library had 269 patrons visit the library, 453 items were checked out, 79 items requested from other libraries, 225 items sent from the Wallace library, withdrew 8 items from the shelf and added 14 items to the collection.

Parks and Recreation:

Zipty moved wire by Pine Street Park. John Hansen contact council member Lien and stated that if the parallel parking is not going to be enforced, the signs should be taken down.

Business:

Consider street closure for Wallace Music Festival - (Action Item) – Cindy Lien stated she is on the board for the Wallace Music Festival. Katie Watterson addressed the council. This group is not associated with the Blues Festival. The requested street closure is from 6th Street alley to alley. The gazebo will be between Sixth and Cedar and Silver Corner. The main stage will be set facing east on Cedar at 5th. The event will be free. Further discussion held on set up of bands, garbage, toilets, etc. Katie will forward the insurance to the city when she receives it. Council member Mattila made a motion to approve the street closure for Wallace Music Festival from July 11, 2025 at 6:00 am to July 13th at noon. Seconded by council member Richardson. Richardson Aye; Mattila Aye; Lien Abstain; and Cooper Aye. Carried

Public Hearing for Ordinance 2025-01 “Special Event” - (Action Item) – Council heard public comment from Christine Berry and Katie Watterson who opposed the draft ordinance. They also heard from Kimberly Keyton, Scott Birkbeck and Jocelyn Bachman who were neutral. Council went through the draft ordinance and suggested changes to the draft. It was agreed that the council would hold another workshop at the next meeting to review an updated draft.

Discuss revisions to Wallace City Code – Chapter 32 Public Safety and Law Enforcement (Action Item) – Ben Allen addressed the council. The fire department contacted the city, because their board was concerned with certain language in this ordinance, which is not compatible with the current structure of the fire district. There are certain responsibilities given to the fire chief that they do not want him tasked with and they feel he cannot enforce. The fire department submitted changes they would like to see to the ordinance. The council had no issues with the suggested changes. Mr. Allen went through a few changes he put into the draft. Council would like the section regarding fees removed. Discussion held on inserting the word “may” charge an individual for fire protection under section 32.32. Under section 153.021, discussion about removing the language mentioning the Planning and Zoning Chair. Mr. Allen said he could modify. Mr. Allen will make the changes and send it to the fire district for review.

Re-Appointment of Molly McGee to the Wallace Library Board (Action Item) – Mayor Mogensen put Molly McGee’s name forward for re-appointment to the Wallace Library Board. Council member Cooper made a motion to reappoint Molly McGee to the library board. Seconded by council member Lien. Carried. Roll Call. Richardson Aye; Mattila Aye; Lien Aye; and Cooper Aye.

Council member Lien made a motion to adjourn 7:41. Seconded by council member Lien. All in favor. Carried.

ATTEST:

Kristina Larson

City Clerk/Treasurer

Lynn Mogensen
Mayor



Shoshone County Fire District One



John Miller, *Fire Chief*

58738 Silver Valley Road * PO Box 723 Osburn, ID 83849
(208) 752-1101 * jmiller@districtonefire.com

February 6, 2025

TO: Wallace Mayor and City Council
FROM: John Miller, Fire Chief
RE: **January 2025** Wallace Report

Calls	2024	2024
Wallace Medical Emergencies	16	11
Wallace Fire Calls	3	2
Overall Total Monthly Calls	86	93
YTD Calls	86	93

Wallace Firehouse

We currently have a fire engine in service at the Wallace station. No issues have been reported as it pertains to the building. We are excited to move a new resident into the living quarters upstairs who will be living there full time. This will now provide two full-time residents and one part-time resident. Most of the firefighters living in the station are career firefighters for our county and the other is a part-time paid firefighter. All are certified firefighters through the state of Idaho and also are nationally certified EMTs and one is a paramedic.

Events

Our crew attended a fire and lockdown drill at WHS this past month. We have teamed up with the Red Cross to provide free smoke alarms to our community members. This program is geared for the low income and elderly demographic. Our crew will visit and assist with the installation once it is scheduled. Please call our station to learn more about the program.

Department News and Inspections

We have had an influx of new volunteers start with our department and the onboarding process has started for them. Business license inspections are ongoing and will continue through the next month or so as time allows.



Shoshone County Fire District One

John Miller, *Fire Chief*

58738 Silver Valley Road * PO Box 723 Osburn, ID 83849

(208) 752-1101 * jmiller@districtonefire.com



Fire Danger

The fire danger is currently low, and the fire season is closed. Therefore, no burn permits are needed. We still ask that you use safety when burning. Please, make sure your chimney is clean for the winter season. Our department has a supply of chimney brushes for community members to rent free of charge.

Thank you all for your service to our community, please feel free to call or come by the firehouse with any questions or concerns at 208-752-1101.

Respectfully,
John Miller

Fire Chief

**City of Wallace
Cash Balance Report**

Regular Checking Account	January-25
General Fund	\$863,663.99
Steet Fund	\$7,469.38
Library Fund	-\$824.25
Parks & Rec	\$26,179.40
Insurance	-\$16,764.34
Sewer Fund	\$291,595.50
TOTAL OF ALL FUNDS	\$1,171,319.68
 Savings Account:	 \$34,801.55
 Mt. West Bank CD-UDAG	 \$205,758.38
Mt. West Bank CD-Savings	\$210,879.10
 TOTAL OF ALL ACCOUNTS	 \$1,622,758.71

**SHERIFF
MIKE GUNDERSON**

**UNDERSHERIFF
HOLLY LINDSEY**



**717 BANK STREET
WALLACE, IDAHO 83873
PHONE: 208-556-1114
FAX: 208-753-8851
WWW.SHOSHONESO.COM**

**County of Shoshone
Sheriff's Office**

January, 2025

Mayor Lynn Mogensen
City of Wallace
703 Cedar Street
Wallace, Idaho 83868

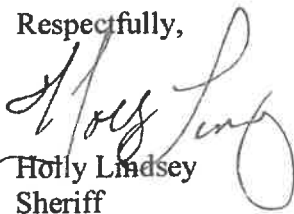
Mayor Mogensen and members of Wallace City Council:

During the month of January, 2025, the Shoshone County Sheriff's Office were dispatched to ninety (90) calls for service within the City of Wallace; twenty (20) of those calls resulted in a written report. County deputies spent three hundred ninety-six (396) hours responding to calls, actively patrolling and preparing criminal cases for the City of Wallace.

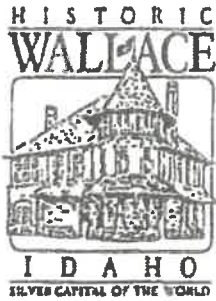
Attached you will find a print-out of the calls that took place within Wallace and the surrounding areas. Since the activity log calculates calls from the surrounding areas of Wallace, some of the calls for service were excluded from the total.

If you have any questions or concerns, please feel free to call the Sheriff's Office to talk with me.

Respectfully,


Holly Lindsey
Sheriff

Enclosures: CAD Media Report



CITY OF WALLACE STATE OF IDAHO

703 Cedar Street
Wallace, Idaho 83873-2396
(208) 752-1147
Fax (208) 752-7741

Mayor
Lynn Mogensen

Clerk/Treasurer
Kristina Larson

STREET CLOSURE REQUEST & CHECKLIST FOR NON-PROFIT ORGANIZATIONS

The City of Wallace appreciates your work in putting on an event in town. While these events help various businesses in town it is a hardship on others. This should be taken into consideration when requesting a street closure and every attempt should be made to minimize the amount of streets impacted and the duration of the closure. Only schedule street closures on weekends if possible.

Application must be returned by the 1st day of the month that you wish the Council to consider the request. Application will be considered at the regular City Council meeting of: 2-12-25

A representative of the organization should be present at this meeting to make a presentation and to answer any questions regarding the request. Prior to the meeting all impacted neighbors should be notified (email is fine) and steps taken to minimize any negative impacts. The committee is responsible for posting & removing No Parking signs as well as cleaning all garbage and debris from all streets and sidewalks after the event.

Organization requesting closure: Wallace Chamber of Commerce
Contact Person: Julie George Cell Phone: 208-964-1032
State the purpose for which the request is being made: Our annual Craft Beer Pubcrawl April 26th - we would end at this location + do our Drawings + possibly have food vendors
200 tickets/registrations
Date(s) desired for use: 4/26/25
Time(s) desired for use: 11pm - 7pm - closed the evening prior
Street(s) desired for use: (both) Cedar to pine Also show on attached map
from Street

Number of Portable Toilets (recommended at least 1 per 1,000 people): 1 if needed. Also show on attached map
of Handicap Portable Toilets: _____ Location of Portable Toilets: TBD

- Contact made with all impacted neighbors
- Waters Garbage bringing extra garbage bins? If so, location no we handle our own trash + monitor for overflow
- Proof of Insurance for the event provided to City

Contact Signature: Julie George

Date Approved by City Council: _____
Routed to: Police Department: _____ - left message for Holly L 1/31/25
Street Department: _____
Fire Department: _____ - spoke to Carrie 1/31/25

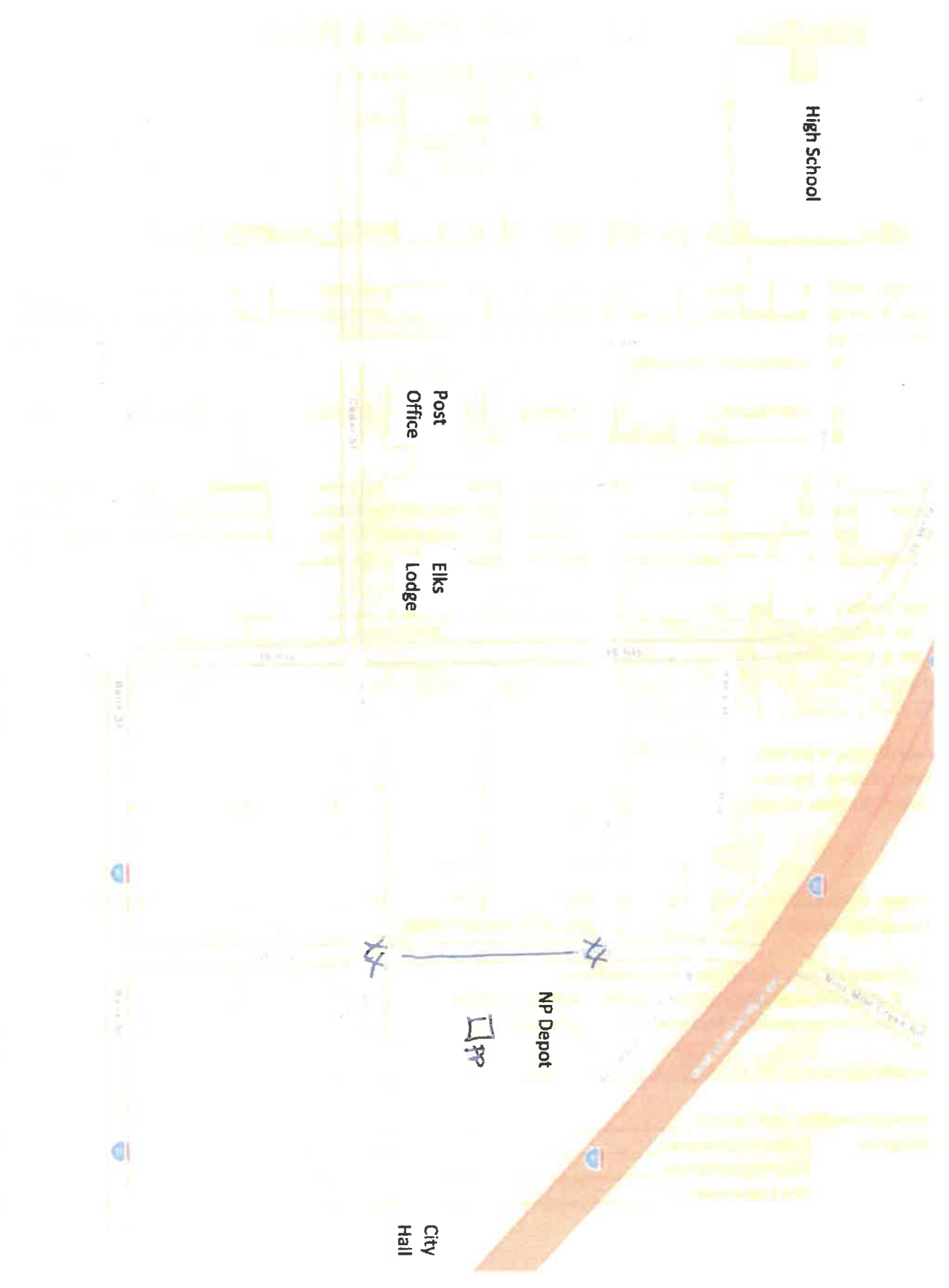
High School

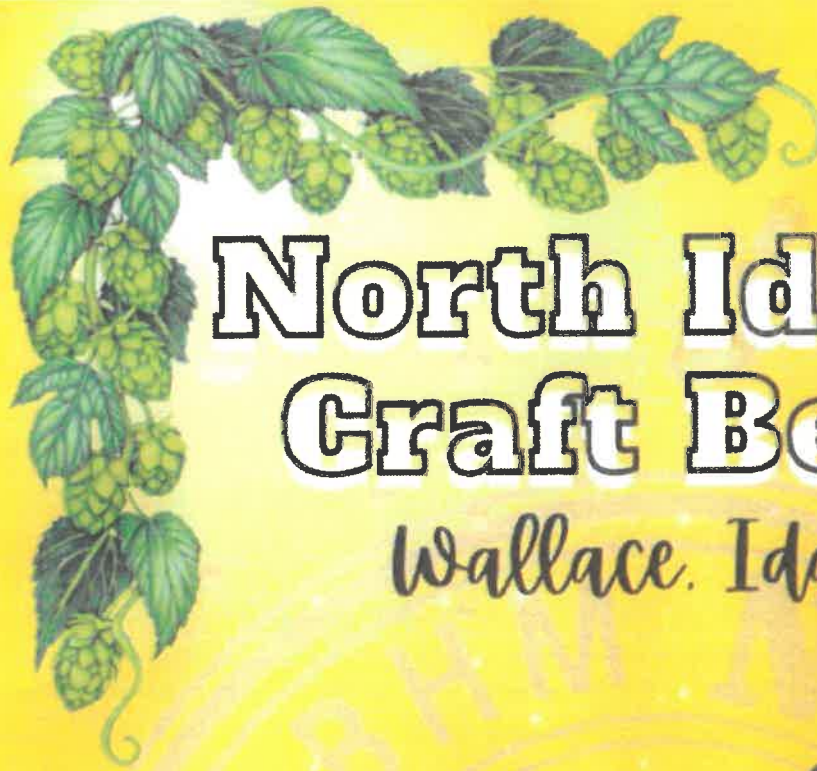
Post Office

Elks Lodge

NP Depot

City Hall





HISTORIC WALLACE
Craft Beer Pub Crawl

North Idaho Craft Beer

Wallace, Idaho

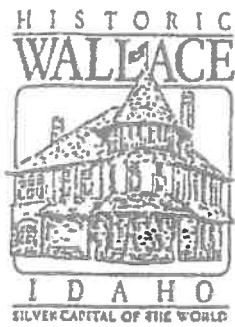
Historic Pub Crawl

Walking Pub Crawl
Over a Dozen Stops
FREE Commemorative Cup
Raffle Basket Giveaway
Lodging Discounts

April 26th 1-5 pm

Tickets on sale at Historic Wallace Chamber of Commerce

www.wallaceid.fun



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Clerk/Treasurer
Kristina Larson

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Organization requesting closure: Historic Wallace Marketing Group DBA: Wallace Huckleberry Festival
Contact Person: Christine Berry Cell Phone: 510-827-8517
State the purpose for which the request is being made: Street closure for 40th Annual Huckleberry Festival

Date(s) desired for use: Friday, August 15 through Sunday, August 17, 2025
Time(s) desired for use: Friday, 8/15 at 12am through Sunday, 8/17 at 7pm
Street(s) desired for use: 7th Street - from Bank to Cedar Also show on attached map
6th Street - from Bank to Pine
Cedar Street - from 5th through 7th

Number of Portable Toilets (recommended at least 1 per 1,000 people): 10 Also show on attached map
Number of Handicap Portable Toilets: 2 Location of Portable Toilets: See map on back

- Contact made with all impacted neighbors
- Waters Garbage bringing extra garbage bins? If so, location: rollaway dumpster located at Depot
- Proof of Insurance for the event provided to City

Contact Signature: _____

Date Approved by City Council: _____

Routed to: Police Department: _____
Street Department: _____
Fire Department: _____

High School

Post
Office

Elks
Lodge

City
Hall

NP Depot
Dumpster

toilets
1 handicap

toilets
1 handicap

Exiting
Area

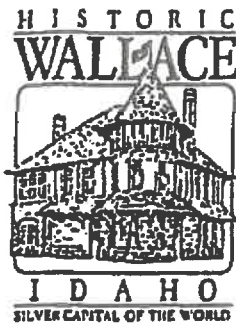


Huckleberry Festival 5K Fun Run Route



Start at
Elms

Turnaround -
to Elms
road



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Organization requesting closure: Slippery Gulch Assn
Contact Person: Ron Lavigne or Dean Looper Cell Phone: 208 661 3012 or 208 720 4964
State the purpose for which the request is being made: Slippery Gulch event is a fundraiser for multiple non-profits

Date(s) desired for use: July 22 - 27
Time(s) desired for use: All Day + Night
Street(s) desired for use: Hotel Street ~~between 6th & 7th~~ Also show on attached map
6th St Between Hotel & Bank

Number of Portable Toilets (recommended at least 1 per 1,000 people): 2-4 Also show on attached map
of Handicap Portable Toilets: _____ Location of Portable Toilets: _____

Contact made with all impacted neighbors
 Waters Garbage bringing extra garbage bins? If so, location: lot next to bus turn
 Proof of Insurance for the event provided to City will be

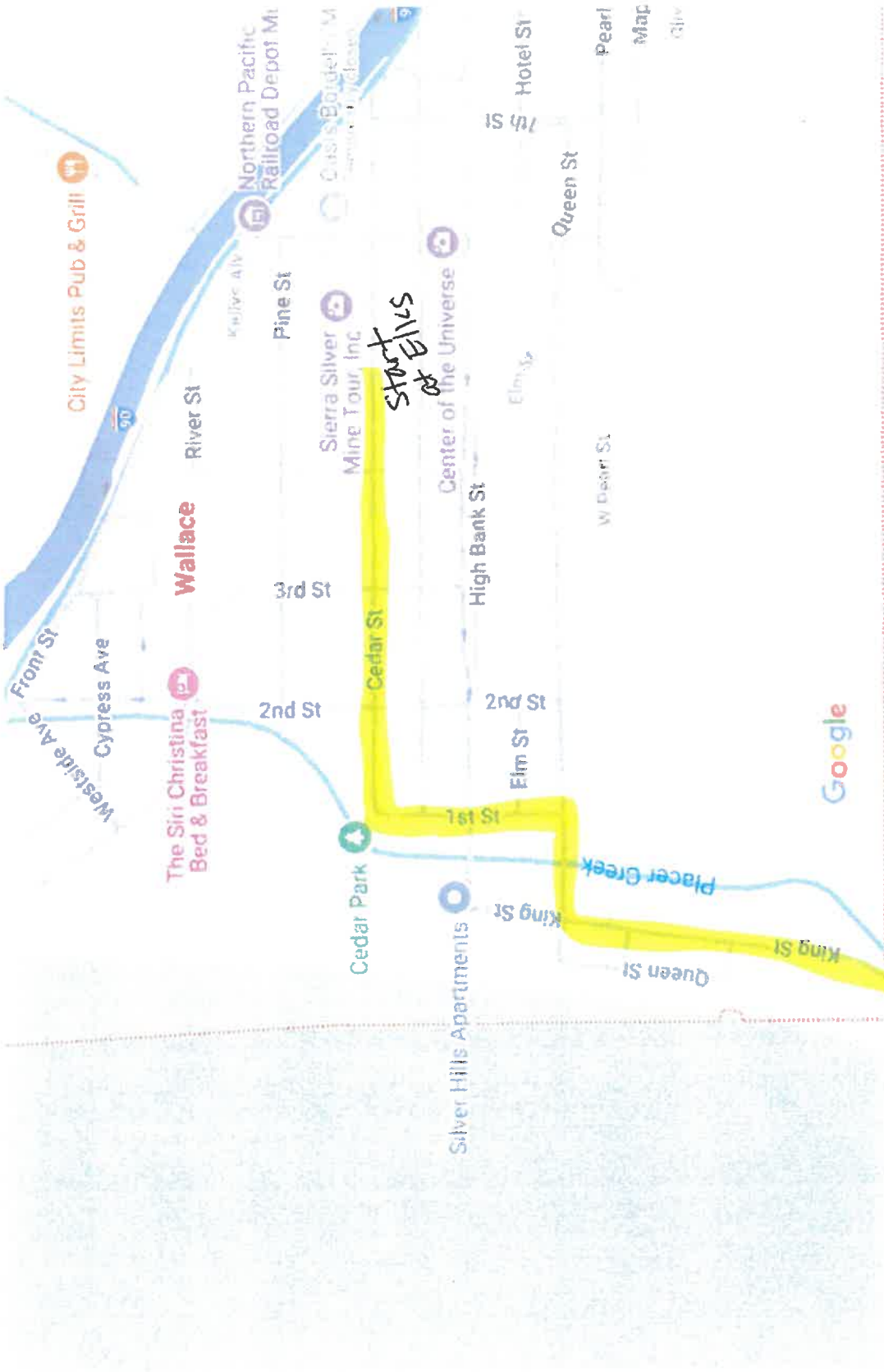
Contact Signature: [Signature]

Date Approved by City Council: _____
Routed to: Police Department: _____
Street Department: _____
Fire Department: _____



Huckleberry Festival SK Fun Run Route

Google Maps



start of 5Ks

turnaround -
back to ELKS

Google

Map
Oliv



SLIPPERY GULCH IS COMING!

JULY 24-26, 2005

Hotel St. & Bus Barn

Hotel Street closed July 22-27

Deliveries can be accommodated



SLIPPERY GULCH IS COMING!

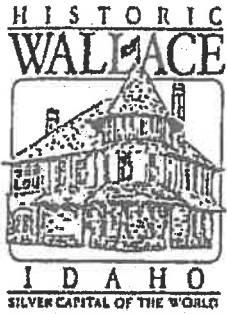
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Organization requesting closure: Volunteer Wallace - Paw Parade
Contact Person: Cindy Lien Cell Phone: _____
State the purpose for which the request is being made: Paw Parade

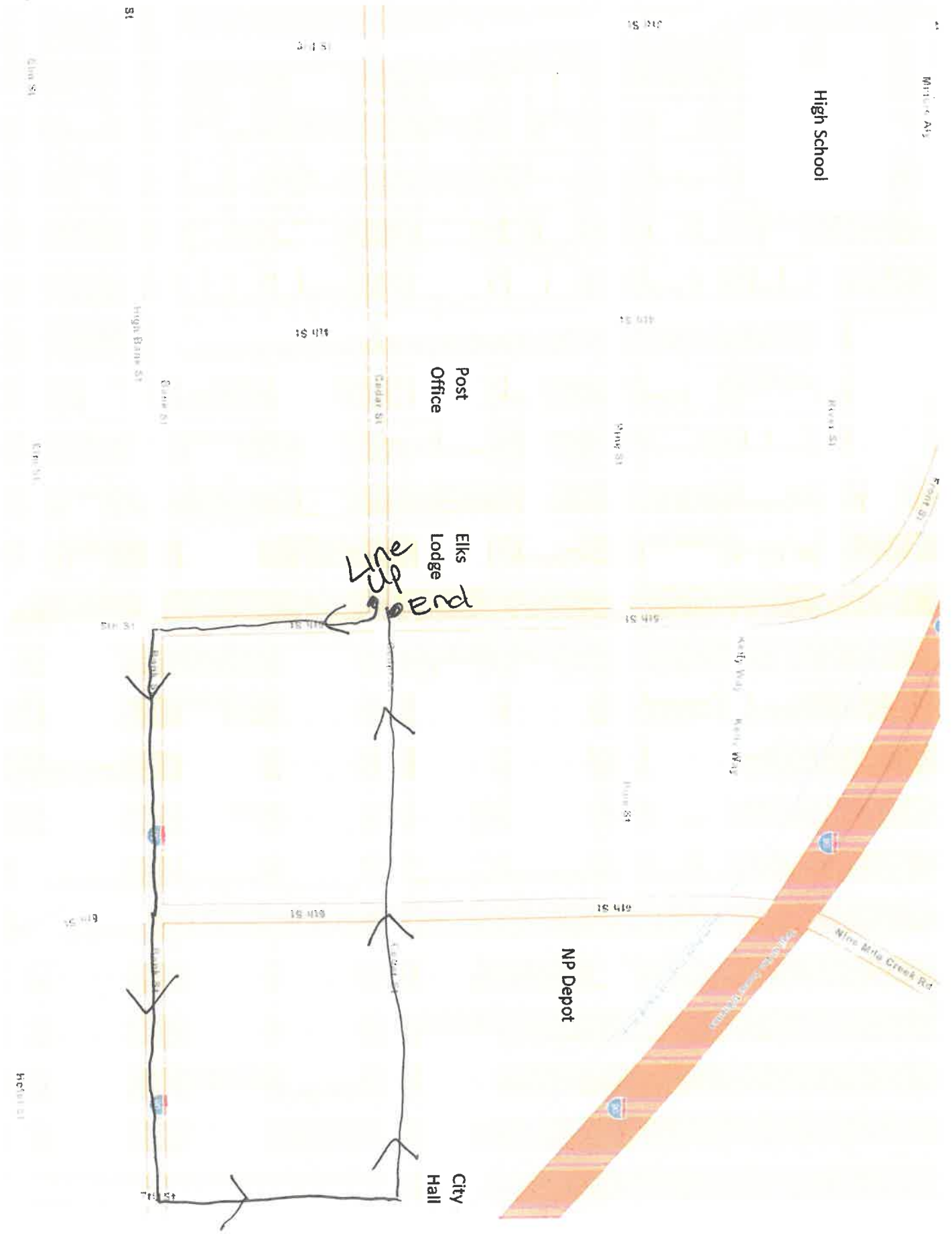
Date(s) desired for use: 12/13/2025
Time(s) desired for use: 12 noon
Street(s) desired for use: 5th - Cedar to Bank to 7th st to Cedar and back to EIKS Also show on attached map

Number of Portable Toilets (recommended at least 1 per 1,000 people): 1 Also show on attached map
Number of Handicap Portable Toilets: _____ Location of Portable Toilets: _____

Contact made with all impacted neighbors
 Waters Garbage bringing extra garbage bins? If so, location: _____
 Proof of Insurance for the event provided to City w/ provide closer to date of parade

Contact Signature: Cindy Lien

Date Approved by City Council: _____
Routed to: Police Department: _____
Street Department: _____
Fire Department: _____



High School

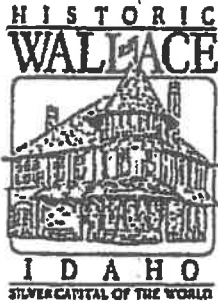
Post Office

Elks Lodge

NIP Depot

City Hall

Line up and



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Organization requesting closure: Silver Valley Pride
Contact Person: Matt Stebbins Cell Phone: 208-916-6705
State the purpose for which the request is being made: Annual pride event

Date(s) desired for use: July 19th
Time(s) desired for use: 10:00 am to 6:00 pm
Street(s) desired for use: 6th St starting @ Bank St Also show on attached map
Hotel St to the bus barn

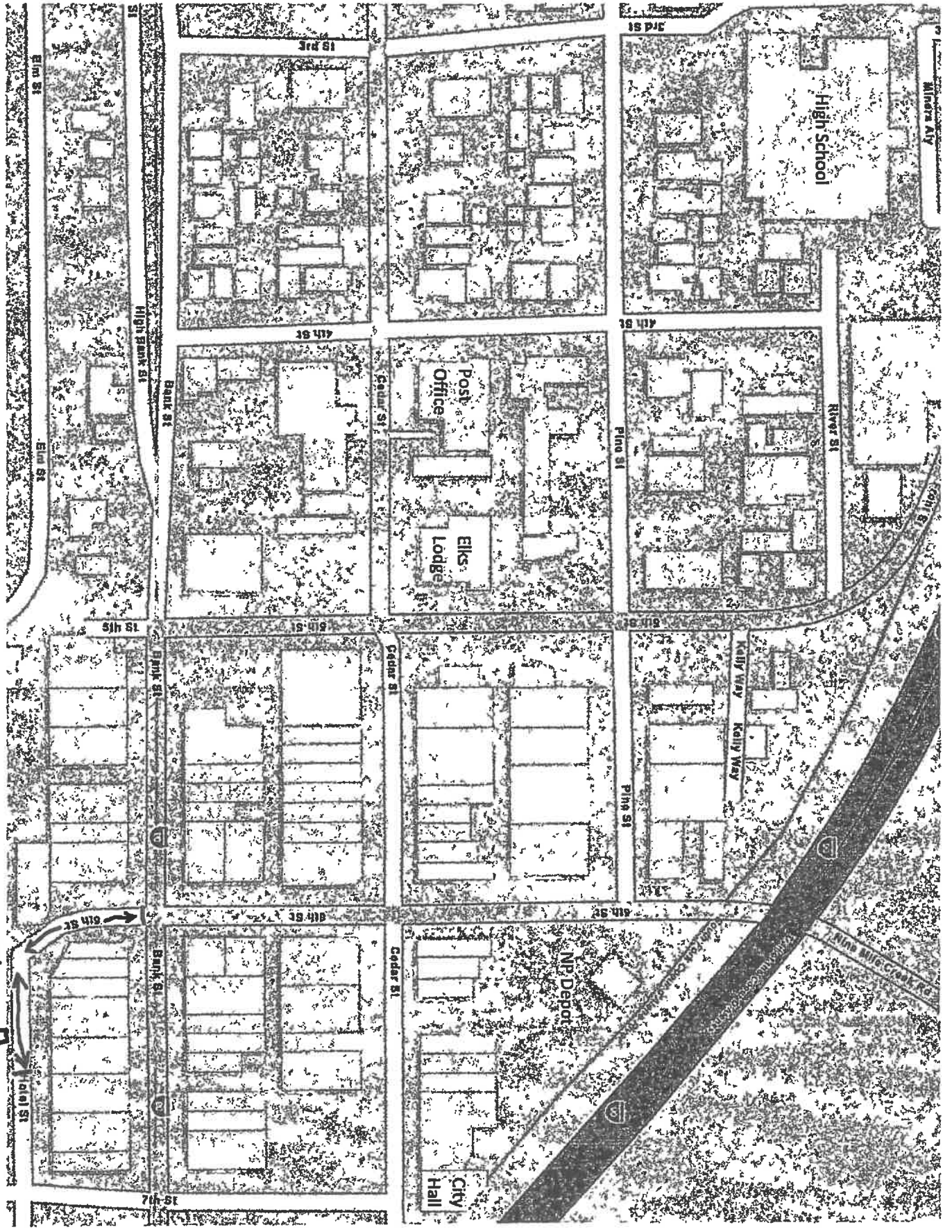
Number of Portable Toilets (recommended at least 1 per 1,000 people): 1 Also show on attached map
Number of Handicap Portable Toilets: 1 Location of Portable Toilets: Hotel St

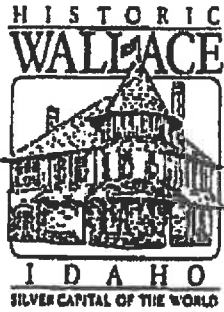
Contact made with all impacted neighbors
 Waters Garbage bringing extra garbage bins? If so, location: _____
 Proof of Insurance for the event provided to City

Contact Signature: Matt Stebbins

Date Approved by City Council: _____
Routed to: Police Department: _____
Street Department: _____
Fire Department: _____

Portable
to
to





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Organization requesting closure: Bicycle Rides Northwest
Contact Person: Jim Moore Cell Phone: 503-504-2656

State the purpose for which the request is being made: Our nonprofit bicycle tour would like to stay two nights in Wallace. We have agreement from the school district to use the Jr/Sr High School campus. We'd like to place some of our infrastructure directly in front of the school on Miners Alley, and also on the east side, leaving access to the west side for residents.

Date(s) desired for use: July 14-16, 2025
Time(s) desired for use: 9 am July 14 through 10 am July 16
Street(s) desired for use: Miners Alley, south and east portions Also show on attached map

Number of Portable Toilets (recommended at least 1 per 1,000 people): 18 Also show on attached map
Number of Handicap Portable Toilets: 1 if needed Location of Portable Toilets: Multiple banks

Will Contact made with all impacted neighbors
Yes Waters Garbage bringing extra garbage bins? If so, location:
Yes Proof of Insurance for the event provided to City

Contact Signature: [Signature]
Date Approved by City Council:
Routed to: Police Department:
Street Department:
Fire Department:



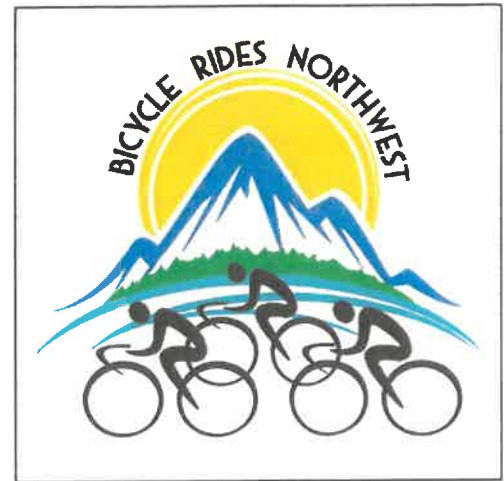
WALLACE JR/SR HIGH SCHOOL

BRNW IDAHO 2025

Bicycle Rides Northwest, Inc. (BRNW) is an Oregon nonprofit established in 1987 to promote bicycling and communities throughout the Pacific Northwest, including Oregon, Idaho, Washington, Montana and California.

Our mission is to provide fully supported bicycle tours that deliver an exceptional rider experience, showcase the natural beauty of the Northwest, and benefit communities and businesses in the region.

35-plus years later, we're still fulfilling our founding vision by taking adventure-seeking bicyclists on scenic tours through a beautiful region.



General Information

- What We Do:** BRNW typically provides two 7-day bicycle tours for up to 300 bicycle riders in the states of Oregon, California, Idaho, Montana and Washington. Our tours alternate annually between different states and routes.
- Nonprofit:** We're a 501(c)(7) organization – a member benefit group. We don't have a specific cause, but we support our host communities through a grant program, as well as providing fundraising opportunities for school or local groups during our visit.
- Participants:** Our riders' average age is mid-60s. We're a very mellow group made up of professionals who are ready to go to bed about 9:00 each evening.
- Self-contained:** Our event is largely self-contained, as we bring our own shower truck, portable toilets and caterer. All we really require is space, and access to water and power. We encourage communities to engage with our event, and we work collaboratively with them.
- Insurance:** We'll provide you with a Certificate of Liability Insurance, and add you as an Additional Insured if needed. We carry a \$2,000,000 policy.

BRNW ID 2025 Ride Specifics

- Host Towns:** Cheney, WA – Plummer – Wallace – Couer d'Alene – Cheney
- Dates:** Tentatively, July 12-18, 2025. The dates are dependent upon the agreement of the communities involved with our rides, among other factors.

Our Request from You

In looking over our route and the communities we'll be visiting, we'd like to request to use the following:

- Site:** Junior/Senior High Schools
- Dates:** Tentatively, two nights: riders arriving Monday, July 14, and leaving on Wednesday, July 16.
- Times:** Our staff would arrive the morning of Monday, July 14, at about 9:00 a.m. to set up the site for our riders. On Wednesday, July 16, we would be completely gone by 10 a.m.

Our Basic Needs

- Tent Camping Site:** We will need a large area to set up camping tents.
- Water:** Our shower truck needs to fill a ~1,000-gallon tank and then be connected to potable water; once it's full, a hydrant or spigot is fine.
Our caterer needs access to potable water – a spigot is just fine.
We set up two drinking water stations – again, one or two spigots is fine.
Our sustainability team needs access to potable water.
An additional water connection for our mechanics or massage team is a bonus.
- Electrical:** The shower truck needs access to two 20-amp/110-volt circuits in order to run the fans and lights in the showers.
Our sustainability team looks for access to a 220-volt plug in order to run the dishwasher.
We need additional electrical sources to power our PA system, our device-charging station and other camp elements.
We do have generators if electricity is not available. However, we prefer to use electrical hookups to eliminate the noise created by the generators.
- Waste:** We can use on-site dumpster(s) or have one brought in; we can contact the local garbage service to arrange and pay for any extra service.
- Sprinkler Systems:** If there are underground sprinklers, we'll ask that they be turned off during our visit.

Final Tidbits

- Special Use Permits:** We understand that our request may require a Special Use Permit. Please feel free to send any necessary paperwork.
- Use Agreement:** If you do not have a form, or if we don't need a special permit, we have a use agreement we can prepare with the necessary details.
- References:** We're happy to provide references from sites we have stayed at previously.

Thank You!

Thanks for taking the time to consider our request. If you have any questions, please feel free to email or call me. I look forward to meeting you soon.

Jim Moore
Executive Director
Bicycle Rides Northwest, Inc.
5725 NE Cleveland Ave.
Portland, OR 97211
P: 503-281-1526
C: 503-504-2656
jim@brnw.org
www.brnw.org

City of Wallace

ORDINANCE NO. 2024 _____-2025

SPECIAL EVENTS

AN ORDINANCE OF THE CITY OF WALLACE, A MUNICIPAL CORPORATION PURSUANT TO THE LAWS OF THE STATE OF IDAHO, ADOPTING A NEW WALLACE CITY CODE, TITLE 11, CHAPTER 115, "SPECIAL EVENTS."

THIS ORDINANCE [INSERT SUMMARY AFTER ORDINANCE IS COMPLETE]; ~~SETS CRIMINAL PENALTIES~~; DECLARES THE ORDINANCE SEVERABLE WHILE REPEALS CONFLICTING CODE PROVISIONS; AND SETS AN EFFECTIVE DATE UPON PASSAGE AND PUBLICATION.

Commented [BA1]: Summary will be redrafted after all amendments within ordinance are determined.

Be it ordained by the Mayor and Council of the City of Wallace, County of Shoshone, State of Idaho, as follows:

Section 1: PURPOSE - Pursuant to the authority of Idaho Code Title 50, Chapter 3, the City desires to regulate ~~special-event~~Special Events that utilize within the City of Wallace ~~assets (roads, properties, and infrastructure)~~ to provide for the general health, welfare, and safety of the public. This includes the coordination of emergency response and security, proper regulation of foot and vehicular traffic, and planning for garbage, refuse, and other sanitary safeguards associated with ~~special-event~~Special Events.

Section 2: ADOPTION - The City hereby adopts a new Wallace City Code, Title 11, Chapter 115, to be titled "*Special Events*," which shall read as follows:

§115.01 Definitions: All terms used in this section shall, for the purpose of interpreting the various sections within this chapter, have the following meanings:

(A) **City Sponsored Special Event:** A Special Event that is wholly initiated, financed, or executed by the City of Wallace or one or more of its departments.

(B) **Coordinator:** The individual(s) taking primary responsibility to coordinate a Special Event, which duties may involve planning, advertising, setting up, managing, and/or dismantling an event, or the supervision of those in charge of the same.

(C) **Extraordinary Resources:** City resources or additional expenses expended by the City specifically for a ~~special-event~~Special Event as a result of anticipated attendance, heightened security, or other unique factors of a ~~special-event~~Special Event, which would not otherwise be expended by the City absent the existence of the ~~special-event~~Special Event. Extraordinary resources shall include ~~excessive any~~ clean up after a ~~special-event~~Special Event that is performed by the City to return a site utilized by the ~~special-event~~Special Event to its normal state.

Commented [BA2]: If we choose to keep this modification, how do we wish to define "excessive"?

(D) **Special Event:** A preplanned single gathering, event or series of events, related in nature, and conducted for the purpose of entertainment, recreation, education, political, religious or cultural,

or of any other similar nature, including but not limited to events such as concerts, dances, assemblages, processions, parades, circuses, fairs, festivals, community events, weddings, or mass participation sports (such as marathons and running events, fun run/walks, bicycle races, skijoring, sports tournaments, etc.). and makes use of City roads, parks, or property

Commented [BA3]: Above we used the phrase; "City of Wallace assets (roads, properties, and infrastructure)." We should try to be consistent with verbiage throughout, so the City should decide which one they like better.

(E) **Sponsor:** An individual or organization that pays some or all of the costs associated with a special event Special Event.

§ 115.02 Special Event Permit Required: No person shall sponsor or coordinate a Special Event within the City of Wallace without having first secured a Special Event Permit, unless otherwise exempt by the provisions of this chapter.

§ 115.03 Exemptions:

(A) The following shall be exempt from having to obtain a special event Special Event permit:

- (1) Funeral processions.
- (2) Spontaneous events for the purpose of expressive activity that occur in response to breaking or emerging news.
- (3) Lawful picketing on sidewalks.
- (4) City sponsored events as defined herein.
- (5) Special events wholly held on private property.

(B) In determining whether an event is exempt, no consideration shall be given to the content of any constitutionally protected expression connected with the planned activity. No permit shall be required under this section, nor any condition imposed on any permit, if requiring a permit or imposing the condition would violate rights protected by the Constitution of the United State or by the Constitution of the State of Idaho.

§115.04 General Obligations for Special Events: The following general obligations shall apply to all special event Special Events necessitating a permit, unless otherwise exempted by the City Council during the permit application process.

(A) **Coordinator's Responsibilities** – In addition to those obligations of a special event Special Event coordinator outlined elsewhere in this chapter, coordinators shall assume absolute responsibility for the following:

- (1) Street closure signage shouldshall be posted no less than five (5) two (2) and no more than ten (10) four (4) days prior to the start of the street closure. Such posting shall be visible to the motoring public throughout the perimeter of streets to be closed. Signs shallshould not be posted on private buildings without owner's approval.
- (2) Street closure barriers that adequately prevent vehicular traffic from entering the area of the event shall be installed on all streets subject to closure. Such barriers may be borrowedavailable from the City if available.
- (3) Notification to residents and businesses within the event area of the event type, dates and duration, and parking restrictions in the area. Notice can be provided via email, flyers

delivered to residents/businesses mailbox or physically posted on the property, and must be provided at least one (1) week prior to start date of event.

(4) Trash receptacles ~~should~~shall be placed near ~~toilets at each food vendor station, at the corners of intersecting streets encompassed within the event area,~~ and at any entry ~~or exit points of designated eating or drinking areas.~~

(5) Portable toilets to adequately serve the estimated number of participants and attendees of the event ~~should~~shall be obtained. Unless variance is granted by the City Council, the number of toilets considered adequate shall be as outlined in the table below.

Number of Attendees Anticipated	Number of Toilets Required
Less than 250	4
250-499	6
500-999	9
1000-1999	18
2000-2999	38
3000 or More	57
*Note – At least 5% of all toilets (but in no event less than one) of all portable toilets provided must be designed by the manufacturer to be wheelchair accessible.	

Commented [BA4]: This is an ADA regulation.

(6) Adequate volunteers, ~~staff~~ for setup, break-down, ~~monitors at street closure barriers,~~ parking lot (if applicable), safety, ~~emptying of trash receptacles (including city trash receptacles inside event area),~~ and cleaning/replenishment of toilets at regular intervals throughout the event.

(7) Restore city streets/sidewalks within the street closure area to their ~~normal~~ condition ~~they were prior to the event.~~

(8) Remove all signage from street posts, bulletin boards, and other places of advertisement, within one (1) week of event conclusion.

(B) **Security** – Neither the Shoshone County Sheriff’s Office (SCSO) nor the City of Wallace will be obligated to provide security for any ~~special event~~Special Events other than those solely sponsored by the City. All ~~special event~~Special Event organizers are responsible for providing and paying for their own security if the City Council and/or the SCSO determines security is necessary based on the risk level the event presents. Factors taken into consideration will be estimated attendance, type, and length of event and whether alcohol is served. If requested, the SCSO ~~may~~will endeavor to provide recommendations for the amount of appropriate security.

(C) **Sanitary and Refuse Disposal** – At the expense of the ~~special event~~Special Event, portable toilets and extra trash containers may be required to adequately accommodate the number of ~~special event~~Special Event attendees and participants. Failure to provide additional adequate toilets and trash containers may result in revocation of the permit for the ~~special event~~Special Event, or failure to issue a permit for the same or a similar ~~special event~~Special Event in the future.

~~(D) Parking~~ – All ~~special event~~Special Events shall designate an individual or individuals to monitor and help direct parking for any designated parking areas for the event. Failure to provide parking monitoring and directing may result in revocation of the permit for the ~~special~~

~~eventSpecial Event, or failure to issue a permit for the same or a similar special-eventSpecial Event in the future.~~

(E) **Traffic Control:** The Shoshone County Sheriff's Office (SCSO) and the City of Wallace do not provide traffic control for any ~~special-eventSpecial Events~~ other than those solely sponsored by the City. All ~~special-eventSpecial Event~~s are responsible for providing and paying for their own traffic control if the City Council determines traffic control is necessary based on estimated attendance, nature and size of event, and length of event.

(F) **Extraordinary Resources** – Special events which require the use of extraordinary resources ~~may shall~~ be required to pay for such services. If after a Special Event Permit application is submitted, a determination by the City Council is made that extraordinary City resources are likely to be incurred for the event, an extraordinary resources deposit may be required as part of the approval process for the Special Event Permit. The amount of the deposit will be determined by the City Council, subject to evaluation of anticipated extraordinary resources that may be required. For costs exceeding the deposit amount, the full cost of recovery for extraordinary resources shall be required no later than sixty (60) days following notice of demand for payment provided to the ~~special-eventSpecial Event~~ coordinator. If the costs associated with extraordinary resources is determined to be less than the deposit amount, a refund of that amount in excess will be provided to the ~~special-eventSpecial Event~~ coordinator.

§115.05 Permit Fees & Deposits: A permit fee in an amount set by resolution of the City Council, together with any deposits for extraordinary resources, shall be paid prior to the issuance of any Special Event Permit. Upon request of the coordinator, the City Council may, in extraordinary circumstances, waive any fee contemplated herein if the ~~special-eventSpecial Event~~ is likely to contribute significantly to the public good, the ~~special-eventSpecial Event~~ has insufficient financial resources to pay such fee, and the ~~special-eventSpecial Event~~ is unlikely to generate revenue sufficient to cover the costs associated with the ~~special-eventSpecial Event~~, after considering reasonable efforts to obtain event sponsor(s) and/or assess registration fees or vendor fees to those participating in the ~~special-eventSpecial Event~~.

§ 115.06 Applications for Special Event Permits: The following provisions govern the general application processes for Special Event Permits.

(A) **Obtaining Applications** – An application form for a Special Event Permit can be obtained at City Hall ~~or~~ by contacting the City Clerk ~~or by downloading the application from the city's website.~~

(B) **Contents of Application** – Application forms should contain at least the following information:

- (1) A ~~detailed~~ description of the nature of the event.
- (2) The name, mailing address, email, and phone number for the coordinator~~s~~ of the event.
- (3) The name of every sponsor of the event.
- (4) A good faith estimate of the total number of attendees and/or participants that are likely to be attracted by the ~~special-eventSpecial Event~~, which may be based on the past attendance of the same or similar events, ~~the price of admission, the extent of advertising,~~ or any other relevant factor.

~~(5) The name and phone number of individuals who shall be responsible for monitoring restroom supplies, restroom cleanup, and refuse disposal at regular intervals throughout the special eventSpecial Event and after the conclusion of the special eventSpecial Event.~~

~~(6) The name and phone number of individuals responsible for monitoring and directing parking for any designated parking areas for the event.~~

(7) If the event will require outside security, a designation of the agency or entity responsible for providing security as outlined elsewhere in this chapter.

(C) **Supplemental Information** – Where applicable, the following documents and/or information shall accompany an application for Special Event Permits for the application to be complete:

(1) Site map(s) showing proposed streets to be closed or route of competitive race or parade. Additional maps showing stage, vendor, toilet locations, trash receptacles, and other infrastructure necessary to account for the health, safety, sanitation, and wellbeing of both event participants and the general public.

(2) Proof of Liability Insurance listing the City of Wallace as an additional insured entity.

(3) If alcohol will be served, copies of valid liquor and/or beer and wine permits from all necessary governmental entities, which may include the State of Idaho, Shoshone County, and the City of Wallace.

(D) **Application Submission** – Application for a Special Event Permit may be made no sooner than one year, and no later than ~~forty-five (45) sixty (60)~~ days, prior to the start date of the ~~special eventSpecial Event. The City is under no obligation to review applications received less than forty-five (45) days prior to the start date of the Special Event.~~

(E) **Departmental Review** – If after receiving a completed Special Event Permit application, the City Council determines that further input is needed or desired from outside agencies, the City Council may table a decision on the application and request a Departmental Review from any outside agency to aid in its consideration of the application.

§115.07 Decision: Within ~~forty-five (45) thirty (30)~~ days of receipt of a completed Special Event Permit application, the City Council shall meet to determine whether the coordinator has met all of the requirements of this chapter, and whether it is in the best interest of the City, considering the health, safety, sanitation, and wellbeing of both event participants and the general public, to grant the Special Event Permit. The decision to approve or deny a Special Event Permit shall be left to the sole discretion of the City Council.

(A) **Approval of Permit** – If the City Council believes it is appropriate to grant a Special Event Permit, the City may place ~~any~~ restrictions or contingencies it may deem appropriate on the coordinator, including but not limited to the requirement to remit a deposit for any reasonably foreseeable extraordinary resources.

(B) **Denial of Permit** – A Special Event Permit may be denied by the City Council for any reason, including but not limited to the following:

(1) The coordinator has made any false, material representations in the application.

- (2) The application is incomplete or the ~~applicant coordinator representative~~ fails to appear before the City Council as scheduled.
- (3) The ~~special event~~Special Event will substantially interfere or conflict with another event or activity already scheduled for a site.
- (4) The event coordinator has failed to pay for any costs incurred from a previously permitted event.
- (5) The venue requested to host the ~~special event~~Special Event is inadequate to meet event hosts requirements for event type, duration, or projected participants or attendees.
- (6) Conditions set forth by the City Council cannot be met or will not be met by the coordinator.

§115.08 Alterations: Any changes to the parameters of the ~~special event~~Special Event that may conflict with or ~~significantly~~ alter conditions approved by the City Council, must be brought before the City Council for review and approval prior to advertising said changes on any medium such as social media, newspaper, radio, posters, flyers, email, etc. Failure to do so may result in the revocation of the permit for the ~~special event~~Special Event.

§115.09 Approval of Applications for Special Event Permits by City Clerk: An application for a Special Event Permit may be approved by the City Clerk, without hearing by the City Council, if each of the following conditions are met:

- (A) The application for Special Event Permit is fully complete and includes all supplemental information as may seem reasonably necessary.
- (B) The same coordinator has put on the same ~~special event~~Special Event without significant changes to the footprint and parameters, which ~~special event~~Special Event has been approved by the City Council in the past two (2) consecutive years.
- (C) The application for Special Event Permit does not request any changes to any of the restrictions or contingencies previously placed on the ~~special event~~Special Event by the City Council when approving the Special Event Permit in preceding years.

§115.10 Suspension or Revocation of Permit:

- (A) A ~~special event~~Special Event permit may be suspended or revoked by the City Council for any of the following reasons:
 - (1) Violations of any provision of this chapter.
 - (2) Violations by the coordinator, or anyone acting on behalf of coordinator, of any Federal, State or local laws or ordinances during the ~~special event~~Special Event.
 - (3) Violations of any of the conditions of the permit.
 - (4) Substantive changes to site plans made by the applicant without prior approval from City Council.

(5) Unforeseen events that may pose risk to City infrastructure, event attendees, or the general public.

(6) If found coordinator made false, material representations in an application for a permit.

(B) In the event of notification to a coordinator of the suspension or revocation of a permit, the coordinator, and anyone acting on behalf of coordinator, must immediately cease all activities associated with the promotion, facilitation, or coordination of the ~~special-event~~Special Event.

§115.11 Violations:

(A) *Violations Defined* – At all ~~special-event~~Special Events, it shall be unlawful for any person to:

- (1) Conduct, present, stage or promote a ~~special-event~~Special Event without a permit.
- (2) Violate any provision of this chapter or any condition of a Special Event Permit.
- (3) Serve or cause to be served alcohol in violation of State or local laws.

(B) *Criminal Penalties* – Any person committing a violation as defined in this section shall be guilty of a criminal violation as follows:

- (1) A first violation of any provision of this chapter is an infraction subject to a fine of \$300.
- (2) A second or subsequent violation of any provision of this chapter is a misdemeanor subject to a fine not to exceed \$1,000, confinement in the county jail for a period of not more than six months, or both such fine and imprisonment. Additionally, any person so convicted shall pay those costs related to enforcement as the court may deem appropriate.

Section 3: SEVERABILITY - This Ordinance is hereby declared to be severable. To the extent any provision of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the Ordinance before the declaration of partial invalidity.

Section 4: REPEAL OF CONFLICTING PROVISIONS - All provisions of the current Wallace Municipal Code or Ordinances of the City of Wallace which conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 5: EFFECTIVE DATE - This Ordinance shall be effective upon passage and publication as required by law.

PASSED under suspension of the rules upon which a roll call vote was duly taken and enacted as an ordinance of the City of Wallace at the regular meeting of the City Council held on the _____ day of _____, ~~2024~~2025.

LYNN MOGENSEN, Mayor

Attested to by:

KRISTINA LARSEN, City Clerk

DRAFT

IT WAS MOVED BY: _____ and seconded by
_____, to pass the foregoing Ordinance No. _____.

CITY COUNCIL MEMBERS Yes No Abstain Absent

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

STATE OF IDAHO)
) ss.
County of Shoshone)

I, KRISTINA LARSEN, Clerk of the City of Wallace, State of Idaho, do hereby certify that at the regular meeting of the Wallace City Council, held on the _____ day of _____, [20252024](#), the foregoing Ordinance was unanimously adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of my office on this _____ day of _____, [20252024](#).

KRISTINA LARSEN
City Clerk
