

CITY OF KETCHUM, IDAHO, ORDINANCE NO. 1193

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, REPEALING SECTIONS 12.32.010, DEFINITIONS AND 12.32.040, APPLICATION PROCEDURE OF THE KETCHUM MUNICIPAL CODE AND REPLACING THEM WITH NEW SECTIONS 12.32.010 AND 12.32.040 AND PROVIDING A REPEALER AND SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Chapter 12.32 was adopted by the Ketchum City Council and amended over time,

WHEREAS, special events are recognized as an important element of a vibrant and successful community;

WHEREAS, the current standards and regulations in Chapter 12.32 are outdated and at times discourage events and therefore are in need of updating;

WHEREAS, it is the intent of the Ketchum City Council to provide clear standards and a simplified process to encourage special events;

WHEREAS, it is found appropriate to repeal certain sections of Chapter 12.32 and adopt certain new sections of Chapter 12.32 that contain new standards and application procedures;

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Ketchum Idaho, Ketchum Municipal Code is hereby amended by the repeal and replacement of certain sections of Chapter 12.32 Special Events as follows:

SECTION 1. 12.32.010: DEFINITIONS:

For the purpose of this chapter, the following terms shall have the meanings prescribed in this section:

APPLICANT: The person, or group of people, who is or are the organizer(s) and with whom the responsibility for conduct of the special event lies. The applicant signs the special event license application and all other documents relevant to the special event.

CITY: The city of Ketchum, Idaho.

CITY ATTORNEY: The duly appointed city attorney of the city of Ketchum, Idaho.

CITY COUNCIL: The duly elected city council of the city of Ketchum, Idaho.

ENGAGING IN OR CONDUCTING BUSINESS: The selling, soliciting, advertising or offering for sale of any service or item of personal property or real property or any interest in such property.

FEES: Charges assessed by the city for licensing, staffing, property use/rental, cleanup, and inspections involving the use of public property, public employees or public equipment assessed to a special event and established within the special event licensing process.

LARGE EVENT: Special events requiring a street closure of more than one day; or have an anticipated attendance over 400 people; or a weekly event that takes place more than four (4) consecutive weeks.

LICENSEE: The applicant becomes the "licensee" when the special event license has been approved and signed by the special event coordinator, and the fee, security, insurance and indemnity requirements have been fulfilled. As the license holder, the licensee becomes the sole proprietor of the special event and inherits the responsibilities connected with all licenses, fee assessments, copyrights, insurance and liabilities connected with the licensed special event.

MEDIUM EVENT: Special events that require a street closure of one day or less; or have an anticipated attendance between 100-400 people; or a weekly event that takes place up to, but not more than, four (4) consecutive weeks.

PERSON: Every natural person, firm, partnership, association, corporation or any other business entity.

PUBLIC EVENT: Any special event held on public property in which the general public is invited, with or without charge, and which creates significant public impact through: a) the attraction of large crowds; b) the necessity for street closures or use of other public property; c) the required use of city equipment and/or services; or d) the necessity for temporary business licensing.

PUBLIC HOLIDAY: Any state or national holiday or any locally declared day of celebration, including, but not limited to, Wagon Days and New Year's Eve, during which a special event may be held.

PUBLIC PROPERTY: Any sidewalk, street, alley, highway, public right of way, park, parking lot or other place owned in fee or leased by the city, or in, on or over which an easement exists in the name of or held by the city, or which exists for the benefit and use of the public.

SMALL EVENT: Special events that do not require a street closure, are a single occurrence, and have an anticipated attendance under one hundred (100) people.

SPECIAL EVENT: The temporary use of public property, including streets, parking lots, parks and waterways, for the purpose of conducting certain public events such as, but not limited to, art shows, music concerts, fundraising events, amusement attractions, circuses, carnivals, rodeos, craft fairs, sporting events, contests, dances, tournaments, walkathons, marathons, races, exhibitions or related activities. In addition, a "special event" is any public event which could reasonably be interpreted to cause significant public impact via disturbance, crowd, traffic/parking or disruption of the normal routine of the community or affected neighborhood.

STREET CLOSURE: The deliberate blockage of all, or a portion of, a public street, a right of way or a city owned parking facility to prohibit the flow of traffic or access of vehicles. Any non-construction street closure, regardless of duration, requires a special event license.

STREET PARTY: A special event that requires a one-block street closure, no more than 6-hour road closure, is a single occurrence with anticipated attendance under three hundred (300) people, is self-organized by a local Ketchum organization, its publicity is focused on Wood River Valley residents and businesses, and a limited number of vendors (1 food, 1 beverage, 1 merchandise).

VENUE: The location or locations upon which a special event is held, as well as the ingress and egress route.

WEEKLY EVENT: Any event that takes place once per week for two (2) or more consecutive weeks.

SECTION 2. 12.32.040: APPLICATION PROCEDURE:

An application for special event license shall be made in writing on forms provided by the city.

A. Filing Period: A complete application and filing fee shall be submitted to the city in accordance with the following time frames:

1. Street Party and Small Event. Within twenty (20) days of the date of the proposed event date.
2. Medium Event. Within thirty (30) days of the date of the proposed event date.
3. Large Event. Within 60 days of the proposed event date.

These filing deadlines may be modified by the City Administrator if a determination is made that the event will have minimal impacts.

B. Notice: All events shall be placed on the official city of Ketchum special events calendar upon receipt of the special event application. Annually, the city shall mail written instructions to all Ketchum property owners describing the process for notification of special events. The city of Ketchum shall periodically notify interested parties via email or through its website notification module of upcoming events. The notice shall state the date, time, venue, purpose of special event and producer contact information for comments on the event. Comments received by the city shall be provided to event producer.

For all events, city staff may elect to provide additional noticing based on the size, location and scope of the event.

C. Decision: The application materials and any comments received from the adjoining property owners will be reviewed by the city in light of the standards provided in section 12.32.050 of this chapter. The city shall provide in writing a decision on the application within ten (10) days of the date a complete application was filed for street parties and small events, and within twenty (20) days of the date a complete application was filed for medium and large events.

D. License Issuance: An applicant shall be issued a letter of approval or special event license for the given special event upon the approval of the city, and upon the fulfillment of the fee, security, insurance and indemnity requirements.

E. Fees: Except as provided in subsection E1 of this section, all fees due the city as a result of a special event must be paid in full no later than ten (10) days prior to the first day of the special event.

1. Application Fee: An application fee shall be paid at the time the special event permit is filed with the city. The application fee shall be set by resolution of the city council.

2. City Services Fee: If the applicant requests city services in conjunction with the special event or if city services are deemed necessary by the city to protect the public's health, safety and welfare during the special event, the applicant shall be responsible for a fee equal to the expense of such city services. The city shall provide the applicant with an estimate of service fees based on city salaries.

SECTION 3. 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 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 B, 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.

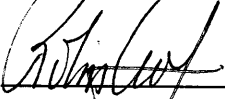
PASSED by the City Council and APPROVED by the Mayor of Ketchum this ____ day of December 2018.

CITY OF KETCHUM, IDAHO



Neil Bradshaw, Mayor

ATTEST:



Robin Crotty
City Clerk



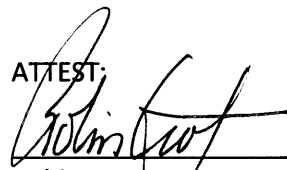
PUBLICATION SUMMARY OF ORDINANCE NO. 1193

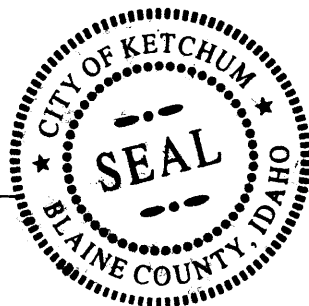
AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, REPEALING SECTIONS 12.32.010, DEFINITIONS AND 12.32.040, APPLICATION PROCEDURE OF THE KETCHUM MUNICIPAL CODE AND REPLACING THEM WITH NEW SECTIONS 12.32.010 AND 12.32.040 AND PROVIDING A REPEALER AND SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE

A summary of the principal provisions of Ordinance No. 1193 of the City of Ketchum, Blaine County, Idaho, adopted on December 17, 2018, is as follows:

- SECTION 1.** Amends Section 12.32.010, Definitions, to clarify the city does not rent or loan its equipment, to add a definition for “street party”.
- SECTION 2.** Amends Chapter 12.32.040, Application Procedure A(1), to remove references to Town Square and to connect filing date to application review, license approval, and final fees and catering permit requirements; B. Notice, to repeal notification responsibilities of the producer and replace with new city-managed process; C. Decision, add “street party” and connect date for street party and small events to application review, license approval, final fees and catering permit requirement; D. License Issuance, clarifies method by which city currently “licenses” special events; E. Fees, align date with filing date to application review, license approval, and final fees and catering permit requirements; E(2) repeals producer notification requirement and replaces it with new process for city communications with the public; E(3) clarifies that city does not rent or loan its equipment.
- SECTION 3.** Provides a savings and severability clause.
- SECTION 4.** Provides for a repealer clause.
- SECTION 5.** Provides for publication of this Ordinance by Summary.
- SECTION 6.** Establishes an effective date.

PASSED by the City Council and APPROVED by the Mayor of Ketchum this 17th day of December 2018.

ATTEST:

Robin Crotty
City Clerk



CITY OF KETCHUM, IDAHO



Neil Bradshaw, Mayor