ORDINANCE NUMBER 883

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING KETCHUM MUNICIPAL CODE TITLE 17, CHAPTER 17.08, DEFINITIONS, SUBSECTION 17.08.010; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the creation of townhouse sublots are permitted by the subdivision ordinance to establish separate ownership of units, including the land beneath the units.

WHEREAS, Municipal Code Title 17, Chapter 17.08, Definitions, provides a definition for "townhouse sublot".

WHEREAS, the definition of "townhouse sublot" provided in Chapter 17.08 needs to be clarified to require minimum sublot sizes to include all portions of the building to be owned and used solely by a sublot property owner.

WHEREAS, the proposed amendment will provide a clear definition that will address all elements of a building.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Idaho:

SECTION 1. That Chapter 16.04 of Municipal Code Title 16, Subdivisions, of the City of Ketchum, Idaho is hereby amended, altered and changed by adding thereto the words underlined hereinbelow, to-wit:

Chapter 17.08

DEFINITIONS

17.08.20 Definitions.

"Townhouse sublots" means the lots resulting from platting a townhouse development. Townhouse sublots shall ~~have a minimum area equal to that of the perimeter of each individual townhouse unit measured at the foundation~~ include, at a minimum, the townhouse unit in its entirety including any and all extensions of the structure that are for the sole use of that townhouse unit and the land beneath said unit whether located independently or within a building containing two or more townhouse units in a townhouse development. Such sublots shall not be buildable for structure other than a townhouse unit as defined in this Section. Platting of sublots shall follow the procedures set forth in the subdivision ordinance and other applicable codes in effect. Detached garages may be allowed in a townhouse development and may be platted on separate sublots;

provided that, the ownership of such detached garages is tied to specific townhouse units on the townhouse plat and in any owner's documents and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the townhouse development.

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

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

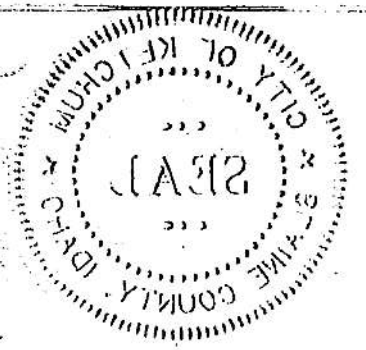
PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO and approved by the Mayor this 17th day of September, 2001.

David Hutchinson
Mayor

ATTEST:

SANDRA E. CADY
City Clerk

Publish: Idaho Mountain Express
September 26, 2001


CITY OF KETCHUM
SEAL
BLAINE COUNTY, IDAHO