

ORDINANCE NUMBER 1055

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, AMENDING ORDINANCE NUMBER 1051 AND ADDING NEW LANGUAGE REGARDING OVERDUE PARKING CITATIONS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A CODIFICATION CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is in the best interests of the City of Ketchum to make the following changes in order to aid in the collection of outstanding money owed for parking violations, late fees and administrative fees;

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

SECTION 1. Chapter 10.08.230(B)(2) is hereby amended by deleting therefrom the stricken language and adding thereto the underlined language herein below, to wit:

2. Any vehicle that has ~~three (3)~~ one (1) or more overdue parking citations that are ninety (90) days delinquent shall be placed on the scofflaw list. Once a vehicle is placed on the scofflaw list, the code officer shall send a notice to the registered owner of the vehicle, by personal service or first class certified mail to the address listed on the vehicle registration, notifying the owner that the vehicle has been placed on the scofflaw list. Said notice shall also include the following:

- a. A list of the outstanding citations that have been issued.
- b. The last fees attached to each citation, as well as the addition of an administrative fee of twenty five dollars (\$25.00) for the processing of the notice.
- c. That the owner has fifteen (15) days to respond to the notice with a payment, or agree to a payment plan set forth by the code officer, or make arrangements to make payment or post a chase bond and contest the tickets in magistrate court. The posting of the bond will suspend any further action by the city with respect to the outstanding tickets until the court reaches a decision. If the owner is successful, said bond will be released.
- d. That the consequences of failing to respond and/or pay the debt will result in the impounding or immobilization of the owner's vehicle and that the owner will be liable for the added cost of towing, impounding, and storage or immobilization removal fees.
- e. The amount of the cost of towing, impounding and storage fees or immobilization removal fees at the time of the notice.
- f. That the vehicle may not be released until the owner pays all outstanding fines and fees; provided, however, that an owner may post a cash bond in the amount covering all outstanding fines, fees and expenses, including towing and storage fees, and contest the citations in magistrate court. If the owner is successful, said bond will be released.

SECTION 2. SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence clause, or phrase of this Ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

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

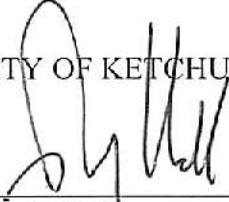
SECTION 4. REPEALER CLAUSE. All City of Ketchum ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

SECTION 5. PUBLICATION. 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 from and after its passage, approval, and publication.

PASSED by the City Council and APPROVED by the Mayor this 15th day of June, 2009.

CITY OF KETCHUM, IDAHO



Randy Hall
Mayor

ATTEST:



Sandra E. Cady, CMC
City Treasurer/Clerk

EXHIBIT A

**PUBLICATION OF SUMMARY OF ORDINANCE NO. 1055
CITY OF KETCHUM, IDAHO**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, AMENDING ORDINANCE NUMBER 1051 AND ADDING NEW LANGUAGE REGARDING OVERDUE PARKING CITATIONS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A CODIFICATION CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 1055 of the City of Ketchum, Blaine County, Idaho, adopted on June 15, 2009, is as follows:

Section 1: Amends Ordinance Number 1051 by changing language regarding overdue parking citations.

Section 2: Provides a savings and severability clause.

Section 3: Provides a codification clause.

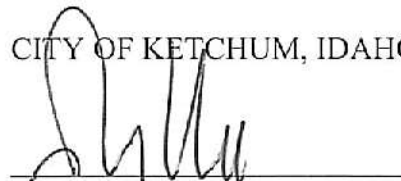
Section 3: Provides a repealer clause.

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

Section 5: Establishes the effective date of June 24, 2009.

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:

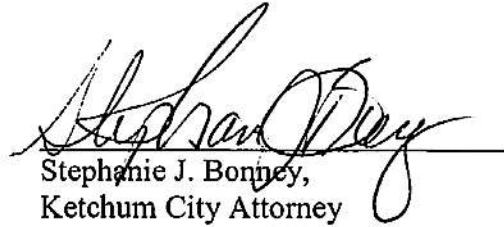


Sandra E. Cady, CMC
City Treasurer/Clerk

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. 1055 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 15th day of June, 2009.



Stephanie J. Bonney,
Ketchum City Attorney