

**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 28<sup>th</sup> 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 26<sup>th</sup> 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 27<sup>th</sup> 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**SECTION 2.** The current Title 5 (“Traffic”), Chapter 8 (“Traffic Safety Education Program”) is hereby repealed in its entirety to eliminate the Traffic Safety Education Program.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 28<sup>th</sup> day of September 2015, is hereby repealed.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4.** All other Ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.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 26<sup>th</sup> 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 27<sup>th</sup> 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.

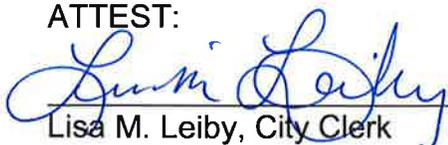
**SECTION 9.** That the Summary of the Ordinance, attached hereto as Exhibit A, is hereby approved as to both form and content.

**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. 27<sup>th</sup>, 2020, and from and after passage, approval, and publication.

**PASSED** by the City Council and **APPROVED** by the Mayor of Garden City, Idaho, this 27<sup>th</sup> day of January, 2020.

ATTEST:

  
Lisa M. Leiby, City Clerk

APPROVED:



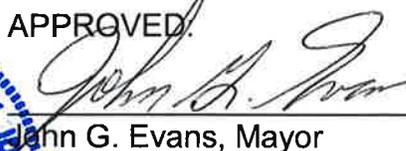
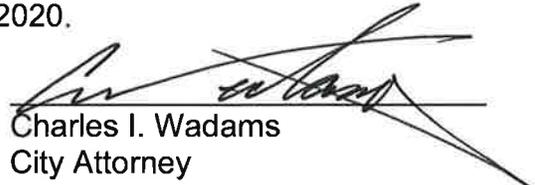
  
John G. Evans, Mayor

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 27<sup>th</sup> 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 27<sup>th</sup> day of January, 2020.

ATTEST:

  
\_\_\_\_\_  
Lisa M. Leiby, City Clerk

CITY OF GARDEN CITY, IDAHO:

  
\_\_\_\_\_  
John G. Evans, Mayor



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## AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
264046	0004545579	SUMMARY OF ORDINANCE NO. 1015-20 OF TH	5-20 Traffic School Repeat Ordina	\$73.20	1	6.78 In

**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**

**PUBLIC NOTICE IS HEREBY  
GIVEN** that the City of Garden  
City, Idaho, adopted at its regu-  
lar meeting of January 27, 2020,  
that Ordinance No. 1015-20 enti-  
tled:

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OF GARDEN CITY, A MUNICI-  
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STATE OF IDAHO, REPEALING  
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("TRAFFIC SAFETY EDUCA-  
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REPEALING ORDINANCE NO.  
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VIDING ALL OTHER ORDINAN-  
CES INCLUDED IN THE OFFI-  
CIAL CODE ARE STILL IN EF-  
FECT NOTWITHSTANDING  
SOME PROVISIONS THEREOF  
BEING ELIMINATED;  
REPEALING ANY OTHER OF-  
FICIAL CITY ACTION CREAT-  
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ing 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.

CITY OF GARDEN CITY, IDAHO:

John G. Evans, Mayor

ATTEST:

Lisa M. Leiby, City Clerk

0004545579-01

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

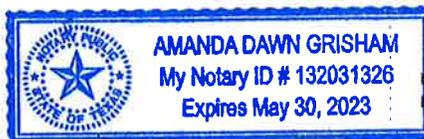
*V Rodela*

(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.

*Amanda Dawn Grisham*

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



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