

**ORDINANCE NUMBER 1146**

AN ORDINANCE OF THE CITY OF KETCHUM IN BLAINE COUNTY, IDAHO, REPEALING ORDINANCE NUMBER 553; AMENDING MUNICIPAL CODE SECTION 12.24.030; ESTABLISHING A SHORT TITLE; PROVIDING FOR DEFINITIONS; PROHIBITING DEPOSITING SNOW IN STREETS; ESTABLISHING PENALTIES; REPEALING CONFLICTING ORDINANCES; ESTABLISHING A SAVINGS AND SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, on November 19<sup>th</sup> 1990 the City adopted Ordinance Number 553, which prohibited depositing of snow or ice in streets without a permit and establishing a permit process.

**WHEREAS**, the City subsequently determined that a permitting process for storage of snow from private properties in the public right-of-way is not feasible.

**WHEREAS**, the City subsequently determined that allowing snow storage from private properties within the public right-of-way reduces the available space for snow removed from streets and would therefore cause the city to incur additional costs for snow removal to widen streets for emergency vehicle access.

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

SECTION 1. That Ordinance Number 553 and Article II of Chapter 12.24 of Municipal Code be repealed in its entirety.

SECTION 2. Amends Municipal Code Section 12.24.030 to the following

**MAINTAINING CLEARANCE AROUND FIRE HYDRANTS:** No person shall deposit or cause to be deposited any snow and ice within three (3) feet of a fire hydrant or a fire line.

SECTION 3. Adopting A New Article II Titled Snow Storage of Chapter 12.24 of the Municipal Code as Follows:

SECTION 4. 12.24.070 DEFINITIONS.

- a. "City" is the City of Ketchum.
- b. "Person" is any person in physical control of the snow by hand or machine.
- c. "Street" means the entire width of the public right-of-way.

SECTION 5. 12.24080 REQUIREMENTS. No person shall place, deposit, store, or cause to be placed, deposited or stored any snow or ice on or in any street, alley, sidewalk, or other public

right-of-way for any length of time except when in the active process of being immediately removed.

SECTION 6. 12.24.090 PENALTIES. Violation of this code provision is specifically designated as an infraction. Any person who violates any provision of this Ordinance shall be deemed guilty of an infraction and, upon conviction, shall be fined One Hundred and fifty dollars (\$150). Each day constitutes a separate violation and a separate offense and shall be punishable as such hereunder. Any person found guilty shall also be required to remove the snow and/or ice from the public right-of-way and return the public right-of-way to its original condition.

SECTION 7. 12.24.100 REPEAL OF CONFLICTING ORDINANCES. All Ordinances or parts thereof in conflict herewith are hereby repealed.

SECTION 8. SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and part thereof of this Ordinance shall be severable. If any 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.

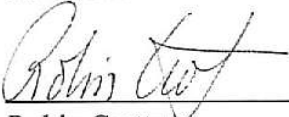
SECTION 9. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE KETCHUM CITY COUNCIL and approved by the Mayor this 4<sup>th</sup> day of January, 2016.

CITY OF KETCHUM, IDAHO

  
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NINA JONAS, Mayor

ATTEST:

  
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Robin Crotty  
Interim City Clerk