

## ORDINANCE NUMBER 949

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING TITLE 10, CHAPTER 10.08 PARKING, OF THE KETCHUM MUNICIPAL CODE BY AMENDING SECTION 10.08.200(C) OFFICERS AUTHORIZED TO REMOVE VEHICLES BY ADDING NEW LANGUAGE; AMENDING SECTION 10.08.230(B) BY ADDING NEW LANGUAGE AND DELETING OLD; REPEALING ORDINANCE NUMBER 832 IN ITS ENTIRETY; REPEALING SECTION 6(B) OF ORDINANCE NUMBER 860; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, it is in the best interest of the City of Ketchum to amend sections of the parking code in order to clarify minimum standards and regulations to protect the public safety by creating a set of rules which, if faithfully adhered to by the public, will aid in providing safe, expeditious and orderly conduct upon the streets, alleys and all public rights-of-way in the city.

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

**SECTION 1. ORDINANCES REPEALED.** Ordinance Number 832 is hereby repealed in its entirety.

**SECTION 2. SECTIONS OF ORDINANCES REPEALED.** Section 6(B) of Ordinance Number 860 is hereby repealed.

**SECTION 3. ENACTMENT.** Chapter 10.08, Parking, of the Ketchum Municipal Code, Section 10.08.200, **Officers Authorized to remove vehicles**, Subsection (C), is amended by adding thereto the underlined language hereinbelow, to wit:

C. Any police officer is authorized to remove or cause to be removed to a place of safety any vehicle left parked on any public right-of-way in such a manner as to obstruct removal of snow from the public right-of-way; or to obstruct public utility or street repair, maintenance, or other services in the best interest of the public.

**SECTION 4. ENACTMENT.** Chapter 10.08, Parking, of the Ketchum Municipal Code, Section 10.08.230, **Parking tickets and procedures**, Subsection (B), is amended by deleting therefrom the marked out language and adding thereto the underlined language hereinbelow, to wit:

B. In order to eliminate burdening courts with violations of ordinances and to

eliminate insofar as possible public inconvenience, each person receiving a parking ticket under this section left upon his or her vehicle shall:

1. Within fifteen (15) days of the time of such parking ticket, pay to the police department in full satisfaction of such violation, the fee indicated in the fee schedule for each parking ticket left upon his or her vehicle.

a. Fee schedule (if a violation is identified in more than one paragraph of the following fee schedule, the greater fee amount shall govern):

i. ~~Fifty dollars (\$50.00)~~ One hundred twenty-six dollars (\$126.00) for violation of Section 10.08.120.

ii. Thirty-five dollars (\$35.00) for violation of Section 10.08.060C; and

~~iii~~ iii Twenty-five dollars (\$25.00) on any parking violation in the Warm Springs lift area; violation for Section 10.08.060A12, bike path on Sun Valley Road; Section 10.08.060B8, official traffic control devices; Section 10.08.060B9, designated taxicab loading zones; and ~~Section 10.08.060C.~~

~~iii~~ iv. Ten dollars (\$10.00) for violation of Section 10.08.060A and B, prohibited parking (*except* Section 10.08.060A12, bike path on Sun Valley Road and B6, passenger loading zone on Howard Drive between Jane Lane and Skiway Drive, north side of Picabo Street between Jane Lane and Skiway Drive); and Section 10.08.040, manner of parking; Section 10.08.050, stopping, standing of parking in roadway; Section 10.08.070, residential parking permit; Section 10.08.080, obstructing traffic; Section 10.08.090, parking in alleys; Section 10.08.110, temporary no parking zones; Section 10.08.170; and Section 10.08.180; and

~~iv~~ v. For violations of Section 10.08.150, Time limit parking (*except* Section 10.08.150(C) 25, 26, and 29, Warm Springs lift area), the fine shall be as follows:

(a) First citation will be issued as a warning without a monetary penalty:

(b) Second citation, ten dollars (\$10.00);

(c) Third citation, twenty dollars (\$20.00); and

(d) Fourth citation, forty dollars (\$40.00).

(e) All citations after the fourth will be forty dollars (\$40.00) until the vehicle has gone 365 consecutive days without a two-hour parking offense. If the vehicle goes 365 days without an offense, the vehicle will be restored to a first offence status.

2. Any vehicle that has three or more overdue parking citations, with one or more being 90 days delinquent, shall be placed on a 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 late 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 of the owner's vehicle upon the issuance of the next parking citation and that the owner will be liable for the added costs of towing, impounding, and storage fees;
- (e) The amount of the cost of towing, impounding and storage 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.

3. If a ticket has not been paid within 15 days from the date it is received, a five dollar (\$5.00) late fee shall be automatically added to the outstanding fine. The additional five dollars (\$5.00) for each ticket is deemed necessary to defray administrative and clerical expenses. The failure of any operator to report and/or make such payment to the police department within the times prescribed above shall render the owner or operator thereof subject to penalties as provided in Section 10.08.220.

**SECTION 5. 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 portion of this ordinance.

**SECTION 6. REPEALER CLAUSE.** All City of Ketchum ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.


**SECTION 7. 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 7th day of March, 2005.

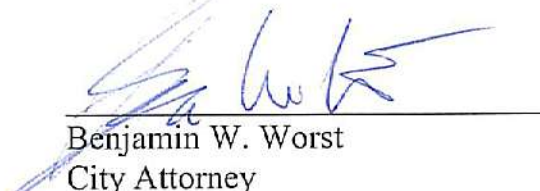
CITY OF KETCHUM, IDAHO

  
EDWARD SIMON  
Mayor

ATTEST:

  
Sandra E. Cady, CMC  
City Treasure/Clerk

APPROVED AS TO FORM  
AND CONTENT:

  
Benjamin W. Worst  
City Attorney



Publish: Idaho Mountain Express  
March 16, 2005

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