

## **ORDINANCE NO. 1521**

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE AMENDMENT OF POST FALLS MUNICIPAL CODE SECTION 2.12.010 TO ESTABLISH THE NUMBER OF PLANNING AND ZONING COMMISSION MEMBERS AT SEVEN; PROVIDING FOR THE AMENDMENT OF POST FALLS MUNICIPAL CODE SECTION 15.04.080 TO UPDATE REFERENCES TO THE NATIONAL ELECTRICAL CODE; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT ON JANUARY 1, 2025 AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW

**WHEREAS**, the Mayor and City Council find that it is in the city's best interest to amend City Code to confirm the number of planning and zoning commission at seven members.

**WHEREAS**, the Mayor and City Council find that it is in the city's best interest to amend City Code to update references to the state's adoption of the 2023 National Electrical Code and IDAPA regulations to perform electrical inspections.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Post Falls as follows:

**SECTION 1.** That Post Falls Municipal Code Chapter 2.12.010. – Establishment of Planning and Zoning Commission is hereby amended as follows:

### **2.12.010. – ESTABLISHMENT OF PLANNING AND ZONING COMMISSION**

A. There is hereby established the Post Falls planning and zoning commission, which shall consist of ~~eight (8)~~ seven (7) members. The mayor shall appoint these members, with consent of the city council as provided by state law. A quorum of four (4) members is required to conduct business. Appointed members may be removed as provided in state law. Commission members shall be appointed for a term of four (4) years, or until a successor is appointed and qualified. Terms shall expire on the last day of February of the last year of the designated term. Vacancies on the commission occurring other by expiration of the term shall be filled by appointment by the mayor

with consent of the city council for the remainder of the unexpired term. The planning and zoning commission shall be responsible for carrying out duties assigned by relevant provisions of this Code in the manner directed by state law and provisions of this Code, and other duties as may be assigned by the mayor, city council and city administration pertaining to land use, planning and development. The city clerk shall approve and designate a recording secretary to create and maintain records for the commission.

B. At its first meeting following the seating of new members by mayoral apportionment and city council confirmation of members filing expired terms of service during any year, commission members shall meet and organize by electing one member chairman and choosing such other officers as necessary.

**SECTION 2.** That Post Falls Municipal Code Chapter 15.04.080 – National Electrical Code Adopted is hereby amended as follows:

**15.04.080. – NATIONAL ELECTRICAL CODE ADOPTED**

A. Adoption. The City is authorized by Idaho Code section 54-1001B to perform electrical inspections and to adopt an Electrical Code for the City provided that the National Electrical Code is used as the minimum standard for the adopted Electrical Code. As such, the City adopts the National Electrical Code, ~~2017~~ 2023 edition, as adopted and revised by the State of Idaho under IDAPA ~~07.01.06.011~~ 24.39.10, as the Electrical Code for the City of Post Falls, which will serve as the basis for electrical inspections conducted by the City.

**SECTION 3.** All provisions of the current Post Falls Municipal Code or ordinances of the City of Post Falls and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**SECTION 4.** 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 previously taken by the City of

Post Falls 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 5.** The city clerk shall cause the Post Falls Municipal Code, to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

**SECTION 6.** The city attorney may correct scrivener's errors in this ordinance by filing a corrected copy with the city clerk.

**SECTION 7.** The provisions of this ordinance are severable, and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, 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 8.** 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 Post Falls, and shall be in full force and effect as of January 1, 2025.

*Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Post Falls at a regular session of the City Council on November 19 2024.*

APPROVED, ADOPTED, and SIGNED this 19 day of November, 2024.

