ORDINANCE NO. 1015-20

BY THE COUNCIL: BEAUMONT, HIGGINS, PAGE, AND SOUZA

AN ORDINANCE OF THE CITY OF GARDEN CITY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, REPEALING GARDEN CITY CODE TITLE 5 ("TRAFFIC"), CHAPTER 8 ("TRAFFIC SAFETY EDUCATION PROGRAM"), REPEALING ORDINANCE NO. 985-15 IN ITS ENTIRETY; REPEALING ALL ORDINANCES OR PARTS THEREOF TO THE EXTENT THEY CONFLICT WITH THIS ORDINANCE; PROVIDING ALL OTHER ORDINANCES INCLUDED IN THE OFFICIAL CODE ARE STILL IN EFFECT NOTWITHSTANDING SOME PROVISIONS THEREOF BEING ELIMINATED; REPEALING ANY OTHER OFFICIAL CITY ACTION CREATING OR REGULATING THE TRAFFIC SAFETY EDUCATION PROGRAM; PROVIDING FOR SEVERABILITY; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, provisions of Title 50, Chapter 9, of the Idaho Code authorize publication of compiled Ordinances of a municipality; and

WHEREAS, the current Title 5 ("Traffic"), Chapter 8 ("Traffic Safety Education Program") was added on the 28th day of September, 2015 by Ordinance No. 985-15, which created the Traffic Safety Education Program; and

WHEREAS, the fee for participation in the Garden City Traffic School ("Traffic Safety Education Program") pursuant to Idaho Code § 50-336 was established in Resolution No. 1000-15, which was adopted on 26th day of October, 2015; and

WHEREAS, before the State of Idaho adopted Idaho Code § 50-336, the City of Garden City had permitted Garden City Police Officers the option to allow certain traffic infraction offenders to attend a driver safety course in lieu of receiving an infraction citation pursuant to Resolution No. 824-06, which was adopted on 27th day of February, 2006; and

WHEREAS, the City Council for the City of Garden City intends to repeal the Traffic Safety Education Program.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GARDEN CITY, IDAHO:

SECTION 1. The foregoing recitals are hereby incorporated into this Ordinance as if fully set forth herein.

SECTION 2. The current Title 5 ("Traffic"), Chapter 8 ("Traffic Safety Education Program") is hereby repealed in its entirety to eliminate the Traffic Safety Education Program.
SECTION 3. Ordinance No. 985-15, which was adopted on the 28th day of September 2015, is hereby repealed.

SECTION 4. All other Ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 5. The fact that some provisions of the official municipal code for the City of Garden City have been deliberately eliminated by the governing body shall not serve to cause any interruption in the continuous effectiveness of ordinances included in said official Code. All other Ordinances shall continue in full force and effect unless specifically repealed or amended.

SECTION 6. Resolution No. 1000-15, which was adopted on 26th day of October, 2015, establishing the fee for participation in the Garden City Traffic School ("Traffic Safety Education Program") pursuant to Idaho Code § 50-336, is hereby repealed or withdrawn.

SECTION 7. Resolution No. 824-06, which was adopted on 27th day of February, 2006, permitting Garden City Police Officers the option to allow certain traffic infraction offenders to attend a driver safety course in lieu of receiving an infraction citation, is hereby repealed or withdrawn.

SECTION 8. If any provision or section of this Ordinance shall be held to be invalid by a court of competent jurisdiction, then such provision or section shall be considered separately and apart from the remaining provisions or sections of this Ordinance, which shall remain in full force and effect.

SECTION 9. That the Summary of the Ordinance, attached hereto as Exhibit A, is hereby approved as to both form and content.

SECTION 10. Pursuant to an affirmative vote of one-half (1/2) plus one (1) of the members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with and accordingly, this Ordinance is passed and adopted.

SECTION 11. This Ordinance shall be in full force and effect on Jan. 27th, 2020, and from and after passage, approval, and publication.

PASSED by the City Council and APPROVED by the Mayor of Garden City, Idaho, this 27th day of January, 2020.

ATTEST:  
Lisa M. Leiby, City Clerk  
APPROVED:  
John G. Evans, Mayor

ORDINANCE NO. 1015-20
EXHIBIT “A”

STATEMENT OF GARDEN CITY ATTORNEY
AS TO ADEQUACY OF SUMMARY
OF ORDINANCE NO. 1015-20

The undersigned, Charles I. Wadams, in his capacity as City Attorney of the City of Garden City, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Summary of Ordinance No. 1015-20 of the City of Garden City, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A(3).

DATED this 27th day of January, 2020.

Charles I. Wadams
City Attorney

SUMMARY OF ORDINANCE NO. 1015-20
OF THE CITY OF GARDEN CITY, IDAHO

PUBLIC NOTICE IS HEREBY GIVEN that the City of Garden City, Idaho, adopted at its regular meeting of January 27, 2020, that Ordinance No. 1015-20 entitled:

AN ORDINANCE OF THE CITY OF GARDEN CITY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, REPEALING GARDEN CITY CODE TITLE 5 (“TRAFFIC”), CHAPTER 8 (“TRAFFIC SAFETY EDUCATION PROGRAM”), REPEALING ORDINANCE NO. 985-15 IN ITS ENTIRETY; REPEALING ALL ORDINANCES OR PARTS THEREOF TO THE EXTENT THEY CONFLICT WITH THIS ORDINANCE; PROVIDING ALL OTHER ORDINANCES INCLUDED IN THE OFFICIAL CODE ARE STILL IN EFFECT NOTWITHSTANDING SOME PROVISIONS THEREOF BEING ELIMINATED; REPEALING ANY OTHER OFFICIAL CITY ACTION CREATING OR REGULATING THE TRAFFIC SAFETY EDUCATION PROGRAM; PROVIDING FOR SEVERABILITY; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

This ordinance repeals the Traffic Safety Education Program.

The effective date of the ordinance is Jan. 29, 2020, and the date of its passage, approval, and publication. A copy of the full text of the ordinance is available at the city clerk’s office, 6015 N. Glenwood Street, Garden City, Idaho 83714. Examination may be requested in writing or in person during regular business hours of the city clerk’s office, from 8:00 a.m. until 5:00 p.m., pursuant to Section 50-901A(4), Idaho Code.

DATED this 27th day of January, 2020.

ORDINANCE NO. 1015-20
Attention: Lisa Leiby
GARDEN CITY CITY OF
6015 GLENWOOD ST
GARDEN CITY, ID 837141347

SUMMARY OF ORDINANCE NO. 1015-20
OF THE CITY OF GARDEN CITY, IDAHO
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AN ORDINANCE OF THE CITY OF GARDEN CITY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, REPEALING GARDEN CITY CODE TITLE 5 (“TRAFFIC”), CHAPTER 8 (“TRAFFIC SAFETY EDUCATION PROGRAM”), REPEALING ORDINANCE NO. 985-15 IN ITS ENTIRETY; REPEALING ALL ORDINANCES OR PARTS THEREOF TO THE EXTENT THEY CONFLICT WITH THIS ORDINANCE; PROVIDING ALL OTHER ORDINANCES INCLUDED IN THE OFFICIAL CODE ARE STILL IN EFFECT NOTWITHSTANDING SOME PROVISIONS THEREOF BEING ELIMINATED; REPEALING ANY OTHER OFFICIAL CITY ACTION CREATING OR REGULATING THE TRAFFIC SAFETY EDUCATION PROGRAM; PROVIDING FOR SEVERABILITY; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.
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DATED this 27th day of January, 2020.
CITY OF GARDEN CITY, IDAHO:
John G. Evans, Mayor
ATTEND:
Lisa M. Leiby, City Clerk

VICTORIA RODELA, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

1 Insertions
Beginning issue of: 01/29/2020
Ending issue of: 01/29/2020

Rodela

(Legals Clerk)

On this 29th day of January in the year of 2020 before me, a Notary Public, personally appeared before me Victoria Rodela known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public in and for the state of Texas, residing in Dallas County

Amanda Dawn Grisham
My Notary ID # 132031326
Expires May 30, 2023

Extra charge for lost or duplicate affidavits. Legal document please do not destroy!