

ORDINANCE NO. 4736

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO CREATING TITLE 2, CHAPTER 17, OF THE NAMPA CITY CODE PERTAINING TO THE APPOINTMENT, MEMBERSHIP REQUIREMENTS, ORGANIZATION, MEETINGS, POWERS AND DUTIES OF THE DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE; PROVIDING FOR SEVERABILITY; ALLOWING FOR A SUMMARY OF THIS ORDINANCE TO BE PUBLISHED; PROVIDING FOR AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES, RULES AND REGULATIONS, AND PARTS THEREOF, IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO;

SECTION 1. That Title 2, Chapter 17, Section 2-17-1 of Nampa City Code is created as follows:

2-17-1. Appointment; term.

[...]

The development impact fee advisory committee (DIFAC) established during the preparation of the development impact fee study shall continue in existence and shall be composed of seven members, all of whom shall reside within Nampa city limits while serving on the DIFAC. Any current member of the DIFAC that resides outside city limits may remain to complete their current term but may not be re-appointed unless their residence moves into city limits.

All appointments are made by the mayor with confirmation by the council. Each year appointments shall be made to fill the positions of retiring committee members. When a vacancy occurs for any reason other than an expired term a new committee member shall be appointed to complete the remainder of that term. Committee members shall be appointed for four-year rotating terms. Vacancies shall be filled for an unexpired term in the same manner as an appointment.

[...]

SECTION 2. That Title 2, Chapter 17, Section 2-17-2 of Nampa City Code is created as follows:

2-17-2. Membership Requirements.

[...]

1. Two or more members shall be active in the business of development, building, or real estate. However, a majority of the appointed members must not be active in the business of development, construction, or real estate.
2. Employees or officials acting in their official capacity for a governmental entity may not be appointed as members of the committee.
3. Any member of the committee who is properly qualified to serve at the time of appointment shall be permitted to remain on the committee, through their entire term, regardless of any subsequent modifications to the ordinance that would otherwise make that member ineligible to serve.

[...]

SECTION 3. That Title 2, Chapter 17, Section 2-17-3 of Nampa City Code is created as follows:

2-17-3. Organization.

[...]

The committee shall elect its own chairman and vice chairman and fill such other offices as it may determine it requires. Election of officers shall take place as determined by the committee. During the absence or disability of the chairman, the vice chairman shall assume the duties of the chairman. The planning director or his designee shall serve as secretary. The secretary shall keep accurate records of all proceedings of the committee.

[...]

SECTION 4. That Title 2, Chapter 17, Section 2-17-4 of Nampa City Code is created as follows:

2-17-4. Meetings.

[...]

The committee shall hold at least one regular meeting annually and such other and further meetings as may be determined by a majority of the members of said committee to be called and held at a time, place, and manner as the committee shall order in its minutes. The regular meetings shall be held at a date and time as decided according to the committee, and, unless otherwise decided and determined by the members, such meetings shall be held in the council chambers of Nampa City Hall and shall at all times be open to the public

[...]

SECTION 5. That Title 2, Chapter 17, Section 2-17-5 of Nampa City Code is created as follows:

2-17-5. Powers, duties, and responsibilities.

[...]

The DIFAC shall serve in an advisory capacity and has been established to:

1. Assist the city in adopting land use assumptions;
2. Review the capital improvements plan, and proposed amendments, and file written comments;
3. Monitor and evaluate implementation of the capital improvements plan;
4. Advise the city of the need to update or revise land use assumptions, the capital improvements plan, and development impact fees.

[...]

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

SECTION 7: This ordinance is hereby declared to be severable. If any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be ready to carry out the purposes of the ordinance before the declaration of partial invalidity.

SECTION 8: All ordinances, resolutions, and orders and parts thereof in conflict herewith are repealed.

PASSED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, THIS 5TH DAY OF JUNE, 2023.

APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS 5TH DAY OF JUNE, 2023.

Attest:

Mayor Debbie Kling

City Clerk