ORDINANCE NUMBER 1018

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, LIFTING THE INTERIM MORATORIUM ESTABLISHED BY ORDINANCE NO. 989 IN THE TOURIST (T) DISTRICT BUT NOT IN THE GENERAL RESIDENTIAL – HIGH DENSITY DISTRICT (GR-H); BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING A CODIFICATION CLAUSE; BY PROVIDING A REPEALER CLAUSE; BY PROVIDING FOR PUBLICATION BY SUMMARY; AND BY PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Ketchum City Council passed Ordinance No. 984 on April 12, 2006 finding that an imminent peril to the public health, safety and welfare existed requiring adoption of an emergency moratorium pursuant to Idaho Code Section 67-6523 upon the acceptance of all applications for design review and upon the issuance of all building permits in the General Residential – High Density District (GR-H) and in the Tourist District (T), and

WHEREAS, the Ketchum City Council passed Ordinance Number 989 on August 21, 2006 adopting an interim moratorium upon the acceptance of all applications for design review and upon the issuance of all building permits in the General Residential – High Density District (GR-H) and in the Tourist District (T), but such moratorium was not applicable to applications for maintenance and repair of existing buildings nor to certain interior remodels; and

WHEREAS, the Ketchum City Council passed Ordinance No. 1006 on February 5, 2007, partially lifting the Interim Moratorium as it applied to certain types of development proposals in the Tourist District (T); and

WHEREAS, the City Council hereby determines that such interim moratorium established by Ordinance No. 989 and amended by Ordinance No. 1006 is no longer needed in the Tourist District (T); however, such moratorium is still needed and shall remain in full force and effect in the General Residential – High Density District (GR-H).

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO:

SECTION 1. **LIFTING OF INTERIM MORATORIUM IN TOURIST DISTRICT (T) ONLY.** The interim moratorium established by Ordinance No. 989 shall be lifted and of no further force or effect upon passage and publication of this Ordinance only as such moratorium applies to the Tourist District (T):

Such moratorium is still needed and shall remain in full force and effect pursuant to the terms and conditions established in Ordinance No. 989 in the General Residential – High Density District (GR-H).

SECTION 2. **SAVINGS AND SEVERABILITY.** If any section, subsection, paragraph, subparagraph, item, provision, regulation, sentence, clause or phrase is declared by a court to be invalid, such actions shall not affect the validity of this Ordinance as a whole or any part thereof other than the part declared invalid.

SECTION 3. **CODIFICATION CLAUSE.** The City Clerk is instructed to immediately forward this ordinance to the codifier of the official municipal code for proper revision of the code.

SECTION 4. **REPEALER CLAUSE.** All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

SECTION 5. **PUBLICATION BY SUMMARY.** This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit "A," shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 6. **EFFECTIVE DATE.** This Ordinance shall be in full force and effect upon the date of its publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETHUM, IDAHO, and approved by the Mayor on this 13th day of August, 2007.

APPROVED:

Randy Hall, Mayor

ATTEST:

Sandra E. Cady, CMC
City Treasurer/Clerk

APPROVED AS TO FORM
AND CONTENT:

By: Benjamin W. Worst,
City Attorney

CITY OF KETCHIKAN
MUNICIPAL LIBRARY
CHARTER

EXHIBIT A

PUBLICATION OF SUMMARY OF ORDINANCE NO. 1018
CITY OF KETCHUM, IDAHO

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, LIFTING THE INTERIM MORATORIUM ESTABLISHED BY ORDINANCE NO. 989 IN THE TOURIST (T) DISTRICT BUT NOT IN THE GENERAL RESIDENTIAL – HIGH DENSITY DISTRICT (GR-H); BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING A CODIFICATION CLAUSE; BY PROVIDING A REPEALER CLAUSE; BY PROVIDING FOR PUBLICATION BY SUMMARY; AND BY PROVIDING FOR AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 1018 of the City of Ketchum, Blaine County, Idaho, adopted on August 13, 2007, is as follows:

Section 1: Lifts the interim moratorium established by Ketchum City Ordinance No. 989 as that moratorium applies in the Tourist District (T), but leaving such moratorium in place as it applies in the General Residential – High Density District (GR-H).

Section 2: Provides a savings and severability clause.

Section 3: Provides a codification clause.

Section 3: Provides a repealer clause.

Section 4: Provides for publication of a summary of the Ordinance.

Section 5: Establishes the effective date as August 13, 2007.

The full text of this Ordinance is available at the City Clerk's Office, Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho 83340 and will be provided to any citizen upon personal request during normal office hours.

CITY OF KETCHUM, IDAHO

Randy Hall, Mayor

ATTEST:

Sandra E. Cady, CMC
City Treasurer/Clerk

STATEMENT OF LEGAL ADVISOR

I, the undersigned attorney at law, duly licensed in the State of Idaho and serving as City Attorney to the City of Ketchum, Idaho, hereby certify that I have read the attached Summary of Ordinance No. 1018 of the City of Ketchum and that the same is true and complete and provides adequate notice to the public of the contents of said Ordinance.

Dated this 13th day of August, 2007.

Benjamin W. Worst,
Ketchum City Attorney

Publish: Idaho Mountain Express
Date: Ordinance was not published