

COUNCIL BILL NO. 07-1001
ORDINANCE NO. 3283

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 2.82.010 TO INCREASE THE PEDESTRIAN AND BICYCLE ADVISORY COMMITTEE MEMBER POSITIONS FROM 10 MEMBERS TO 15 MEMBERS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, and after recommendation by the General Services Committee, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendments be adopted; NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1. *That Coeur d'Alene Municipal Code Section 2.82.010, is hereby amended to read as follows:*

2.82.010: ESTABLISHED; MEMBERSHIP; TERMS:

- A. There is established a pedestrian and bicycle advisory committee in the city which shall consist of ~~ten~~ fifteen (~~10~~ 15) members who will receive no salary. Members of the committee shall be appointed by the mayor and confirmed by the city council and any members may, in a like manner, be removed. The members shall include one city council member, one engineer or landscape architect, one representative from School District 271, one representative from the centennial trail foundation, one representative from the walking community, one representative from the running community, one representative from the bicycling community, one person representing senior citizens, ~~and~~ one person representing the special needs/physically challenged community and five persons representing the general public. One additional member shall be a high school student, who attends school within the boundary of School District 271, between the ages of fourteen (14) and eighteen (18) years old.
- B. The term of office of each member shall be four (4) years or until his/her successor is appointed and qualified, except for the high school student whose term shall be one year. ~~The terms of office of the other members shall be staggered in such a manner that the terms of seven four (74) of those members shall expire at the end of one year, and the terms of the other eight four (84) of those members shall expire two (2) years later, the terms of office to coincide with the terms of office of city council members. The mayor shall determine which of the first appointed members' terms of office shall expire at the first council meeting in January 2004, and which shall expire at the first council meeting in January two (2) years thereafter.~~

As amended by Ordinance
No. 3310 on the 4th day
of September, 2007

C. In case of a vacancy in membership, the committee should forward recommendations for appointment to the mayor for consideration. The vacancy shall be filled by appointment of the mayor, confirmed by the city council, and the appointee shall serve during the unexpired portion of the term of the position that became vacant. The mayor shall not be limited in making the appointment to the persons recommended by the committee.

SECTION 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Coeur d'Alene City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

SECTION 4. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

SECTION 5. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

APPROVED, ADOPTED and SIGNED this 6th day of February, 2007.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____

AMENDING SECTION 2.82.010 TO INCREASE THE PEDESTRIAN AND BICYCLE ADVISORY
COMMITTEE MEMBER POSITIONS FROM 10 MEMBERS TO 15 MEMBERS

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 2.82.010 TO INCREASE THE PEDESTRIAN AND BICYCLE ADVISORY COMMITTEE MEMBER POSITIONS FROM 10 MEMBERS TO 15 MEMBERS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Susan K. Weathers, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Warren J. Wilson, am a Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, AMENDING SECTION 2.82.010 TO INCREASE THE PEDESTRIAN AND BICYCLE ADVISORY COMMITTEE MEMBER POSITIONS FROM 10 MEMBERS TO 15 MEMBERS, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 6th day of February, 2006.

Warren J. Wilson, Deputy City Attorney