

ORDINANCE NUMBER 1063

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING TITLE 12, CHAPTER 12.24.040, PENALTY FOR THE FAILURE TO REMOVE SNOW FROM SIDEWALKS AND FOR ILLEGAL DEPOSITION OF SNOW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Ketchum requires the removal of snow and ice from sidewalks within the City and prohibits the deposition of snow and ice on public streets and sidewalks; and

WHEREAS, the City of Ketchum has proscribed a penalty for the failure to comply with such requirements in order to protect the health and safety of the public; and

WHEREAS, the City of Ketchum has determined it is in the best interest of the City to amend the penalty from a misdemeanor to an infraction.

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

SECTION 1. Amends Section 12.24.040, Penalties as follows:

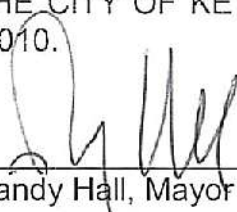
Any person who violates any provision of this article shall be deemed guilty of a ~~misdemeanor~~ an infraction and, upon conviction, shall be fined an amount ~~not to exceed three hundred dollars (\$300.00)~~ or be imprisoned for a period ~~not exceeding six (6) months, or be both so fined and imprisoned, as provided by the general penalty provisions of chapter 1.36 of this code~~ of one hundred dollars (\$100). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. (Ord. 790 § 1, 1999; Ord. 402 § 4, 1985)

SECTION 2. SEVERABILITY CLAUSE. 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. PUBLICATION. This Ordinance shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.


SECTION 4. REPEALER CLAUSE. All City of Ketchum code sections, ordinances or resolutions or parts thereof, which are in conflict herewith are hereby repealed.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, and approved by the Mayor this 1st day of February, 2010.

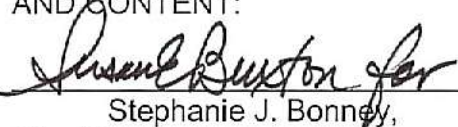


Randy Hall, Mayor

ATTEST:



Sandra E. Cady, CMC
City Treasurer/Clerk

APPROVED AS TO FORM AND CONTENT:


Stephanie J. Bonney,
City Attorney



