

ORDINANCE NUMBER 995

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING THE KETCHUM MUNICIPAL CODE, TITLE 17, CHAPTER 17.96, DESIGN REVIEW DISTRICT, SUBSECTION 17.96.090.B, AMENDING CRITERIA AND STANDARDS BY PROVIDING ENERGY EFFICIENCY AND GREEN BUILDING PRINCIPLES; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING A CODIFYING CLAUSE; BY PROVIDING A REPEALER CLAUSE; BY PROVIDING FOR PUBLICATION BY SUMMARY; AND BY PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, several Comprehensive Plan policies provide direction for design and development of buildings to include green building features; specifically energy efficiency, waste reduction, reduction of over consumption of resources; and protection of aesthetic values such as wildlife, open space habitat and resources of the natural environment.

WHEREAS, chapter 1.4 of the Comprehensive Plan cites the 1997 Land Capacity Study indicating “that Ketchum is approximately 50% built-out in all zones. Accordingly, this Plan anticipates and addresses the virtual certainty of substantial future development in the City and surrounding areas.”

WHEREAS, chapter 4.1 of the Comprehensive Plan states that one goal of the plan is to “Encourage land uses in harmony with existing natural resources” and to “Consider incentives and/or land use regulations that promote energy efficiency, and reduce over consumption of resources.”

WHEREAS, section 9 of the Comprehensive Plan considers water conservation; “Water conservation is growing in importance as Ketchum builds out. Education is needed to teach residents how to reduce water consumption. Waste reduction and recycling are also growing in importance.”

WHEREAS, chapter 9.2.6 of the Comprehensive Plan emphasizes the importance of providing “Guidance in water preservation techniques within the home and business and in the landscape.”

WHEREAS, chapter 9.2.7 of the Comprehensive Plan emphasizes the importance of working “towards commercial and residential waste reduction, promoting recycling.”

WHEREAS, amendments to the Design Review District are necessary to implement the guidelines and directions pertaining to green building set forth by the Comprehensive Plan.

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

SECTION 1. That Chapter 17.96 **Design Review**, Section 17.96.090, **Criteria and Standards**, 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:

17.96.090 Criteria and Standards.

B. Evaluation Standards.

8. Green Building. Consideration shall be given to green building features within the project. Recognition shall be given to projects that achieve the United States Green Building Council's LEED Certification or earn the Environmental Protection Agency's Energy Star Label. Projects are encouraged to consider energy conservation, indoor air quality, water use, location, waste reduction, recycling, and use of sustainable construction materials.

SECTION 2. SAVINGS AND SEVERABILITY. If any section, subsection, paragraph, subparagraph, item, provision, regulation, sentence, clause or phrase is declared by a court to be invalid, such actions shall not affect the validity of this Ordinance as a whole or any part thereof other than the part declared invalid.

SECTION 3. CODIFICATION. The City Clerk is instructed pursuant to Section 1-1-3 of the City of Ketchum Municipal Code to immediately forward this ordinance to the codifier of the official municipal code for proper revision of the code.

SECTION 4. REPEALER CLAUSE. All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

SECTION 5. PUBLICATION BY SUMMARY. 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 6: EFFECTIVE DATE. This Ordinance shall be in full force and effect upon the date of its publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETHUM, IDAHO, and approved by the Mayor on this 30th day of October, 2006.

APPROVED:



Randy Hall, Mayor

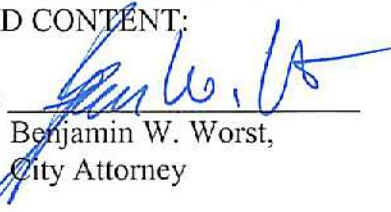
ATTEST:



Sandra E. Cady, CMC
City Treasurer/Clerk

APPROVED AS TO FORM
AND CONTENT:

By:


Benjamin W. Worst,
City Attorney

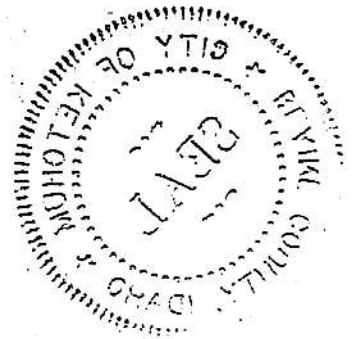


EXHIBIT A

**PUBLICATION OF SUMMARY OF ORDINANCE NO. 995
CITY OF KETCHUM, IDAHO**

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING THE KETCHUM MUNICIPAL CODE, TITLE 17, CHAPTER 17.96, DESIGN REVIEW DISTRICT, SUBSECTION 17.96.090.B, AMENDING CRITERIA AND STANDARDS BY PROVIDING ENERGY EFFICIENCY AND GREEN BUILDING PRINCIPLES; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING A CODIFYING CLAUSE; BY PROVIDING A REPEALER CLAUSE; BY PROVIDING FOR PUBLICATION BY SUMMARY; AND BY PROVIDING FOR AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 995 of the City of Ketchum, Blaine County, Idaho, adopted on October 30, 2006, is as follows:

Section 1: Adds certain language that consideration shall be given to green building features within the project, recognition shall be given to projects that achieve the United States Green Building Council's LEED Certification or earn the Environmental Protection Agency's Energy Star Label and projects are encouraged to consider energy conservation, indoor air quality, water use, location, waste reduction, recycling, and use of sustainable construction materials.

Section 2: Provides a savings and severability clause.

Section 3: Provides a codification clause.

Section 4: Provides a repealer clause.

Section 5: Provides for publication of a summary of the Ordinance.

Section 6: 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:

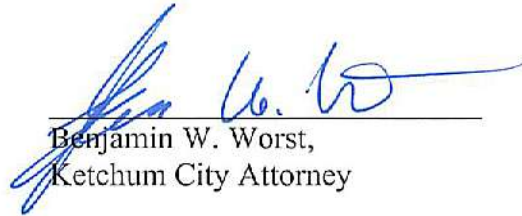


Sandra E. Cady, CMC
City Treasurer/Clerk

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. 995 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 1 day of December, 2006.



Benjamin W. Worst,
Ketchum City Attorney

Publish: Idaho Mountain Express
Date: _____