ORDINANCE NUMBER 931

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING KETCHUM MUNICIPAL CODE TITLE 15, BUILDINGS AND CONSTRUCTION, CHAPTER 15.12, DEVELOPMENT IMPACT FEE, SUBSECTIONS 15.12.040. (A.), (B.), COLLECTION OF IMPACT FEE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Title 15, Buildings and Construction, Chapter 15.12, Development Impact Fee, Subsection 15.12.040. (A.), (B.), Collection of impact fee, prescribes the procedure by which the Development Impact Fee as defined in Subsection 15.12.020 shall be paid and collected; and

WHEREAS, because Subsection 15.12.040. (A.), (B.), is ambiguous, creating potential for administrative inefficiency, it is now necessary to amend these subsections; and

WHEREAS, the proposed amendments will provide a clear efficient procedure for the collection of Development Impact Fees.

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

SECTION 1. That Chapter 15.12, Development Impact Fee, of Title 15, Buildings and Construction of the Ketchum Municipal Code, Subsections 15.12.040. (A.), (B.) are hereby amended, altered and changed by adding thereto the words underlined and deleting the words with a strike through hereinbelow, to-wit:

15.12.40 Collection of impact fee.

A. The development impact fees, water connection fees, sewer connection fees, inspection fees, hookup fees and all building permit fees shall be paid and collected at the time of ~~issuance of a~~ building permit ~~or at the time of application for a water or a sewer hookup.~~ application submittal.

B. No building permit application, ~~or~~ water hookup application or sewer hookup application shall be ~~issued~~ accepted by the City for development as defined in this chapter unless ~~the impact~~ all fees ~~is~~ called for in Subsection 15.12.040.A, above, are paid pursuant to this chapter.

SECTION 2. SAVINGS AND SEVERALBILITY 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, subdivision, 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 21st day of June, 2004.

CITY OF KETCHUM, IDAHO

EDWARD SIMON, Mayor

ATTEST:

Sandra Cady, CMC
City Clerk/Treasurer

APPROVED AS TO FORM
AND CONTENT:

BENJAMIN W. WORST
City Attorney

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