

ORDINANCE NUMBER 1061

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING TITLE 16, CHAPTER 16.04, SUBDIVISION CODE, BY ADDING NEW LANGUAGE; CLARIFYING THE PURPOSE, APPLICABILITY AND EXCEPTIONS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A CODIFICATION CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has initiated the amendment to the subdivision frontage requirements due to the City Council's request for Staff to evaluate the requirement; and,

WHEREAS, solid urban planning principles include infill development. Many subdivisions the City typically reviews are infill, and modifying the standard will allow infill to occur when all other subdivision requirements are met; and,

WHEREAS, the life safety inspection requirement is out of date with current practices of the City; and,

WHEREAS, the Planning and Zoning Commission considered the application for a text amendment and made a recommendation to the City Council on September 28, 2009; and,

WHEREAS, the City Council held a public hearing on this matter on November 2, 2009; and,

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

SECTION 1. Amends Section 16.04.040(F)(7), Subdivision Code, pertaining to Subdivision Lot Requirements by adding thereto the underlined language herein below, to wit:

Every lot in a subdivision shall have a minimum of twenty feet (20') of frontage on a dedicated public street- or legal access via an easement of twenty feet (20') or greater in width. Easement shall be recorded in the Office of the Blaine County Recorder prior to or in conjunction with recordation of the final plat.

SECTION 2. Amends Section 16.04.060(C)(1)(a), Subdivision Code, pertaining to Condominiums, Final Plat Procedure, by striking language and adding thereto the underlined language herein below, to wit:

1. The final plat procedure contained in subsection 16.04.030F of this chapter shall be followed. However, the final plat shall not be signed by the city clerk and recorded until the condominium has received:

a. ~~An approved life safety inspection for the building shell and all common areas from the Ketchum building official certificate of occupancy issued by the City of Ketchum;~~ and

SECTION 3. Amends Section 16.04.070(D)(1)(a), Subdivision Code, pertaining to Townhouses, Final Plat Procedure, by striking language and adding thereto the underlined language herein below, to wit:

16.04.070(D)(1)(a), Townhouses, Final Plat Procedure:

1. The final plat procedure contained in subsection 16.04.030F of this chapter shall be followed. However, the final plat shall not be signed by the city clerk and recorded until the townhouse has received:

a. ~~An approved life safety inspection for the building shell and all common areas from the Ketchum building official~~ certificate of occupancy issued by the City of Ketchum; and

SECTION 4. 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.

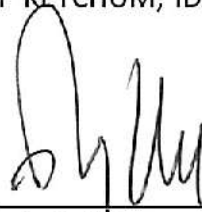
SECTION 5. CODIFICATION CLAUSE. The City Clerk is instructed to immediately forward this ordinance to the codifier of the official municipal code for proper revision of the code.

SECTION 6. PUBLICATION. This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form attached 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 7. REPEALER CLAUSE. All City of Ketchum code sections, ordinances or resolutions or parts thereof, which are in conflict herewith are hereby repealed.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, and approved by the Mayor this 7th day of December, 2009.



Randy Hall, Mayor

ATTEST:



Sandra E. Cady, CMC
City Treasurer/Clerk



EXHIBIT A

**PUBLICATION OF SUMMARY OF ORDINANCE NO. 1061
CITY OF KETCHUM, IDAHO**

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING TITLE 16, CHAPTER 16.04, SUBDIVISION CODE, BY ADDING NEW LANGUAGE; CLARIFYING THE PURPOSE, APPLICABILITY AND EXCEPTIONS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A CODIFICATION CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 1061 of the City of Ketchum, Blaine County, Idaho, adopted on December 7, 2009, is as follows:

Section 1. Amends Section 16.04.040(F)(7), Subdivision Code, pertaining to Subdivision Lot Requirements by adding thereto the underlined language herein below, to wit:

Every lot in a subdivision shall have a minimum of twenty feet (20') of frontage on a dedicated public street- or legal access via an easement of twenty feet (20') or greater in width. Easement shall be recorded in the Office of the Blaine County Recorder prior to or in conjunction with recordation of the final plat.

Section 2. Amends Section 16.04.060(C)(1)(a), Subdivision Code, pertaining to Condominiums, Final Plat Procedure, by striking language and adding thereto the underlined language herein below, to wit:

1. The final plat procedure contained in subsection 16.04.030F of this chapter shall be followed. However, the final plat shall not be signed by the city clerk and recorded until the condominium has received:

a. ~~An approved life safety inspection for the building shell and all common areas from the Ketchum building official~~ certificate of occupancy issued by the City of Ketchum; and

Section 3. Amends Section 16.04.070(D)(1)(a), Subdivision Code, pertaining to Townhouses, Final Plat Procedure, by striking language and adding thereto the underlined language herein below, to wit:

16.04.070(D)(1)(a), Townhouses, Final Plat Procedure:

1. The final plat procedure contained in subsection 16.04.030F of this chapter shall be followed. However, the final plat shall not be signed by the city clerk and recorded until the townhouse has received:

a. ~~An approved life safety inspection for the building shell and all common areas from the Ketchum building official~~ certificate of occupancy issued by the City of Ketchum; and

Section 4: Provides a savings and severability clause.

Section 5: Provides a codification clause.

Section 6: Provides for publication of a summary of the Ordinance.

Section 7: Provides a repealer clause.

Section 8: Establishes the effective date of January 14, 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

Publish: Idaho Mountain Express, Date: December 16, 2009