

**ORDINANCE NUMBER 979**

A AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING SECTION 1(A) OF ORDINANCE 944, INTERNATIONAL BUILDING CODE APPENDIX B, BOARD OF APPEALS, SECTIONS B101.1 AND B101.2.2, AMENDING THE TIME LIMIT IN WHICH APPLICATIONS FOR APPEAL MAY BE FILED AND AMENDING THE LIST OF PROFESSIONS FROM WHICH INDIVIDUALS APPOINTED TO THE BOARD OF APPEALS MAY BE SELECTED BY SUBSTITUTING A REGISTERED DESIGN PROFESSIONAL WITH ELECTRICAL ENGINEERING EXPERIENCE WITH A DESIGN PROFESSIONAL WITH ARCHITECTURAL EXPERIENCE OR A BUILDER OR SUPERINTENDENT OF BUILDING CONSTRUCTION WITH AT LEAST TEN YEARS' EXPERIENCE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the current time limit for filing an application for appeal is 20 days after the notice is served; and

WHEREAS, the City Council desires to amend the time limit to fifteen (15) days to correspond with the Ketchum Fire Department appeal time limit; and

WHEREAS, the current ordinance requires the board of appeals to include a registered design professional with electrical engineering experience or an electrical contractor with at least ten years' experience; and

WHEREAS, the City of Ketchum does not do electrical inspections and all electrical appeals go directly to the state level; and

WHEREAS, the City Council desires to amend the qualifications of individuals from certain professions or disciplines by eliminating B101.2.2(4) and adding an additional registered design professional with architectural experience or builder or superintendent of building construction with at least ten years' experience, to total the five members needed for the board of appeals; and

WHEREAS, the City Council desires to include a registered design professional with architectural experience or a builder or superintendent of building construction with at least ten years' experience and a registered design professional with structural engineering experience as the alternate members to hear appeals in the absence or disqualification of a member as stated in B101.2.1.

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

SECTION 1. AMENDMENT OF TEXT IN SECTIONS B101.1 AND B101.2.2 OF THE 2003 INTERNATIONAL BUILDING CODE, ADOPTED IN ORDINANCE 944, SECTION 1(a). Chapter 15.04, Section 1(a) of the Ketchum Municipal Code is hereby amended,

altered, and changed by adding thereto the underlined language herein below and by deleting there from the language stricken through, to wit:

**B101.1 Application.** The application for appeal shall be filed in a form obtained from the building official within ~~20~~ 15 days after the notice was served.

**B101.2.2 Qualifications.** The board of appeals shall consist of five individuals, ~~one~~ from each of the following professions or disciplines:

1. Two (2) registered design professionals with architectural experience or a builder or superintendent of building construction with at least ten years' experience, five of which shall have been in responsible charge of work.
2. One (1) registered design professional with structural engineering experience.
3. One (1) registered design professional with mechanical and plumbing engineering experience or a mechanical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.
- ~~4. Registered design professional with electrical engineering experience or an electrical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.~~
- ~~4.5.~~One (1) registered design professional with fire protection engineering experience or a fire protection contractor with at least ten years' experience, five of which shall have been in responsible charge of work.

**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 5. PUBLICATION.** This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed 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 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 and APPROVED by the Mayor this 17th day of April 2006.


CITY OF KETCHUM, IDAHO

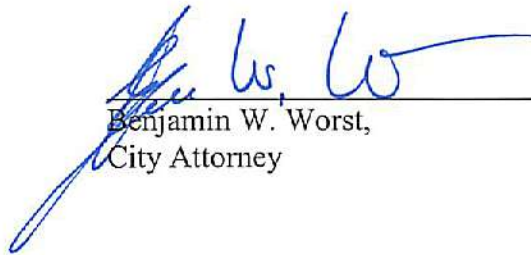
  
\_\_\_\_\_  
Randy Hall,  
Mayor

ATTEST:

APPROVED AS TO FORM  
AND CONTENT:

  
\_\_\_\_\_  
Sandra E. Cady, CMC  
City Treasure/Clerk



  
\_\_\_\_\_  
Benjamin W. Worst,  
City Attorney

*[Faint, illegible handwritten text]*



EXHIBIT A

**PUBLICATION OF SUMMARY OF ORDINANCE NO. 979  
CITY OF KETCHUM, IDAHO**

A AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING SECTION 1(A) OF ORDINANCE 944, INTERNATIONAL BUILDING CODE APPENDIX B, BOARD OF APPEALS, SECTIONS B101.1 AND B101.2.2, AMENDING THE TIME LIMIT IN WHICH APPLICATIONS FOR APPEAL MAY BE FILED AND AMENDING THE LIST OF PROFESSIONS FROM WHICH INDIVIDUALS APPOINTED TO THE BOARD OF APPEALS MAY BE SELECTED BY SUBSTITUTING A REGISTERED DESIGN PROFESSIONAL WITH ELECTRICAL ENGINEERING EXPERIENCE WITH A DESIGN PROFESSIONAL WITH ARCHITECTURAL EXPERIENCE OR A BUILDER OR SUPERINTENDENT OF BUILDING CONSTRUCTION WITH AT LEAST TEN YEARS' EXPERIENCE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 979 of the City of Ketchum, Blaine County, Idaho, adopted on April 17th, 2006, is as follows:

**Section 1:** Amends Title 15, Chapter 15.04.010 "International and Uniform Codes Adopted", Sections 1(a) of the Ketchum Municipal Code, to reduce the time limit in which applications for appeal may be filed from 20 days to 15 days, and amends the list of professions from which individuals appointed to the board of appeals may be selected by substituting a registered design professional with electrical engineering experience with a design professional with architectural experience or a builder or superintendent of building construction with at least ten years' experience.

**Section 2:** Provides a savings and severability clause.

**Section 3:** Provides a repealer clause.

**Section 4:** Provides for publication of a summary of the Ordinance.

**Section 5:** Establishes the effective date.

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:

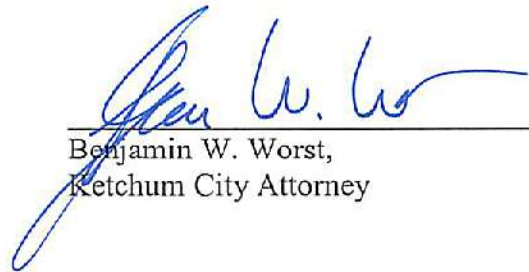
A handwritten signature in blue ink that reads "Sandra E. Cady". The signature is written in a cursive style with a large, looping initial "S".

Sandra E. Cady, CMC  
City Treasurer/Clerk

**STATEMENT OF LEGAL ADVISOR**

I, the undersigned attorney at law, duly licensed in the State of Idaho and serving as City Attorney to the City of Ketchum, Idaho, hereby certify that I have read the attached Summary of Ordinance No. 979 of the City of Ketchum and that the same is true and complete and provides adequate notice to the public of the contents of said Ordinance.

Dated this 17th day of April 2006.



Benjamin W. Worst,  
Ketchum City Attorney

Publish: Idaho Mountain Express  
Date: April 26, 2006