

AGENDA ITEM SUMMARY

DATE: 9/26/2011

DEPARTMENT: Legal

DEPT. HEAD SIGNATURE: \_\_\_\_\_

SUBJECT:

Ordinance No. 1092 (election consolidation amendments)

**AUTHORITY:**  ID Code \_\_\_\_\_  IAR \_\_\_\_\_  City Ordinance/Code \_\_\_\_\_  
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

The state law was recently amended to provide that the county would administer all elections including municipal elections. The enclosed ordinance merely revises our ordinance to be consistent with state law.

Ned

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS** Case # \_\_\_\_\_  
Budget Line Item # \_\_\_\_\_ YTD Line Item Balance \$ \_\_\_\_\_  
Estimated Hours Spent to Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_  
Staff Contact: \_\_\_\_\_ Phone # \_\_\_\_\_  
Comments:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Clerk	<input type="checkbox"/> Engineer	<input type="checkbox"/> Building
<input type="checkbox"/> Library	<input type="checkbox"/> Planning	<input type="checkbox"/> Fire Dept.	_____
<input type="checkbox"/> Safety Committee	<input type="checkbox"/> P & Z Commission	<input type="checkbox"/> Police	_____
<input type="checkbox"/> Streets	<input type="checkbox"/> Public Works, Parks	<input type="checkbox"/> Mayor	_____

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to approve Ordinance No. \_\_\_\_\_ and to authorize the mayor to conduct the first reading with a roll call vote.

FOLLOW-UP REMARKS:

HAILEY ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, BY AMENDING SECTIONS 1.14 AND 1.16 OF THE HAILEY MUNICIPAL CODE TO PROVIDE FOR REVISIONS ALLOWING THE BLAINE COUNTY COMMISSIONERS TO CANVASS VOTES CAST AT A CITY ELECTION; BY AMENDING SECTION 2.20.020 OF THE HAILEY MUNICIPAL CODE TO MAKE THE SECTION CONSISTENT WITH STATE LAW; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the City of Hailey has adopted ordinances providing for election procedures for municipal elections and initiative and referendum elections;

WHEREAS, effective January 1, 2011, Idaho law was amended to provide that the county administer all elections within the county including municipal elections; and

WHEREAS, the Mayor and the City Council find that amendments to Chapters 1.14, 1.16 and 2.20 of the Hailey Municipal Code are required to be consistent with state law.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

**Section 1.** Section 1.14.040 of the Hailey Municipal Code is amended by the deletion of the stricken language and addition of the underlined language, as follows:

1.14.040 Canvass of returns. ~~The mayor and council~~ county commissioners shall meet within ~~six~~ ten (10) days after any city election to canvass the votes cast at such election, pursuant to Idaho Code Section ~~50-467-50-412~~, and the city clerk or designee shall enter the results of the election into the minutes of the city council proceedings and proclaimed as final.

**Section 2.** Section 1.16.110 of the Hailey Municipal Code is amended by the deletion of the stricken language and addition of the underlined language, as follows:

1.16.110 Canvass of returns. ~~The Mayor and City Council~~ county commissioners shall meet within ~~six (6)~~ ten (10) days after the election to canvass the votes cast at such election, pursuant to Idaho Code Section ~~50-467-50-412~~, and the City Clerk or designee shall ~~immediately announce~~ enter the results of the election in the minutes of the city council proceedings and proclaimed as final. Any initiative measure approved by a majority of the votes cast shall be in full force and effect upon publication according to law from the date of such announcement. Any ordinance which is the subject of a referendum ~~receiving less than a majority of the votes cast shall repeal the ordinance, shall be repealed,~~ effective on the date of approval such announcement.

**Section 3.** Section 2.20.020 of the Hailey Municipal Code is amended by the deletion of the stricken language and addition of the underlined language, as follows:

2.20.020 Runoff election. Pursuant to Idaho Code §50-707B, election to the city council shall henceforth require a majority of the votes cast for each council seat. In the event no candidate receives a majority of the votes cast, there shall be a runoff election between two candidates receiving the highest number of votes cast. Such runoff election shall be conducted as in the general election in a manner and at such time within thirty (30) days of the general election, as prescribed by the city and shall be exempt from the limitation upon elections provided in sections 34-106 and 50-405 ~~50-429~~, Idaho Code. ~~The first notice of election shall be made by the city clerk not less than twenty (20) days next preceding any runoff election, and the designation of polling places shall be made by the city clerk not less than twenty (20) days next preceding any run off election.~~

**Section 4.** Severability Clause. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

**Section 5.** Repealer Clause. All Ordinances or Resolutions or parts thereof in conflict herewith are hereby repealed and rescinded.

**Section 6.** Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

**PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND  
APPROVED BY THE MAYOR THIS \_\_\_ DAY OF \_\_\_\_\_, 2011.**

\_\_\_\_\_  
Richard L. Davis, Mayor

Attest:

\_\_\_\_\_  
Mary Cone, City Clerk

Publish: Idaho Mountain Express \_\_\_\_\_, 2011

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities.

2. It then goes on to describe the various methods used to collect and analyze data, including surveys, interviews, and focus groups.

3. The next section details the results of the research, highlighting the key findings and their implications for practice.

4. Finally, the document concludes with a discussion of the limitations of the study and suggestions for future research.

5. The following table provides a summary of the data collected during the study.

Variable	Mean	Standard Deviation
Age	35.2	12.5
Gender	55% Male	45% Female
Education	65% High School	35% College
Income	\$25,000	\$15,000
Marital Status	40% Married	60% Single

AGENDA ITEM SUMMARY

DATE: 9/26/11 DEPARTMENT: PW - Streets DEPT. HEAD SIGNATURE: 

**SUBJECT:** Discussion on revising the Dark Sky Ordinance to address safety concerns on Main Street

**AUTHORITY:**  ID Code \_\_\_\_\_  IAR \_\_\_\_\_  City Ordinance/Code \_\_\_\_\_  
(IF APPLICABLE)

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

Please see the attached memo discussing this issue.

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:** Caselle # \_\_\_\_\_  
Budget Line Item # \_\_\_\_\_ YTD Line Item Balance \$ \_\_\_\_\_  
Estimated Hours Spent to Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_  
Staff Contact: Tom Hellen Phone # 788-9830 Ext 14  
Comments:

**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:** (IF APPLICABLE)  
\_\_\_\_ City Attorney      \_\_\_\_ Clerk / Finance Director      \_\_\_\_ Engineer      \_\_\_\_ Building  
\_\_\_\_ Library      \_\_\_\_ Planning      \_\_\_\_ Fire Dept.      \_\_\_\_\_  
\_\_\_\_ Safety Committee      \_\_\_\_ P & Z Commission      \_\_\_\_ Police      \_\_\_\_\_  
\_\_\_\_ Streets      \_\_\_\_ Public Works, Parks      \_\_\_\_ Mayor      \_\_\_\_\_

**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

**ADMINISTRATIVE COMMENTS/APPROVAL:**

City Administrator \_\_\_\_\_ Dept. Head Attend Meeting (circle one) Yes No

**ACTION OF THE CITY COUNCIL:**

Date \_\_\_\_\_

City Clerk \_\_\_\_\_

**FOLLOW-UP:**

\*Ord./Res./Agmt./Order Originals: Record  
Copies (all info.): \_\_\_\_\_  
Instrument # \_\_\_\_\_

\*Additional/Exceptional Originals to: \_\_\_\_\_  
Copies (AIS only)

Draft 12-30-03

# Public Works Memo

**To:** Mayor Rick Davis  
City Council Members

**CC:** Heather Dawson, City Administrator  
Beth Robrahn, Community Development Director  
Jeff Gunter, Hailey Police Chief

**From:** Tom Hellen, Public Works Director/City Engineer 

**Date:** September 26, 2011

**Re:** Main Street Lighting

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As a part of the Hailey Community Climate Challenge EPA Grant we proposed replacement of the decorative street lights with an energy efficient luminaire; both in terms of energy use as well as a longer luminaire life between replacement. A secondary desire with this replacement was to provide better illumination of Main Street for pedestrian safety. This is also a concern to the Hailey Police Department.

In my research for this project it has become clear that the present downcast fixtures do not lend themselves to accomplishing the secondary desire. Both the 12' height and the Lexan lens at the bottom of the fixture do not allow the light to project out towards the center of the street. Additional research has found that there are fixtures that will accomplish the improved lighting but are not a full cut-off fixture. They do, however, limit the amount of light above the 90° horizontal line to approximately 15% or less on the street side of the fixture.

I would propose a revision to the Dark Sky Ordinance to exempt only the decorative lights along Main Street from the full cut-off requirement and allow a maximum of 15% light trespass above the horizontal (See the attached ordinance revision proposal). Proposals for the replacement lights will be received on September 30 and will be reviewed by staff. If the City Council is agreeable to consideration of this ordinance revision we would take that into consideration in the review.

Proposed Ordinance Revision – sub-paragraph m.

8B.4.2 Type of Luminaires. All exterior lighting shall use full cut-off luminaires with the light source downcast and fully shielded, with the following exceptions:

a. All Luminaires, excluding LED or Induction Lighting, that have a maximum output of four hundred (400) lumens per fixture, regardless of number of lamps (equal to one forty [40] watt incandescent light), may be left unshielded provided the luminaire has an opaque top or is under an opaque structure. (see Figure 5)

b. All Luminaires, excluding LED or Induction Lighting, that have a maximum output of one thousand (1,000) lumens per fixture, regardless of number of lamps (equal to one sixty [60] watt incandescent light) may be partially shielded provided the lamp is not visible, and the luminaire has an opaque top or is under an opaque structure. (See Figure 3)

c. Floodlights with external shielding shall be angled provided that no light is directed above a twenty-five (25) degree angle measured from the vertical line from the center of the light extended to the ground, and only if the Luminaire does not cause glare or Light to shine on adjacent property or public rights-of-way (see Figure 6). Floodlights should use photocells with timers and should go on at dusk and off by 11:00 p.m.

d. Residential Holiday Lighting from November 1<sup>st</sup> to February 1<sup>st</sup>. Flashing holiday lights on residential properties are discouraged. Holiday lights should be turned off by 11:00 p.m.

e. Commercial Holiday Lighting from November 1<sup>st</sup> to March 15<sup>th</sup>. Flashing holiday lights are prohibited. Holiday lights should be turned off after the close of business.

f. Sensor activated luminaires, provided:

1. It is located in such a manner as to prevent glare and lighting onto properties of others or into a public right-of-way;

2. The luminaire is set to only go on when activated and to go off within five minutes after activation has ceased;

3. The luminaire shall not be triggered by activity off the property.

g. Vehicular lights and all temporary emergency lighting needed by the Fire and Police Departments, or other emergency services.

h. Uplighting for flags provided the flag is of a government and the maximum lumen output is one thousand three hundred (1,300) lumens. Flags should be taken down at sunset to void the need for lighting.

i. Lighting of radio, communication and navigation towers; provided the owner or occupant demonstrates that the Federal Aviation Administration (FAA) regulations can only be met through the use of lighting that does not comply with Article VIII B, and that the provisions of Article VIII A.7.4 (d) are otherwise met.

j. Airport Lighting. Lighting at Friedman Memorial Airport, provided the owner or occupant demonstrates that the Federal Aviation Administration (FAA) regulations can only be met through the use of lighting that does not comply with this Article.

k. Neon Lights. Neon lights permitted pursuant to the sign ordinance, Section 8.2, et seq.

l. Luminaires used for playing fields, provided the Light is used only while the field is in use and Illuminance levels listed in the most current IESNA Recommended Practices are not exceeded. The City of Hailey recognizes that not every playing field will require lighting to the extent listed in the most current IESNA Recommended Practices.

(Ord. 1068 §1-8, 2010)

- m. **Luminaires located along Main Street (State Highway 75), necessary for pedestrian safety, shall be allowed up to 15% of the total lumens to be upward light, i.e. above 90° horizontal.**