

**CITY OF MERIDIAN
FINDINGS OF FACT, CONCLUSIONS OF LAW,
FINAL DECISION, AND ORDER**



Date of Order: October 25, 2022
File No.: MSU-22-0097
Applicant: Kai Symons
In the Matter of: Application from Kai Symons for a City of Meridian Mobile Sales Unit License.

Pursuant to testimony and evidence received concerning this matter, the City Council of the City of Meridian (“City Council”) enters the following findings of fact, conclusions of law, final decision, and order.

A. Findings of Fact.

1. Pursuant to Meridian City Code section 3-4-2, Kai Symons (“Applicant”) submitted an application (“Application”) to the City of Meridian (“City”) for a mobile sales unit license (“License”).
2. Pursuant to Meridian City Code section 3-4-2(A)(5)(b), the City Clerk referred the Application to the Meridian Police Department to investigate the validity and completeness of the Application.
3. The Meridian Police Department concluded that the Applicant had engaged in criminal activity that is encompassed by Meridian City Code section 3-4-2(A)(5)(d)(3)(E), which reads as follows: “Within the five (5) years preceding the date of submission of the application, the applicant has been convicted of, or has completed a sentence of incarceration for, any of the following crimes, or any probation or parole violation related to such conviction: . . . (E) Any crime involving, or related to, use of or possession of drugs or illicit substances.”
4. Upon receipt of the Meridian Police Department’s conclusions, the City Clerk timely denied the Application pursuant to Meridian City Code section 3-4-2(A)(5)(d)(3)(E).
5. Pursuant to Meridian City Code section 3-4-2(A)(5)(e), the Applicant timely appealed the City Clerk’s denial of the Application to the City Council and provided supporting documentation, which is incorporated herein by reference.
6. The City Council heard said appeal on October 11, 2022, and carefully considered all evidence and testimony presented.
7. The City Council finds that the City Clerk and the Meridian Police Department properly followed Meridian City Code section 3-4-2.
8. Based on the foregoing, the City Council finds that the Application was properly denied.

B. Conclusions of Law.

1. The City Council takes judicial notice of Meridian City Code section 3-4-2, which governs mobile sales units.
2. The City Clerk shall deny an application for a mobile sales unit license if Meridian City Code section 3-4-2(A)(5)(d)(3)(E) is applicable.
3. Because the Applicant engaged in criminal activity that is encompassed by Meridian City Code section 3-4-2(A)(5)(d)(3)(E), the City Clerk properly denied the Application.

C. Order. Pursuant to the above findings of fact and conclusions of law, the City Council hereby denies the Applicant's appeal.

D. Final Decision. Upon approval by majority vote of the City Council, this is a final decision of the governing body of the City of Meridian.

IT IS SO ORDERED by the City Council of the City of Meridian, Idaho, on this 25th day of October, 2022.

Robert E. Simison
Mayor

Attest:

Chris Johnson
City Clerk