



**CITY OF KETCHUM, IDAHO REGULAR CITY COUNCIL MEETING**

**Monday, December 21, 2020, 4:00 PM**

**480 East Avenue, North, Ketchum, Idaho**

## **Agenda**

**In recognition of the Coronavirus (COVID-19), members of the public may observe the meeting live on the City's website at [ketchumidaho.org/meetings](http://ketchumidaho.org/meetings).**

**If you would like to comment on a PUBLIC HEARING item, please submit your comment to [participate@ketchumidaho.org](mailto:participate@ketchumidaho.org) by noon the day of the meeting. Comments will be provided to the Mayor and Council.**

**If you would like to phone in and provide comment on a PUBLIC HEARING item on the agenda, please dial the number below. You will be called upon for comment during that agenda item.**

**Dial-in: +1 253 215 8782  
Meeting ID: 967 9301 4594**

- CALL TO ORDER: By Mayor Neil Bradshaw
- ROLL CALL
- COMMUNICATIONS FROM MAYOR AND COUNCILORS
- CONSENT AGENDA: Note: **(ALL ACTION ITEMS)** The Council is asked to approve the following listed items by a single vote, except for any items that a Councilmember asks to be removed from the Consent Agenda and considered separately
  1. Approval of Minutes: Regular Meeting December 7, 2020
  2. Authorization and approval of the payroll register
  3. Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of \$231,222.84 as presented by the Treasurer.
  4. Monthly Financial State of the City - Grant Gager, Director of Finance & Internal Services
  5. Approval of Purchase Order #20574 with Ferguson Waterworks for Sensus water meters - Pat Cooley, Water Supervisor
  6. Approval of Contract #20576 with HDR Engineering for Wastewater Facility Planning Study - Mick Mummert, Wastewater Department Supervisor
  7. Approval of Resolution #20-031 adopting Clean Energy Goals - Neil Bradshaw, Mayor
- NEW BUSINESS (no public comment required)
  8. ACTION ITEM: Acceptance of the FY 20 Audit by Workman and Associates - Grant Gager, Director of Finance & Internal Services
  9. ACTION ITEM: Recommendation to approve Contract #20575 to CSHQA for Design Development for new City Hall - Jade Riley, City Administrator
- PUBLIC HEARING
  10. ACTION ITEM: Recommendation to adopt Ordinance #1214 amending Chapter 17.08.020 and repealing and replacing Chapter 17.88 of the Ketchum Municipal Code, Floodplain Management

Overlay District and Definitions--Continued from December 7, 2020 - Suzanne Frick, Director of Planning & Building

11. ACTION ITEM: Recommendation to approve a Lot Line Shift for Karen Likness and Gould Cabin to reconfigure Lots 1 and 2 of Cliffhanger Subdivision and Tax Lot 5610 to create amended Lots 1A and 2A of the Cliffhanger Subdivision. The properties are located at 563, 571, and 575 Wood River Drive - Suzanne Frick, Director of Planning & Building - **Continued to January 4, 2021**
- EXECUTIVE SESSION
12. ACTION ITEM: Enter into Executive Session to Communicate with Legal Counsel on litigation pursuant to 74-206(1)(f)
- ADJOURNMENT

If you need special accommodations, please contact the City of Ketchum in advance of the meeting. This agenda is subject to revisions and additions. Revised portions of the agenda are underlined in bold. Public information on agenda items is available in the Clerk's Office located at 480 East Ave. N. in Ketchum or by calling 726-3841.

Visit [ketchumidaho.org](http://ketchumidaho.org) and sign up for notifications on agendas, meeting packets, dates and more.  
Like us on [Facebook](#) and follow us on [Twitter](#).  
Thank you for your participation.



**CITY OF KETCHUM, IDAHO CITY COUNCIL MEETING**  
Monday, December 07, 2020, 4:00 PM  
480 East Avenue, North, Ketchum, Idaho

## Minutes

Due to safety and COVID-19 physical distancing requirements, there will be limited public attendance at Ketchum City Council meetings. Members of the public may observe the meeting live on the City's website at <https://www.ketchumidaho.org/meetings>.

If you would like to comment on a PUBLIC HEARING item, please submit your comment to [participate@ketchumidaho.org](mailto:participate@ketchumidaho.org) by noon the day of the meeting. Comments will be provided to the City Council.

If you would like to phone in and provide comment on a PUBLIC HEARING item on the agenda, please dial the number below. You will be called upon for comment during that agenda item.

**Dial-in: +1 253 215 8782**  
**Meeting ID: 912 2500 6534**

- CALL TO ORDER: By Mayor Neil Bradshaw

Mayor Bradshaw called the meeting to order at 4:00pm.

- ROLL CALL

### PRESENT

Mayor Neil Bradshaw  
Council President Amanda Breen (Teleconference)  
Councilor Michael David (Teleconference)  
Councilor Courtney Hamilton (Teleconference)  
Councilor Jim Slanetz (Teleconference)

### ALSO PRESENT

City Administrator Jade Riley  
City Attorney Matt Johnson (Teleconference)  
Planning & Building Director Suzanne Frick  
Director of Finance & Internal Services Grant Gager  
Public Affairs & Administrative Services Manager Lisa Enourato  
Senior Planner Brittany Skelton

- COMMUNICATIONS FROM MAYOR AND COUNCILORS

Councilor Hamilton and Councilor Slanetz had no comments.

Council President Breen commented on her frustration with the leadership of the Post Office and the lack of safety protocols during COVID.

Councilor David expressed his concern with the unsafe driving that he has been witnessing around town.

Mayor Bradshaw commented that he hoped everyone had a happy and safe Thanksgiving. He also thanked the public for their participation on the "community conversations" about historic preservation.

- CONSENT AGENDA: Note: **(ALL ACTION ITEMS)** The Council is asked to approve the following listed items by a single vote, except for any items that a Councilmember asks to be removed from the Consent Agenda and considered separately
  1. Approval of Minutes: Regular Meeting November 16, 2020
  2. Approval of Minutes: Special Meeting November 23, 2020
  3. Authorization and approval of the payroll register
  4. Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of \$1,255,090.17 as presented by the Treasurer
  5. Approval of Contract #20567 with Banyan Technology, Inc. for technical and programming support - Mick Mummert, Wastewater Division Supervisor
  6. Approval of Contract #20569 with Molly Snee for Graphic Design Services and Social Media Management - Lisa Enourato, Public Affairs & Administrative Services Manager
  7. Approval for Mayor to sign a letter of support for nondiscrimination protections for LGBTQ community - Neil Bradshaw, Mayor
  8. Approval of Encroachment Agreement #20564 with Idaho Power for 150 Spur Lane - Suzanne Frick Director of Planning & Building
  9. Approval of Encroachment Agreement #20565 with West Ketchum Residences - Suzanne Frick, Director of Planning & Building
  10. Approval of the final plat for Sublots 5 and 6 at Thunder Spring Residences - Suzanne Frick, Director of Planning & Building
  11. Approval of the final plat for Mindbender Condominium Subdivision located at 180 W Second Street - Suzanne Frick, Director of Planning & Building
  12. Approval of Lease Agreement #20572 for computers - Grant Gager, Director of Finance & Internal Services
  13. Approval of Purchase Order #20571 with AirPro Inc. for a Vehicle Exhaust Removal System - Grant Gager, Director of Finance & Internal Services
  14. Approval of Change Order #3 to Contract #20454 - Grant Gager, Director of Finance & Internal Services
  15. Approval of Contract #20570 with Sun Valley Marketing Alliance for marketing services - Jade Riley, City Administrator

Council President Breen requested that item #11 be pulled from the consent agenda and considered separately.



Councilor Hamilton requested that items #7, #10 and #15 be pulled from the consent agenda and considered separately.

**Motion to approve consent agenda items #1-6, #8, #9 and #12-14.**

***Motion made by Council President Breen, Seconded by Councilor Hamilton.***

***Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz***

For item #7, Councilor Hamilton applauded the Mayor for bringing the item to the Council and asked that the city consider specific protections for the LGBTQ community locally.

Councilor David said that the city passed a non-discrimination ordinance some years ago, but that it might be a good time to review it and update it, if necessary. Councilor Hamilton agreed that it would be good to revisit any existing protections.

**Motion to approve consent agenda item #7.**

***Motion made by Councilor Hamilton, Seconded by Councilor David.***

***Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz***

For item #10, Councilor Hamilton mentioned that it was her understanding that the Certificate of Occupancy was issued for this project without National Green Building Standard (NGBS) certification being verified. She expressed concern that this was a recurring issue for projects in the city.

Mayor Bradshaw asked Planning & Building Director Suzanne Frick to provide an update on the project. Suzanne clarified that the project has met NGBS standards, as verified by an outside consultant, they just did not have the certificate in hand yet. She acknowledged that NGBS/LEED verification had been an issue in the past, but that the process was improved in mid-2019 to provide better oversight.

**Motion to approve consent agenda item #10.**

***Motion made by Councilor Hamilton, Seconded by Council President Breen.***

***Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz***

For item #11, Council President Breen disclosed that she lives within 300 ft. of the project and recused herself.

**Motion to approve consent agenda item #11.**

***Motion made by Councilor Hamilton, Seconded by Councilor Slanetz.***

***Voting Yea: Councilor David, Councilor Hamilton, Councilor Slanetz***

For item #15, Councilor Hamilton wanted to clarify that Sun Valley Marketing Alliance (SVMA) is the legal name for Visit Sun Valley. She pointed out that the contract includes quarterly reporting, and the Scope of Work includes bi-annual reporting and asked for clarification.

City Administrator Jade Riley mentioned that staff would clarify with SVMA.

**Motion to approve consent agenda item #15.**

***Motion made by Councilor Hamilton, Seconded by Councilor Slanetz.***

***Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz***

- NEW BUSINESS (no public comment required)

16. Review and discussion on draft City Master Transportation Plan - Jade Riley, City Administrator

Mayor Bradshaw introduced the item and then turned it over to City Administrator Jade Riley. Jade Riley introduced Cameron Waite of HDR Engineering, the city's partner in drafting the Transportation Plan. He commented that this was an opportunity for the Mayor and City Council to provide feedback to staff on the draft plan. He said that the finalized version of the plan would be brought back to the City Council in January 2021, after soliciting public comments.

Cameron Waite shared a presentation and provided an overview of the draft City Master Transportation Plan. City Administrator Jade Riley mentioned that the city is looking into purchasing new traffic counters that would provide better data on bike and pedestrian use.

Councilor Hamilton questioned why Alpine Lane was highlighted as an area for sharrows when it is an alley downtown and seems dangerous. She also asked for clarification about the recommendation for the 4th Street sidewalks. Additionally, she expressed interest in including EV charging stations as a consideration. Overall, she voiced support for the draft plan's recommendations, especially bike and pedestrian improvements.

Councilor David thanked Cameron and staff for their work on the plan and expressed support for it overall. He commented that while there may be almost the same number of crashes on the State Highway and city streets, there is much more mileage of city streets and that we should focus on the safety issues on Main Street/Highway 75.

Councilor Slanetz voiced his support for the plan overall. He mentioned that he would like to see more detail on bike/pedestrian flow and how that will interact with vehicle traffic. He commented that there are some small things that are missing from the plan, like the position of the light on the bike path where it crosses Warm Springs Road. He said he would like to see the city start to prioritize items and budget accordingly.

Council President Breen thanked staff for their work on the plan and mentioned that she is looking forward to input from the public.

Councilor David reminded everyone that Blaine County is reworking their Bike/Ped Master Plan right now and that the city's plan will be valuable input for the larger countywide plan.

Councilor Hamilton expressed her concern with having public engagement occur over the holidays.

City Administrator Jade Riley mentioned that we could provide an additional month for public feedback while not delaying the process. Mayor Bradshaw agreed that we should provide more time for public input.

17. Approval of option to renew Contract #20470 with Leroy's for use of Town Square building - Lisa Enourato, Public Affairs & Administrative Services Manager

Mayor Bradshaw introduced the item and turned it over to the City Council.

Councilor Hamilton asked what the difference was between renewing it for one year versus renewing it for 5 one-year lease terms. Public Affairs & Administrative Services Manager Lisa Enourato explained that for a one-year lease the city would put out an RFP next year prior to bringing a contract to Council. For the 5 one-year lease terms, the contract with the existing vendor would be brought back to the Council annually for consideration.

**Motion to approve the extension of License Agreement #20470 for five additional one-year terms.**

***Motion made by Councilor Hamilton, Seconded by Council President Breen.***

***Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz***

- PUBLIC HEARING

18. Discussion and presentations regarding clean energy targets by Climate Action Coalition of Wood River Valley and by Idaho Power - Neil Bradshaw, Mayor

Mayor Bradshaw introduced the item, noting that the city has received over 110 written comments on the subject. He then turned it over to Idaho Power to present first.

Megan Ronk presented on Idaho Power's goals to achieve 100% clean energy by 2045.

Mitch Long and Scott Friedman of Climate Action Coalition of Wood River Valley, Ryan McGoldrick of Idaho Conservation League and Eric Willadsen of Idaho Sierra Club presented on Climate Action Coalition of Wood River Valley's proposed resolution and next steps for the City of Ketchum.

Mayor Bradshaw opened the item up for public comment.

Aimée Christensen voiced her support for the proposed resolution over the phone.

Sharon Patterson Grant commented on behalf of KSAC and voiced her support for the proposed resolution over the phone.

Martha Bibb, Hailey resident, voiced her support for the proposed resolution over the phone.

Mayor Bradshaw closed public comment. The Mayor proposed creating a working group with experts and members of the public to discuss clean energy targets for Ketchum and to gather more information prior to passing a resolution. He expressed his support for participating in larger countywide discussions about clean energy regardless of the status of the proposed resolution.

Councilor Hamilton commented that she is in support of adopting the resolution and thinks that it is important to sign on and fully align with the other jurisdictions in Blaine County. She mentioned that she was excited to see the County commit to having a regional staff member and encouraged the city to do the same. She also commented on the large number of written comments received in support of the resolution.

Council President Breen commented that she is in alignment with Councilor Hamilton. She mentioned that the proposed regional stakeholder group would likely address many of the concerns that Mayor Bradshaw identified and that it could be duplicative for the city to host its own working group.

Councilor David said he is supportive of the resolution. He mentioned that for the past few years we have been going at this alone and that the scope of the issue requires collaboration.

Councilor Slanetz voiced his support for the resolution. He commented that there is already a lot of community support for this and that joining together will be better for everyone involved.

Mayor Bradshaw asked for the City Council's opinion on adopting community wide goals that Climate Action Coalition of Wood River Valley proposed. He mentioned that this would be a departure from past energy targets, which have been focused on municipal energy use.

Councilor Hamilton voiced her support for the community wide goals, especially given the high level of energy use by Ketchum residences.

Councilor Slanetz agreed that there are some problems with the last two goals, but that collaborating with the other jurisdictions we can work on solving those problems.

Mayor Bradshaw stated that a resolution would be brought back to City Council for their review and approval on December 21st.

19. ACTION ITEM: Approval of a lot line shift for The Onyx at Leadville Residence consisting of a readjustment of lot lines to replat the limited common area to reconfigure the parking spaces - Suzanne Frick, Director of Planning & Building

Mayor Bradshaw introduced the item and opened it up for public comment. No public comment. The Mayor closed public comment.

**Motion to approve the Onyx at Leadville Residence Lot Line Shift subject to conditions 1-7 included in the Findings of Fact, Conclusions of Law, and Decision and to authorize the Mayor to sign the Findings of Fact, Conclusions of Law, and Decision.**

***Motion made by Council President Breen, Seconded by Councilor David.***

***Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz***

20. ACTION ITEM: Approval of a lot line shift submitted by Sean Flynn PE on behalf of the Patricia Hanwright Trust, property owner, and Lance Emery, under contract to purchase the property, to combine two existing tax lots into a single platted lot - Suzanne Frick, Director of Planning & Building

Mayor Bradshaw introduced the item and opened it up for public comment. No public comment. The Mayor closed public comment.

Councilor Hamilton disclosed that she lives within 300ft. of the project and recused herself. Councilor David disclosed that he also lives within 300ft. but that he is not a property owner. City Attorney Matt Johnson said that Councilor David did not need to recuse himself.

**Motion to approve the Emery Lot Line Shift subject to conditions 1-7 included in the Findings of Fact, Conclusions of Law, and Decision and to authorize the Mayor to sign the Findings of Fact, Conclusions of Law, and Decision.**

***Motion made by Council President Breen, Seconded by Councilor Slanetz.***

***Voting Yea: Council President Breen, Councilor David, Councilor Slanetz***

21. ACTION ITEM: Approval of a lot line shift to reconfigure the lot lines between Lot 1C and Lot 1D of Sun Valley Subdivision and Tax Lot 8539 to form Lots 1 and 2 of Buck Subdivision at 1240 W Canyon Run Boulevard and 1520 and 1524 Warm Springs Road. Applicants are John Riley Buck and Maggie Acker-Buck - Suzanne Frick, Director of Planning & Building

Mayor Bradshaw introduced the item and opened it up for public comment. No public comment. The Mayor closed public comment.

Councilor Hamilton expressed her disappointment that a lot is being lost but was understanding that it is within the property owner's rights.

**Motion to approve the Buck Subdivision Lot Line Shift Application subject to conditions of approval 1-6.**

***Motion made by Councilor Hamilton, Seconded by Councilor Slanetz.***

***Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz***

22. ACTION ITEM: Recommendation to adopt Ordinance #1214 amending Chapter 17.08.020 and repealing and replacing Chapter 17.88 of the Ketchum Municipal Code, Floodplain Management Overlay District and Definitions - Suzanne Frick, Director of Planning & Building

Mayor Bradshaw introduced the item and opened it up for public comment. No public comment. The Mayor closed public comment.

Council President Breen expressed that the issue is complicated and that she is uncertain if she is ready to have a first reading of the Ordinance tonight.

Suzanne Frick acknowledged that it is a very complicated and technical issue and that the Council may view this as a first opportunity to discuss the item.

Councilor David agreed with Council President Breen and commented that he would like to take more time to review the public comment that was received.

Councilor Hamilton expressed her interest in seeing a presentation from staff to better understand what the implications of the proposed Ordinance are.

Councilor Slanetz agreed with the other Councilors that it would be helpful to have more context from the staff with the expertise.

**Motion to continue to continue item 22 to the December 21, 2020, Regular City Council Meeting.**

***Motion made by Councilor Slanetz, Seconded by Council President Breen.***

***Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz***

- EXECUTIVE SESSION

- 23. Executive Session to Communicate with Legal Counsel on real estate acquisition pursuant to 74-206(1)(c)
- 24. Executive Session to Communicate with Legal Counsel on litigation pursuant to 74-206(1)(f)

**Motion to enter executive session pursuant to Idaho Code 74-206(1)(c) and 74-206(1)(f).**

***Motion made by Councilor Hamilton, Seconded by Councilor Slanetz.***

***Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz***

- ADJOURNMENT

**Motion to adjourn at 6:57pm.**

***Motion made by Council President Breen, Seconded by Councilor Hamilton.***

***Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz***

---

**Neil Bradshaw, Mayor**

---

**Katrin Sharp, Deputy City Clerk**

Report Criteria:

Invoices with totals above \$0 included.  
Paid and unpaid invoices included.  
[Report].GL Account Number = "0110000000"- "9648008200", "9910000000"- "9911810000"  
Invoice Detail.Voided = No, Yes

Vendor Name	Invoice Number	Description	Net Invoice Amount
<b>GENERAL FUND</b>			
<b>01-2175-8000 P/R DEDUC PBL--EMP CAF FSA-MD</b>			
NBS-NATIONAL BENEFIT SERVI	CP270349	FSA	4,514.33
<b>01-2175-9000 P/R DEDUC PBL--EMP CAF FSA-DC</b>			
NBS-NATIONAL BENEFIT SERVI	CP270349	DCA	123.60
<b>01-3700-3600 REFUNDS &amp; REIMBURSEMENTS</b>			
IDAHO ARTS FESTIVAL, INC.	120920	Banner Reservation Refund	175.00
Total :			4,812.93
<b>LEGISLATIVE &amp; EXECUTIVE</b>			
<b>01-4110-2515 VISION REIMBURSEMENT ACCT(HRA)</b>			
NBS-NATIONAL BENEFIT SERVI	CP270349	HRA Vision	167.06
<b>01-4110-3200 OPERATING SUPPLIES</b>			
US BANK	6243 112520	6243 - Council iPad	409.99
<b>01-4110-4200 PROFESSIONAL SERVICES</b>			
WORKMAN AND COMPANY	120520	Audited Financial Statement	8,200.00
<b>01-4110-4800 DUES, SUBSCRIPTIONS &amp; MEMBERSH</b>			
US BANK	6235 112520	6235 - Zoom Meeting Subscription	199.90
Total LEGISLATIVE & EXECUTIVE:			8,976.95
<b>ADMINISTRATIVE SERVICES</b>			
<b>01-4150-2505 HEALTH REIMBURSEMENT ACCT(HRA)</b>			
NBS-NATIONAL BENEFIT SERVI	CP270349	HRA	400.97
<b>01-4150-2515 VISION REIMBURSEMENT ACCT(HRA)</b>			
NBS-NATIONAL BENEFIT SERVI	CP270349	HRA Vision	417.81
<b>01-4150-3100 OFFICE SUPPLIES &amp; POSTAGE</b>			
CHATEAU DRUG CENTER	2311773	Hooks	1.89
GEM STATE PAPER & SUPPLY	1039843	Paper Supplies	147.28
GEM STATE PAPER & SUPPLY	1039898	Cups and Plates	133.10
GEM STATE PAPER & SUPPLY	1040690	Paper Supplies	75.08
TREASURE VALLEY COFFEE INC	2160 07120431	Spring Water	7.95
<b>01-4150-4200 PROFESSIONAL SERVICES</b>			
CASELLE, INC.	106215	Contract Support and Maintenance	2,204.00
US BANK	6235 112520	6235 - Survey Monkey Surveys	384.00
WESTERN RECORDS DESTRUCT	0518245	November Records Destruction	65.00
<b>01-4150-4400 ADVERTISING &amp; LEGAL PUBLICATIO</b>			
EXPRESS PUBLISHING, INC.	10002196 1130	10002196 113020	313.72



Vendor Name	Invoice Number	Description	Net Invoice Amount
<b>01-4150-4800 DUES, SUBSCRIPTIONS &amp; MEMBERSH</b>			
BMI	38821299	2021 Membership	327.60
<b>01-4150-4900 PERSONNEL TRAINING/TRAVEL/MTG</b>			
US BANK	6243 112520	6243 - Travel Gas	26.74
<b>01-4150-5100 TELEPHONE &amp; COMMUNICATIONS</b>			
SYRINGA NETWORKS, LLC	20DEC0374	20DEC0374	3,000.00
US BANK	6243 112520	6243 - 8 x 8	2,466.57
COX WIRELESS	047131901 112	047131901 112620	89.00
<b>01-4150-5110 COMPUTER NETWORK</b>			
US BANK	6243 112520	6243 - Microsoft	26.51
US BANK	6243 112520	6243 - Microsoft	48.66
<b>01-4150-5150 COMMUNICATIONS</b>			
EXPRESS PUBLISHING, INC.	10002196 1130	10002196 113020	1,065.00
US BANK	6235 112520	6235 - Shutterstock Communications	30.74
US BANK	6235 112520	6235 - Facebook Communications	24.00
US BANK	6235 112520	6235 - Facebook Communications	10.00
US BANK	6235 112520	6235 - Facebook Communications	15.00
US BANK	6235 112520	6235 - Facebook Communications	15.00
US BANK	6235 112520	6235 - Facebook Communications	5.03
US BANK	6235 112520	6235 - Mailchimp Communications	87.99
US BANK	6235 112520	6235 - Facebook Communications	11.00
US BANK	6235 112520	6235 - Constant Contact Communications	9.50
SNEE, MOLLY	2018	2020 Custom Work and 1 Month Social Media	3,650.00
<b>01-4150-5200 UTILITIES</b>			
IDAHO POWER	2203990334 12	2203990334 121120	54.62
IDAHO POWER	2206570869 12	2206570869 121120	13.67
<b>01-4150-5900 REPAIR &amp; MAINTENANCE-BUILDINGS</b>			
A.C. HOUSTON LUMBER CO.	2012-714615	Garage Door Bolts	9.00
ROBERTS ELECTRIC	4088	Breaker Reset	160.00
<b>01-4150-5910 REPAIR &amp; MAINT-491 SV ROAD</b>			
WINDYCITY ARTS, INC.	2020-699	Visit Sun Valley Sign	367.50
Total ADMINISTRATIVE SERVICES:			15,663.93
<b>LEGAL</b>			
<b>01-4160-4200 PROFESSIONAL SERVICES</b>			
WHITE PETERSON	24892R 113020	General Services 24892R 113020	15,500.00
Total LEGAL:			15,500.00
<b>PLANNING &amp; BUILDING</b>			
<b>01-4170-2505 HEALTH REIMBURSEMENT ACCT(HRA)</b>			
NBS-NATIONAL BENEFIT SERVI	CP270349	HRA	90.00
<b>01-4170-4200 PROFESSIONAL SERVICES</b>			
HARMONY DESIGN & ENGINEE	20318	Engineering	312.50
HARMONY DESIGN & ENGINEE	20319	Engineering	1,343.75
TAG HISTORICAL RESEARCH &	2020-20-1	Survey, Research, and Report Production	5,555.59

Vendor Name	Invoice Number	Description	Net Invoice Amount
<b>01-4170-4210 PROFESSIONAL SERVICES - IDBS</b>			
DIVISION OF BUILDING SAFETY	120120	November 2020 Building Permit Fees	6,373.50
<b>01-4170-4220 PROF SVCS-FLOOD PLAIN PROG REM</b>			
HARMONY DESIGN & ENGINEE	20316	Engineering	218.75
HARMONY DESIGN & ENGINEE	20317	Engineering	156.25
Total PLANNING & BUILDING:			14,050.34
<b>NON-DEPARTMENTAL</b>			
<b>01-4193-9930 GENERAL FUND OP. CONTINGENCY</b>			
US BANK	6243 112520	6243 - Airborne Mitigation System	2,570.00
Total NON-DEPARTMENTAL:			2,570.00
<b>FACILITY MAINTENANCE</b>			
<b>01-4194-3200 OPERATING SUPPLIES</b>			
US BANK	2022 112520	2022 - Emergen-C	33.98
US BANK	2022 112520	2022 - Handwarmers	39.76
US BANK	2022 112520	2022 - Neon Work Jacket	35.95
US BANK	2022 112520	2022 - Emergen-C	35.00
<b>01-4194-4220 PROF SERV-CITY BEAUTIFICATION</b>			
US BANK	2022 112520	2022 - Xmas Tree Topper	27.99
<b>01-4194-5200 UTILITIES</b>			
IDAHO POWER	2203313446 12	2203313446 121020	5.29
<b>01-4194-6950 MAINTENANCE</b>			
A.C. HOUSTON LUMBER CO.	2011-709692	Shelf Brackets	34.50
A.C. HOUSTON LUMBER CO.	2012-712379	Forest Service Park Supplies	38.36
CHATEAU DRUG CENTER	2302820	Tape	7.58
CHATEAU DRUG CENTER	2311391	Vinyl Spacking	3.79
CHATEAU DRUG CENTER	2313625	Filter	4.74
CHATEAU DRUG CENTER	2313654	Light Bulbs and Glass Scaper	17.55
CHATEAU DRUG CENTER	2314074	Degreaser	5.69
CHATEAU DRUG CENTER	2315066	Steel Wool	3.79
CHATEAU DRUG CENTER	2315608	Park House Tulip Pass Lock Set	12.34
SHERWIN-WILLIAMS CO.	2958-6 120520	Forest Service Little House Paint	220.24
SHERWIN-WILLIAMS CO.	3028-7	Forest Service Little House Paint	93.96
SHERWIN-WILLIAMS CO.	3052-7	Forest Service Little House Paint Supplies	30.46
SHERWIN-WILLIAMS CO.	3077-4	Forest Service Little House Paint	50.42
SHERWIN-WILLIAMS CO.	3131-9	Forest Service Little House Paint	61.48
SHERWIN-WILLIAMS CO.	5547-7	Forest Service Little House Paint	8.49
Total FACILITY MAINTENANCE:			771.36
<b>POLICE</b>			
<b>01-4210-3200 OPERATING SUPPLIES</b>			
CHATEAU DRUG CENTER	2304879	Charging Cable	14.24
DAVIS EMBROIDERY INC.	35532	Embroider Services	45.00
US BANK	6243 112520	6243 - CSO Phone Case	26.50
US BANK	6243 112520	6243 - CSO Phone Screen Protectors	8.99
US BANK	6243 112520	6243 - Police Winter Parking Phone Case	32.37

Vendor Name	Invoice Number	Description	Net Invoice Amount
<b>01-4210-3620 PARKING OPS EQUIPMENT FEES</b>			
CALE AMERICA, INC.	161880	November Active Meters	165.00
Total POLICE:			292.10
<b>FIRE &amp; RESCUE</b>			
<b>01-4230-2505 HEALTH REIMBURSEMENT ACCT(HRA)</b>			
NBS-NATIONAL BENEFIT SERVI	CP270349	HRA	603.49
<b>01-4230-3200 OPERATING SUPPLIES FIRE</b>			
BINNIE, ED	120320	Uniform Boots Reimbursement	111.29
CHATEAU DRUG CENTER	2314836	Velcro	6.17
GEM STATE PAPER & SUPPLY	1039876	Paper Supplies	59.82
RIVER RUN AUTO PARTS	6538-161007	Compressor Air Gauge	18.59
ST. LUKES HEALTH SYSTEM	2600572	Flu Shots	377.00
<b>01-4230-3210 OPERATING SUPPLIES EMS</b>			
BOUNDTREE MEDICAL	83866596	Megamover Transport Unit	575.80
BOUNDTREE MEDICAL	83866597	Masks and Shields	659.94
BOUNDTREE MEDICAL	83868535	Medical Supplies	440.90
CHATEAU DRUG CENTER	2314836	Velcro	6.17
CHATEAU DRUG CENTER	2315366	Journal - Baldy Narcotics Tracking	5.69
GEM STATE PAPER & SUPPLY	1039876	Paper Supplies	59.81
NORCO	30721453	54794 112020	98.52
NORCO	30790902	52355 113020	33.30
NORCO	30791980	54794 113020	220.50
ST. LUKES HEALTH SYSTEM	2600572	Flu Shots	377.00
HENRY SCHEIN	86649831	Medical Supplies	146.13
HENRY SCHEIN	86649831	Gloves	56.43
<b>01-4230-4200 PROFESSIONAL SERVICES FIRE</b>			
AIR ST. LUKE'S	121420	1 year membership 22 Fire Employees	495.00
US BANK	4977 112520	4977 - 218 International Fire Code	192.50
<b>01-4230-4210 PROFESSIONAL SERVICES EMS</b>			
AIR ST. LUKE'S	121420	1 year membership 22 Fire Employees	495.00
<b>01-4230-4900 TRAINING/TRAVEL/MTG FIRE</b>			
US BANK	4977 112520	4977 - NFPA Membership - Tom Ancona	175.00
<b>01-4230-4920 TRAINING-FACILITY</b>			
A.C. HOUSTON LUMBER CO.	2012-713270	Ice Melt	20.00
IDAHO POWER	2224210258 12	2224210258 120820	68.69
COX WIRELESS	047339201 120	047339201 120920	99.79
<b>01-4230-5100 TELEPHONE &amp; COMMUNICATION FIRE</b>			
CHATEAU DRUG CENTER	2310980	Batteries	18.51
MTE COMMUNICATIONS	056983 120120	056983 120120	15.12
VERIZON WIRELESS	842054354 112	842054354 112320	20.05
<b>01-4230-5110 TELEPHONE &amp; COMMUNICATION EMS</b>			
CHATEAU DRUG CENTER	2310980	Batteries	18.51
MTE COMMUNICATIONS	056983 120120	056983 120120	15.13
VERIZON WIRELESS	842054354 112	842054354 112320	20.06

Vendor Name	Invoice Number	Description	Net Invoice Amount
<b>01-4230-6000 REPAIR &amp; MAINT-AUTO EQUIP FIRE</b>			
ALSCO - AMERICAN LINEN DIVI	LBO11852965	5109 120720	10.14
RIVER RUN AUTO PARTS	6538-160722	Master Cylinder and Brake Fluid	140.52
<b>01-4230-6010 REPAIR &amp; MAINT-AUTO EQUIP EMS</b>			
ALSCO - AMERICAN LINEN DIVI	LBO11852965	5109 120720	10.14
BROOKS WELDING	13951	SKI RACK REPAIR	90.00
<b>01-4230-6100 REPAIR &amp; MAINT--MACHINERY &amp; EQ</b>			
CHATEAU DRUG CENTER	2315366	Tow Strap	18.99
<b>01-4230-6900 OTHER PURCHASED SERVICES FIRE</b>			
Backdraft OpCp, LLC	INV202021136	Fire & EMS Combo package	531.66
EXPRESS PUBLISHING, INC.	10002257 1130	10002257 113020	356.40
<b>01-4230-6910 OTHER PURCHASED SERVICES EMS</b>			
Backdraft OpCp, LLC	INV202021136	Fire & EMS Combo package	531.66
EXPRESS PUBLISHING, INC.	10002257 1130	10002257 113020	356.40
Total FIRE & RESCUE:			7,555.82
<b>STREET</b>			
<b>01-4310-2505 HEALTH REIMBURSEMENT ACCT(HRA)</b>			
NBS-NATIONAL BENEFIT SERVI	CP270349	HRA	126.88
<b>01-4310-2515 VISION REIMBURSEMENT ACCT(HRA)</b>			
NBS-NATIONAL BENEFIT SERVI	CP270349	HRA Vision	713.96
<b>01-4310-3200 OPERATING SUPPLIES</b>			
D & B SUPPLY INC.	20755	Work Shirts	34.99
D & B SUPPLY INC.	20756	Credit	159.97-
D & B SUPPLY INC.	32302	Work Boots	150.00
D & B SUPPLY INC.	46969	Uniforms	279.94
D & B SUPPLY INC.	7747	Uniforms	69.98
DAVIS EMBROIDERY INC.	36739	Embroider Services	96.00
FASTENAL COMPANY	IDJER94150	Welding Supplies	25.44
GEM STATE PAPER & SUPPLY	1039002-01	Soap	32.67
US BANK	2022 112520	2022 - Wite-Out and Tape	37.41
WOOD RIVER LOCK SHOP, LLC	15882	Shop Keys	32.50
<b>01-4310-4200 PROFESSIONAL SERVICES</b>			
S. ERWIN EXCAVATION INC	20-629	Hauling Snow	4,030.00
HIATT TRUCKING, INC.	2832	SNOW HAULING	3,880.00
ADVANCED WORKPLACE STRAT	442597	Random Drug Testing	73.00
<b>01-4310-5200 UTILITIES</b>			
IDAHO POWER	2204882910 12	2204882910 121220	582.33
<b>01-4310-6000 REPAIR &amp; MAINT--AUTOMOTIVE EQU</b>			
NAPA AUTO PARTS	038081	Durango Alternator	187.98
NAPA AUTO PARTS	038348	Blades	50.96
NAPA AUTO PARTS	038802	Credit	61.99-
NAPA AUTO PARTS	039130	Fuel Cap	13.51
<b>01-4310-6100 REPAIR &amp; MAINT--MACHINERY &amp; EQ</b>			
BOISE RIGGING SUPPLY	096280	Chain Sling	599.41
BROOKS WELDING	13935	Plowtruck Camera Mount	20.00

Vendor Name	Invoice Number	Description	Net Invoice Amount
FASTENAL COMPANY	IDJER94201	Plowbolts	17.70
NAPA AUTO PARTS	035551	Loom Split Poly for Plowtruck	24.50
NAPA AUTO PARTS	038090	Worklight	59.96
NAPA AUTO PARTS	038262	Core Deposit	21.60-
NAPA AUTO PARTS	038658	Center Flows	99.96
NAPA AUTO PARTS	038665	Wrench	25.49
NAPA AUTO PARTS	038828	Plowtruck Switch	32.79
NAPA AUTO PARTS	039067	Plowtruck Part	22.47
NAPA AUTO PARTS	039215	Sign Truck Stabilizer	38.29
NAPA AUTO PARTS	039226	Gas Shock	205.16
NAPA AUTO PARTS	039230	Gas Shock	104.58
NAPA AUTO PARTS	039231	Credit	103.58-
NAPA AUTO PARTS	039239	Water Pump	47.99
NAPA AUTO PARTS	659170	Truck Battery	225.58
NAPA AUTO PARTS	670445	Battery	225.58
NAPA AUTO PARTS	720952	Flatbed Battery	245.58
PIPECO, INC.	S3991506.001	Sander Part	.54
RIVER RUN AUTO PARTS	6538-161062	Sign Truck Parts	16.39
SMITH POWER PRODUCTS INC.	3130840	Blower Parts	2,264.10
UNITED OIL	560697	37269 120420	1,136.30
US BANK	2022 112520	2022 - Pump Repair	378.00
US BANK	2022 112520	2022 - Backup Camera	290.80
US BANK	2022 112520	2022 - Camera Harness	24.00
US BANK	2022 112520	2022 - Pump Repair Credit	28.00-
WESTERN STATES CAT	IN001486562	Cutting Edges	3,047.30
WESTERN STATES CAT	IN001489829	Grader Shims	339.48
WESTERN STATES CAT	IN001489837	Grader Strip	235.38
WESTERN STATES CAT	IN001489852	Loader Filter	83.02
WESTERN STATES CAT	IN001495719	Grader Strip	548.64
<b>01-4310-6910 OTHER PURCHASED SERVICES</b>			
ALSCO - AMERICAN LINEN DIVI	LBO11852554	5831 120420	29.79
ALSCO - AMERICAN LINEN DIVI	LBO11854260	5831 121120	38.87
NORCO	30707454	53271 111820	267.06
NORCO	30790982	53271 113020	214.50
TREASURE VALLEY COFFEE INC	2160 07118148	COFFEE/Creamer	125.09
CINTAS FIRST AID & SAFETY	5044384858	First Aid Supplies	87.72
<b>01-4310-6920 SIGNS &amp; SIGNALIZATION</b>			
A.C. HOUSTON LUMBER CO.	2012-711999	Signbase Weights	118.08
ECONO SIGNS LLC	10-963950	Winter Parking Signs	1,939.50
ECONO SIGNS LLC	10-964110	Sign Bases & Stripes	2,825.10
FASTENAL COMPANY	IDJER94151	Sign Bolts	16.17
<b>01-4310-6930 STREET LIGHTING</b>			
IDAHO POWER	2200059315 12	2200059315 121020	5.29
IDAHO POWER	2200506786 12	2200506786 121020	11.69
IDAHO POWER	2201174667 12	2201174667 121020	12.85
IDAHO POWER	2202627564 12	2202627564 121020	14.61
IDAHO POWER	2204882910 12	2204882910 121220	674.81
IDAHO POWER	2205963446 12	2205963446 121020	36.86
IDAHO POWER	2224304721 12	2224304721 121020	14.61
PLATT ELECTRIC SUPPLY	1B62929	5th Street Alley Power	196.74
PLATT ELECTRIC SUPPLY	1B71220	5th Street Alley Power Box	196.74
<b>01-4310-6950 MAINTENANCE &amp; IMPROVEMENTS</b>			
A.C. HOUSTON LUMBER CO.	2012-716344	Salt Tube Frames	61.95
A.C. HOUSTON LUMBER CO.	2012-716970	Screws	4.73

Vendor Name	Invoice Number	Description	Net Invoice Amount
ANDERSON ASPHALT PAVING IN	102	November Materials Dumped	193.55
COLOR HAUS, INC.	241431	Plowshed Paint	86.00
COLOR HAUS, INC.	241457	Plow Shed Epoxy	459.10
COLOR HAUS, INC.	241517	Plowshed Paint	199.71
IDAHO LUMBER & HARDWARE	844637	Concrete Grinding	500.63
US BANK	2022 112520	2022 - Snow Poles	386.74
WALKER SAND AND GRAVEL	821399	Crushed Fines	336.34
WALKER SAND AND GRAVEL	821791	Crushed Fines	663.28
Total STREET:			30,119.51

**RECREATION**

**01-4510-2505 HEALTH REIMBURSEMENT ACCT(HRA)**

NBS-NATIONAL BENEFIT SERVI	CP270349	HRA	712.80
----------------------------	----------	-----	--------

**01-4510-2515 VISION REIMBURSEMENT ACCT(HRA)**

NBS-NATIONAL BENEFIT SERVI	CP270349	HRA Vision	88.00
----------------------------	----------	------------	-------

**01-4510-3200 OPERATING SUPPLIES**

US BANK	7926 112520	7926 - Thermometer	57.98
---------	-------------	--------------------	-------

**01-4510-3250 RECREATION SUPPLIES**

ATKINSONS' MARKET	0294824	Concessions	11.94
ATKINSONS' MARKET	05424330	Concessions	39.73
CHATEAU DRUG CENTER	2315119	Supplies	69.32
CHATEAU DRUG CENTER	2315218	Recreation Supplies	18.99
US BANK	7926 112520	7926 - Body Bumpers	39.98
US BANK	9642 112520	9642 - Recreation Grille	8.95

**01-4510-3500 MOTOR FUELS & LUBRICANTS**

LUTZ RENTALS	114126-1	Propane	21.89
LUTZ RENTALS	114354-1	Propane	24.24

Total RECREATION: 1,093.82

Total GENERAL FUND: 101,406.76

**GENERAL CAPITAL IMPROVEMENT FD**

**GENERAL CIP EXPENDITURES**

**03-4193-7400 COMPUTER/COPIER LEASING**

GREAT AMERICA FINANCIAL SE	28253816	Copier Lease	1,611.67
----------------------------	----------	--------------	----------

Total GENERAL CIP EXPENDITURES: 1,611.67

Total GENERAL CAPITAL IMPROVEMENT FD: 1,611.67

**FIRE & RESCUE CAPITAL IMPR.FND**

**FIRE/RESC CAPITAL EXPENDITURES**

**11-4230-7600 OTHER MACH & EQUIP**

CLEARWATER POWER EQUIPME	113020018	Boss Plow	8,001.55
US BANK	4977 112520	4977 - Tires	685.26
US BANK	4977 112520	4977 - Tires	685.26

Total FIRE/RESC CAPITAL EXPENDITURES: 9,372.07

Vendor Name	Invoice Number	Description	Net Invoice Amount
Total FIRE & RESCUE CAPITAL IMPR.FND:			9,372.07
<b>ORIGINAL LOT FUND</b>			
<b>ORIGINAL LOT TAX</b>			
<b>22-4910-6080 MOUNTAIN RIDES</b>			
MOUNTAIN RIDES	11429	Monthly Installment 3/12	39,083.34
Total ORIGINAL LOT TAX:			39,083.34
Total ORIGINAL LOT FUND:			39,083.34
<b>FIRE CONSTRUCTION FUND</b>			
<b>FIRE FUND EXP/TRNFRS</b>			
<b>42-4800-4200 PROFESSIONAL SERVICES</b>			
DENNIS POTTS PROJECT MGMT,	1230	Construction Mgmt Services 11/21	12,287.26
<b>42-4800-4205 PROF SERVICES ENGINEERING</b>			
MATERIALS TESTING & INSPEC	179846 T20007	179846 T200074C Masonry Inspector	2,233.94
MATERIALS TESTING & INSPEC	180053 T20007	180053 T200074C Masonary Inspector	812.50
COLE ARCHITECTS PLLC	1612	Fire Station Design	23,809.30
Total FIRE FUND EXP/TRNFRS:			39,143.00
Total FIRE CONSTRUCTION FUND:			39,143.00
<b>WATER FUND</b>			
<b>WATER EXPENDITURES</b>			
<b>63-4340-2505 HEALTH REIMBURSEMENT ACCT(HRA)</b>			
NBS-NATIONAL BENEFIT SERVI	CP270349	HRA	42.03
<b>63-4340-3100 OFFICE SUPPLIES &amp; POSTAGE</b>			
UNIFIED OFFICE SERVICES	291360	Office Supplies	20.97
<b>63-4340-3120 DATA PROCESSING</b>			
BILLING DOCUMENT SPECIALIS	62533	Utilities Billing	422.11
<b>63-4340-3200 OPERATING SUPPLIES</b>			
ALSCO - AMERICAN LINEN DIVI	LBOI1850558	5192 112420	421.69
ALSCO - AMERICAN LINEN DIVI	LBOI1852557	5192 120420	25.60
ALSCO - AMERICAN LINEN DIVI	LBOI1852560	5493 120420	52.40
BUSINESS AS USUAL INC.	153168	Office Supplies	69.95
LUTZ RENTALS	114066-1	Propane	12.24
LUTZ RENTALS	114068-1	Propane	8.53
LUTZ RENTALS	114304-1	Propane	10.44
PIPECO, INC.	S3990887.001	Supplies	17.00
PIPECO, INC.	S3991300.001	Galv Nipples	9.27
<b>63-4340-3250 LABORATORY/ANALYSIS</b>			
MAGIC VALLEY LABS, INC.	18719	Water Testing	93.00
<b>63-4340-3800 CHEMICALS</b>			
USA BLUEBOOK	434549	Chemicals	213.32
<b>63-4340-4200 PROFESSIONAL SERVICES</b>			
BANYAN TECHNOLOGY INC.	20760	Consulting Service Agreement	9,527.00

Vendor Name	Invoice Number	Description	Net Invoice Amount
DIG LINE	0064657-IN	0000167 113020	89.86
<b>63-4340-4300 STATE &amp; WA DISTRICT FEES</b>			
GALENA GROUND WATER DIST	2197	2021 Assessment	1,050.00
GALENA GROUND WATER DIST	2203	2021 Assessment	450.00
GALENA GROUND WATER DIST	2233	2021 Assessment	270.00
<b>63-4340-4900 PERSONNEL TRAINING/TRAVEL/MTG</b>			
GASTON, STEPHANIE	121520	Meal Reimbursement	9.33
<b>63-4340-5100 TELEPHONE &amp; COMMUNICATIONS</b>			
CENTURY LINK	2087250715 12	2087250715 120420	121.09
<b>63-4340-6100 REPAIR &amp; MAINT-MACH &amp; EQUIP</b>			
CLEARWATER POWER EQUIPME	12072017	HUS Starter	279.99
LUTZ RENTALS	116338-1	Hydraulic Hoses and Fittings	55.68
SAWTOOTH PLUMBING	28957	Corroded Contactor Serviced	98.50
Total WATER EXPENDITURES:			13,370.00
Total WATER FUND:			13,370.00
<b>WATER CAPITAL IMPROVEMENT FUND</b>			
<b>WATER CIP EXPENDITURES</b>			
<b>64-4340-7650 WATER METERS</b>			
FERGUSON ENTERPRISES, LLC	0754038	Meters	6,964.94
<b>64-4340-7800 CONSTRUCTION</b>			
FERGUSON ENTERPRISES, LLC	0760277	Meter Pits	5,189.18
<b>64-4340-7802 KETCHUM SPRING WA CONVERSION</b>			
FERGUSON ENTERPRISES, LLC	0766650	Cap	68.27
LUNCEFORD EXCAVATION, INC.	11546	100 Leadville Leak Service	2,325.00
SILVER CREEK SUPPLY	S4032594.001	Woodford Yard Hydrant	131.50
Total WATER CIP EXPENDITURES:			14,678.89
Total WATER CAPITAL IMPROVEMENT FUND:			14,678.89
<b>WASTEWATER FUND</b>			
<b>WASTEWATER EXPENDITURES</b>			
<b>65-4350-2505 HEALTH REIMBURSEMENT ACCT(HRA)</b>			
NBS-NATIONAL BENEFIT SERVI	CP270349	HRA	486.69
<b>65-4350-2515 VISION REIMBURSEMENT ACCT(HRA)</b>			
NBS-NATIONAL BENEFIT SERVI	CP270349	HRA Vision	129.00
<b>65-4350-3100 OFFICE SUPPLIES &amp; POSTAGE</b>			
UNIFIED OFFICE SERVICES	291360	Office Supplies	20.98
<b>65-4350-3120 DATA PROCESSING</b>			
BILLING DOCUMENT SPECIALIS	62533	Utilities Billing	633.17
<b>65-4350-3200 OPERATING SUPPLIES</b>			
ALSCO - AMERICAN LINEN DIVI	LBO11850558	5192 112420	441.53
ALSCO - AMERICAN LINEN DIVI	LBO11852557	5192 120420	25.60



Vendor Name	Invoice Number	Description	Net Invoice Amount
ALSCO - AMERICAN LINEN DIVI	LBOI1852558	5292 120420	120.56
ATKINSONS' MARKET	05366361	Distilled Water	12.12
US BANK	9642 112520	9642 - Wook Boots Credit	199.95-
<b>65-4350-3400 MINOR EQUIPMENT</b>			
FERGUSON ENTERPRISES, LLC	0766240	Search Light	94.00
<b>65-4350-3800 CHEMICALS</b>			
CHEMTRADE CHEMICALS US LL	93019943	Hyper+Ion	3,920.00
THATCHER COMPANY, Inc.	1509192	Alu Sulfate	4,878.45
<b>65-4350-4200 PROFESSIONAL SERVICES</b>			
ANALYTICAL LABORATORIES, I	77234	chemicals	346.27
MAGIC VALLEY LABS, INC.	18719	Cooler Return	41.00
ADVANCED WORKPLACE STRAT	442597	Random Drug Testing	36.50
<b>65-4350-4900 PERSONNEL TRAINING/TRAVEL/MTG</b>			
US BANK	9642 112520	9642 - CEU Plan - Lynch	114.85
US BANK	9642 112520	9642 - Fluoridation Course - Lynch	89.90
<b>65-4350-5100 TELEPHONE &amp; COMMUNICATIONS</b>			
CENTURY LINK	2087255045 12	2087255045 120420	57.10
<b>65-4350-6000 REPAIR &amp; MAINT-AUTO EQUIP</b>			
RIVER RUN AUTO PARTS	6538-160768	Battery	189.95
US BANK	9642 112520	9642 - Waterproof LED Light	79.95
US BANK	9642 112520	9642 - Waterproof LED Light	79.95
<b>65-4350-6100 REPAIR &amp; MAINT-MACH &amp; EQUIP</b>			
US BANK	9642 112520	9642 - Crankshaft	488.34
US BANK	9642 112520	9642 - Wire Connectors	22.99
US BANK	9642 112520	9642 - Mighty Max Battery	36.99
WOOD RIVER WELDING, INC.	178063	Welding	26.70
<b>65-4350-6900 COLLECTION SYSTEM SERVICES/CHA</b>			
US BANK	9642 112520	9642 - Saftey Light	49.99
US BANK	9642 112520	9642 - USB VHS to DVD	29.99
Total WASTEWATER EXPENDITURES:			12,252.62
Total WASTEWATER FUND:			12,252.62
<b>PARKS/REC DEV TRUST FUND</b>			
<b>PARKS/REC TRUST EXPENDITURES</b>			
<b>93-4900-6800 KETCHUM ARTS COMMISSION</b>			
US BANK	6243 112520	6243 - Floral Present	26.99
Total PARKS/REC TRUST EXPENDITURES:			26.99
Total PARKS/REC DEV TRUST FUND:			26.99
<b>DEVELOPMENT TRUST FUND</b>			
<b>DEVELOPMENT TRUST EXPENDITURES</b>			
<b>94-4900-8000 PEG GATEWAY MARRIOT AUTOGRAPH</b>			
WHITE PETERSON	24892R 113020	PEG 24892R 113020	277.50

---

Vendor Name	Invoice Number	Description	Net Invoice Amount
Total DEVELOPMENT TRUST EXPENDITURES:			277.50
Total DEVELOPMENT TRUST FUND:			277.50
Grand Totals:			231,222.84

---

Report Criteria:

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

[Report].GL Account Number = "0110000000"- "9648008200", "9910000000"- "9911810000"

Invoice Detail.Voided = No, Yes

---



## City of Ketchum

December 21, 2020

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

### **Recommendation to Receive and File Treasurer's Monthly Financial Report**

#### Recommendation and Summary

Staff is recommending the council receive and file the Treasurer's monthly report in accordance with statutory requirements and adopt the following motion:

***"I move to receive and file the Treasurer's financial report."***

The reasons for the recommendation are as follows:

- State statute establishes requirements for monthly financial reports from the City Treasurer.

#### Introduction and History

Idaho State Statute 50-208 establishes requirements for monthly financial reports from the City Treasurer to the Council. The Statute provides that the Treasurer "render an accounting to the city council showing the financial condition of the treasury at the date of such accounting."

#### Analysis

Pursuant to the above statutory requirements, enclosed for Council review is a monthly financial report showing the financial condition of the City in the current fiscal year. This report, along with complete financial statements, is available on the City's website.

#### Sustainability Impact

There is no sustainability impact arising from this reporting.

#### Financial Impact

There is no financial impact arising from this reporting.

#### Attachments

- Attachment A: Monthly Financial Report Charts



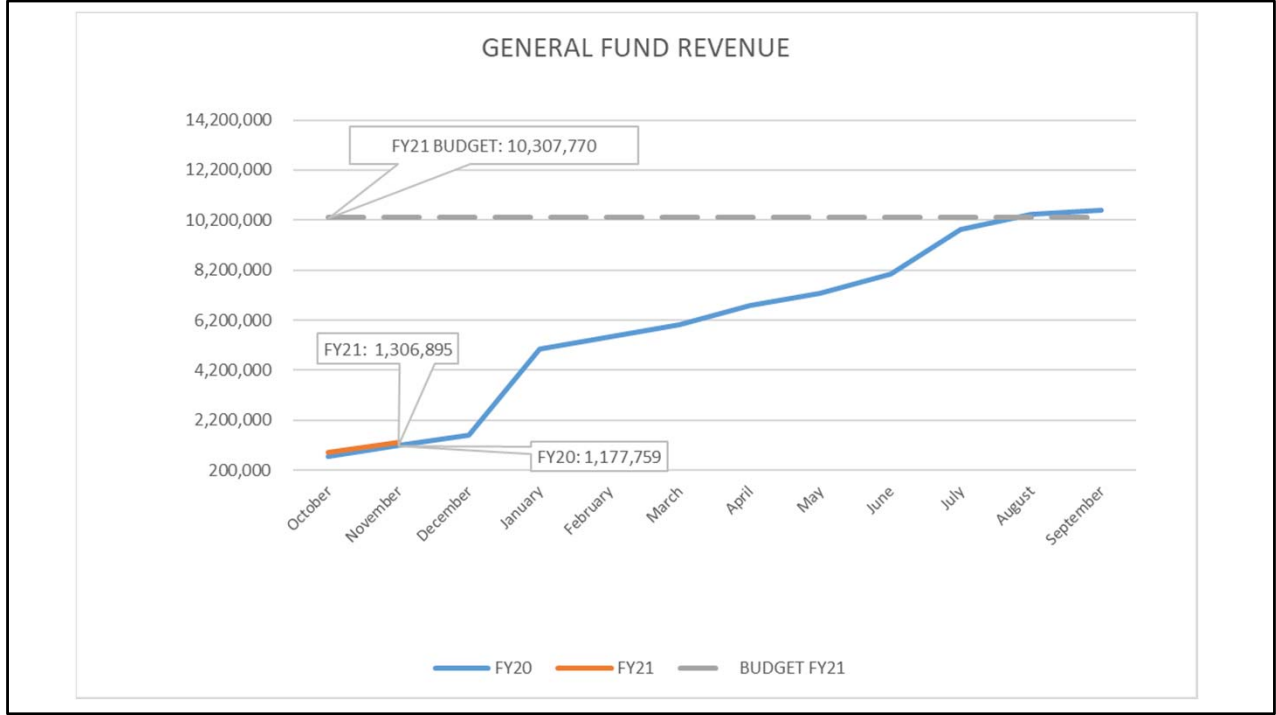
## Monthly Financial Reports

As of November 30, 2020

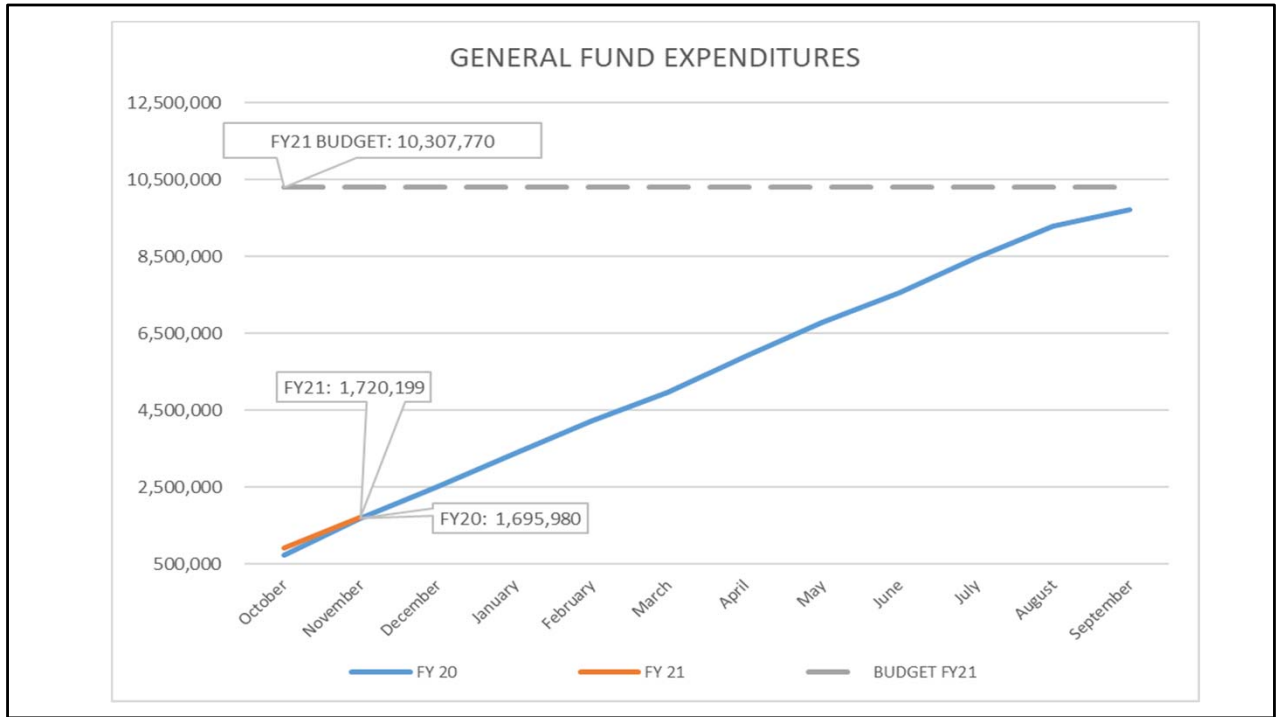
This packet is divided into three sections: (1) General Fund charts (pages 2-13); (2) Original LOT charts (pages 14-18); (3) Enterprise Fund charts (pages 19-23); and Off-Street Parking Lot charts (pages 24-28).

Each chart includes information on current progress relative to the prior year and also the current budget. Where deviations are 5% or greater, an explanation on the major drivers of such changes is included.

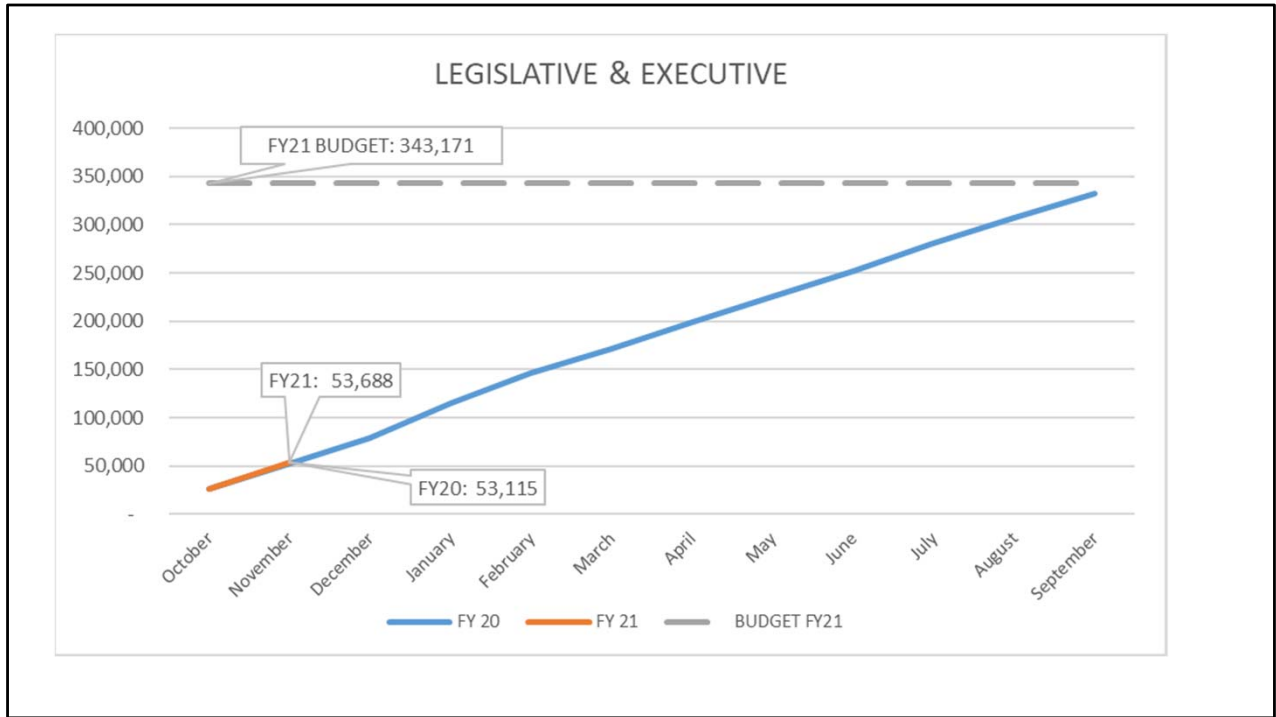
# General Fund



The General Fund revenues are up approximately \$129,136 (11%) in FYTD. This increase is largely due to Planning & Building and State Shared income revenue sources.

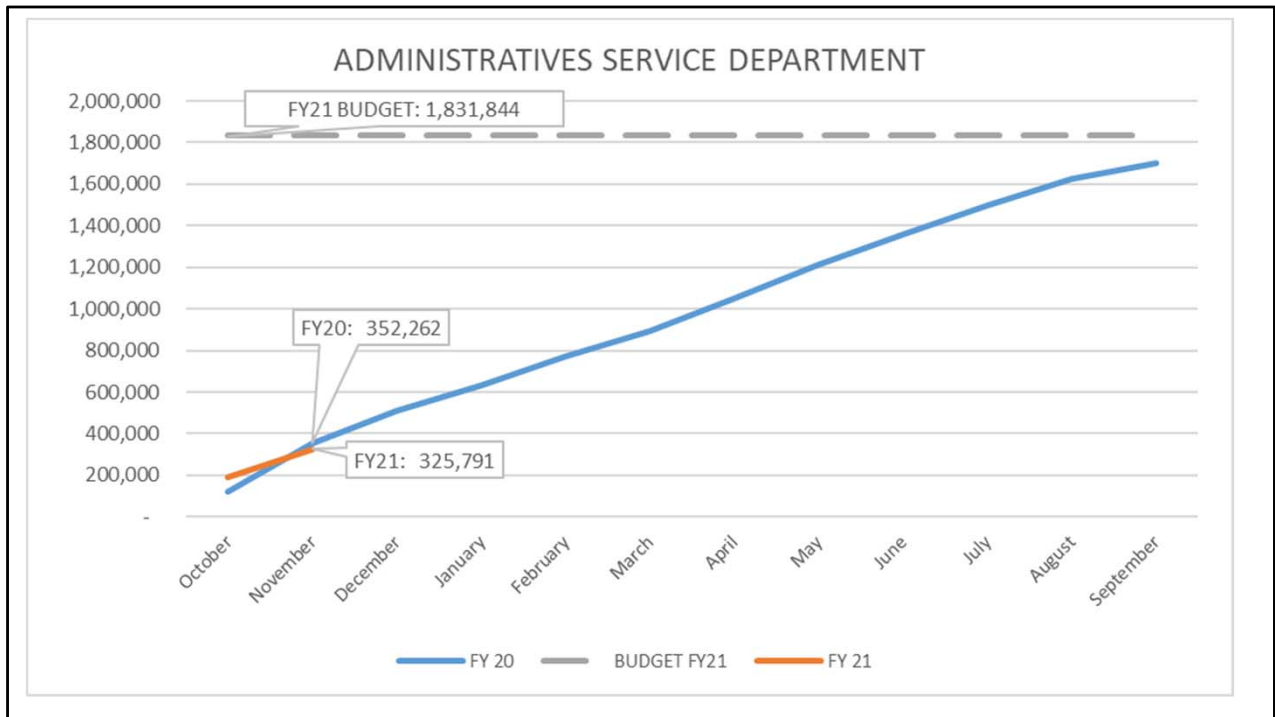


The General Fund expenditures are up \$24,219 (1.4%) FYTD.

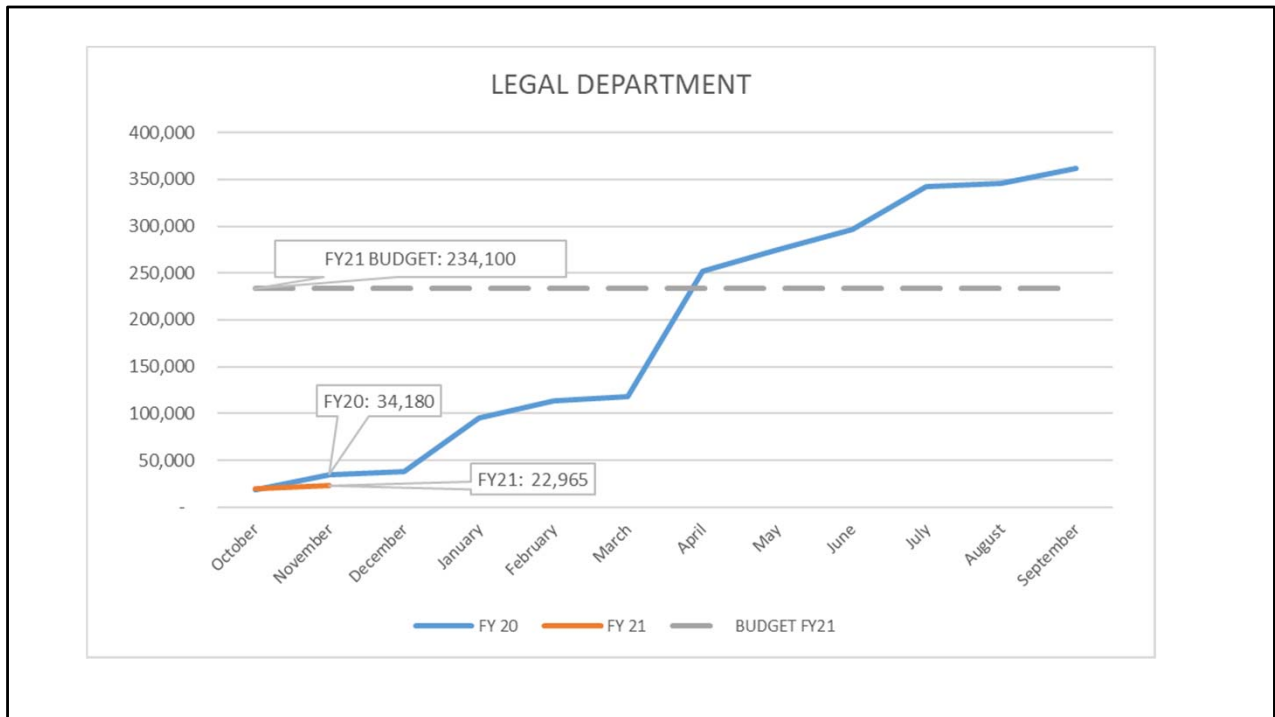


The Legislative & Executive Department expenditures are up \$573 (1%) FYTD.

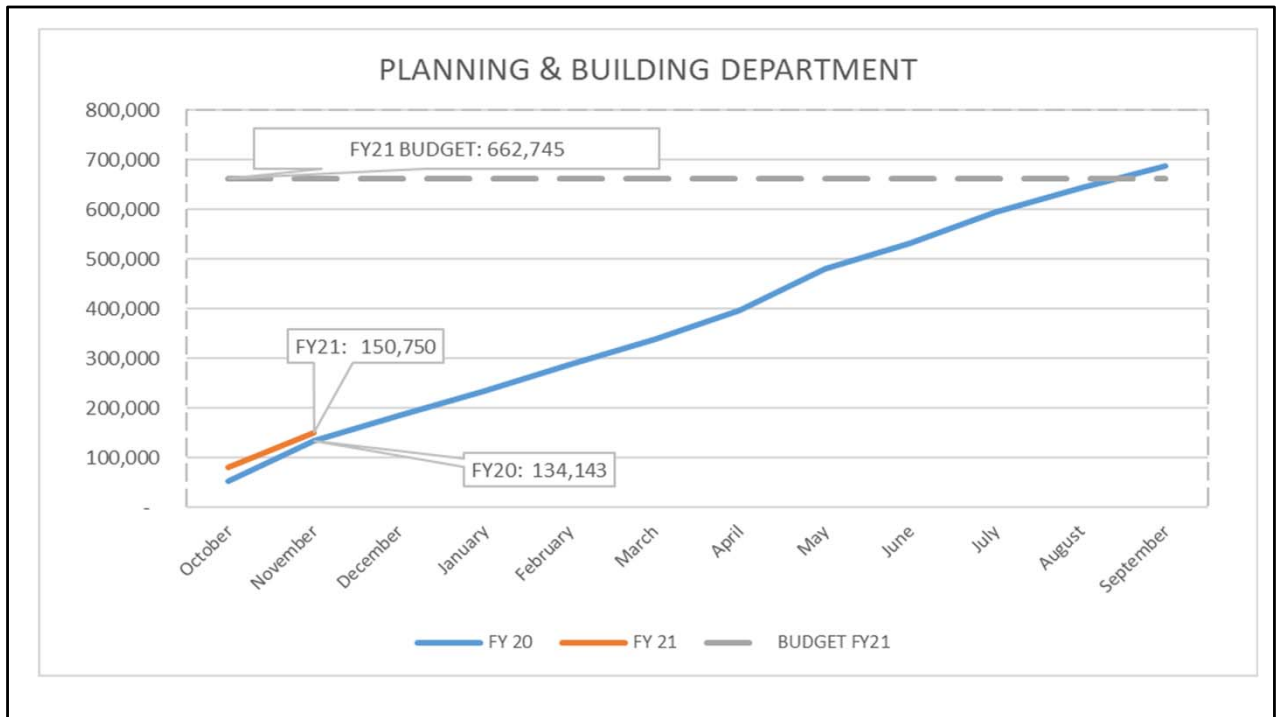




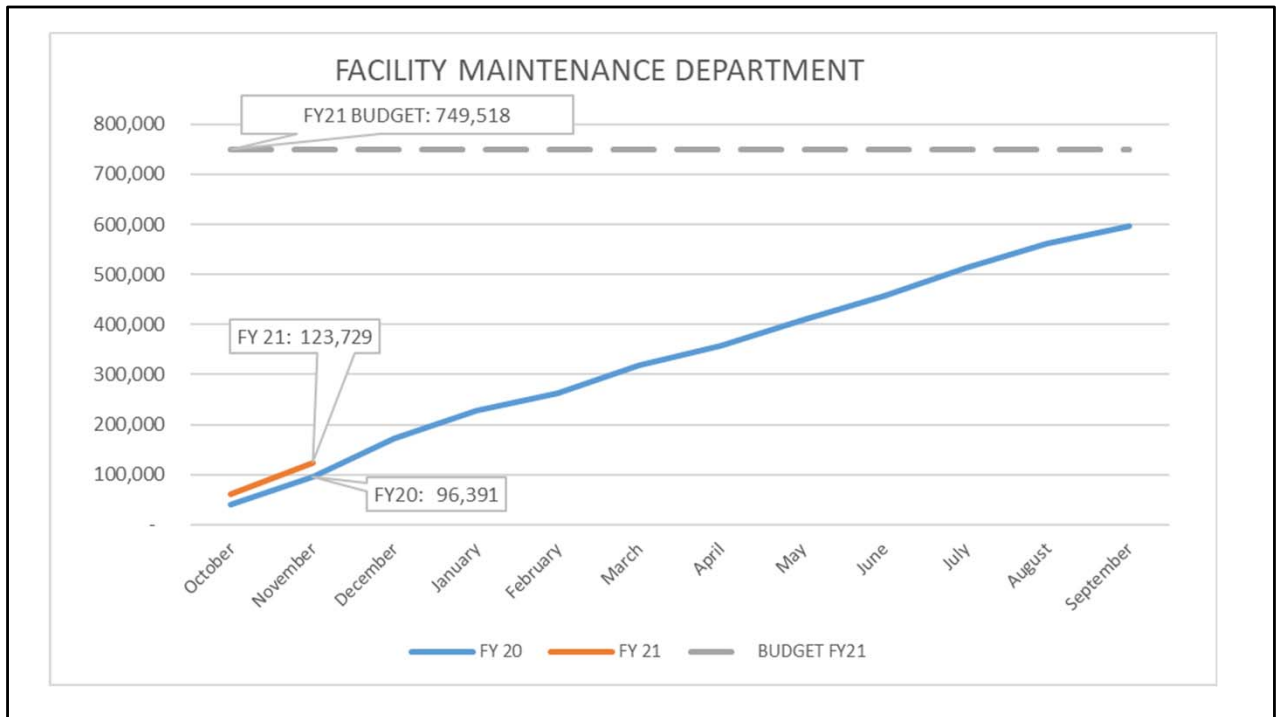
The Administrative Services Department expenditures are down \$26,471 (7.5%) FYTD. This decrease is largely due to timing of certain payments.



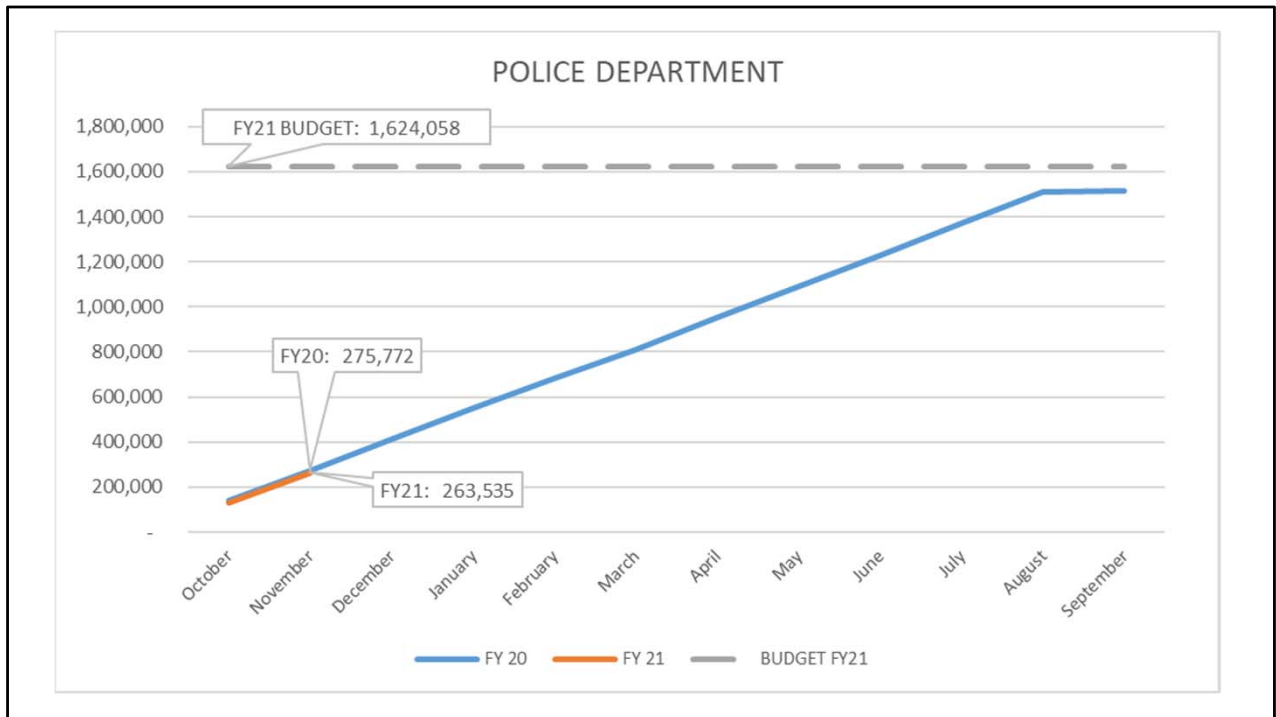
The Legal Department expenditures are down \$11,215 (32.8%) FYTD. This decrease is largely due to the timing of payments.



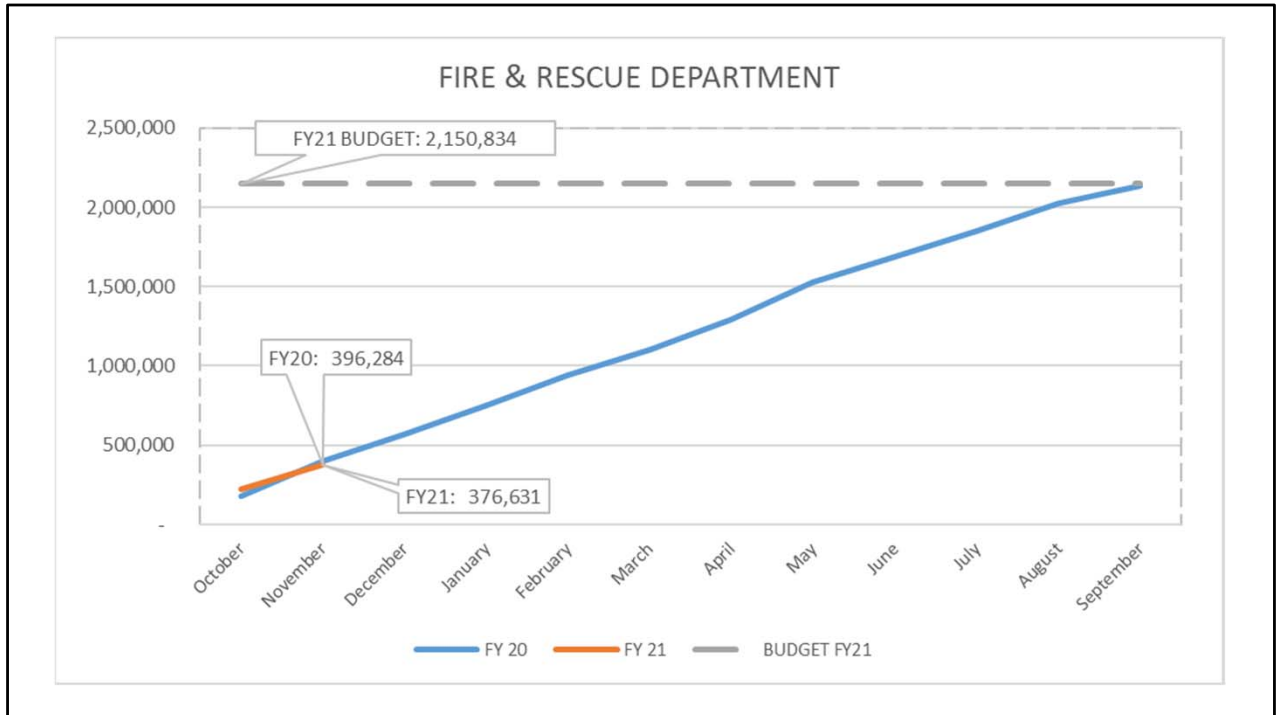
The Planning & Building Department expenditures are up \$16,607 (12.4%) FYTD. This increase is largely due to the increase in building permit applications processed through DBS.



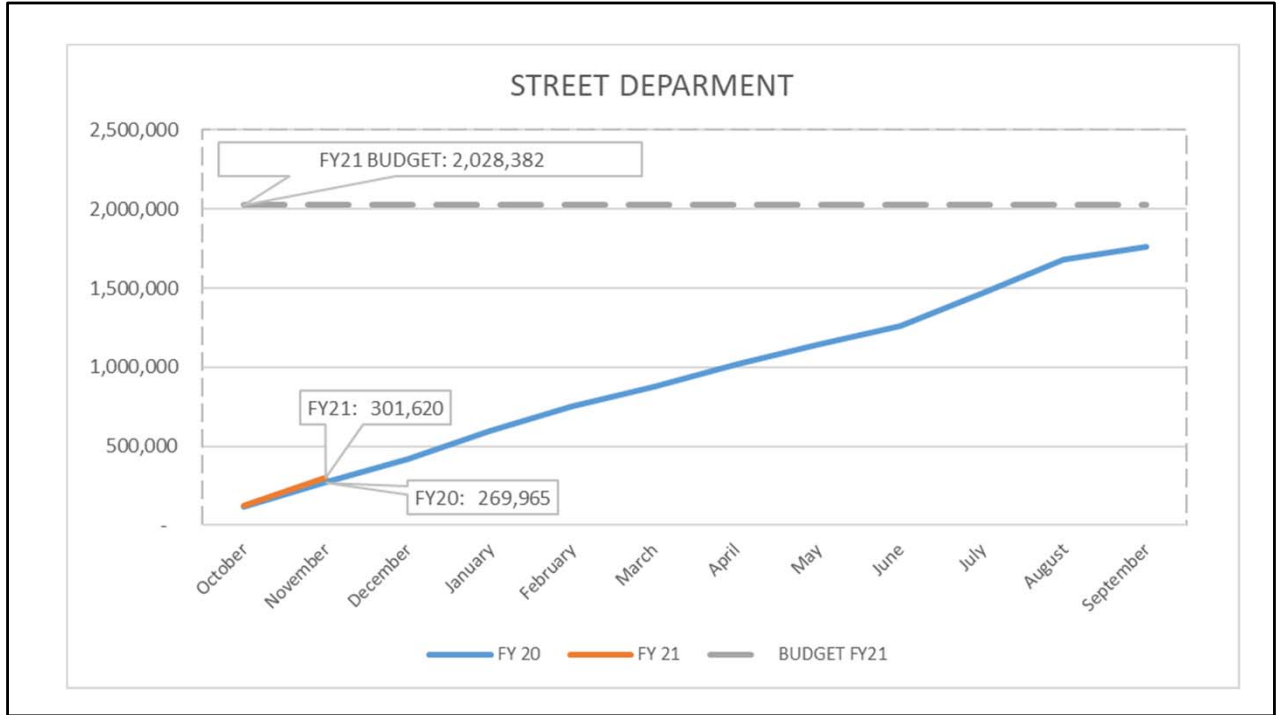
The Facilities Maintenance Department expenditures are up \$27,338 (28.4%) FYTD. This increase is largely due to salary and benefit costs.



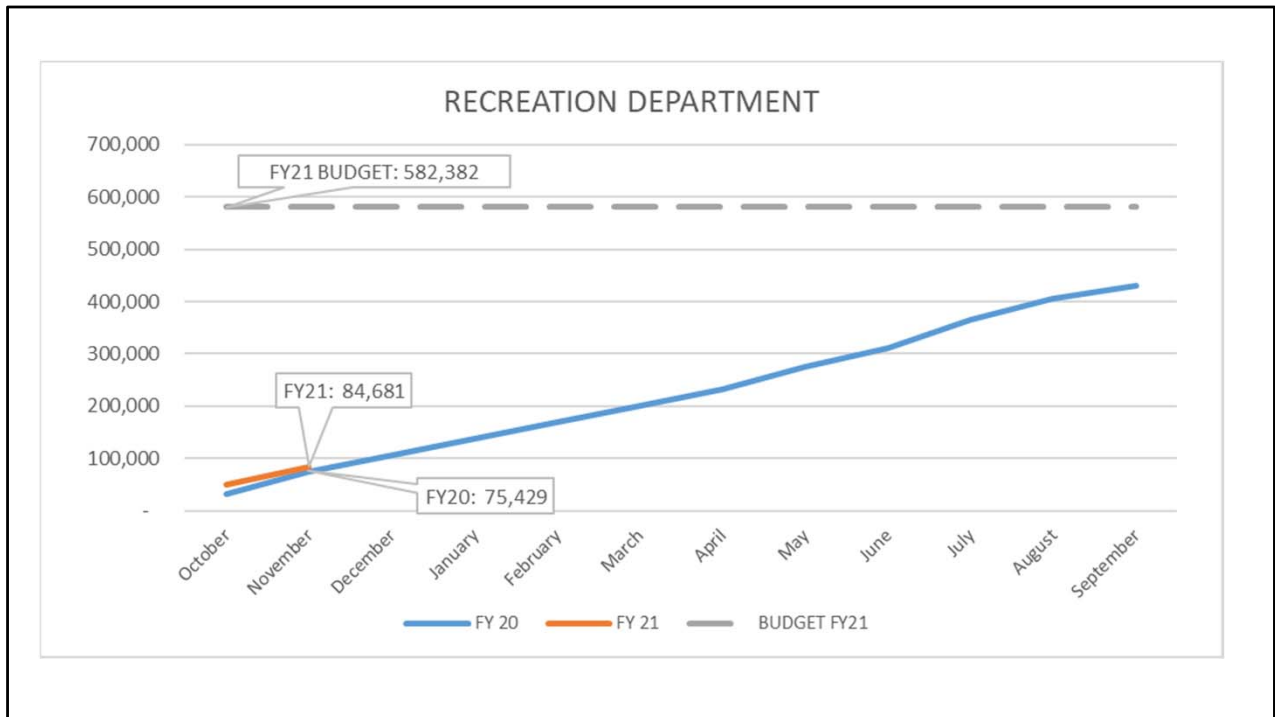
The Police Department expenditures are down \$12,237 (4.4%) FYTD.



The Fire & Rescue Department expenditures are down \$19,653 (4.9%) FYTD.



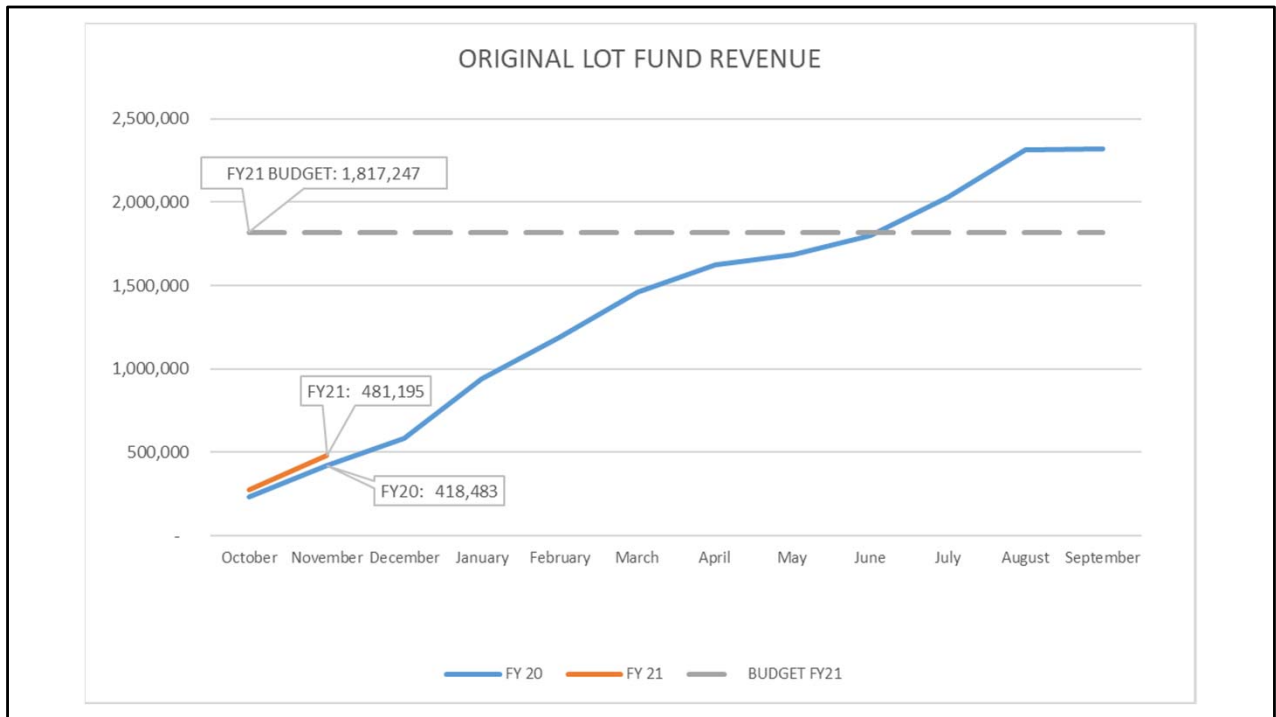
The Streets Department expenditures are up \$31,655 (11.7%) FYTD. This increase is largely due to salary and benefit expenses as well as repair costs.



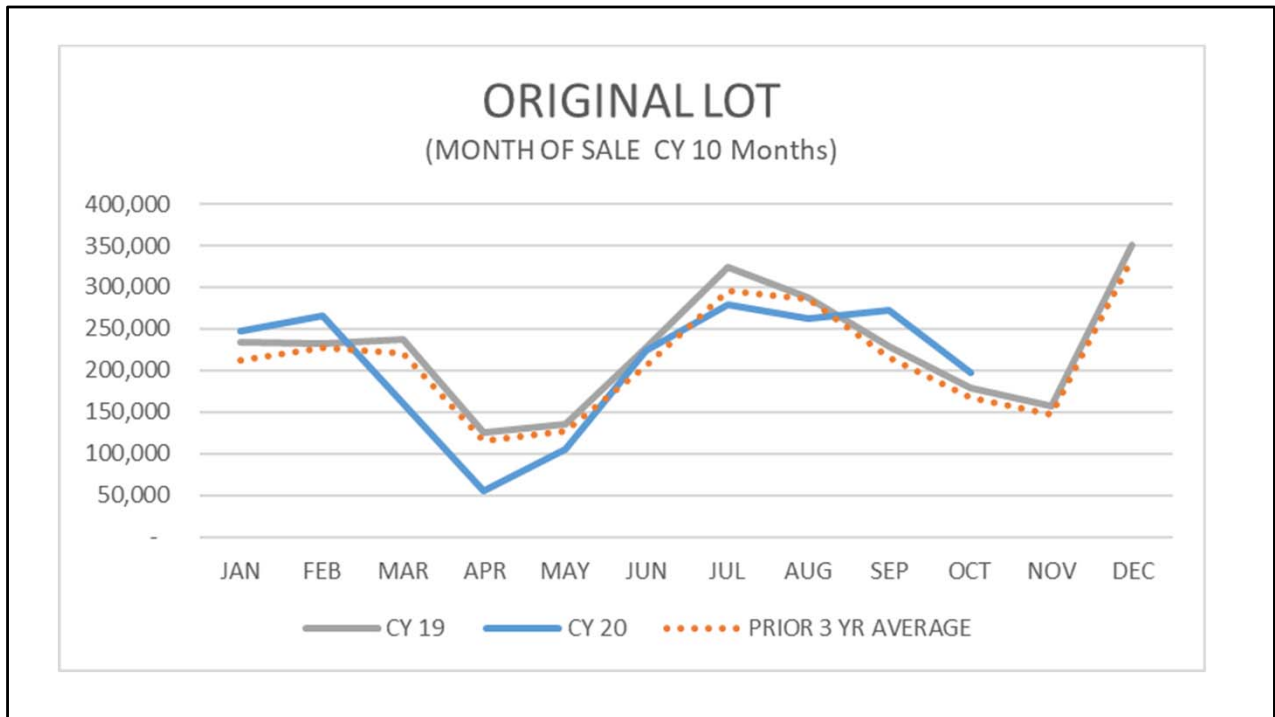
The Recreation Department expenditures are up \$9,252 (12.3%) FYTD. This increase is largely due to salary and benefit costs.



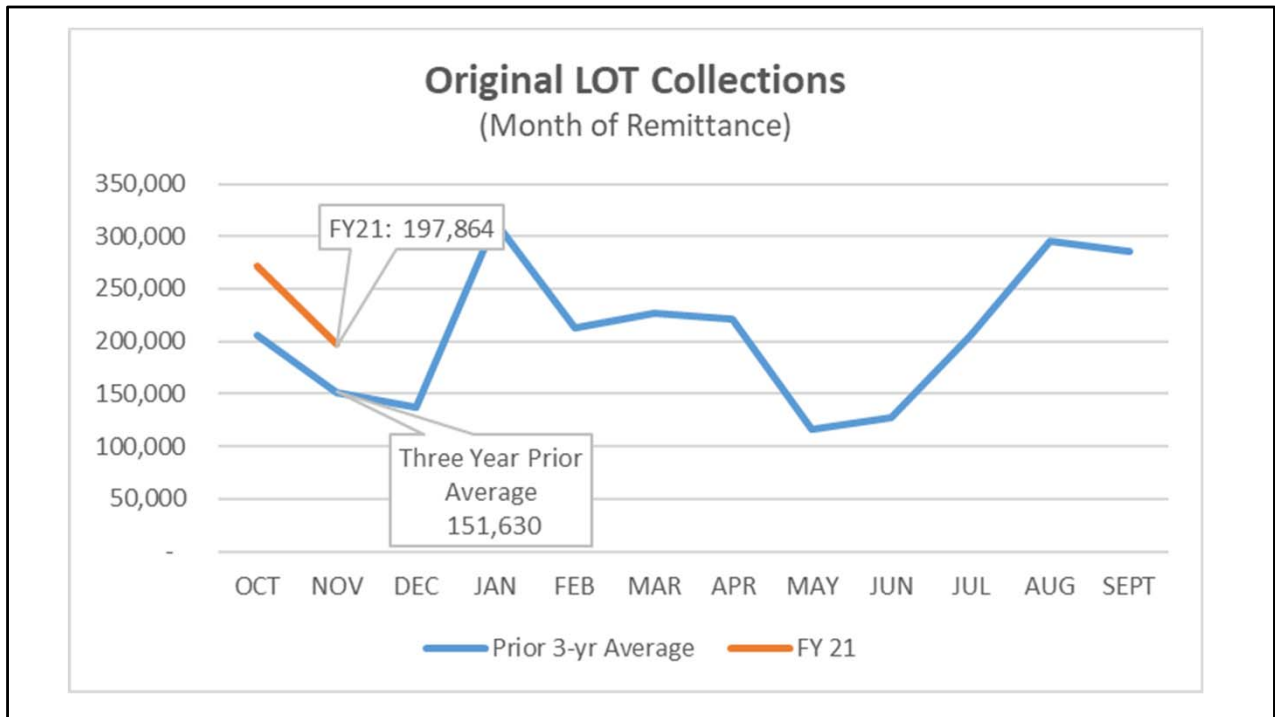
# LOT Analysis



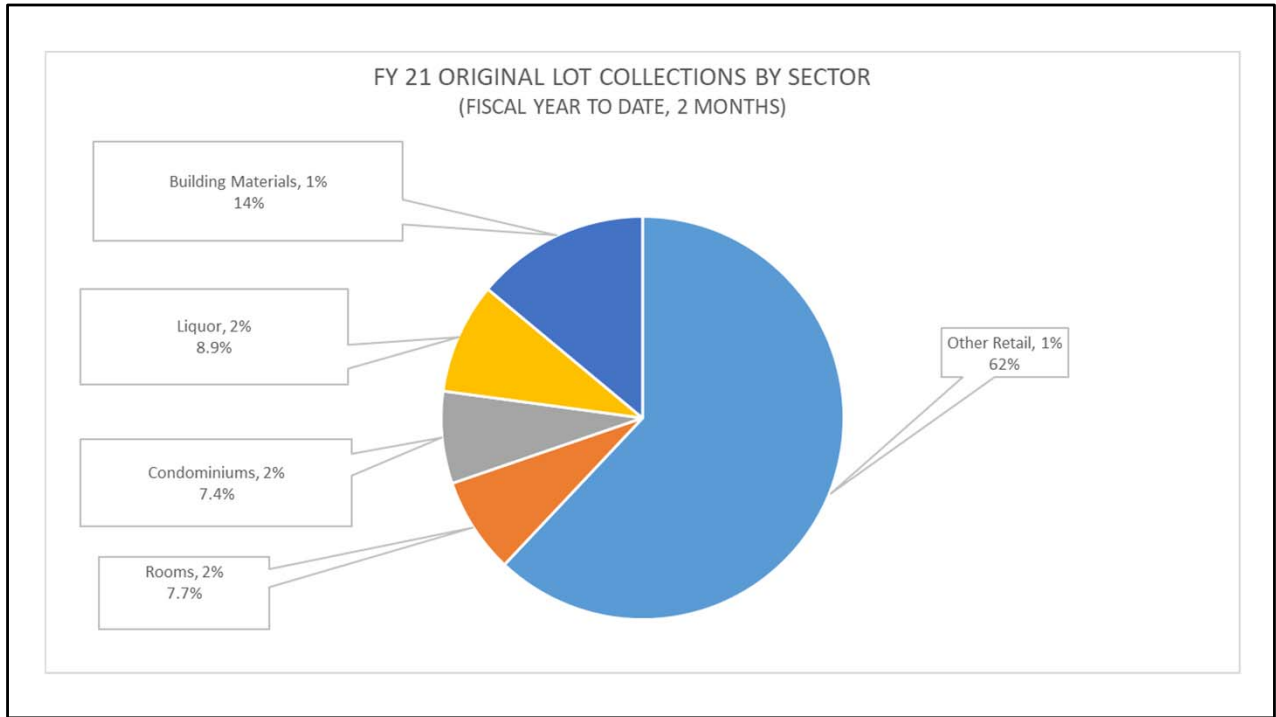
Revenue to the Original LOT Fund is up approximately \$67,712 (15%) FYTD. This increase is largely due to retail, condo and liquor receipts.



Original LOT for the October month of sale is up approximately 11% compared to last year and up approximately 18% compared to the prior three-year average.

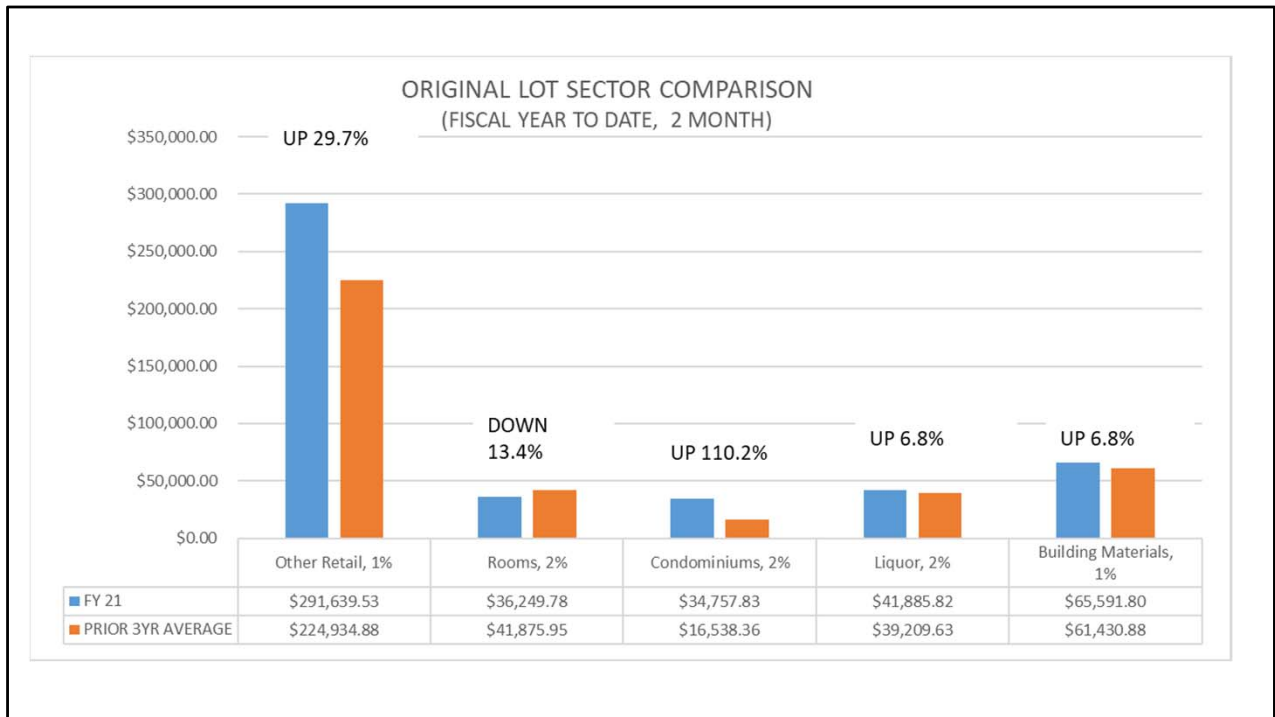


Revenues from Original LOT covered sales are up approximately 30.5% compared to the average of the prior three years.



To date in FY 21 (2 months), Original LOT collections have been generated by each sector as follows:

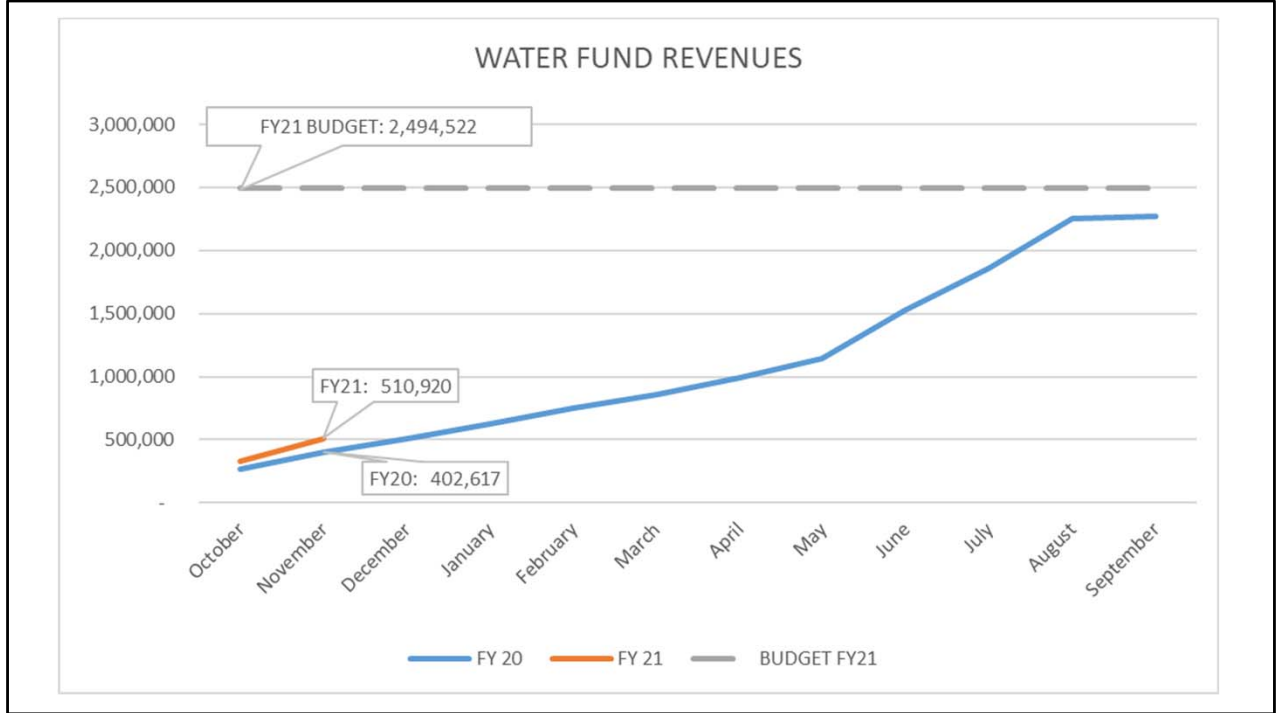
1. Retail has generated 62% of the total.
2. Building Materials have generated 14%.
3. Liquor has generated 8.9%
4. Rooms have generated 7.7%.
5. Condominiums have generated 7.4%.



Through the first 2 months of FY 21, collections compared to the prior three-year average are as follows:

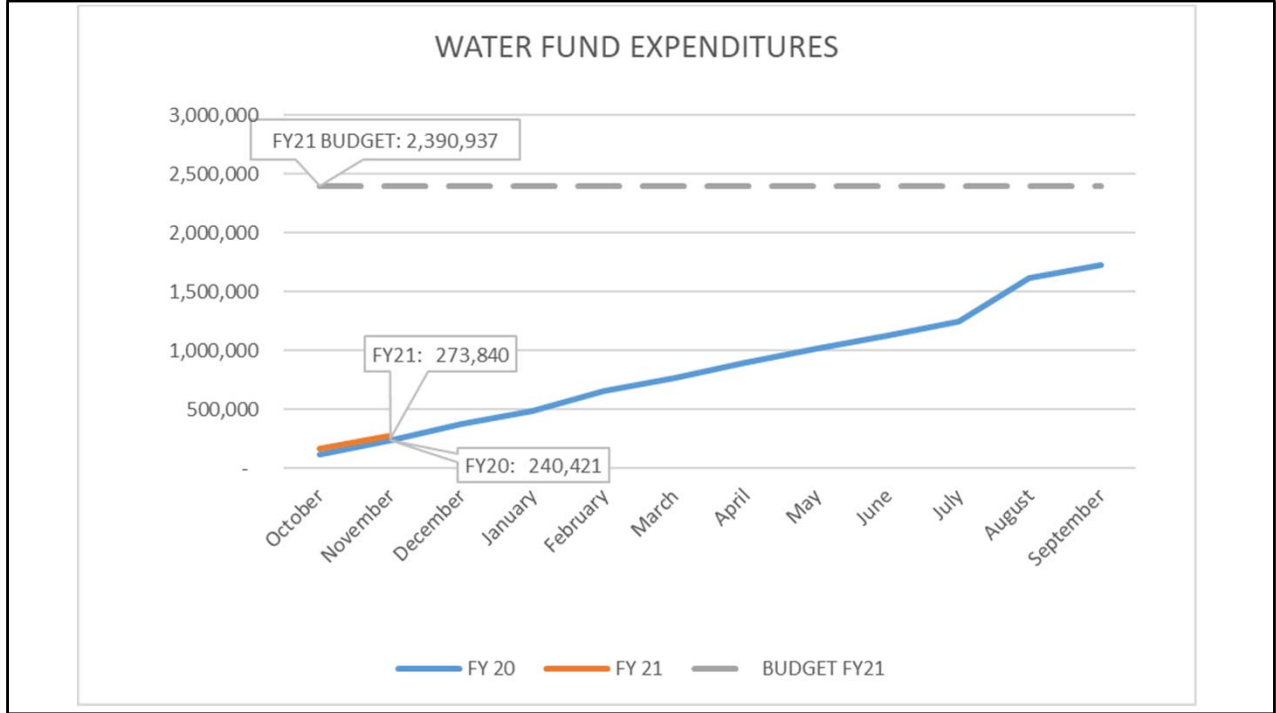
1. Retail is up 29.7%.
2. Rooms are down 13.4%.
3. Condominiums are up 110.2%
4. Liquor is up 6.8%.
5. Building Materials are up 6.8%.

# Enterprise Funds

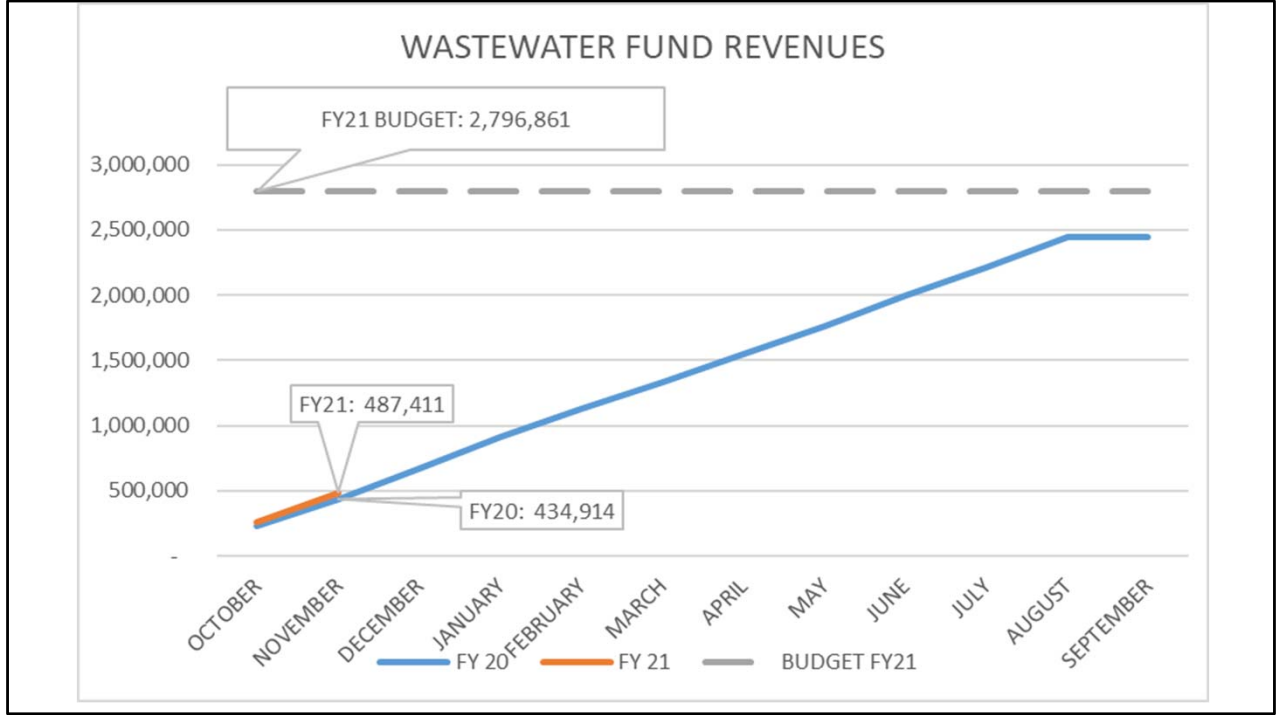


The Water Fund revenues are up \$108,303 (26.9%) FYTD due to increased charges for service.

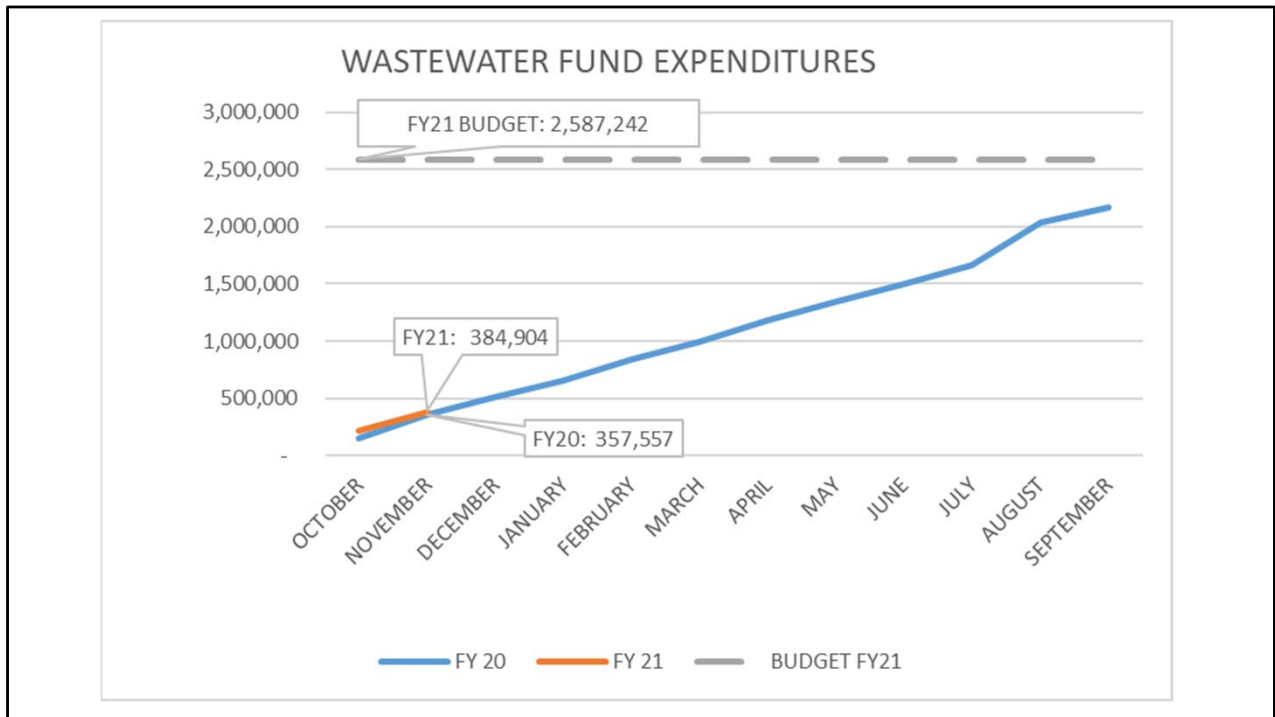




The Water Fund expenditures are up \$33,419 (13.9%) FYTD. This increase is largely due to professional services and transfers.

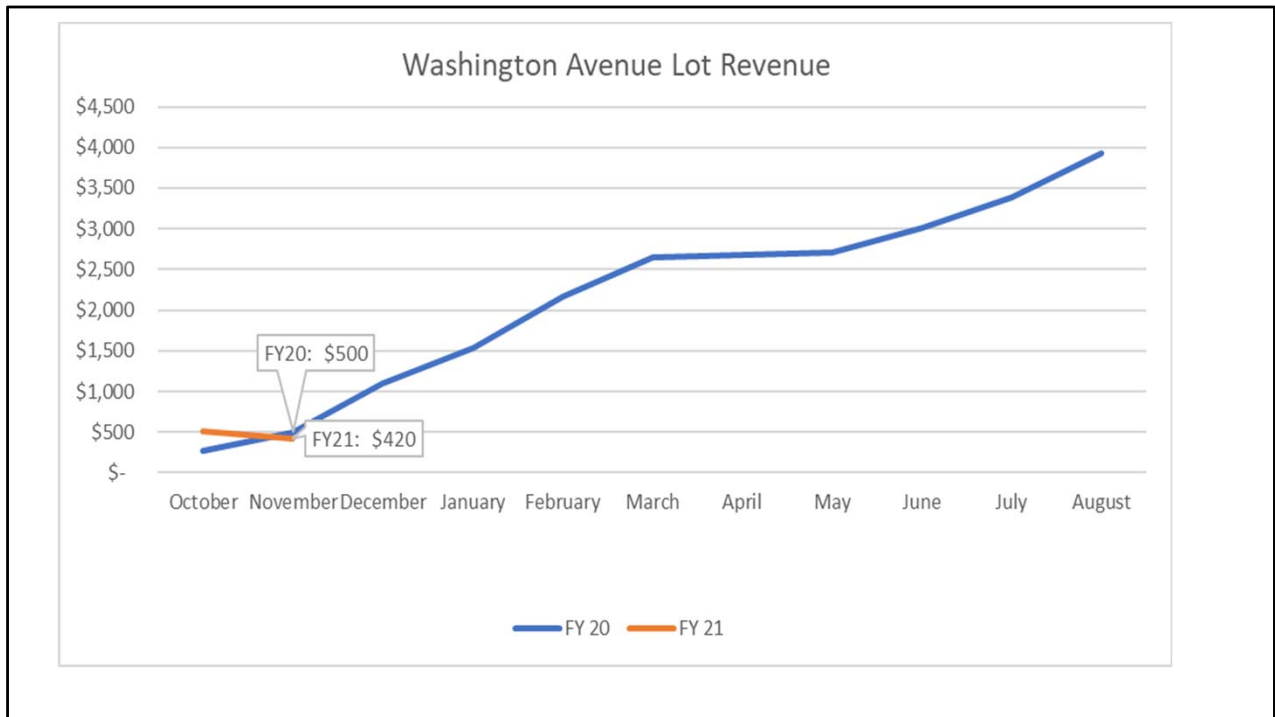


The Wastewater Fund revenues are up \$52,497 (12.1%) FYTD due to charges for service.

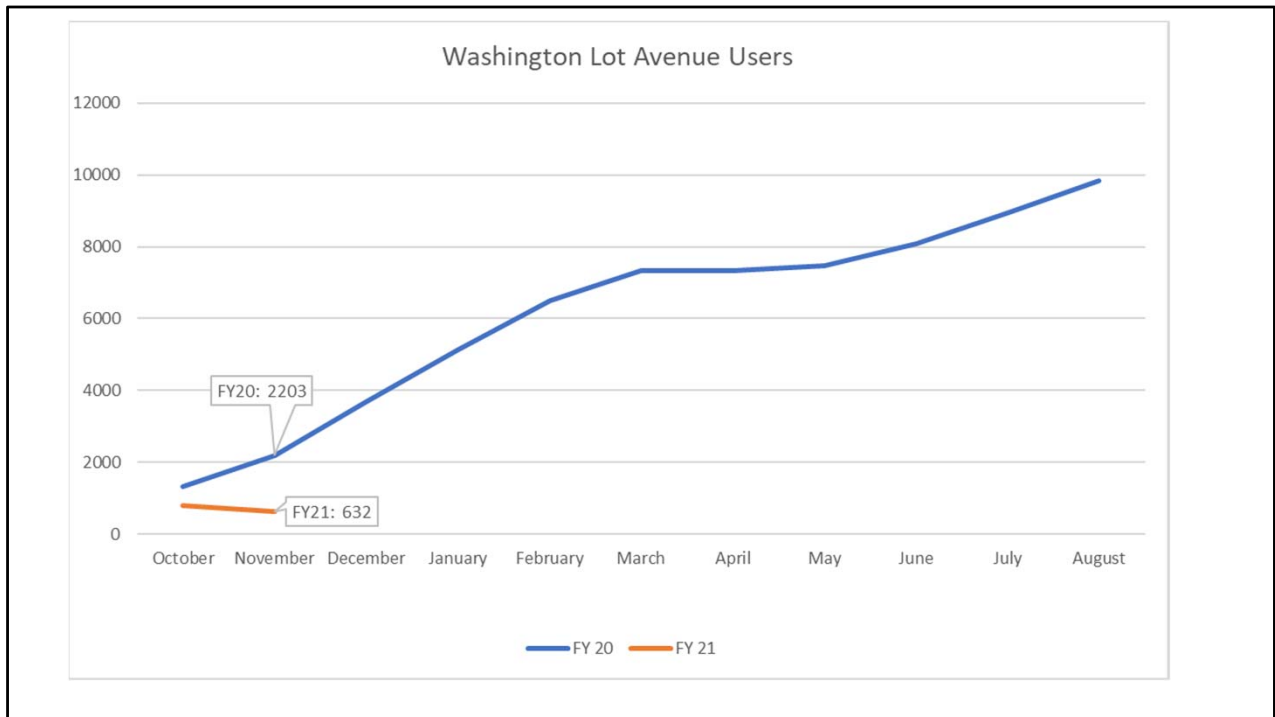


The Wastewater Fund expenditures are up \$27,347 (7.6%) FYTD. This increase is largely due to professional services.

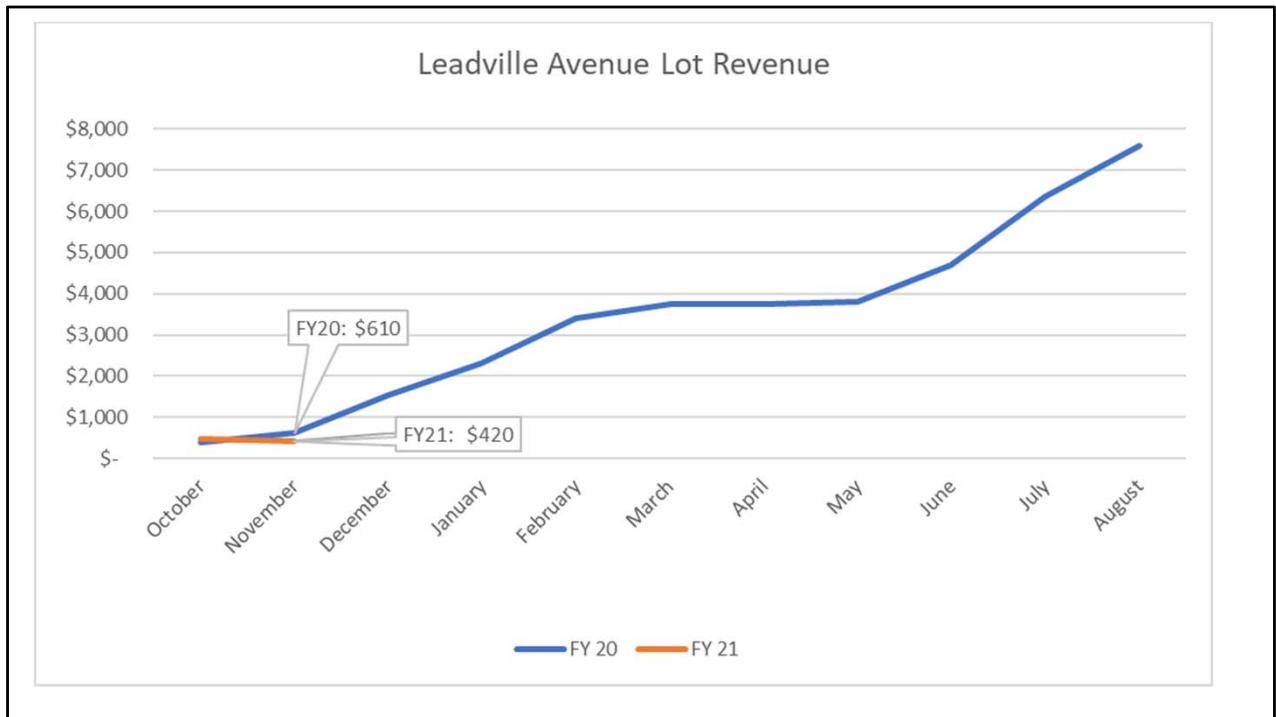
# Off-Street Parking Lots



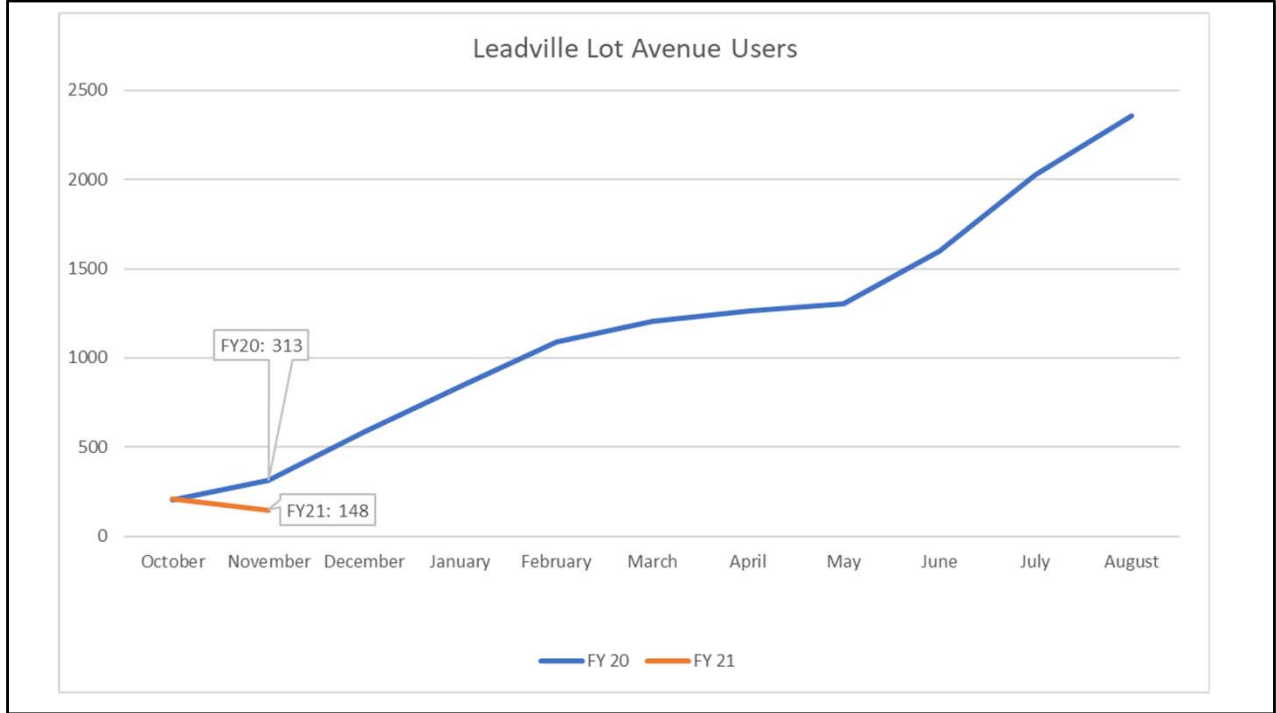
In the fiscal year to date, revenues at the Washington Avenue parking lot are down \$80 (16%) relative to the prior year.



In the fiscal year to date, the number of transactions registered at the Washington Avenue parking lot is down 1571 (71.3%) relative to the prior year.



In the fiscal year to date, revenues at the Leadville Avenue parking lot are down \$190.45 (31.2%) relative to the prior year.



In the fiscal year to date, the number of transactions registered at the Leadville Avenue parking lot is down 165 (52.7%) relative to the prior year.





City of Ketchum

December 21, 2020

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Staff is recommending the Council authorize the purchase of six large water meters to have in stock for future construction needs.

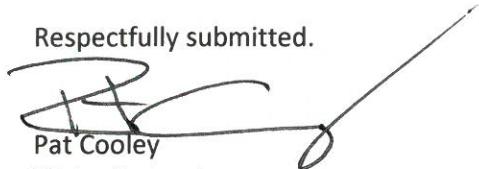
I recommend the Council authorize the Mayor to sign purchase order #20574 with Ferguson Waterworks for six large meters in an amount not to exceed \$6964.94

This is a routine meter purchase order that exceeds the \$5,000.00 threshold

There are no sustainability issues.

Water meters are a line item in the Water Division budget and will be funded from there.

Respectfully submitted.



Pat Cooley  
Water Supervisor

Attachments:  
PO # 20574  
Ferguson Waterworks invoice



City of Ketchum  
City Hall

## Purchase Order

Number: 20574  
Date: 12/21/2020

Vendor: Ferguson Waterworks  
P.O. Box 802817  
Chicago, IL 60680-2817

Quote Ref:

Quantity	Item # / SKU	Description	Item Cost	Total Cost
		Please see attached invoice		
			<b>Total</b>	\$6964.94

The City of Ketchum is a tax-exempt political subdivision of the State of Idaho.

Please confirm this City of Ketchum Purchase Order with Grant Gager, Director Finance & Internal Services, at [ggager@ketchumidaho.org](mailto:ggager@ketchumidaho.org) or (208) 726-3841.

Please Ship Above Listed Items to:

City of Ketchum  
Attn: Grant Gager  
480 East Avenue N  
Box 2315  
Ketchum, ID 83340

Order Submitted By:

\_\_\_\_\_  
Neil Bradshaw, Mayor

# FERGUSON® WATERWORKS

EMAIL DUPLICATE INVOICE

FERGUSON WATERWORKS #1701  
PO BOX 802817  
CHICAGO, IL 60680-2817

<b>Deliver To:</b>	
<b>From:</b>	Janet Rucker
<b>Comments:</b>	

Please Contact With Questions:  
208-528-7490

Invoice Number	Customer	Page
0754038	48655	1

Please refer to Invoice Number when making payment and remit to:

**TOTAL DUE ---> 6964.94**

FERGUSON WATERWORKS #1701  
PO BOX 802817  
CHICAGO, IL 60680-2817

**Sold To:**

CITY OF KETCHUM  
METER ACCOUNT  
PO BOX 2315  
KETCHUM, ID 83340

**Ship To:**

CITY OF KETCHUM  
WATER DEPARTMENT  
110 B RIVER RANCH RD  
KETCHUM, ID 83340

Ship Whse	Sell Whse	Tax Code	Customer Order Number	Sales Person	Job Name	Invoice Date	Batch
1987	1987	IDE	PAT	RF	SENSUS METERS	10/01/2020	37853
Ordered	Shipped	Item Number	Description		Unit Price	UM	Amount
2	2	ST11XXXXG1GAXX	LF 1.5 OMT2 M/T 1GPL 1000G AMR		991.810	EA	1983.62
3	3	ST21XXXXG1GAXX	LF 2 OMT2 M/T 1GPL 1000G AMR		1238.360	EA	3715.08
1	1	ST21XXXXF1GAXX	LF 2 OMNI T2 MTR 100 CF TEN		1238.360	EA	1238.36
			SET TO 1000G AMR RESOLUTIO				

**Invoice Sub-Total 6937.06**  
**Freight 27.88**  
**Tax 0.00**  
**Total Amt 6964.94**

<b>TOTAL DUE ---&gt; 6964.94</b>
----------------------------------

ALL ACCOUNTS ARE DUE AND PAYABLE PER THE CONDITIONS AND TERMS OF THE ORIGINAL INVOICE. ALL PAST DUE AMOUNTS ARE SUBJECT TO A SERVICE CHARGE AT THE MAXIMUM RATE ALLOWED BY STATE LAW PLUS COSTS OF COLLECTION INCLUDING ATTORNEY FEES IF INCURRED. FREIGHT TERMS ARE FOR OUR DOCK UNLESS OTHERWISE SPECIFIED ABOVE. COMPLETE TERMS AND CONDITIONS ARE AVAILABLE UPON REQUEST OR CAN BE VIEWED ON THE WEB AT <https://www.ferguson.com/content/website-info/terms-of-sale> GOVT BUYERS: ALL ITEMS QUOTED ARE OPEN MARKET UNLESS NOTED OTHERWISE.

LEAD LAW WARNING: IT IS ILLEGAL TO INSTALL PRODUCTS THAT ARE NOT "LEAD FREE" IN ACCORDANCE WITH US FEDERAL OR OTHER APPLICABLE LAW IN POTABLE WATER SYSTEMS ANTICIPATED FOR HUMAN CONSUMPTION. PRODUCTS WITH \*NP IN THE DESCRIPTION ARE NOT LEAD FREE AND CAN ONLY BE INSTALLED IN NON-POTABLE APPLICATIONS. BUYER IS SOLELY RESPONSIBLE FOR PRODUCT SELECTION.



## City of Ketchum

December 21, 2020

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

**Recommendation to Approve Contract #20576 titled, HDR Task Order No. 13 – Engineering Services, Wastewater Facility Planning Study, City of Ketchum and Sun Valley Water & Sewer District, Ketchum-Sun Valley, Idaho**

Recommendation and Summary

Staff recommends the Council approve Contract #20576 and adopt the following motion:

***"I move to approve Contract #20576 titled, HDR Task Order No. 13 - Engineering Services, Wastewater Facility Planning Study, City of Ketchum and Sun Valley Water & Sewer District, Ketchum-Sun Valley, Idaho, with a not-to-exceed cost of \$144,800.00 and authorize the Mayor to sign it."***

Introduction and History

The City of Ketchum/Sun Valley Water and Sewer District Wastewater Treatment Plant is continually modifying and upgrading its current infrastructure and operations to meet regulatory requirements and keep up with the growth of the population it serves. Idaho Department of Environmental Quality Rule 58.01.16 Section 410 requires municipal wastewater treatment facilities undergoing material modification or expansion to have a current facility plan. The purpose of the plan is to document the upgrades and expansions expected or needed by the treatment plant. The current facilities plan being used was developed in 2009. Since then, regulatory requirements and technologies have changed sufficiently that an updated facilities plan is necessary. The new facility plan will be the basis for identifying and scheduling future capital improvement projects.

Analysis

This task order would authorize HDR Engineering to prepare a facility plan to assist with options for handling wastewater at the treatment plant.

- This project will satisfy IDEQ wastewater treatment facility planning document requirements.
- HDR Engineering has a Master Services Agreement with the City of Ketchum and the Sun Valley Water and Sewer District for projects related to the wastewater treatment facility.
- The project manager for this task order is very familiar with the wastewater treatment facility and managed many of the treatment plant's recent upgrades.

Sustainability

The recommended action will further the goals of the 2020 Ketchum Sustainability Action Plan in the following ways:

- HDR Engineering will be provided a copy of the Ketchum Sustainability Action Plan and be instructed to use it in making energy efficiency and sustainability a key focus in their evaluation of necessary modifications.
- Natural and biological removal processes will be given priority in the development of this facility plan.

Financial Impact

HDR Engineering estimates a not to exceed professional services fee of \$144,800.00. The cost for this contract will be divided equally with the Sun Valley Water and Sewer District as this is a capital improvement project. Funding for the task order will come from the FY 20/21 Wastewater Capital Improvement Fund.

Sincerely,



Mick Mummert  
Wastewater Dept. Supervisor

Attachment(s):

HDR Task Order No. 13 - Engineering Services, Wastewater Facility Planning Study, City of Ketchum and Sun Valley Water & Sewer District, Ketchum-Sun Valley, Idaho  
Multiple Project Agreement with HDR Engineering, Inc.





TASK ORDER NO. 13

**ENGINEERING SERVICES  
WASTEWATER FACILITY PLANNING STUDY  
CITY OF KETCHUM AND SUN VALLEY WATER & SEWER DISTRICT  
KETCHUM-SUN VALLEY IDAHO**

This Task Order pertains to a Master Services Agreement by and between City of Ketchum and Sun Valley Water & Sewer District (SVWSD), Ketchum-Sun Valley, Idaho ("Ketchum-SVWSD"), and HDR Engineering, Inc. ("HDR"), dated January 21, 2014 ("the Agreement"). HDR shall perform services on the project described below and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties (EXHIBIT A). Upon execution, this Task Order shall supplement the Agreement as it pertains to the technical services described below.

## Wastewater Facility Planning Study

### Scope of Work

#### 100 – Project Management

Project management is required for efficient implementation of project tasks and business related work. The subtasks below define the efforts required to execute the contract and produce the final deliverable for the project, a wastewater facility planning study approved by the Idaho Department of Environmental Quality (IDEQ).

##### Sub Tasks

#### 101 – Meetings with staff

This task includes regular meetings with key members of the HDR team to review the status of the work and coordinate work activities, document meeting decisions and action items, assign activities to team members, and follow up for timely resolution. In person meetings with Ketchum-SVWSD staff will be limited to the initial project kick-off meeting and the final presentation of the draft FPS. Workshops shall be conducted using internet-based meeting platforms capable of media presentation.

#### 102 – Project management

The ongoing project management activities will include:

- **Budget Status Monitoring:** Monitor the project work remaining to complete the overall Project, the budget expended, the estimated cost of the work remaining, and the estimated cost at completion. Inform Ketchum-SVWSD of budget status through the monthly invoices, invoice progress reports and monthly progress conference calls. Manage activities within overall total Project budget.
- **Schedule Status Monitoring:** Monitor progress of work tasks and compare progress to overall Project Schedule. Estimate the time to complete remaining work tasks and update the Project Schedule. Inform Ketchum-SVWSD of schedule status through the monthly progress conference calls. Manage activities within overall Project Schedule.

- Change Management - Monitor project activities for potential changes, anticipate changes when possible, and with Ketchum-SVWSD approval, modify project tasks, and approach to keep the overall project within budget and on schedule.
- Invoicing - Prepare and submit a monthly invoice and progress report.
- Develop and Execute the Quality Assurance/Quality Control (QA/QC) Plan: Manage the quality review of all work activities and project deliverables by developing and distributing a QA/QC plan to the Project staff that outlines the QA/QC review process for the Project. Manage the quality control review of all work activities and project deliverables. Identify senior technical reviewers for the various technical disciplines and oversee the adherence to the plan during the execution of all Tasks. Draft and final deliverables are reviewed according to the QA/QC Plan prior to submittal to Ketchum-SVWSD for review.

### **Assumptions**

- Budget status monitoring is a monthly activity for the duration of the project, 12 months.
- Schedule status monitoring is a monthly activity for the duration of the project, 12 months.
- Project coordination meetings for key internal staff are conducted bi-monthly for 12 months
- 12 monthly invoices and progress reports will be prepared
- Execution of the QA/QC Plan will be completed under the appropriate tasks.
- Ketchum-SVWSD will develop a workshop team to be involved in all three workshop sessions for continuity. The workshop shall conclude with a consensus of action items and changes.

### **Deliverables**

- Monthly invoices and progress reports that include budget and schedule updates, as well as change management summary.

## **200 - Initial Technical Analyses; Planning Criteria, Development of Flows and Loads, and Current Treatment Capacity. Workshop #1**

The Task 200 work develops the first three chapters of the Facilities Planning Study (FPS). The chapters are:

- Chapter 1 - Planning Criteria: Service Area, Population Projections and Effluent Criteria
- Chapter 2 - Wastewater Flows / Loads (Current and Future) and Effluent Criteria
- Chapter 3 - Current Plant Capacity and Performance

### **Sub Tasks**

#### **201 – Planning criteria**

HDR will develop a data and information request and submit it to Ketchum-SVWSD. Once the data are received, HDR will compile and review the data and documents in order to:

- Describe the local conditions
- Define the planning area and impact areas
- Review of existing data and facility information
- Determine critical data gaps/needs

- Recommend additional wastewater characterization/sampling to be conducted by Ketchum-SVWSD
- Review socioeconomic profile and population statistics
- Review Ketchum-SVWSD's Comprehensive Plans

**202 – Wastewater characterization, current flows and loads, residential and commercial sources and permit requirements**

HDR will characterize the current wastewater and influent flows and loads as follows:

- Review basic wastewater historical data collected since the previous FPS (2010 – present) with emphasis on last three years. The data review parameters will be for: flow, BOD, TSS, TKN, NH3-N, and TP. The current design basis will be developed from the most recent years for both concentration and mass.
- Review treatment plant recent process monitoring data (last 3 years or 2018 to present) to establish historical influent wastewater characteristics and trends including the parameters above and others such as temperature and alkalinity.
- Merge data from different sources or periods and clean text entries, error messages, or notes from source data.
- Calculate mass loadings and moving averages.
- Estimate the probability of occurrence of peak influent loads using Microsoft Excel.
- Estimate relationships between maximum month, maximum week, maximum day, and annual average conditions using a statistical analysis method. The following percentiles apply to select the loading conditions:
  - Annual average = 50th percentile
  - Maximum month = 91.7th percentile (11/12th percentile)
  - Maximum week = 98.1st percentile (51/52nd percentile)
  - Maximum day = 99.7th percentile (364/365th percentile)
- In some instances, the design flows and loads will be augmented using a moving average method.
- If treatment plant process monitoring data are not available for key constituent loads (e.g., monitoring has not yet been established for a constituent), reference values will be used from comparable facilities, HDR's internal best practice guidelines, or published references, as determined by HDR.
- Compile historical treatment plant process monitoring data for use in calibrating mass balance model.
- Develop the transitory population impact by pillow counts of 2<sup>nd</sup> homes, hotels, vacation rentals.
- Major commercial source loads (if any) will be based on pretreatment program or other applicable data provided by Ketchum-SVWSD.
- Review of Total Maximum Daily Load (TMDL) information for the discharge into the Big Wood River. The existing temperature data collected by Ketchum-SVWSD will be reviewed and compared to anticipated temperature criteria. The implications of temperature on the treatment process will be considered in the alternative analysis.
- Review Idaho Pollutant Discharge Elimination System (IPDES) requirements and discuss any trends in future water quality criteria that might impact facility processes such as TMDL related items or other state-wide (or Federal) initiatives.
- Review of current City-wide Class A permit and the water quality for such use.

**203 - Review of existing process performance**

This subtask provides the evaluation of Ketchum-SVWSD's existing treatment facility and associated programs. Information developed in this task will define the existing facility



configuration and operating conditions from which all follow-on treatment alternative configurations are based and developed. HDR will review available data provided by Ketchum-SVWSD regarding the performance of key unit treatment processes and overall plant performance. This evaluation will be used to develop the treatment process model and inform the development of treatment alternatives in later tasks.

#### **204 –BioWin model and Hydraulic Analysis**

HDR will set up a BioWin model for the Ketchum-SVWSD Wastewater Treatment Plant (WWTP). The BioWin model will be calibrated using available treatment process data provided by Ketchum-SVWSD and HDR’s professional experience. The model will include existing treatment biological and chemical treatment processes and associated solids generation, treatment and handling facilities. Special emphasis will be on the biological impact of an anoxic basin and basin recycle incorporated into the activated sludge process model for improved total nitrogen removal and promoting biological phosphorus.

The plant hydraulics will be modeled to review the existing hydraulic profile. A survey of the plant control by local survey crew will provide the basis for the model as well as drawings from past projects. The model will be set up based on WWTP drawings and other hydraulic profile information provided by Ketchum-SVWSD. The model will include existing treatment processes and be important in evaluating the system under future flow conditions.

#### **205 – Population and land use forecasts**

Population estimates and land use forecasts will be evaluated using information from current and past planning documents and recent trends in growth. The population trends will be analyzed and an agreed upon growth rate established based upon projected land use and impact areas.

#### **206 – Project future flows and loads**

HDR will project future flows and loads as follows:

- Project future average loads for BOD, TSS, NH<sub>3</sub>-N (and TKN if data are available), and TP for the following time periods:
  - Near-term (5-year, to 2026)
  - Long-term (both 10-year to 2031, and 20-year to 2041)
- Base flow projections on future population estimates from Task 205 and expected future flows from domestic sources. HDR will also review flow projections developed from past studies and planning documents.
- Consider recorded growth trends, service area build out, changes to service area zoning, planned annexations, and anticipated commercial growth.
  - Use the historical flow and load analysis to establish historical peaking factors for the existing service area.
  - Based on historical flows and loads, calculate the per capita average flow and load for the existing service area.
  - If no changes in land use are anticipated for the existing or future service area, then load projections will be proportional to flow increases.
  - Commercial loads will be accounted for separately from the per capita loads.
  - If changes are anticipated in the land use for the future service area, estimate the per capita average flow and loads for the future service area.
  - Apply the per capita flows and loads to the population projection for the design year to establish average flows and loads at the design year.

- Multiply the annual average flows and loads by the peaking factors to establish maximum month, maximum day, maximum week, and peak hour for the design period.

### **207 – Develop draft design treatment criteria**

Level of treatment criteria will be identified for key parameters. Critical existing permit limitations for TSS and TP will provide the basis for these criteria. Other parameters may be considered in relation to water quality driven issues in the future such as subsequent phases of the TMDLs, specifically temperature and ammonia nitrogen. Task 300 will define the treatment levels, if any, appropriate to consider for these parameters.

### **208 – Draft Facility Plan Chapters 1, 2 and 3**

Draft of Facility Plan chapters 1, 2 and 3 will be made available for Ketchum-SVWSD review and comment including the sections covered in Task 200. This will include relevant items from sections A, B, and C as identified in the IDEQ's Form 5-A which are: Introduction, Existing Conditions, and Future Conditions respectively.

### **209 – Workshop #1**

Anticipated topics for this workshop are:

- Review of planning criteria
- Population and land use forecasts
- Review non-economic criteria
- Watershed and water quality
- Assessment of current WW treatment asset conditions (Ketchum-SVWSD-led)
- Review existing process performance
- Effluent requirements
- Future regulatory considerations
- Wastewater characterization
- Flows and loads
- BioWin and hydraulic modeling for current system
- Design criteria
- Biosolids treatment, handling and disposal
- Cost basis (e.g., capital, O&M and net present value)

### **Task 200 Assumptions**

- Ketchum-SVWSD will provide facility influent, effluent, commercial or industrial pretreatment (if any), and process performance data in electronic format (Excel) within two (2) weeks of request from HDR.
- One draft of FP chapters 1, 2 and 3 will be prepared for Ketchum-SVWSD's review and comment.
- Ketchum-SVWSD will review the draft chapters with the objective of producing one (1) consolidated set of comments for HDR to consider after a review period of no more than two (2) weeks.
- Flow and load projections will be based on a review of treatment plant data.
- Three years of historical data will be used to complete the flow and load analysis.
- Ketchum-SVWSD will provide the numbers of residential, commercial and industrial connections for each of the past three years

- Maximum flows and loads will be used as the basis of design for process sizing of the wastewater treatment facilities components per design guidelines from EPA, IDEQ, Metcalf & Eddy's textbook *Wastewater Engineering*, Water Environment Federation Manual of Practice No. 8, or Recommended Standards for Wastewater Facilities (Ten States Standards).
- Ketchum-SVWSD will provide historical flows and loads and anticipated flows and loads from non-domestic sources, such as commercial and industrial users. If data are not available, HDR will assume typical values based on published references.
- Topographic survey of the plant is by others and not included in this scope of services.
- The workshop will be held via web-based conferencing after HDR has had a minimum of one (1) week to address Ketchum-SVWSD review comments of the written draft chapters.
- The workshop duration will be no more than three (3) hours.
- Any changes resulting from the workshop will be reflected in meeting notes and incorporated into the final version, to be delivered with Workshop #3 (draft final document).

### **Task 200 Deliverables**

- Draft Facility Plan chapters 1, 2 and 3 (PDF)
- Workshop #1
  - Agenda
  - Key information presentation in electronic format (PDF)
  - Summary workshop meeting minutes in electronic format (PDF)

### **Task 300 - Initial Treatment Alternatives and Workshop #2**

Task 300 of the Facility Planning Study addresses chapters 4, 5 and 6 with the following titles:

- Chapter 4 – Treatment Upgrades Alternatives for Liquids and Solids Streams
- Chapter 5 – Sustainability: Water Reuse and Energy Conservation
- Chapter 6 - Support facilities

The objective of this task is to identify an array of initial treatment alternatives that address near-term and long-term facilities needs for both regulatory and capacity triggered facility improvements. It is anticipated that alternatives will be considered to address flows and loads identified in Task 200. The alternatives will focus on deficiencies of existing treatment to meet the near-term (5 year) and long-term (10 and 20 year) planning period criteria (flows, load or regulatory criteria).

Each area of the plant shall be examined including:

1. Primary Treatment (Headworks): screening, pumping, grit removal, and odor control.
2. Secondary Treatment (Biological): aeration basins, blowers, diffusers, and clarifiers; biological and chemical phosphorus removal.
3. Tertiary Treatment: final pumping and filtration
4. Disinfection: UV disinfection for direct discharge or reuse; reuse pump station and associated distribution to Weyakkin and Elkhorn Golf Course.

5. Sludge Handling: aerobic digestion, thickening, dewatering (drying beds), and biosolids disposal.

### **301 – Develop alternatives for each area of the treatment process**

Review of each area of treatment will be based upon the following criteria:

- Older equipment replacement
- Existing hydraulic bottleneck
- Redundancy
- Operability
- Capacity
- Sustainability

Some options may be more pertinent for the near-term time frame (i.e., the next 5 years), while others may be more pertinent for the long-term horizon (10 or 20 years). This array of options will be combined into high-level alternatives or hybrid alternatives, and some options may be subject to a more confined or narrow decision/evaluation.

Certain areas of the plant have been substantially upgraded during the last 20 years. This includes screening (2018), effluent reuse (2013), aeration basins (2008), filtration (2007), disinfection (2003), and clarifiers (2000 and 2004). Other areas that have not been addressed and require specific attention are related to the solids handling. These components include aerobic digester, thickening, dewatering and final biosolids disposal. The areas needing more immediate attention will be detailed more thoroughly.

The alternatives will consider sustainability issues such as energy usage, recycled water and beneficial use of biosolids.

The workshop at the conclusion of Task 300 will serve to narrow the alternatives that will be further developed and evaluated in subsequent tasks.

### **302 – Develop PFDs for each major alternative**

HDR will develop simplified process flow diagrams (PFDs) for each of the major alternatives or alternatives packages.

### **303 – Modeling to develop sizes and configurations of each major alternative**

Each of the major alternatives or alternatives packages will be evaluated with respect to process performance goals (BOD<sub>5</sub>, TSS, ammonia, total phosphorus, temperature, disinfection). This evaluation will be completed by HDR using the BioWin process model. The modeling will be used as a tool to assist with developing rough estimates of major equipment sizing and help define configurations to be used for cost estimating.

### **304 – Water Reuse, Sludge Disposal and Energy Efficiency**

Ultra-low TSS mass loadings will pose a problem with compliance as flows increase. Fortunately, the mass TSS loading limits are applied on an annual basis and this provides incentive for treated water reuse during irrigation months. This reduces TSS discharge to the



river in the summer to irrigated turf and allows additional effluent TSS discharge during the high-water flows in the fall, winter and spring.

The Cities of Ketchum and Sun Valley operate under a City-wide Class A reuse permit. This provides many outlets for reuse water throughout the community. Reuse is so popular in the Ketchum/Sun Valley area that reuse water is split between Ketchum and SVWSD and all available water is used during the irrigation season. But when supplies increase with flow, other reuse outlets may be possible. A list of possible alternative reuse locations will be identified.

The remaining outlet for reuse is winter snow-making but the only outlet for such reuse water is through the Sun Valley Company and there is no current economic drivers to encourage reuse water snow-making. The reuse section will address the potential for non-economic drivers in an effort to promote winter reuse.

Dewatered sludge is currently disposed into drying beds at the Ohio Gulch transfer station. This is currently the most economical method of disposal. The agreement for use of the drying beds expired in 2019. This subtask will evaluate the renewal of the agreement, the alternatives for sludge disposal including land application, composting, and landfilling. Composting pilot study planning is currently underway for the municipalities sharing the Ohio Gulch Transfer Station drying beds. The compost related information from this pilot study will be included in this section with features specific to the Ketchum-SVWSD plant.

Energy efficiency is an important aspect of wastewater treatment and Ketchum-SVWSD has been at the forefront of energy conservation. The largest part of energy usage is in the aerobic biological process consisting of blowers and diffusers. About 15 years ago new aeration basins were constructed with new fine bubble diffusers and about 10 years ago the plant installed cutting edge energy efficient turbo blowers. One area that will be explored within the alternatives chapters will be denitrification and the benefit for oxygen recovery from converting nitrate-nitrogen to nitrogen gas. This simple process can be accommodated by implementing an anoxic step in the activated sludge process along with an internal mixed liquor recycle system. The logistics of adding this step will be an important part of the energy efficiency section. Other energy savings measures will also be explored.

### **305 – Support Facilities**

This task will evaluate the existing and future needs for support facilities. Support facilities include space for operations staff, laboratory, and maintenance. The current wastewater facility site houses the Ketchum Water Department in a separate building, the wastewater department operations/lab staff in a separate building, and a joint administrative building for both Water and Wastewater Superintendents. The wastewater areas will be evaluated to determine if additional space is required. It is understood that any new structures proposed for the site be constructed meeting the criteria of the local neighborhood association agreement.

Future facilities may include space for any additional operations/maintenance staff, space for additional solids handling equipment/vehicles, space for an environmental center (educational center and/or public awareness) and perhaps space for a small employee fitness area.



Other support areas include; existing electrical facilities by Idaho Power, standby electrical power, and spare diesel fuel supply.

### **306 – Draft Facility Plan Chapters 4, 5 and 6**

Draft of Facility Plan chapters 4, 5 and 6 for Ketchum-SVWSD review and comment will include the sections covered in this task. This will include item D as identified in the IDEQ's Form 5-A which is Development and Initial Screening of Alternatives.

### **307 – Workshop #2: Treatment Process Analysis/Results**

This workshop will be focused on:

- Reviewing process model results and calibration
- Identifying bottlenecks with operations staff
- Water reuse considerations and opportunities
- Sludge disposal alternatives
- Energy conservation and sustainability
- Support facilities options
- Identifying alternatives to eliminate
- Screening the list of alternatives identified in Sub-tasks into a short-list of viable alternatives for further consideration and final decision-making in Task 400
- Optimizing primary treatment, secondary treatment, disinfection, side-stream management, and biosolids management.

### **Task 300 Assumptions**

- No more than four (4) BioWin simulations will be run, all at steady-state conditions.
- One draft of chapters 4, 5 and 6 will be prepared for Ketchum-SVWSD's review and comment.
- Ketchum-SVWSD will review the draft chapters with the objective of producing one (1) consolidated set of applicable comments for HDR to consider after a review period of no more than two (2) weeks.
- The workshop will be attended by web-based conference call by up to two (2) HDR staff, with up to two (2) additional HDR staff joining remotely by videoconference. The workshop duration will be no more than three (3) hours long. The workshop will conclude with a consensus of action items and changes.
- Ketchum-SVWSD's attendees at the workshop will be the same as those who attended Workshop #1 for consistency and continuity.
- At the conclusion of the workshop, the alternatives will be short-listed to no more than two (2) upgrade improvement alternatives per segment of treatment process (headworks, secondary, tertiary, disinfection and sludge handling).
- Changes resulting from the workshop will be reflected in meeting notes and incorporated into final FPS version, to be delivered with Workshop #3 (draft final document).

### **Task 300 Deliverables**

- Draft Facility Plan chapters 4, 5 and 6 (PDF)
- Workshop #2
  - Agenda
  - Key information presentation in electronic format (Powerpoint or PDF)

- Summary workshop meeting minutes in electronic format (PDF)

## **Task 400 - Development of Final Alternatives, Opinion of Probable Construction Cost, Implementation Schedule and Workshop #3**

The objective of this task is further refinement and evaluation of the short-list of viable alternatives agreed to at the conclusion of Workshop #2.

Task 400 of the Facility Planning Study addresses chapters 7 and 8 with the following titles:

- Chapter 7 – Final Alternative
- Chapter 8 – Implementation Plan

Chapter 7 provides a Detailed Evaluation of the Final Alternatives and includes opinion of probable construction cost (OPCC), operation and maintenance (O&M) costs, and a present worth (or annualized) cost comparison. Along with non-economic criteria, the improvements can then be selected for implementation (with concurrence from Ketchum-SVWSD).

Chapter 8 provides the Implementation Plan that takes the costs from chapters 4, 5, 6 and 7 to develop an estimate of the additional annual review required to improve the system based on the implementation plan. The costs and implementation schedule combine into a capital improvement plan (CIP). Assumptions will be made regarding loan rates for projects financing, the value of money with time (inflation) along with escalation of sewer rates to provide a balance in revenue with spending. This is not a comprehensive rate study which is outside the scope of a wastewater facility planning study. It merely provides an initial basis for a more detailed future study on how best to successfully implement the upgrade projects over the course of the 20-year planning period.

This task includes a workshop at which decisions will be made to select the preferred alternative for treatment processes based on economic and non-economic factors and production of the final draft of the facility plan and subsequent submission to IDEQ for review and comment.

### **Sub Tasks**

#### **401 - Refine PFDs, sizing and configurations for final alternatives**

The PFDs, sizing and configurations will be refined based on the outcome of Task 300. Additional BioWin simulations will be performed, as constrained under the Assumptions section of this Task below.

#### **402 – Provide cost estimates for final alternatives**

Cost estimates (opinion of probable construction cost or OPCC) for the short-list of final alternatives will be prepared. Total life-cycle costs will be used, incorporating total capital and annual operation and maintenance costs. Where appropriate, this cost-estimating will be supplemented with vendor quotes or similar cost estimating information.

During future design phases, contractor markups and contingencies can be refined and reduced as additional design details become available which are captured in the cost estimate detail. These estimates allow comparison of initial conceptual alternatives to short-list the alternatives to a single alternative, or in some cases two alternatives.

This estimating effort adopts the classification of estimates as defined by the Association for the Advancement of Cost Engineering (AACE). The industry classification system is Recommended Practice-17R-97: “Cost Estimate Classification System” and 18R-97: “Cost Estimating Classification System as Applied in Engineering, Procurement, and Construction for the Process Industries.”

The capital costs for this report are defined as order-of-magnitude-level (Class 4) estimate as defined in the AACE International Recommended Practice No. 18R-97, *Cost Estimate Classification System As Applied in Engineering, Procurement, and Construction for the Process Industries*. The level of project definition for a Class 4 opinion is 1 percent to 15 percent. An estimate of this type is typically expected to be within +40 percent or -20 percent of the actual construction cost. The final cost of the projects will depend on actual labor and materials costs, actual site conditions, productivity, competitive market conditions, bid dates, seasonal fluctuations, final project scope, final project schedule, and other variables. As a result, the final project costs will vary from the estimates presented in this report.

The objective of the life-cycle cost evaluation (annualized capital cost plus annual operating cost) is to provide a comparison between the alternatives. This comparison can be presented as either present worth or annualized cost. Given the conceptual level of the alternative evaluation, the cost opinion includes contingencies and markups for each alternative.

#### **403 – Provide decision matrix for final alternatives**

Using the information on construction and operations cost opinions for the preferred alternative, a decision matrix will be generated for treatment processes. This will include both economic and non-economic factors. A pair-wise evaluation will compare the alternatives based on non-monetary factors. This evaluation allows judgment in terms of risk to be evaluated for each alternative.

#### **404 – Examine the implementation plan for selected alternatives**

The selected alternatives will be based on both near-term and long-term needs based on the age of equipment, reliability, redundancy or capacity. When all things are considered, the near-term and long-term improvements can be placed on a 20-year calendar. Once these improvements are placed into the implementation schedule along with capital cost opinions, increased customer revenue scenarios can be developed by City staff, HDR, or other consultants.

The estimated annual revenue to construct the improvements over the planning period will be based on the growth rate established in Task 200. Capital projects for wastewater treatment upgrades typically are funded with revenue based upon monthly charges for residential and commercial customers. Other tools at the disposal of the City include impact and/or connection fees. Setting of rates can be a complex matrix of fees and charges. Our efforts will focus on a



simplified approach using future residential connections numbers and increases in annual cost required to support the improvements over time.

#### **405 – Facility Plan Final Draft Preparation**

A draft of Facility Plan chapters 7 and 8 for Ketchum-SVWSD review and comment will be provided, as well as the previous six chapters from Tasks 200 and 300. The chapter 7 and 8 work includes the addition of items E., F., and H. as identified in the IDEQ’s Form 5-A which are: final Screening of Principal Alternatives and Facility Plan Adoption, Recommended Alternative Description and Implementation Arrangements, and Appendices.

#### **406 – Workshop #3 Final Draft Facility Plan Review**

Anticipated workshop agenda topics include:

- Review final alternatives
- Develop and reach consensus for each alternative’s economic and non-economic values
- Review cost estimates
- Select preferred treatment alternative
- Implementation schedule and capital investment plan
- Review draft report

#### **407 – Final Facility Plan Review with City Staff**

After incorporating the comments from the final workshop meeting, a final version of the FPS will be provided to Ketchum-SVWSD City staff members by electronic format (PDF). After a review period of approximately three (3) weeks, a final PowerPoint presentation will be given at a council meeting. Notice of the meeting for public comment will be provided by Ketchum-SVWSD staff. The publicly noticed meeting will be an opportunity for public comment before official adoption by the Ketchum SVWSD.

Upon Ketchum-SVWSD review/comment of the draft Facility Plan after workshop #3 a final copy will be submitted to IDEQ for approval.

#### **408 – Respond to DEQ Comments and Address Changes**

IDEQ review of FPS studies results in a review letter with questions, comments, and concerns. This task will officially respond to the questions and resolve concerns to allow DEQ to approve the FPS document. An approval letter from DEQ officially concludes the FPS scope of work.

#### **409 – Environmental Information Document**

An Environmental Information Document (EID) is not included in this scope of work. Even though the environmental impacts are anticipated to be minor and potentially addressed by Categorical Exclusion, the extent of this document is difficult to judge until the alternatives analysis is complete. In addition, it is only necessary if imminent project work is pending. Therefore, we propose to delay preparation of the EID until further project definition so an accurate scope and fee can be developed.

#### **Assumptions for Task 400**

- The workshop will be held at Ketchum-SVWSD City Hall.



- The workshop will be attended in person by up to two (2) HDR staff, with up to two (2) additional HDR staff by phone or videoconference. The workshop duration will be no more than three (3) hours long plus travel. If state, county, city, or HDR guidance or rules do not allow in-person meetings due to Covid-19 the workshop will be held virtually.
- Ketchum-SVWSD’s attendees at the workshop will be the same as those who attended Workshops #1 and #2 for consistency and continuity.
- One draft Facility Planning Study report will be prepared for Ketchum-SVWSD’s review and comment.
- -SVWSD review is assumed to be completed in two (2) weeks.
- Ketchum-SVWSD will review the draft report with the objective of producing one (1) consolidated set of applicable Ketchum-SVWSD comments for HDR to consider.
- A final FPS presentation by HDR to both the Ketchum City Council and SVWSD Board will be made formally to request approval of Facility Plan submittal to IDEQ.
- Response to IDEQ review will be by phone and letter. A face to face visit with the IDEQ reviewer will not be required.
- EID preparation will be completed at a later date (not included in this scope) and submitted as an amendment to the completed FPS.

**Deliverables**

- Electronic Microsoft Word file and PDF of the draft FPS for Ketchum-SVWSD’s review e-mailed to Ketchum-SVWSD’s project manager.
- Workshop #3
  - Agenda
  - Key information presentation in electronic format (PDF)
  - Summary workshop meeting minutes in electronic format (PDF)
- Two copies of the Final FPS (after workshop #3) delivered to the Public Works Director and Wastewater Superintendent. The FPS will also be delivered in PDF format for distribution electronically to Ketchum-SVWSD City Council.
- After authorization to submit to IDEQ, a final FPS will be submitted on behalf of Ketchum-SVWSD to IDEQ (as PDF).
- Response to IDEQ comments.
- Final corrected copies to IDEQ for final approval.

**Project Schedule**

See attached Project schedule.

The project schedule for performing the task order is as follows:

<b>Task</b>	<b>Schedule (weeks after NTP)</b>
Task 100 – Project Management	Continuous
Task 200 – FPS Chapters 1, 2, and 3	16
Task 300 – FPS Chapters 4, 5, and 6	40
Task 400 – FPS Chapters 7 and 8	52



## Compensation

The estimated cost to complete this Scope of Services is presented in the table below.

Task	Budget
Project Management	\$20,800
FPS Chapters 1, 2, and 3	\$38,800
FPS Chapters 4, 5, and 6	\$51,100
FPS Chapters 7 and 8	\$34,100
<b>TOTAL</b>	<b>\$144,800</b>



**EXHIBIT A**

**TASK ORDER NO. 13**

This Task Order pertains to an Agreement by and between **City of Ketchum-SVWSD**, (“KETCHUM-SVWSD”), and **HDR Engineering, Inc.** (“HDR”), dated *January 21, 2014*, (“the Agreement”). HDR shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: 13

PROJECT NAME: Ketchum-SVWSD Wastewater Facility Planning Study

**PART 1.0 PROJECT DESCRIPTION:**

A Wastewater Facility Planning Study (FPS) will be prepared following the guidelines of Idaho DEQ. The FPS will assist Ketchum-SVWSD in meeting the water quality objectives of the Clean Water Act by providing information regarding system improvements. The plan will consider equipment age, system capacity, system redundancy, and sustainability. The comprehensive solutions will assist Ketchum-SVWSD in prioritizing capital investments.

**PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY HDR ON THE PROJECT:**

The FPS scope of services is fully described in Exhibit A to this Task Order. The work is summarized below in four tasks;

**Tasks**

**Task 100 – Project Management**

- Budget Monitoring
- Schedule Monitoring
- Change Management
- Invoicing
- Quality Control

**Task 200 – FPS Chapters 1-3**

- Chapter 1 – Planning Criteria
- Chapter 2 – Wastewater Flows/Loads (Current and Future) and Effluent Criteria
- Chapter 3 – Current Plant Capacity and Performance
- Workshop #1 – Review of chapters 1 – 3

**Task 300 – FPS Chapters 4 – 6**

- Chapter 4 – Treatment Upgrade Alternatives for Liquids and Solids Streams
- Chapter 5 – Sustainability: Reuse and Energy Conservation
- Chapter 6 – Support Facilities
- Workshop #2 – Review of chapters 4 – 6



Task 400 – FPS Chapters 7 and 8

- Chapter 7 – Summary of Final Alternative(s)
- Chapter 8 – Implementation Plan
- Workshop #3
  - Review of chapters 7 and 8
  - Review of draft FPS document
- Presentation to Ketchum City Council (and public) and Sun Valley Water & Sewer District Board (and public)
- Addressing DEQ review
- Submittal of Final FPS to City and District

Task Budget Breakdown

Task	Budget
Task 100 – Project Management	\$20,800
Task 200 – FPS Chapters 1, 2, and 3	\$38,800
Task 300 – FPS Chapters 4, 5, and 6	\$51,100
Task 400 – FPS Chapters 7 and 8	\$34,100
<b>TOTAL</b>	<b>\$144,800</b>

PART 3.0 OWNER’S RESPONSIBILITIES:

1. Provide access to plant site, files, lab SOP, lab equipment and system controls.
2. Provide information on planning area, projected growth rates, I/I flows, and commercial/industrial customer information.
3. Provide information on previous planning studies, previous design documents, O&M manuals, etc.
4. Provide document reviews in timely manner (to maintain project schedule)
5. Assign a review team for workshop consistency and continuity.

PART 4.0 PERIODS OF SERVICE:

January 4, 2021 to December 31, 2021.

PART 5.0 PAYMENTS TO HDR:

Tasks 100 – 400: Time and expenses, not to exceed \$144,800 without written authorization.

PART 6.0 OTHER: NA

This Task Order is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.



CITY OF KETCHUM, IDAHO

SUN VALLEY WATER & SEWER DISTRICT

“KETCHUM”

“SVWSD”

BY: \_\_\_\_\_

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: Mayor

TITLE: President

ADDRESS: City of Ketchum-  
Ketchum, ID

ADDRESS: Sun Valley Water & Sewer  
District  
Sun Valley, ID

HDR ENGINEERING, INC.  
“HDR”

BY: 

NAME: Kate Eldridge

Vice President

HDR Engineering, Inc.  
412 E Parkcenter Blvd,  
Suite 100  
Boise, ID 83706

End of Task Order

**MULTIPLE PROJECT AGREEMENT FOR PROFESSIONAL SERVICES**

**THIS AGREEMENT** is made as of this 21 day of January, 2014, between City of Ketchum and Sun Valley Water & Sewer District (SVWSD), hereinafter referred to as "OWNER", and HDR Engineering, Inc., hereinafter referred to as "ENGINEER," for engineering services as described in this Agreement.

**WHEREAS**, OWNER desires to retain ENGINEER, a professional engineering firm, to provide professional engineering, consulting and related services ("Services") on one or more projects in which the OWNER is involved; and

**WHEREAS**, ENGINEER desires to provide such services on such projects as may be agreed, from time to time, by the parties;

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the parties agree as follows:

**SECTION I. PROJECT TASK ORDER**

- 1.1 This Agreement shall apply to as many projects as OWNER and ENGINEER agree will be performed under the terms and conditions of this Agreement. Each project ENGINEER performs for OWNER hereunder shall be designated by a "Task Order." A sample Task Order is attached to this Agreement and marked as Exhibit "A". No Task Order shall be binding or enforceable unless and until it has been properly executed by both OWNER and ENGINEER. Each properly executed Task Order shall become a separate supplemental agreement to this Agreement.
- 1.2 In resolving potential conflicts between this Agreement and the Task Order pertaining to a specific project, the terms of the Task Order shall control.
- 1.3 ENGINEER will provide the Scope of Services as set forth in Part 2 of each Task Order.

**SECTION II. RESPONSIBILITIES OF OWNER**

In addition to the responsibilities described in paragraph 6 of the attached "HDR Engineering, Inc. Terms and Conditions for Professional Services," OWNER shall have the responsibilities described in Part 3 of each Task Order.

**SECTION III. COMPENSATION**

Compensation for ENGINEER's Services shall be in accordance with Part 5 of each Task Order, and in accordance with paragraph 11 of the attached "HDR Engineering, Inc. Terms and Conditions for Professional Services."

**SECTION IV. TERMS AND CONDITIONS OF ENGINEERING SERVICES**

The "HDR Engineering, Inc. Terms and Conditions for Professional Services," which are attached hereto, are incorporated into this Agreement by this reference.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

City of Ketchum

Sun Valley Water & Sewer District  
(SVWSD)

\_\_\_\_\_  
"OWNER"

\_\_\_\_\_  
"OWNER"

BY:

*N. Jonas*

BY:

*[Signature]*

NAME:

N JONAS

NAME:

James Lord

TITLE:

MAYOR

TITLE:

CHAIRMAN

ADDRESS:

PO Box 2315  
Ketchum, ID 83340

ADDR  
ESS:

PO Box 2416  
Sun Valley ID 83353

HDR ENGINEERING, INC.

\_\_\_\_\_  
"ENGINEER"

BY:

*Karen M Doherty*

NAME:

Karen M. Doherty

TITLE:

Vice President

ADDR  
ESS:

412 E. Parkcenter Blvd., Suite  
100  
Boise, ID 83706-6659



**EXHIBIT A**  
**TASK ORDER**

This Task Order pertains to an Agreement by and between \_\_\_\_\_, (“OWNER”), and HDR Engineering, Inc. (“ENGINEER”), dated \_\_\_\_\_, 20\_\_\_\_, (“the Agreement”). Engineer shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER:  
PROJECT NAME:

- PART 1.0 PROJECT DESCRIPTION:
- PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:
- PART 3.0 OWNER’S RESPONSIBILITIES:
- PART 4.0 PERIODS OF SERVICE:
- PART 5.0 PAYMENTS TO ENGINEER:
- PART 6.0 OTHER:

This Task Order is executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

_____	HDR ENGINEERING, INC.
“OWNER”	“ENGINEER”
BY: _____	BY: _____
NAME: _____	NAME: _____
TITLE: _____	TITLE: _____
ADDRESS: _____	ADDRESS: _____
_____	_____



## City of Ketchum

December 21, 2020

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

### **Recommendation to Approve Resolution 20-031, Regarding Clean Energy Goals**

#### Recommendation and Summary

Members of the Climate Action Coalition of Wood River Valley presented during the December 7<sup>th</sup> City Council Meeting regarding new clean energy goals. Following the presentation, Council directed staff to place the resolution outlining the goals on the next Council meeting for action.

**"I move to approve the Clean Energy Goals Resolution 20-031."**

The reasons for the request are as follows:

- The new goals build upon the city's current clean energy goals outlined in the sustainability plan
- Community input received during the December 7<sup>th</sup> City Council meeting supported these new goals
- Should the Council approve these new goals, the city will participate in a valley working group to develop an implementation strategy

#### Introduction and History

The 2019 and 2020 city sustainability action plan contains specific goals as it relates to clean energy. Attached is a cross-walk document that compares the current city goals to the ones proposed by the Climate Action Coalition. Two options or approaches were presented to the Council during the December 7<sup>th</sup> meeting. Option one, the City of Ketchum could support these goals but not adopt a resolution committing to these until the action plan was developed so that we could present an executable strategy to the public. Option two, the city could adopt a resolution of support now, and then join the working group to develop the implementation plan. The Council provided staff direction that they preferred option one.

#### Analysis/Next Steps

A valley working group will be established in January 2021 to develop an implementation strategy. Staff will make sure to provide consistent updates to the Council regarding the working group's progress.

#### Sustainability Impact

This topic is a key policy component of the city's sustainability plan.

#### Financial Impact

Until the implementation plan is developed, the specific fiscal impact to both city operations as well as utility rate payers is unclear.

Attachments:

1. Cross-walk document between current and proposed energy goals
2. Resolution 20-031

**CITY OF KETCHUM  
RESOLUTION NO. 20-031**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL SUPPORTING THE  
STATED GOALS TO POWER BLAINE COUNTY WITH 100% CLEAN ENERGY BY 2045  
AND 100% CLEAN ELECTRICITY BY 2035**

**WHEREAS**, clean energy is defined as wind, solar, geothermal, and existing functional hydropower and any energy technologies that are carbon-free, equitable, and have a low environmental impact; and

**WHEREAS**, clean energy represents an enormous economic opportunity to create jobs in an emerging industry, increase economic security expand prosperity for local residents, reduce air pollution and associated public health risks, reduce the strain on water resources, and save money for consumers; and

**WHEREAS**, cities and states all over the United States representing over 100 million people have adopted 100% clean power pledges; and

**WHEREAS**, there is scientific consensus regarding the existence of climate change, and that the combustion of fossil fuels creates greenhouse gas pollution, causing the warming and disturbance of the global climate; and

**WHEREAS**, locally, our changing climate has already led to increased variability of the snowpack leading to water scarcity for residents and farmers, increased frequency of wildfires and smoke and warming of streams that threatens coldwater fish; and

**WHEREAS**, rooftop solar, low-income community solar, energy efficiency, energy storage and demand-control technologies offer the opportunity to distribute resources equitably, address poverty, stimulate new economic activity, and lessen the energy cost burden upon those most impacted by high energy bills; and

**WHEREAS**, distributed solar energy paired with energy storage is an important strategy to build disaster resilience into our communities, and to assist with disaster recovery. Ensuring equitable distribution of these resources is imperative to adequately prepare for disasters, particularly those exacerbated by climate change; and

**WHEREAS**, Idaho Power has committed to 100% Clean Energy by 2045 and is committed to working with our cities and county to help us achieve our clean energy goals; and

**WHEREAS**, the elected officials in Blaine County support the value that a healthy environment is intrinsically tied to the wellbeing of a community and the strength of its economy.

**NOW, THEREFORE, THE CITY OF KETCHUM, IN CONJUNCTION WITH THE CITIES WITHIN BLAINE COUNTY (BELLEVUE, CAREY, HAILEY, KETCHUM, AND SUN VALLEY) AND BLAINE COUNTY ESTABLISH THE FOLLOWING RENEWABLE ENERGY GOALS FOR MUNICIPAL FACILITIES AND FOR THE COMMUNITY AT LARGE:**

- I. One Hundred Percent (100%) clean energy for municipal electricity use by 2030, including at least 75% clean energy by 2025; and
- II. One Hundred Percent (100%) clean energy powered vehicle fleet and clean energy powered maintenance equipment by 2030; and
- III. One Hundred Percent (100%) clean energy for the communitywide electricity supply by 2035; and
- IV. One Hundred Percent (100%) clean energy for all energy use by 2045.

**BE IT FURTHER RESOLVED**, a regional stakeholder group will be formed including representatives from each city government, the county, citizens, businesses, and local experts from our non-profit community to create a roadmap to achieve our clean energy goals.

- I. This group should be formed by January 2021;
- II. An action plan to achieve 100% clean energy should be submitted to the public by August 2021; and
- III. The plan should be approved by city governments and the County by January 2022.

**PASSED AND ADOPTED** on this 21<sup>st</sup> day of December, 2020.

\_\_\_\_\_  
NEIL BRADSHAW, Mayor

ATTEST:

\_\_\_\_\_  
KATRIN SHARP, Deputy City Clerk



## City of Ketchum

December 21, 2020

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

### **Recommendation to Receive and File the Audited FY 20 Financial Statements**

#### Recommendation and Summary

Staff is recommending the council receive and file the audited FY 20 financial statements in accordance with statutory requirements and adopt the following motion:

***"I move to receive and file the audited FY 20 financial statements."***

The reasons for the recommendation are as follows:

- Section 50-1010 of the State statutes establishes requirements for audited financial statements.

#### Introduction and History

Idaho State Statute 50-1010 provides that "It shall be the duty of the council in every city to cause to be made a full and complete audit of the financial statements of such city." As such, on September 21, 2020, the City Council approved the letter of engagement with Workman & Company to perform such work.

#### Analysis

Workman & Company has completed the audit for FY 20 and will be presenting it to the City Council for adoption. In FY 20 the ending Fund Balance of the General Fund is \$4,354,406 (see page 15 of the financial statements).

#### Financial Impact

Consistent with statutory requirements, funding for this expense was included in the FY 20 budget.

#### Attachments

- Attachment A: Audited FY 20 financial statements.

2190 Village Park Avenue, Suite 300 • Twin Falls, ID 83301 • 208.733.1161 • Fax: 208.733.6100

November 6, 2020

To the City Council  
City of Ketchum, Idaho

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Ketchum, Idaho, for the year ended September 30, 2020. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards (and, if applicable, *Government Auditing Standards* and the Uniform Guidance), as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated September 10, 2020. Professional standards also require that we communicate to you the following information related to our audit.

#### Significant Audit Findings

##### *Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City of Ketchum, Idaho, are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2020. We noted no transactions entered into by the City of Ketchum, Idaho during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the City of Ketchum, Idaho's financial statements was:

Management's estimate of the useful lives of fixed assets is based on historical data. We evaluated the key factors and assumptions used to develop the useful lives of fixed assets in determining that it is reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosure affecting the financial statements was:

The disclosure of Employees' Retirement System in Note 9 to the financial statements is based on information provided by Idaho's Public Employees Retirement System (PERSI) and is relied upon in these financial statements.

The financial statement disclosures are neutral, consistent, and clear.

##### *Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

### *Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

### *Disagreements with Management*

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

### *Management Representations*

We have requested certain representations from management that are included in the management representation letter dated November 6, 2020.

### *Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City of Ketchum, Idaho's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

### Other Matters

We applied certain limited procedures to Management's Discussion and Analysis (MD&A) and Budgetary Information, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the schedules of bond future principle and interest, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

### Restriction on Use

This information is intended solely for the information and use of the City Council and management of the City of Ketchum, Idaho and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

*Workman & Company*

WORKMAN AND COMPANY  
Certified Public Accountants  
Twin Falls, Idaho



**CITY OF KETCHUM, IDAHO**

**Financial Statements**

**Year Ended September 30, 2020**

**CITY OF KETCHUM, IDAHO**  
**Financial Statements**  
**For the year ended September 30, 2020**

**Table of Contents**

Independent Auditor's Report .....	1-2
Required Supplementary Information - Part I	
Management's Discussion and Analysis .....	3-11
Basic Financial Statements:	
Government-Wide Financial Statements:	
Statement of Net Position .....	12
Statement of Activities .....	13
Fund Financial Statements:	
Balance Sheet .....	14
Statement of Revenues, Expenditures and Changes in Fund Balances .....	15
Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds to the Statement of Activities .....	16
Proprietary Funds:	
Statement of Net Position .....	17
Statement of Revenues, Expenditures, and Changes in Net Position .....	18
Statement of Cash Flows .....	19
Notes to the Financial Statements .....	20-35
Required Supplementary Information - Part II	
General Fund Budgetary Comparison Schedule .....	36
City Sales Tax Fund Budgetary Comparison Schedule .....	37
In-Lieu Housing Fund Budgetary Comparison Schedule .....	38
Fire Construction Fund Budgetary Comparison Schedule .....	39
Public Employee Pension Information .....	40
Other Supplementary Information - Part III	
Combining Statements:	
Balance Sheets - Other Governmental Funds .....	41-42
Statement of Revenues, Expenditures - Other Governmental Funds .....	43-44
Bond - Future Principal and Interest Requirements .....	45-48
Report on Compliance and on Internal Control over Financial Reporting Based on an Audit of the General Purpose Financial Statements Performed in Accordance with Government Auditing Standards .....	49-50

2190 Village Park Avenue, Suite 300 • Twin Falls, ID 83301 • 208.733.1161 • Fax: 208.733.6100

## INDEPENDENT AUDITOR'S REPORT

November 6, 2020

To the City Council  
City of Ketchum, Idaho

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Ketchum, Idaho, as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the City of Ketchum, Idaho's basic financial statements as listed in the table of contents.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditor's Responsibility***

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### ***Opinions***

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Ketchum, Idaho, as of September 30, 2019, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

**Other Matters****Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, and required supplemental information on public employee pensions on pages 3–11 and 36–40 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

**Other Information**

My audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The supplementary information on pages 42-48 are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The supplementary information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In my opinion, the supplementary information along with the schedule of expenditure of federal awards is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

**Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated November 6, 2020, on our consideration of the City of Ketchum, Idaho's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of Ketchum, Idaho's internal control over financial reporting and compliance.

*Workman & Company*

WORKMAN AND COMPANY  
Certified Public Accountants  
Twin Falls, Idaho



## CITY OF KETCHUM, IDAHO

---

### Management's Discussion and Analysis

November 6, 2020

The City of Ketchum, Idaho's general purpose external financial statements are presented in this report. The components of the general purpose external financial statements include:

- Management's Discussion and Analysis (MD&A)
- Basic Financial Statements
- Other Required Supplementary Information (RSI).

#### FINANCIAL HIGHLIGHTS

- The total of all fund assets of the City of Ketchum exceeded liabilities at the close of the most recent fiscal year by \$ 39,395,400. Of that amount, \$ 9,468,952 (unrestricted net position) may be used to meet future obligations and programs.
- The Local Option Tax (LOT) receipts decreased \$ 247,039 from the previous year. This decrease is due to the economic impact of the Corona Virus in the current year. This Special Revenue Fund received an amount of, \$4,726,383 in the current year.
- Governmental Fund Revenues were \$ 16,106,959 (net of GO Fire Bond Proceeds) and expenditures were \$16,406,612.

#### OVERVIEW OF THE FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to the City of Ketchum's basic financial statements. The City's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

##### Government-wide Financial Statements

Government-wide financial statements provide both long-term and short-term information about the City's overall financial condition. Changes in the City's financial position may be measured over time by increases and decreases in the Statement of Net Position. Information on how the City's net position changed during the fiscal year is presented in the Statement of Activities.

##### Fund Financial Statements

Fund financial statements focus on individual parts of the City, reporting the City's operations in more detail than the government-wide financial statements. Fund financial statements include the statements for governmental and proprietary funds. Financial statements for the City's component unit are also presented.

**City of Ketchum, Idaho  
MANAGEMENT DISCUSSION AND ANALYSIS**

Continued...

<b>Table 1: Major Features of the Basic Financial Statements</b>			
	Government-wide Financial Statements	Fund Financial Statements	
		<i>Governmental Funds</i>	<i>Proprietary Funds</i>
Scope	Entire City government and the City's component unit.	Activities of the City that are not proprietary.	Activities of the City that are operated similar to private businesses
Required financial statements	<ul style="list-style-type: none"> <li>* Statement of net position</li> <li>* Statement of activities</li> </ul>	<ul style="list-style-type: none"> <li>* Balance sheet</li> <li>* Statement of revenues, expenditures, and changes in fund balances</li> </ul>	<ul style="list-style-type: none"> <li>* Statement of net position</li> <li>* Statement of revenues, expenses, and changes in net position</li> <li>* Statement of cash flows</li> </ul>
Accounting basis and measurement focus	Accrual accounting and economic resources focus	Modified accrual accounting and current financial resources focus	Accrual accounting and economic resources focus
Type of asset/liability information	All assets and liabilities, both financial and capital, and short-term and long-term	Only assets expected to be used up and liabilities that come due during the year or soon thereafter; no capital assets	All assets and liabilities, both financial and capital, and short-term and long-term
Type of inflow/outflow information	All revenues and expenses during the year, regardless of when cash is received or paid	<ul style="list-style-type: none"> <li>* Revenues for which cash is received during or soon after the end of the year</li> <li>* Expenditures when goods or services have been received and payment is due during the year or soon thereafter</li> </ul>	All revenues and expenses during the year, regardless of when cash is received or paid

**Notes to the Financial Statements**

Notes to the financial statements provide additional information that is essential to the full understanding of the data provided in the government-wide and fund financial statements.

Refer to Note 1 of the financial statements for more detailed information on the elements of the financial statements. Table 1 above summarizes the major features of the basic financial statements.

**CONDENSED FINANCIAL INFORMATION**

**Condensed Statement of Net Position**

The largest component (\$ 39,395,400) of the City's net position (43.8%) reflects its investment in capital assets (e.g. land, infrastructure, buildings, equipment, and others), less any related debt outstanding that was needed to acquire or construct the assets. The City uses these capital assets to provide services to the citizens and businesses in the City; consequently, this net position amount is not eligible for future spending. Restricted net position totals \$ 12,465,901. Restricted net position represents resources that are subject to external restrictions, constitutional provisions, debt service requirements, or enabling

**City of Ketchum, Idaho**  
**MANAGEMENT DISCUSSION AND ANALYSIS**

Continued...

legislation on how they can be used. The remaining portion of net position is unrestricted, which can be used to finance government operations.

Table 2 below presents the City's condensed statement of net position as of September 30, 2020, derived from the government-wide Statement of Net Position.

Condensed Statement of Activities

Table 3 below presents the City's condensed statement of activities for the fiscal year ended September 30, 2020 as derived from the government-wide Statement of Activities. Over time, increases and decreases in net position measure whether the City's financial position is improving or deteriorating. During the fiscal year, the net position of the governmental activities decreased by \$ 416,382 or -1.5% percent, the net position of the business-type activities increased by \$ 1,115,139 or 12.3%, and the net position of the City's Component Unit (Urban Renewal Agency) increased \$ 698,726 or 161%.

**Table 2: Condensed Statement of Net Position**  
**As of September 30, 2020**

	Governmental Activities	Business- type Activities	Total Primary Government	Component Unit - Urban Renewal Agency
Current and other assets	\$ 20,199,256	\$ 4,180,591	\$ 24,379,847	\$ 2,413,991
Capital assets	21,361,981	12,877,994	34,239,975	5,138,287
<b>Total Assets</b>	<b>41,561,237</b>	<b>17,058,585</b>	<b>58,619,822</b>	<b>7,552,278</b>
Deferred Outflows	319,924	86,055	405,979	
Current Liabilities	514,444	393,671	908,115	331,522
Long-term liabilities	13,869,305	4,789,754	18,659,059	5,087,181
<b>Total Liabilities</b>	<b>14,383,749</b>	<b>5,183,425</b>	<b>19,567,174</b>	<b>5,418,703</b>
Deferred Inflows	49,824	13,403	63,227	
<b>Net assets:</b>				
Invested in capital assets net of related debt	9,049,867	8,198,680	17,248,547	0
Restricted	12,465,901	212,000	12,677,901	1,811,404
Unrestricted	5,931,820	3,537,132	9,468,952	322,171
<b>Total Net Position</b>	<b>\$ 27,447,588</b>	<b>\$ 11,947,812</b>	<b>\$ 39,395,400</b>	<b>\$ 2,133,575</b>

**City of Ketchum, Idaho  
MANAGEMENT DISCUSSION AND ANALYSIS**

Continued...

**Table 3: Condensed Statement of Activities  
As of September 30, 2020**

	<u>Governmental Activities</u>	<u>Business- type Activities</u>	<u>Total Primary Government</u>	<u>Component Unit Urban Renewal Agency</u>
<b>Revenue:</b>				
Program revenues				
Charges for services	\$ 3,863,209	\$ 5,203,136	\$ 9,066,345	\$ 37,000
Capital grants /contributions	54,433		54,433	
Total program revenues	<u>3,917,642</u>	<u>5,203,136</u>	<u>9,120,778</u>	<u>37,000</u>
General revenues				
Taxes	9,175,860		9,175,860	1,759,804
Franchise, licenses, permits	995,265		995,265	
State shared revenues	1,627,251		1,627,251	
Interest	195,988	34,731	230,719	17,022
Gain (Loss) on sale of assets	9,335		9,335	
Other revenues (Losses)	(44,306)	(49,488)	(93,794)	2,693
Total general revenues	<u>11,959,393</u>	<u>(14,757)</u>	<u>11,944,636</u>	<u>1,779,519</u>
Total revenues	<u>15,877,035</u>	<u>5,188,379</u>	<u>21,065,414</u>	<u>1,816,519</u>
<b>Program expenses:</b>				
General government	5,444,133		5,444,133	210,826
Public safety	3,986,451		3,986,451	
Streets	1,692,604		1,692,604	
Parks and recreation	463,164		463,164	
Transportation	3,180,314		3,180,314	
Affordable Housing	75,000		75,000	
Wastewater		1,463,295	1,463,295	
Water		1,787,979	1,787,979	
Interest, long-term debt	57,281	196,684	253,965	277,369
Total program expenses	<u>14,898,947</u>	<u>3,447,958</u>	<u>18,346,905</u>	<u>488,195</u>
<b>Change in net position</b>	978,088	1,740,421	2,718,509	1,328,324
Beginning net position	26,469,500	10,207,391	36,676,891	805,251
Ending net position	<u>\$ 27,447,588</u>	<u>\$ 11,947,812</u>	<u>\$ 39,395,400</u>	<u>\$ 2,133,575</u>



**City of Ketchum, Idaho  
MANAGEMENT DISCUSSION AND ANALYSIS**

Continued...

Program Expenses and Revenues for Governmental Activities

Table 4 below presents program expenses and revenues for governmental activities. Overall, program revenues were not sufficient to cover program expenses for governmental activities. The net program expenses of these governmental activities were therefore supported by general revenues, mainly taxes.

**Table 4: Program Expenses and Revenues  
for Government Activities  
For the Fiscal Year Ended September 30, 2020**

	Program Expenses	Program Revenues	Net Expense (Revenues) (a)
General government	\$ 5,444,133	\$ 3,608,937	\$ (1,835,196)
Public safety	3,986,451	87,736	(3,898,715)
Streets	1,692,604	154,937	(1,537,667)
Parks and Recreation	463,164	66,032	(397,132)
Transportation	3,180,314		(3,180,314)
Affordable Housing	75,000		(75,000)
Interest on long-term debt	57,281		(57,281)
<b>Totals</b>	<b>\$ 14,898,947</b>	<b>\$ 3,917,642</b>	<b>\$ (10,981,305)</b>

(a) Net Program Expenses are mainly supported by taxes.

Program Expenses and Revenues for Business-type Activities

Table 5 below presents program expenses and revenues for business-type activities. Program revenues generated from business-type activities were sufficient to cover program expenses.

**Table 5: Program Expenses and Revenues  
for Business-type Activities  
For the Fiscal Year Ended September 30, 2020**

City Programs	Program Expenses	Program Revenues	Net Program Expenses (Revenues)
Wastewater	\$ 1,787,979	\$ 2,742,856	\$ 954,877
Water	1,463,295	2,460,280	996,985
Interest on long-term debt	196,684		(196,684)
<b>Totals</b>	<b>\$ 3,447,958</b>	<b>\$ 5,203,136</b>	<b>\$ 1,755,178</b>

**City of Ketchum, Idaho  
MANAGEMENT DISCUSSION AND ANALYSIS**

Continued...

The City of Ketchum, Idaho adopts an annual budget. A budgetary comparison statement of Governmental Funds is provided below. In total, any negative variances are insignificant.

**BUDGET VARIANCES IN THE GENERAL FUND**

The changes made to the budget format have moved the City into compliance with the budget standards developed by the Government Finance Officers of America (GFOA). An analysis of budget variances this year shows that more assets were budgeted for expenditure than were expended during the current operating cycle.

**Table 6: Analysis of Significant Budget Variances  
for Major Governmental Funds  
For the Fiscal Year Ended September 30, 2020**

	<u>Final Budget</u>	<u>Actual</u>	<u>Variances</u>
<b>Revenues:</b>			
Taxes (including penalties/interest)	\$ 9,073,356	\$ 9,175,860	\$ 102,504
Franchises, licenses, permits	606,300	733,660	127,360
State of Idaho	1,599,307	1,627,251	27,944
Fees, Charges for Services	2,977,781	2,989,852	12,071
Other	11,660,260	11,900,627	240,367
<b>Totals</b>	<u>25,917,004</u>	<u>26,427,250</u>	<u>510,246</u>
<b>Expenditures:</b>			
General Government	4,027,736	4,059,461	(31,725)
Public Safety	3,995,379	3,958,528	36,851
Streets	1,992,132	1,733,828	258,304
Capital Outlay	4,200,000	2,004,535	2,195,465
Parks and Recreation	552,035	443,870	108,165
Transportation	3,180,314	3,180,314	0
Affordable Housing	75,000	75,000	0
Debt Service			
<b>Totals</b>	<u>18,022,596</u>	<u>15,455,536</u>	<u>2,567,060</u>
<b>Excess (Deficiency)</b>	<u>\$ 7,894,408</u>	<u>\$ 10,971,714</u>	<u>\$ 3,077,306</u>

**City of Ketchum, Idaho  
MANAGEMENT DISCUSSION AND ANALYSIS**

Continued...

**Table 7: Comparison of Statement of Net Position  
As of September 30, 2020 and 2019**

	<u>2020</u>	<u>2019</u>	Percentage Change
Current Assets	\$ 24,379,847	\$ 11,530,288	111.4418%
Capital Assets	<u>34,239,975</u>	<u>33,000,216</u>	3.7568%
<b>Total Assets</b>	<u>58,619,822</u>	<u>44,530,504</u>	31.6397%
Deferred Outflow of Resources	<u>405,979</u>	<u>146,717</u>	176.7089%
Current Liabilities	908,115	672,471	35.0415%
Long Term Liabilities	<u>18,659,059</u>	<u>6,875,018</u>	171.4038%
<b>Total Liabilities</b>	<u>19,567,174</u>	<u>7,547,489</u>	159.2541%
Deferred Inflow of Resources	<u>63,227</u>	<u>452,841</u>	-86.0377%
<b>Net Position:</b>			
Invested in Capital Assets net of related debt	17,248,547	26,945,439	-35.9871%
Restricted	12,677,901	502,506	2422.9352%
Unrestricted	<u>9,468,952</u>	<u>9,228,946</u>	2.6006%
<b>Total Net Position</b>	<u>\$ 39,395,400</u>	<u>\$ 36,676,891</u>	7.4120%

**OVERALL ANALYSIS**

Financial highlights for the City as a whole during the fiscal year ended September 30, 2020 show the assets of the City exceeded its liabilities (net position) at the close to the fiscal year by \$39,395,400 (for governmental activities \$27,447,588, for the business-type activities \$11,947,812). Additionally, the City's total net position increased during the year by \$2,718,509. The net position of the governmental activities increased by \$ 978,088, while the net position of the business-type activities increased by \$ 1,740,421.

**City of Ketchum, Idaho  
MANAGEMENT DISCUSSION AND ANALYSIS**

Continued...

**Table 8: Changes in Fixed Assets  
for All Funds  
For the Fiscal Year Ended September 30, 2020**

	Beginning Balance	Additions	Deletions	Ending Balance
Land and Infrastructure	\$ 11,663,536	195,466		\$ 11,859,002
Buildings and Improvements	35,556,115	17,873		35,573,988
Vehicles and Equipment	9,126,786	189,672	(376,383)	8,940,075
Construction in Progress	240,196	2,130,607		2,370,803
<b>Totals</b>	<u>56,586,633</u>	<u>2,533,618</u>	<u>(376,383)</u>	<u>58,743,868</u>
Accumulated Depreciation	<u>(23,586,417)</u>	<u>(1,292,672)</u>	<u>375,196</u>	<u>(24,503,893)</u>
<b>Net Book Value</b>	<b>\$ <u>33,000,216</u></b>			<b>\$ <u>34,239,975</u></b>

**CAPITAL ASSET AND LONG-TERM, ACTIVITY**

**Capital Asset Activity**

At September 30, 2020, the City reported \$21,361,981 in capital assets for governmental activities and \$12,877,994 in capital assets for business-type activities.

**Long-term Debt Activity**

See Note 4 of the financial statements for information on the City's long-term debt.

**FUNDS ANALYSIS**

Funds that experienced significant changes during the year are as follows:

**Governmental funds**

As of the close of the fiscal year, the City's governmental funds reported a combined ending fund balance of \$ 20,038,480. The fund balance increased \$ 11,200,347 during the fiscal year. The increase is the result of \$27,606,959 of revenues reduced by \$16,406,612 of expenditures. The increase in fund balance follows a fund balance increase of \$670,978 in FY2019, and results in large part from the sale of Fire GO Construction Bonds in the amount of \$ 11,500,000. The City's management and Council continue to expend resources under approved budgets and strive to strengthen the City's financial position during uncertain economic times. This ongoing accomplishment is due to the commitment and determination of the City Council and staff to make prudent financial decisions while also seeking to preserve levels of service to the community by continually pursuing and implementing cost savings and efficiencies in operations.

Table 9 below presents an analysis of the fund balances in the Governmental Funds and Enterprise Funds.

**City of Ketchum, Idaho  
MANAGEMENT DISCUSSION AND ANALYSIS**

Continued...

**Table 9: Analysis of Fund Balances  
for All Funds  
For the Fiscal Year Ended September 30, 2020**

	<u>Investment in Capital Assets</u>	<u>Restricted or Assigned</u>	<u>Unassigned</u>	<u>Total Balance</u>
General Fund	\$		\$ 4,354,406	\$ 4,354,406
City Sales Tax Fund		873,862		873,862
In-Lieu Housing Fund		2,345,453		2,345,453
Capital Improvement Funds		2,392,831		2,392,831
Fire Construction Fund		9,761,385		9,761,385
GO Bond Debt Fund		3,212		3,212
Wagon Days Fund		44,741		44,741
Police Trust Fund		101,466		101,466
Community Development Trust Fund		0		0
Park Trust Fund		161,124		161,124
Water	1,604,691	0	2,222,346	3,827,037
Wastewater	6,593,989	212,000	1,314,786	8,120,775

**REQUESTS FOR INFORMATION**

Requests for information regarding City finances should be directed to:

Grant Gager City Finance Director  
City of Ketchum, Idaho  
P.O. Box 2315  
Ketchum, Idaho, 83340  
Telephone: (208) 726-3841

**ACKNOWLEDGMENTS**

A special thanks to the City Finance Director, City Clerk, and staff for working so hard to operate the financial department of the City. Also, appreciation is expressed to the Mayor, City Council and all the Department Directors for their cooperation and assistance throughout the year in matters pertaining to the financial affairs of the City.

Respectfully submitted,

Jade Riley  
CITY ADMINISTRATOR

**CITY OF KETCHUM, IDAHO**  
**Statement of Net Position**  
**at September 30, 2020**

	<u>Governmental Activities</u>	<u>Business-type Activities</u>	<u>Total Primary Government</u>	<u>Component Unit Urban Renewal Agency</u>
<b><u>ASSETS</u></b>				
Cash and Deposits	\$ 7,021,649	\$ 3,866,047	\$ 10,887,696	\$ 1,853,195
Accounts Receivable & Prepaid Expenses		43,831	43,831	
Taxes Receivable	308,531		308,531	11,079
Due From Other Governments	403,175	58,713	461,888	
Restricted Cash	12,465,901	212,000	12,677,901	549,717
Other Assets			0	
Totals	<u>20,199,256</u>	<u>4,180,591</u>	<u>24,379,847</u>	<u>2,413,991</u>
Capital Assets:				
Land	8,809,038	15,380	8,824,418	4,768,746
Construction in Progress	1,796,490	574,313	2,370,803	
Infrastructure	3,034,584		3,034,584	397,136
Buildings and Improvements	9,785,787	25,788,201	35,573,988	
Equipment and Vehicles	8,047,397	892,678	8,940,075	
Accumulated Deprecation	<u>(10,111,315)</u>	<u>(14,392,578)</u>	<u>(24,503,893)</u>	<u>(27,595)</u>
Total Capital Assets	<u>21,361,981</u>	<u>12,877,994</u>	<u>34,239,975</u>	<u>5,138,287</u>
<b>Total Assets</b>	<u>41,561,237</u>	<u>17,058,585</u>	<u>58,619,822</u>	<u>7,552,278</u>
Deferred Outflows of Resources:				
Deferred Outflows from Pension Activity	<u>319,924</u>	<u>86,055</u>	<u>405,979</u>	<u>0</u>
<b><u>LIABILITIES</u></b>				
Accounts and Interest Payable	186,749	7,671	194,420	131,522
Due To Other Funds				
Long-term Liabilities:				
Portion due or payable within one year:				
Lease and Bonds Payable	327,695	386,000	713,695	200,000
Portion due or payable after one year:				
Lease and Bonds Payable	11,354,419	4,057,000	15,411,419	5,240,000
Unamortized Bond Discount		(25,373)	(25,373)	(152,819)
Unamortized Bond Premium	630,000	261,687	891,687	
Net Pension Liability	1,525,907	410,452	1,936,359	
Compensated Absences	<u>358,979</u>	<u>85,988</u>	<u>444,967</u>	
<b>Total Liabilities</b>	<u>14,383,749</u>	<u>5,183,425</u>	<u>19,567,174</u>	<u>5,418,703</u>
Deferred Inflows of Resources:				
Deferred Inflows from Pension Activities	<u>49,824</u>	<u>13,403</u>	<u>63,227</u>	<u>0</u>
<b><u>NET POSITION</u></b>				
Invested in Capital Assets - net of related debt	9,049,867	8,198,680	17,248,547	0
Restricted For:				
Debt Service		212,000	212,000	549,717
Other Purposes	12,465,901		12,465,901	1,261,687
Unrestricted	<u>5,931,820</u>	<u>3,537,132</u>	<u>9,468,952</u>	<u>322,171</u>
<b>Total Net Position</b>	<u>\$ 27,447,588</u>	<u>\$ 11,947,812</u>	<u>\$ 39,395,400</u>	<u>\$ 2,133,575</u>

The accompanying notes are a part of these financial statements.

**CITY OF KETCHUM, IDAHO**  
**Statement of Activities**  
**For the Year Ended September 30, 2020**

Activities:	Expenses	Program Revenues		Net (Expense) Revenues and Changes in Net Assets			Component Unit - Urban Renewal Agency
		Fees, Fines, and Charges for Services	Capital Grants and Contributions	Governmental Activities	Business Type Activities	Total	
<b>Governmental:</b>							
General Government	\$ 5,444,133	\$ 3,568,426	\$ 40,511	\$ (1,835,196)		\$ (1,835,196)	\$ 37,000
Public Protection:							
Public Safety	3,986,451	87,736		(3,898,715)		(3,898,715)	
Streets	1,692,604	154,937		(1,537,667)		(1,537,667)	
Parks and Recreation	463,164	52,110	13,922	(397,132)		(397,132)	
Transportation	3,180,314			(3,180,314)		(3,180,314)	
Affordable Housing	75,000			(75,000)		(75,000)	
Interest - on long-term debt	57,281			(57,281)		(57,281)	
Total Governmental Activities	<u>14,898,947</u>	<u>3,863,209</u>	<u>54,433</u>	<u>(10,981,305)</u>		<u>(10,981,305)</u>	
<b>Business Type:</b>							
Water	1,463,295	2,460,280			\$ 996,985	996,985	
Wastewater	1,787,979	2,742,856			954,877	954,877	
Interest - on long-term debt	196,684				(196,684)	(196,684)	
Total Business-type Activities	<u>3,447,958</u>	<u>5,203,136</u>	<u>0</u>		<u>1,755,178</u>	<u>1,755,178</u>	
Total City of Ketchum, Idaho	\$ <u>18,346,905</u>	\$ <u>9,066,345</u>	\$ <u>54,433</u>	<u>(10,981,305)</u>	<u>1,755,178</u>	<u>(9,226,127)</u>	
Component Units:							
Urban Renewal Agency	\$ <u>488,195</u>						<u>(488,195)</u>
Total							<u>(451,195)</u>
General Revenues:							
Property taxes				4,449,477		4,449,477	1,759,804
Local Option sales taxes				4,726,383		4,726,383	
Franchises, licenses, permits				995,265		995,265	
State of Idaho revenue sharing				1,014,543		1,014,543	
State of Idaho sales tax				78,308		78,308	
State of Idaho liquor receipts				401,989		401,989	
State highway user collections				132,411		132,411	
Penalty and interest on property taxes				13,915		13,915	2,693
County court and parking fines				94,814		94,814	
Gain (Loss) from Sale of Assets				9,335		9,335	
Earnings on investments				195,988	34,731	230,719	17,022
Miscellaneous				80,963		80,963	
Amortization of Bond Premium					19,670	19,670	
Amortization of Bond Discount					(3,276)	(3,276)	
Gain (Loss) from Pension Activity				(233,998)	(65,882)	(299,880)	
Total general revenues and transfers				<u>11,959,393</u>	<u>(14,757)</u>	<u>11,944,636</u>	<u>1,779,519</u>
Changes in net position				978,088	1,740,421	2,718,509	1,328,324
Net Position - Beginning				<u>26,469,500</u>	<u>10,207,391</u>	<u>36,676,891</u>	<u>805,251</u>
Net Position - Ending				\$ <u>27,447,588</u>	\$ <u>11,947,812</u>	\$ <u>39,395,400</u>	\$ <u>2,133,575</u>

The accompanying notes are a part of these financial statements.

**CITY OF KETCHUM, IDAHO**  
**Balance Sheet**  
**Governmental Funds**  
**at September 30, 2020**

	General Fund	City Sales Tax Fund	In-Lieu Housing Fund	Fire Construction Fund	Other Governmental Funds	Total Governmental Funds
<b>ASSETS:</b>						
Cash and Cash Deposits	\$ 3,978,680	\$ 602,184	\$ 2,345,453	\$ 9,761,385	\$ 2,799,848	\$ 19,487,550
Taxes Receivable	36,853	271,678				308,531
Accounts Receivable						0
Due From Other Governments	403,175					403,175
Total Assets	\$ 4,418,708	\$ 873,862	\$ 2,345,453	\$ 9,761,385	\$ 2,799,848	\$ 20,199,256
<b>LIABILITIES:</b>						
Accounts Payable	\$ 64,302					\$ 64,302
Funds Held in Trust					96,474	96,474
Due To Other Funds						0
Total Liabilities	64,302	0	0	0	96,474	160,776
<b>FUND BALANCE:</b>						
Non-spendable						0
Restricted				9,761,385	262,590	10,023,975
Committed						0
Assigned		873,862	2,345,453		2,440,784	5,660,099
Unassigned	4,354,406					4,354,406
Total Fund Balance	4,354,406	873,862	2,345,453	9,761,385	2,703,374	\$ 20,038,480
Total Liabilities and Fund Balance	\$ 4,418,708	\$ 873,862	\$ 2,345,453	\$ 9,761,385	\$ 2,799,848	

Amounts reported for governmental activities in the Statement of Net Position (page 12) are different because:

Governmental fund capital assets are not financial resources and therefore are not reported in the funds. The cost of assets is \$ 31,473,296 and the accumulated depreciation is \$ 10,111,315	21,361,981
Long-term liabilities, including bonds, net pension liability, and compensated absences are not payable in the current period and therefore are not reported in the governmental funds	(13,952,873)
Net Position of Governmental Activities	\$ 27,447,588

The accompanying notes are a part of these financial statements.



**CITY OF KETCHUM, IDAHO**  
**Statement of Revenues, Expenditures, and Changes in Fund Balances**  
**Governmental Funds**  
**for the year ended September 30, 2020**

	General Fund	City Sales Tax Fund	In-Lieu Housing Fund	Fire Construction Fund	Other Governmental Funds	Total Governmental Funds
<b>REVENUE:</b>						
Property taxes	\$ 4,449,477					\$ 4,449,477
Local Option sales taxes		4,726,383				4,726,383
Franchises, licenses, permits	733,660				261,605	995,265
State of Idaho shared revenue	1,014,543					1,014,543
State of Idaho sales tax	78,308					78,308
State of Idaho liquor receipts	401,989					401,989
State highway user collections	132,411					132,411
Penalty/Interest on property taxes	13,915					13,915
County court and parking fines	94,814					94,814
Proceeds from sale of assets	5,261					5,261
Fees and charges for services	2,989,852				873,357	3,863,209
Grants, contributions, bond proceeds	40,511			11,500,000	13,922	11,554,433
Earnings on investments	65,890	492	40,906	57,875	30,825	195,988
Miscellaneous and Reimbursements	80,963					80,963
<b>Total Revenue</b>	<b>10,101,594</b>	<b>4,726,875</b>	<b>40,906</b>	<b>11,557,875</b>	<b>1,179,709</b>	<b>27,606,959</b>
<b>EXPENDITURES:</b>						
General Government	4,031,370	28,091			269,295	4,328,756
Public Safety	3,806,246	152,282				3,958,528
Streets	1,733,828					1,733,828
Capital outlay			208,045	1,796,490	495,280	2,499,815
Parks and Recreation	443,870				36,666	480,536
Transportation		3,180,314				3,180,314
Affordable Housing			75,000			75,000
Debt Service					149,835	149,835
<b>Total Expenditures</b>	<b>10,015,314</b>	<b>3,360,687</b>	<b>283,045</b>	<b>1,796,490</b>	<b>951,076</b>	<b>16,406,612</b>
<b>EXCESS REVENUE (EXPENDITURES)</b>	<b>86,280</b>	<b>1,366,188</b>	<b>(242,139)</b>	<b>9,761,385</b>	<b>228,633</b>	<b>11,200,347</b>
<b>OTHER FINANCING SOURCES (USES):</b>						
Operating transfers from other funds	1,103,317				282,525	1,385,842
Operating transfers (to) other funds	(240,025)	(1,145,817)				(1,385,842)
<b>NET CHANGE IN FUND BALANCES</b>	<b>949,572</b>	<b>220,371</b>	<b>(242,139)</b>	<b>9,761,385</b>	<b>511,158</b>	<b>11,200,347</b>
<b>FUND BALANCE - BEGINNING</b>	<b>3,404,834</b>	<b>653,491</b>	<b>2,587,592</b>	<b>0</b>	<b>2,192,216</b>	<b>8,838,133</b>
<b>FUND BALANCE - ENDING</b>	<b>\$ 4,354,406</b>	<b>\$ 873,862</b>	<b>\$ 2,345,453</b>	<b>\$ 9,761,385</b>	<b>\$ 2,703,374</b>	<b>\$ 20,038,480</b>

The accompanying notes are a part of these financial statements.

**CITY OF KETCHUM, IDAHO**  
**Reconciliation of the Statement of Revenues,**  
**Expenditures, and Changes in Fund Balances of Governmental Funds**  
**To the Statement of Activities**  
**for the year ended September 30, 2020**

Net Change in Fund Balance - Total Governmental Funds (Page 15)	\$ 11,200,347
<p>Governmental funds report capital outlays as current year expenditures. In the Statement of Activities the cost of these assets is allocated over their estimated useful lives as depreciation expense. This is the amount of current capital outlay for new fixed assets.</p>	
This is the amount of current year depreciation.	(702,046)
This is the amount of new Governmental Fund assets.	2,118,166
This is the amount of disposed of Governmental Fund assets.	(1,187)
<p>Long term liabilities are not recorded in the Governmental funds.</p>	
This is the amount of new debt	(10,870,000)
This is the amount of payments on General Obligation Bonds Payable	137,000
This is the amount of changes in net pension liabilities	(850,016)
<p>Liability for personal leave days are not recorded in Governmental funds.</p>	
This is the increase in compensated leave during the year.	<u>(54,176)</u>
Change in Net Assets of Governmental Activities (Page 13)	\$ <u><u>978,088</u></u>

The accompanying notes are a part of these financial statements.

**CITY OF KETCHUM, IDAHO**  
**Statement of Net Position**  
**Proprietary Funds**  
**at September 30, 2020**

	<u>Water</u>	<u>Wastewater</u>	<u>Totals</u>
<b>Assets:</b>			
<b>Current Assets:</b>			
Cash and Deposits	\$ 2,389,830	\$ 1,476,217	\$ 3,866,047
Accts receivable - customers	26,730	17,101	43,831
Accts receivable - other govts.		58,713	58,713
	2,416,560	1,552,031	3,968,591
<b>Restricted Current Assets:</b>			
Cash and Deposits		212,000	212,000
Total Current Assets	2,416,560	1,764,031	4,180,591
<b>Capital Assets:</b>			
Plant and equipment	12,741,232	14,529,340	27,270,572
Accumulated depreciation	(7,683,485)	(6,709,093)	(14,392,578)
Net Plant and equipment	5,057,747	7,820,247	12,877,994
<b>Total Assets</b>	7,474,307	9,584,278	17,058,585
<b>Deferred Outflow of Resources:</b>			
Deferred Outflows from Pension Activity	36,622	49,433	86,055
<b>Liabilities:</b>			
<b>Current Liabilities:</b>			
Accounts and Interest Payable	5,338	2,333	7,671
Current portion long-term debt	181,000	205,000	386,000
Total current liabilities	186,338	207,333	393,671
<b>Noncurrent Liabilities:</b>			
Bonds Payable	3,142,000	915,000	4,057,000
Unamortized Bond Discount	(25,373)		(25,373)
Unamortized Bond Premium	155,429	106,258	261,687
Net Pension Liability	174,678	235,774	410,452
Compensated Absences Payable	45,116	40,872	85,988
Total noncurrent liabilities	3,491,850	1,297,904	4,789,754
<b>Total Liabilities</b>	3,678,188	1,505,237	5,183,425
<b>Deferred Inflow of Resources:</b>			
Deferred Inflows from Pension Activity	5,704	7,699	13,403
<b>Net Position:</b>			
Investment in capital assets net of related debt	1,604,691	6,593,989	8,198,680
Restricted	0	212,000	212,000
Unrestricted	2,222,346	1,314,786	3,537,132
<b>Total Net Position</b>	\$ 3,827,037	\$ 8,120,775	\$ 11,947,812

The accompanying notes are a part of these financial statements.

**CITY OF KETCHUM, IDAHO**  
**Statement of Revenues, Expenditures, and Changes in Net Position**  
**Proprietary Funds**  
**for the year ended September 30, 2020**

	<u>Water</u>	<u>Wastewater</u>	<u>Totals</u>
<b>Operating Revenues:</b>			
Charges for services	\$ 2,094,808	\$ 2,613,383	\$ 4,708,191
Hookups, connections, impact fees	159,881	114,547	274,428
Reimbursements and Misc.	205,591	14,926	220,517
	<u>2,460,280</u>	<u>2,742,856</u>	<u>5,203,136</u>
<b>Operating Expenses:</b>			
Salaries and benefits	407,151	618,302	1,025,453
Administrative and supplies	795,305	839,889	1,635,194
Depreciation	260,839	329,788	590,627
	<u>1,463,295</u>	<u>1,787,979</u>	<u>3,251,274</u>
<b>Operating Income</b>	<u>996,985</u>	<u>954,877</u>	<u>1,951,862</u>
<b>Nonoperating Revenues (Expenses):</b>			
Interest Income	20,459	14,272	34,731
Interest Expense	(131,344)	(65,340)	(196,684)
Gain (Loss) on pension activity	(25,280)	(40,602)	(65,882)
Amortization of bond discount	(3,276)		(3,276)
Amortization of bond premium	2,119	17,551	19,670
	<u>(137,322)</u>	<u>(74,119)</u>	<u>(211,441)</u>
<b>Income before transfers</b>	<u>859,663</u>	<u>880,758</u>	<u>1,740,421</u>
Transfers in	200,000		
Transfers out		(200,000)	
<b>Net Income</b>	<u>1,059,663</u>	<u>680,758</u>	<u>1,740,421</u>
<b>Total Net Position - Beginning</b>	<u>2,767,374</u>	<u>7,440,017</u>	<u>10,207,391</u>
<b>Total Net Position - Ending</b>	<u>\$ 3,827,037</u>	<u>\$ 8,120,775</u>	<u>\$ 11,947,812</u>

The accompanying notes are a part of these financial statements.

**CITY OF KETCHUM, IDAHO**  
**Statement of Cash Flows**  
**Proprietary Funds**  
**for the year ended September 30, 2020**

	<u>Water Fund</u>	<u>Wastewater Fund</u>	<u>Total</u>
<b>Cash Flows From Operating Activities:</b>			
Receipts from customers	\$ 2,258,749	\$ 2,733,321	\$ 4,992,070
Payments to suppliers	(795,305)	(839,889)	(1,635,194)
Payments to employees	(401,921)	(612,335)	(1,014,256)
Other receipts	205,591	14,926	220,517
Net cash provided (used) by operations	<u>1,267,114</u>	<u>1,296,023</u>	<u>2,563,137</u>
<b>Cash Flows From Capital and Related Financing Activities:</b>			
Purchase and construction of capital assets	(351,990)	(63,462)	(415,452)
Payments from (to) other funds	200,000	(200,000)	0
Principal paid on capital debt	(175,000)	(195,000)	(370,000)
Interest paid on capital debt	(131,179)	(65,747)	(196,926)
Net cash provided (used) by capital and related financing activities	<u>(458,169)</u>	<u>(524,209)</u>	<u>(982,378)</u>
<b>Cash Flows From Investing Activities:</b>			
Interest Income	20,459	14,272	34,731
<b>Net Increase (Decrease) in Cash and Deposits</b>	829,404	786,086	1,615,490
<b>Balances - Beginning of the year</b>	<u>1,560,426</u>	<u>902,131</u>	<u>2,462,557</u>
<b>Balances - Ending of the year</b>	<u>\$ 2,389,830</u>	<u>\$ 1,688,217</u>	<u>\$ 4,078,047</u>
Displayed as:			
Pooled Cash and Investments	2,389,830	1,476,217	3,866,047
Restricted Assets	<u>212,000</u>	<u>212,000</u>	<u>212,000</u>
<b>Balances - Ending of the year</b>	<u>\$ 2,389,830</u>	<u>\$ 1,688,217</u>	<u>\$ 4,078,047</u>
<b>Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities:</b>			
Operating Income (Loss)	996,985	954,877	1,951,862
Adjustments to reconcile operating income to net cash provided (used) by operating activities:			
Depreciation expense	260,839	329,788	590,627
Changes in assets and liabilities:			
Receivables, net	4,059	5,392	9,451
Accounts and other payables	5,231	5,966	11,197
<b>Net Cash Provided (Used) by Operating Activities</b>	<u>\$ 1,267,114</u>	<u>\$ 1,296,023</u>	<u>\$ 2,563,137</u>

The accompanying notes are a part of these financial statements.

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The City of Ketchum, Idaho became an incorporated city under the laws of the State of Idaho on October 16, 1961. The accounting policies of the City of Ketchum, Idaho conform to generally accepted accounting principles as applicable to governmental units. The financial statements of the City of Ketchum, Idaho have been prepared in conformity with the generally accepted accounting principles (GAAP) as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The City also applies Financial Accounting Standards Board (FASB) statements and interpretations issued on or before November 30, 1989, to its governmental and business-type activities (enterprise funds) provided they do not conflict with or contradict GASB pronouncements. The following is a summary of the more significant policies:

**(A) Basis of Presentation – Basis of Accounting**

**Basis of Presentation:**

For this reporting period, the City has conformed its financial statement model to *Governmental Auditing Standards Board (GASB) Statement No. 34*. This model presents the financial statements as follows:

*Government-wide Statements:* The statement of net assets and the statement of activities display information about the primary government (the City). These statements distinguish between the *governmental* and *business-type activities* of the City. Governmental activities generally are financed through taxes, intergovernmental revenues, and other nonexchange transactions. Business-type activities are financed in whole or in part by fees charged to external parties.

The statement of activities presents a comparison between direct expenses and program revenues for the different business-type activities of the City and for each function of the City's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Indirect expense allocations that have been made in the funds have been reversed for the statement of activities. Program revenues include (a) fees, fines, and charges paid by the recipients of goods or services offered by the programs and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

*Fund Financial Statements:* The fund financial statements provide information about the City's funds. Separate statements for each fund category—*governmental* and *proprietary*—are presented. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column.

Proprietary fund operating revenues, such as charges for services, result from exchange transactions associated with the principal activity of the fund. Exchange transactions are those in which each party receives and gives up essentially equal values. Nonoperating revenues, such as subsidies and investment earnings, result from nonexchange transactions or ancillary activities.

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

-Continued

The City reports the following governmental funds:

*General Fund.* This is the City's operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

The City reports the following enterprise funds:

*Water and Wastewater Fund.* This fund accounts for the operation, maintenance, and development of the City's water and waste-water facilities.

#### **Discretely Presented Component Unit**

The Component unit column in the financial statements includes the financial data of the City's only discretely presented component unit, the Ketchum Urban Renewal Agency. It is reported in a separate column to emphasize that it is separate from the City's operations. Complete financial statements of the Ketchum Urban Renewal Agency can be requested.

#### **Measurement Focus, Basis of Accounting**

*Government-wide and Proprietary Fund Financial Statements.* The government-wide and proprietary fund financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Nonexchange transactions, in which the City gives (or receives) value without directly receiving (or giving) equal value in exchange, include property taxes, grants, entitlements, and donations. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenue from grants, entitlements, and donations is recognized in the fiscal year in which all eligibility requirements have been satisfied.

*Governmental Fund Financial Statements.* Governmental funds are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. The City considers all revenues reported in the governmental funds to be available if the revenues are collected within sixty days after year-end. Property taxes, sales taxes, franchise taxes, licenses, and interest are considered to be susceptible to accrual. Expenditures are recorded when the related fund liability is incurred, except for principal and interest on general long-term debt, claims and judgments, and compensated absences, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and acquisitions under capital leases are reported as other financing sources.

*Budgets and Budgetary Accounting.* The City adheres to City budget requirements in Title 50, Chapter 10 of the Idaho Code. The provisions of this chapter include the following procedures to establish budgetary data which is reflected in these financial statements:

- A. Prior to certifying the tax levy to the County Commissioners, and prior to passing the annual appropriation ordinance, a public meeting shall be held to adopt a budget by a favorable vote of a majority of the members of the council.
- B. Budgets for all funds are adopted on a basis consistent with generally accepted accounting principles. Uncommitted appropriations lapse at year end.
- C. There are no provisions in Title 50, Chapter 10 for budget augmentations.

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

-continued

*Entity Classifications.*

- A. City-Wide Financial Statements – The City reports net position in three categories – invested in capital assets, restricted and unrestricted.
- B. Fund Financial Statements – The City has adopted GASB Statement No. 54 "Fund Balance Reporting and Governmental Fund Type Definitions" (GASB 54) which defines how fund balances of the governmental funds are presented in the financial statements. There are five classifications of fund balances as presented below:

Non-spendable – These funds are not available for expenditures based on legal or contractual requirements. In this category, one would see inventory, long-term receivables, unless proceeds are restricted, committed, or assigned and legally or contractually required to be maintained intact (corpus or a permanent fund).

Restricted – These funds are governed by externally enforceable restrictions. In this category, one would see restricted purpose grant funds, debt service or capital projects.

Committed – Fund balances in this category are limited by the governments' highest level of decision making. Any changes of designation must be done in the same manner that it was implemented and should occur prior to end of the fiscal year, though the exact amount may be determined subsequently.

Assigned – These funds are intended to be used for specific purposes, intent is expressed by governing body or an official delegated by the governing body.

Unassigned – This classification is the default for all funds that do not fit into the other categories. This, however, should not be a negative number for the general fund. If it is, the assigned fund balance must be adjusted.

Order of Use of Fund Balance – The City's policy is to apply expenditures against non-spendable fund balance, restricted fund balance, committed fund balance, assigned fund balance and unassigned fund balance at the end of the fiscal year. For all funds, non-spendable fund balances are determined first and then restricted fund balances for specific purposes are determined.

*Allocation of Indirect Expenses.* The City allocates indirect expense, primarily comprised of central governmental services, to operating functions and programs benefiting from those services. Central services include overall City management, centralized budgetary formulation and oversight, accounting, financial reporting, payroll, procurement contracting and oversight, investing and cash management, personnel services, and other central administrative services. Allocations are charged to programs based on use of central services determined by various allocation methodologies. As a matter of policy, certain functions that use significant central services are not charged for the use of these services. These functions or programs include police, fire, and certain divisions with public services and parks.



**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

-Continued

**(B) Assets, Liabilities, and Equity**

**Deposits and Investments**

The cash balances of substantially all funds are pooled and invested by the State of Idaho Treasurer's Office for the purpose of increasing earnings through investment activities. The pool's investments are reported at fair value at September 30 of each year based on market prices. The individual funds' portions of the pool's fair value are presented as "Cash and Deposits". Earnings on the pooled funds are apportioned and paid or credited to the funds monthly based on the average daily balance of each participating fund.

**Cash and Deposits**

The City considers cash and deposits in proprietary funds to be cash on hand. In addition, because the State Treasury Pool is sufficiently liquid to permit withdrawal of cash at any time without prior notice or penalty, equity in the pool is also deemed to be a deposit.

**Receivables and Payable**

All trade and property tax receivables are shown net of an allowance for uncollectibles.

**Property Tax Calendar**

Property taxes are levied each November based on the assessed value of property as listed on the previous September tax rolls. Assessed values are an approximation of market value. The Blaine County Assessor establishes assessed values. Property tax payments are due in one-half installments in December and June. Property taxes become a lien on the property when it is levied.

**Deferred Outflows/Inflows of Resources**

In 2007, the Governmental Accounting Standards Board (GASB) released Concepts Statement No. 4 *Elements of Financial Statements* which provides a framework for determining the nature of financial accounting or reporting issues. Since the release of the framework, GASB has been looking at the assets and liabilities on the balance sheet to determine if they should continue to be reflected as such. GASB has concluded that, in order to improve financial reporting, there are assets and liabilities that no longer should be reflected as assets and liabilities. These changes are included in the recently issued GASB Statement No. 65, *Items Previously Reported as Asset and Liabilities*.

These changes include two new items that are reflected on the Statement of Net Position.

- Deferred outflow of resources – the current *consumption* of net assets that is applicable to a *future* reporting period.
- Deferred inflows of resources – the current *acquisition* of net assets that is applicable to a *future* reporting period.

The City's financial statements may report a separate section for deferred inflows of resources which reflects an increase in resources that applies to a future period.

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

-Continued

**Capital Assets**

Purchased or constructed capital assets used in operations with an initial useful life that extends beyond one year are capitalized. Infrastructure assets such as roads and bridges are also capitalized. They are reported net of accumulated depreciation on the Statement of Net Assets. The City capitalizes assets in excess of \$5,000.

Under the requirements of *GASB Statement No. 34*, the City is considered a Phase 3 government, as its total annual revenues are less than \$10 million. Such governments are not required to report major general infrastructure assets retroactively. Accordingly, the City has determined not to retroactively report this type of capital asset.

Capital assets are recorded at their historical cost and are depreciated using the straight-line method of depreciation over the following estimated useful lives:

<u>Asset Class</u>	<u>Estimated Useful Lives</u>
Infrastructure	30
Buildings	50
Building Improvements	20
Vehicles	5-15
Office and Other Equipment	3-15
Computer Equipment	3-15

**Compensated Absences**

The liability for compensated absences reported in the government-wide and proprietary fund statements consists of unpaid, accumulated annual vacation and sick leave balances. The liability has been calculated using the vesting method, in which leave amounts for both employees who currently are eligible to receive termination payments and other employees who are expected to become eligible in the future to receive such payments upon termination are included.

**Pensions**

For purposes of measuring the net pension liability and pension expense, information about the fiduciary net position of the Public Employee Retirement System of Idaho Base Plan (Base Plan) and additions to/deductions from Base Plan's fiduciary net position have been determined on the same basis as they are reported by the Base Plan. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

**NOTE 2 – CASH AND DEPOSITS**

*Deposits:* Custodial credit risk, in the case of deposits, is the risk that in the event of a bank failure, the government's deposits may not be returned to it. The City has no deposit policy for custodial credit risk. At year end, \$ 1,199,697 of the City's bank balances were exposed to custodial credit risk because of the \$250,000 limit insured by the FDIC.

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

-Continued

*Investments:* Custodial credit risk, in the case of investments, is the risk that in the event of the failure of the counterparty, the government will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. At year end, the City held the following investments:

Investment Type

Idaho State Local Government Investment Pool \$ 22,364,296.

These investments are unrated external investment pools sponsored by the Idaho State Treasurer's Office. They are classified as "Investments in an External Investment Pool" and are exempt from custodial credit risk and concentration of credit risk reporting. Interest rate risk is summarized as follows: Asset-backed securities are reported using weighted average life to more accurately reflect the projected term of the security, considering interest rates and repayment factors.

The elected Idaho State Treasurer, following Idaho Code, Section 67-2328, is authorized to sponsor an investment pool in which the City voluntarily participates. The Pool is not registered with the Securities and Exchange Commission or any other regulatory body - oversight is with the State Treasurer, and Idaho Code defines allowable investments. All investments are entirely insured or collateralized with securities held by the Pool or by its agent in the Pool's name. And the fair value of the City's position in the external investment pool is the same as the value of the pool shares.

*Credit Risk:* The City's policy is to comply with Idaho State statutes which authorize the City to invest in obligations of the United States, obligations of the State or any taxing district in the State, obligations issued by the Farm Credit System, obligations of public corporations of the State of Idaho, repurchase agreements, tax anticipation notes of the State or taxing district in the State, time deposits, savings deposits, revenue bonds of institutions of higher education, and the State Treasurer's Pool.

*Interest rate risk and concentration of credit risk:* The City has no policy regarding these two investment risk categories.

The City maintains a cash and investment pool that is available for use by all funds. Each fund type's portion of this pool is presented on the combined balance sheet as "Cash and Deposits".

Cash and Deposits are comprised of the following at the financial statement date:

Cash on Hand	\$	320
Deposits with financial institutions:		
Demand deposits		1,200,980
State of Idaho Investment Pool		<u>22,364,296</u>
Total		<u>\$ 23,565,596</u>

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

– Continued

**NOTE 3 – CAPITAL ASSETS**

Capital asset activity for the current year ended was as follows:

	<u>Beginning Balances</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balances</u>
<b>Governmental Activities:</b>				
<i>Capital Assets not being depreciated:</i>				
Land	\$ 8,809,038	\$	\$	\$ 8,809,038
Construction in Progress	0	1,796,490		1,796,490
Total	<u>8,809,038</u>	<u>1,796,490</u>	<u>0</u>	<u>10,605,528</u>
 <i>Capital Assets being depreciated:</i>				
Buildings & Improvements	9,785,787			9,785,787
Infrastructure	2,839,118	195,466		3,034,584
Vehicles and Equipment	8,297,570	126,210	(376,383)	8,047,397
Total	<u>20,922,475</u>	<u>321,676</u>	<u>(376,383)</u>	<u>20,867,768</u>
Less: Accumulated Depreciation:	<u>9,784,465</u>	<u>702,046</u>	<u>(375,196)</u>	<u>10,111,315</u>
Total Net Depreciated Assets	<u>11,138,010</u>	<u>(380,370)</u>	<u>(1,187)</u>	<u>10,756,453</u>
 Governmental capital assets, net	 <u>\$ 19,947,048</u>	 <u>\$ 1,416,120</u>	 <u>\$ (1,187)</u>	 <u>\$ 21,361,981</u>
 <b>Business-type activities:</b>				
<i>Capital Assets not being depreciated:</i>				
Land	\$ 15,380	\$	\$	\$ 15,380
Construction in Progress	240,196	334,117		574,313
Total	<u>255,576</u>	<u>334,117</u>	<u>0</u>	<u>589,693</u>
 <i>Capital Assets being depreciated:</i>				
Buildings & Improvements	25,770,328	17,873		25,788,201
Vehicles and Equipment	829,216	63,462		892,678
Total	<u>26,599,544</u>	<u>81,335</u>	<u>0</u>	<u>26,680,879</u>
Less: Accumulated Depreciation	<u>13,801,952</u>	<u>590,626</u>		<u>14,392,578</u>
Total Net Depreciated Assets	<u>12,797,592</u>	<u>(509,291)</u>	<u>0</u>	<u>12,288,301</u>
 Business-type capital assets, net	 <u>\$ 13,053,168</u>	 <u>\$ (175,174)</u>	 <u>\$ 0</u>	 <u>\$ 12,877,994</u>

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

– Continued

**NOTE 4 - BONDS PAYABLE**

In December of 2004, the City sold \$ 1,990,000 of Sewer Revenue Bonds, Series 2004. The proceeds of this issue were used to make improvements to the City's wastewater system. The bonds were retired with funds from the 2014 Wastewater Refunding Bonds 2014.

In May of 2006, the City sold \$ 1,730,000 of Sewer Revenue Bonds, Series 2006A. The proceeds of this issue were used to make improvements to the City's wastewater system. The bonds were retired by the 2014 bond issue.

In November of 2014 the City sold \$ 1,950,000 of Sewer Revenue Refunding Bonds, Series 2014. The proceeds from this bond issue retired the City's 2004 and 2006 bond series. This bond issue is to be retired by user fees generated by the City's enterprise fund.

In 2006 outstanding bonds from the City's series 1998 issue were defeased by placing proceeds of a new bond issue, Water Revenue Refunding Bonds Series 2006B for \$ 3,030,000, in an irrevocable trust to provide for all future debt payments on the old bonds. These bonds were retired by the City's Water Revenue Refunding Bonds Series 2016.

In September of 2016 the City sold \$ 1,697,000 of Water Revenue Refunding Bonds, Series 2016. The proceeds from this bond issue retired the City's 2006B bond series. This bond issue is to be retired by user fees generated by the City's enterprise fund.

In May of 2006, the City sold \$ 2,780,000 of Water Revenue Bonds, Series 2006A. The proceeds of this issue were used to make improvements to the City's water system. These bonds were retired by the City's Water Revenue Refunding Bonds Series 2015.

In September of 2015 the City sold \$ 2,310,000 of Water Revenue Refunding Bonds, Series 2015. The proceeds from this bond issue retired the City's 2006A bond series. This bond issue is to be retired by user fees generated by the City's enterprise fund.

In June of 2007, the City sold \$1,550,000 of General Obligation Bonds, Series June 5, 2007. The proceeds of this issue were used for capital equipment acquisitions.

In March of 2020, the City sold \$10,870,000 of General Obligation Bonds, Series 2020. These bonds were sold at a premium of \$630,000, providing the City with \$11,500,000 in cash to construct a new fire facility. Construction began in the FY 2020 period and is expected to be completed in FY 2021.

The following is a list of the interest and principal payments through the end of the bond issues:

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

**Bonds Payable – Continued**

Wastewater Refunding Bond Series 2014

<u>FY</u>	<u>Interest</u>	<u>Principal</u>
2020	\$ 65,750	\$ 195,000
2021	56,000	205,000
2022	45,750	215,000
2023	35,000	220,000
2024	24,000	230,000
2025	12,500	250,000
<b>Totals</b>	<b>\$ 239,000</b>	<b>\$ 1,315,000</b>

Water Refunding Bonds 2015

Water Revenue Bonds 2016

<u>FY</u>	<u>Interest</u>	<u>Principal</u>	<u>Interest</u>	<u>Principal</u>
2021	\$ 108,575	30,000	\$ 19,540	\$ 151,000
2022	107,675	30,000	16,912	152,000
2023	106,475	30,000	14,269	157,000
2024	105,500	30,000	11,537	162,000
2025	104,000	35,000	8,717	162,000
2026-2030	460,750	875,000	8,909	339,000
2031-2034	142,250	1,170,000		
<b>Totals</b>	<b>\$ 1,135,225</b>	<b>\$ 2,200,000</b>	<b>\$ 79,884</b>	<b>\$ 1,123,000</b>

General Obligation Bonds Series June 5, 2007

<u>FY</u>	<u>Interest</u>	<u>Principal</u>
2021	\$ 6,335	\$ 143,000
<b>Totals</b>	<b>\$ 6,335</b>	<b>\$ 143,000</b>

General Obligation Bonds Series 2020

<u>FY</u>	<u>Interest</u>	<u>Principal</u>
2021	\$ 188,784	\$ 145,000
2022	307,019	305,000
2023	291,769	320,000
2024	275,769	335,000
2025	259,019	355,000
2026-2030	1,011,345	2,050,000
2031-2035	667,345	2,395,000
2036-2040	418,244	2,645,000
2041-2044	129,822	2,320,000
<b>Totals</b>	<b>\$ 3,549,116</b>	<b>\$ 10,870,000</b>

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

– Continued

**NOTE 5 – CAPITAL LEASES**

The City has entered into a municipal lease agreement for the purchase of a 2020 Hughes Aerial Fire Ladder Truck to be used by the General Fund of the City. The obligation is recorded in the respective fund. Annual lease payments are paid on July 1 of each year. Unless sooner terminated as set forth in the lease, ownership will transfer to the City upon expiration of the lease. Depreciation expense has been computed on assets acquired under municipal lease agreements.

Detail of the Capital Leases follows:

	Balance Financed	2021	2022	2023	2024-34	Total
Governmental Activities						
2019 Hughes Aerial Fire Ladder Truck						
Zions Bancorporaton	\$ 669,114	\$ 39,695	\$ 40,806	\$ 41,948	546,665	\$ 669,114
Computed Interest 2.8%		18,735	17,624	16,481	96,061	148,901
	<u>669,114</u>	<u>58,430</u>	<u>58,430</u>	<u>58,429</u>	<u>642,726</u>	<u>818,015</u>
Total Capital Leases	\$ <u>669,114</u>	\$ <u>58,430</u>	\$ <u>58,430</u>	\$ <u>58,429</u>	<u>642,726</u>	\$ <u>818,015</u>

**NOTE 6 – OPERATING LEASES**

The City is obligated under several operating leases for vehicles and equipment. Operating leases do not give rise to property rights or purchase obligations, and therefore the results of the lease agreements are not reflected in the City's capital assets.

**NOTE 7 – MISCELLANEOUS REVENUES, GOVERNMENTAL FUND TYPES**

The miscellaneous revenues section of the combined statement of revenues and expenditures includes the following amounts:

	Total Governmental
Rents	\$ 78,148
Miscellaneous	<u>2,815</u>
Total	<u>\$ 80,963</u>

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

**NOTE 8 – LITIGATION**

The City, at the financial statement date, is involved in a few matters of litigation. Legal representation has not determined the resolution of these matters. The City contends that any liability in any of these issues would be immaterial to the financial statements.

**NOTE 9 – RESTRICTED NET ASSETS**

The ordinance authorizing the Enterprise Fund revenue bonds requires that the City establish certain restricted cash accounts to be used in the retirement of the bonds and improvements to the waste-water systems. In addition, certain cash amounts are restricted for use in law enforcement, zoning ordinance enforcement, and for other restrictions imposed by the City Council in the general fund; and for debt retirement in the long-term debt group of accounts. The City's policy is to first apply unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available. These restricted amounts are as follows:

	General Fund	Enterprise Fund
Various Trust Cash	\$	
Fire GO Bond Cash	12,465,901	
Wastewater Bonds Debt Reserve Cash		\$ 212,000
Totals	\$ 12,465,901	\$ 212,000

**NOTE 10 – RISK MANAGEMENT**

A City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. During the fiscal year, the City is contracted with Idaho County Risk Management Program (ICRMP) for property, crime and fleet insurance and the State Insurance Fund for workman's compensation. Under the terms of the ICRMP policy, the City of Ketchum's liability is limited to the amount of annual financial membership contributions, including a per occurrence deductible. There has been no significant reduction in insurance coverage in the current year. Settlement amounts have not exceeded insurance coverage for the current year or the three prior years.

**NOTE 11 – KETCHUM URBAN RENEWAL AGENCY**

The component unit column in the combined financial statements includes the financial data of the Ketchum Urban Renewal Agency, the City's only discretely presented component unit. It is reported in a separate column to emphasize that it is legally separate from the City in accordance with State Urban Renewal law. The Agency has authority to construct public improvements including the acquisition of public right-of-way within the blighted area legally designated as the redevelopment district. The City appoints the governing board of the Agency. The Agency derives its funding from tax increment financing. Complete financial statements for the current year are available from the Agency.

The City advanced \$1,495,830 of cash held for affordable housing construction to the Agency to begin their operations. The Agency has determined to pay this amount back to the City over the next several years as funds become available. These amounts are not accrued in the City's records but will be recognized as revenue when received in the "In-Lieu Housing Fund". The balance remaining unpaid at the date of these financial statements is \$ 1,261,687.



**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

-Continued

**NOTE 12 – EMPLOYEE RETIREMENT PLAN**

*Plan Description*

The City of Ketchum contributes to the Base Plan which is a cost-sharing multiple-employer defined benefit pension plan administered by Public Employee Retirement System of Idaho (PERSI or System) that covers substantially all employees of the State of Idaho, its agencies and various participating political subdivisions. The cost to administer the plan is financed through the contributions and investment earnings of the plan. PERSI issues a publicly available financial report that includes financial statements and the required supplementary information for PERSI. That report may be obtained on the PERSI website at [www.persi.idaho.gov](http://www.persi.idaho.gov).

Responsibility for administration of the Base Plan is assigned to the Board comprised of five members appointed by the Governor and confirmed by the Idaho Senate. State law requires that two members of the Board be active Base Plan members with at least ten years of service and three members who are Idaho citizens not members of the Base Plan except by reason of having served on the Board.

*Pension Benefits*

The Base Plan provides retirement, disability, death and survivor benefits of eligible members or beneficiaries. Benefits are based on members' years of service, age and highest average salary. Members become fully vested in their retirement benefits with five years of credited services (5 months for elected or appointed officials). Members are eligible for retirement benefits upon attainment of the ages specified for their employment classification. The annual service retirement allowance for each month of credited service is 2.0% (2.3% for police/firefighters) of the average monthly salary for the highest consecutive 42 months.

The benefit payments for the Base Plan are calculated using a benefit formula adopted by the Idaho Legislature. The Base Plan is required to provide a 1% minimum cost of living increase per year provided the Consumer Price Index increases 1% or more. The PERSI Board has the authority to provide higher cost of living increases to a maximum of the Consumer Price Index movement or 6%, whichever is less; however, any amount above the 1% minimum is subject to review by the Idaho Legislature.

*Member and Employer Contributions*

Member and employer contributions paid to the Base Plan are set by statute and are established as a percent of covered compensation. Contribution rates are determined by the PERSI Board within limitations, as defined by state law. The Board may make periodic changes to employer and employee contribution rates (expressed as percentages of annual covered payroll) that are adequate to accumulate sufficient assets to pay benefits when due.

The contribution rates for employees are set by statute at 60% of employer rate for general employees and 72% for police and firefighters. As of June 30, 2020, it was 7.16% for general employees and 8.81% for police and firefighters. The employer contribution rate, as a percent of covered payroll, is set by the Retirement Board and was 11.94% for general employees and 12.28% for police and firefighters. The City's contributions were \$465,534 for the year ended September 30, 2020.

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

-Continued

*Pension Liabilities, Pension Expense (Revenue), and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions.*

At September 30, 2020, the City reported a liability for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2020, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's share of contributions in the Base Plan pension plan relative to the total contributions of all participating PERSI Base Plan employers. At June 30, 2020, the City's proportion was 0.0833870 percent.

For the year ended September 30, 2020, the City recognized pension expense (revenue) of \$299,880. At September 30, 2020, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<b>Deferred Outflows of Resources</b>	<b>Deferred Inflows of Resources</b>
Differences between expected and actual experience	\$ 151,288	\$ 63,227
Changes in assumptions or other inputs	\$ 32,747	
Net difference between projected and actual earnings on pension plan investments	\$ 221,944	
Changes in the employer's proportion and differences between the employer's contributions and the employer's proportionate contributions	\$(116,383)	
City's contributions subsequent to the measurement date	\$ 116,383	
<b>Total</b>	<b>\$ 405,979</b>	<b>\$ 63,227</b>

\$ 116,383 reported as deferred outflows of resources related to pensions resulting from Employer contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending September 30, 2021.

The average of the expected remaining service lives of all employees that are provided with pensions through the System (active and inactive employees) determined at July 1, 2019 the beginning of the measurement period ended June 30, 2019 is 4.8 and 4.8 for the measurement period June 30, 2020.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense (revenue) as follows:

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

-Continued

**Year ended September 30, 2020:**

2021	\$ 6,254
2022	\$ 81,567
2023	\$ 110,706
2024	\$ 144,227

*Actuarial Assumptions*

Valuations are based on actuarial assumptions, the benefit formulas, and employee groups. Level percentages of payroll normal costs are determined using the Entry Age Normal Cost Method. Under the Entry Age Normal Cost Method, the actuarial present value of the projected benefits of each individual included in the actuarial valuation is allocated as a level percentage of each year's earnings of the individual between entry age and assumed exit age. The Base Plan amortizes any unfunded actuarial accrued liability based on a level percentage of payroll. The maximum amortization period for the Base Plan permitted under Section 59-1322, Idaho Code, is 25 years.

The total pension liability in the June 30, 2019 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	3.00%
Salary increases	3.75%
Salary inflation	3.75%
Investment rate of return	7.05%, net of investment expenses
Cost-of-living adjustments	1%

Mortality rates were based on the RP – 2000 combined table for healthy males or females as appropriate with the following offsets:

- Set back 3 years for teachers
- No offset for male fire and police
- Forward one year for female fire and police
- Set back one year for all general employees and all beneficiaries

An experience study was performed for the period July 1, 2013 through June 30, 2017 which reviewed all economic and demographic assumptions including mortality. The Total Pension Liability as of June 30, 2020 is based on the results of an actuarial valuation date of July 1, 2020.

The long-term expected rate of return on pension plan investments was determined using the building block approach and a forward-looking model in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighing the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

-Continued

Even though history provides a valuable perspective for setting the investment return assumption, the System relies primarily on an approach which builds upon the latest capital market assumptions. Specifically, the System uses consultants, investment managers and trustees to develop capital market assumptions in analyzing the System's asset allocation. The assumptions and the System's formal policy for asset allocation are shown below. The formal asset allocation policy is somewhat more conservative than the current allocation of System's assets. The best-estimate range for the long-term expected rate of return is determined by adding expected inflation to expected long-term real returns and reflecting expected volatility and correlation. The capital market assumptions are as of 2020.

**Capital Market Assumptions from Callan 2020**

Asset Class	Target Allocation	Long-Term Expected Nominal Rate of Return (Arithmetic)	Long-Term Expected Real Rate of Return (Arithmetic)
Core Fixed Income	30.00%	2.80%	0.55%
Broad US Equities	55.00%	8.55%	6.30%
Developed Foreign Equities	15.00%	8.70%	6.45%
Assumed Inflation - Mean		2.25%	2.25%
Assumed Inflation - Standard Deviation		1.50%	1.50%
Portfolio Arithmetic Mean Return		6.85%	4.60%
Portfolio Standard Deviation		12.33%	12.33%
Portfolio Long-Term (Geometric) Expected Rate of Return		6.25%	3.89%
Assumed Investment Expenses		0.40%	0.40%
Portfolio Long-Term (Geometric) Expected Rate of Return, Net of Investment Expenses		5.85%	3.49%

**CITY OF KETCHUM, IDAHO**  
**Notes to the Financial Statements**  
**September 30, 2020**

-Continued

*Discount Rate*

The discount rate used to measure the total pension liability was 7.05%. The projection of cash flows used to determine the discount rate assumed that contributions from plan members will be made at the current contribution rate. Based on these assumptions, the pension plans' net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability. The long-term expected rate of return was determined net of pension plan investment expense but without reduction for pension plan administrative expense.

*Sensitivity of the Employer's proportionate share of the net pension liability to changes in the discount rate.*

The following presents the Employer's proportionate share of the net pension liability calculated using the discount rate of 7.05%, as well as what the Employer's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.05%) or 1-percentage-point higher (8.05%) than the current rate:

	<b>1% Decrease (6.05%)</b>	<b>Current Discount Rate (7.05%)</b>	<b>1% Increase (8.05%)</b>
Employer's proportionate share of the net pension liability (asset)	\$ 1,955,723	\$ 1,936,359	\$ 1,916,995

*Pension plan fiduciary net position*

Detailed information about the pension plan's fiduciary net position is available in the separately issued PERSI financial report.

PERSI issues a publicly available financial report that includes financial statements and the required supplementary information for PERSI. That report may be obtained on the PERSI website at [www.persi.idaho.gov](http://www.persi.idaho.gov)

*Payables to the pension plan*

At September 30, 2020, the City reported payables to the defined benefit pension plan of \$ 0 for legally required employer contributions and \$ 0 for legally required employee contributions which had been withheld from employee wages but not yet remitted to PERSI.

**NOTE 13 – SUBSEQUENT EVENTS**

Subsequent events were evaluated through the date of the auditor's report, which is the date the financial statements were available to be issued.

**REQUIRED  
SUPPLEMENTARY INFORMATION**

**CITY OF KETCHUM, IDAHO**  
**Schedule of Revenues, Expenditures and Changes in Fund Balances**  
**Budget and Actual -- General Fund**  
**for the year ended September 30, 2020**

	<u>Actual Amounts</u>	<u>Original Budget Amounts</u>	<u>Final Budget Amounts</u>	<u>Variance with Final Budget Positive (Negative)</u>
<b>REVENUE:</b>				
Property taxes	\$ 4,449,477	\$ 4,351,495	\$ 4,351,495	\$ 97,982
Local Option sales taxes				
Franchises, licenses, permits	733,660	606,300	606,300	127,360
State of Idaho shared revenue	1,014,543	945,517	945,517	69,026
State of Idaho sales tax	78,308	103,615	103,615	(25,307)
State of Idaho liquor receipts	401,989	368,100	368,100	33,889
State highway user collections	132,411	130,075	130,075	2,336
Penalty and interest on property taxes	13,915	10,000	10,000	3,915
County court and parking fines	94,814	42,000	42,000	52,814
Fees, fines and charges for services	2,989,852	2,977,781	2,977,781	12,071
Grants and contributions	40,511	0	0	40,511
Earnings on investments	65,890	45,000	45,000	20,890
Miscellaneous	86,224	78,260	78,260	7,964
<b>Total Revenue</b>	<u>10,101,594</u>	<u>9,658,143</u>	<u>9,658,143</u>	<u>443,451</u>
<b>EXPENDITURES:</b>				
General Government	4,031,370	4,129,736	4,129,736	98,366
Public Safety	3,806,246	3,847,532	3,847,532	41,286
Streets	1,733,828	1,992,132	1,992,132	258,304
Capital outlay				
Parks and Recreation	443,870	552,035	552,035	108,165
Transportation				
Affordable Housing				
Debt Service				
<b>Total Expenditures</b>	<u>10,015,314</u>	<u>10,521,435</u>	<u>10,521,435</u>	<u>506,121</u>
<b>EXCESS REVENUE (EXPENDITURES)</b>	86,280	(863,292)	(863,292)	949,572
<b>OTHER FINANCING SOURCES (USES):</b>				
Operating transfers from other funds	1,103,317	1,103,317	1,103,317	0
Operating transfers (to) other funds	(240,025)	(240,025)	(240,025)	0
<b>NET CHANGE IN FUND BALANCES</b>	949,572	0	0	949,572
<b>FUND BALANCE - BEGINNING</b>	<u>3,404,834</u>	<u>3,404,834</u>	<u>3,404,834</u>	
<b>FUND BALANCE - ENDING</b>	<u>\$ 4,354,406</u>	<u>3,404,834</u>	<u>\$ 3,404,834</u>	

**CITY OF KETCHUM, IDAHO**  
**Schedule of Revenues, Expenditures and Changes in Fund Balances**  
**Budget and Actual -- City Sales Tax Fund**  
**for the year ended September 30, 2020**

	<u>Actual Amounts</u>	<u>Original Budget Amounts</u>	<u>Final Budget Amounts</u>	<u>Variance with Final Budget Positive (Negative)</u>
<b>REVENUE:</b>				
Property taxes	\$	\$	\$	\$
Local Option sales taxes	4,726,383	4,721,861	4,721,861	4,522
Franchises, licenses, permits				0
State of Idaho shared revenue				
State of Idaho sales tax				
State of Idaho liquor receipts				
State highway user collections				
Penalty and interest on property taxes				
County court fines				
Fees, fines and charges for services				
Grants and contributions				
Earnings on investments	492	1,000	1,000	(508)
Miscellaneous				
	<u>4,726,875</u>	<u>4,722,861</u>	<u>4,722,861</u>	<u>4,014</u>
<b>Total Revenue</b>				
<b>EXPENDITURES:</b>				
General Government	28,091	78,000	78,000	49,909
Public Safety	152,282	147,847	147,847	(4,435)
Streets				
Capital outlay				
Parks and Recreation				
Transportation	3,180,314	3,180,314	3,180,314	0
Affordable Housing				
Debt Service				
	<u>3,360,687</u>	<u>3,406,161</u>	<u>3,406,161</u>	<u>45,474</u>
<b>Total Expenditures</b>				
<b>EXCESS REVENUE (EXPENDITURES)</b>	1,366,188	1,316,700	1,316,700	49,488
<b>OTHER FINANCING SOURCES (USES):</b>				
Operating transfers from other funds				0
Operating transfers (to) other funds	(1,145,817)	(1,316,700)	(1,316,700)	(170,883)
<b>NET CHANGE IN FUND BALANCES</b>	220,371	0	0	(121,395)
<b>FUND BALANCE - BEGINNING</b>	<u>653,491</u>	<u>653,491</u>	<u>653,491</u>	
<b>FUND BALANCE - ENDING</b>	<u>\$ 873,862</u>	<u>\$ 653,491</u>	<u>\$ 653,491</u>	



**CITY OF KETCHUM, IDAHO**  
**Schedule of Revenues, Expenditures and Changes in Fund Balances**  
**Budget and Actual -- In-Lieu Housing Fund**  
**for the year ended September 30, 2020**

	<u>Actual Amounts</u>	<u>Original Budget Amounts</u>	<u>Final Budget Amounts</u>	<u>Variance with Final Budget Positive (Negative)</u>
<b>REVENUE:</b>				
Property taxes	\$	\$	\$	\$
Local Option sales taxes				
Franchises, licenses, permits				
State of Idaho shared revenue				
State of Idaho sales tax				
State of Idaho liquor receipts				
State highway user collections				
Penalty and interest on property taxes				
County court fines				
Fees, fines and charges for services				0
Grants and contributions				
Earnings on investments	40,906	36,000	36,000	4,906
Miscellaneous				0
	<u>40,906</u>	<u>36,000</u>	<u>36,000</u>	<u>4,906</u>
<b>Total Revenue</b>	<u>40,906</u>	<u>36,000</u>	<u>36,000</u>	<u>4,906</u>
<b>EXPENDITURES:</b>				
General Government				0
Public Safety				
Streets				
Capital outlay	208,045	2,200,000	2,200,000	(1,991,955)
Parks and Recreation				
Transportation				
Affordable Housing	75,000	75,000	75,000	0
Debt Service				
	<u>283,045</u>	<u>2,275,000</u>	<u>2,275,000</u>	<u>(1,991,955)</u>
<b>Total Expenditures</b>	<u>283,045</u>	<u>2,275,000</u>	<u>2,275,000</u>	<u>(1,991,955)</u>
<b>EXCESS REVENUE (EXPENDITURES)</b>	(242,139)	(2,239,000)	(2,239,000)	(1,987,049)
<b>OTHER FINANCING SOURCES (USES):</b>				
Operating transfers from other funds				
Operating transfers (to) other funds				
<b>NET CHANGE IN FUND BALANCES</b>	(242,139)	(2,239,000)	(2,239,000)	(1,987,049)
<b>FUND BALANCE - BEGINNING</b>	<u>2,587,592</u>	<u>2,587,592</u>	<u>2,587,592</u>	
<b>FUND BALANCE - ENDING</b>	<u>\$ 2,345,453</u>	<u>\$ 348,592</u>	<u>\$ 348,592</u>	

**CITY OF KETCHUM, IDAHO**  
**Schedule of Revenues, Expenditures and Changes in Fund Balances**  
**Budget and Actual -- Fire Construction Fund**  
**for the year ended September 30, 2020**

	<u>Actual Amounts</u>	<u>Original Budget Amounts</u>	<u>Final Budget Amounts</u>	<u>Variance with Final Budget Positive (Negative)</u>
<b>REVENUE:</b>				
Property taxes	\$	\$	\$	\$
Local Option sales taxes				
Franchises, licenses, permits				
State of Idaho shared revenue				
State of Idaho sales tax				
State of Idaho liquor receipts				
State highway user collections				
Penalty and interest on property taxes				
County court fines				
Fees, fines and charges for services				
Grants, contributions, bond proceeds	11,500,000	0	11,500,000	0
Earnings on investments	57,875	0	0	57,875
Miscellaneous				
<b>Total Revenue</b>	<u>11,557,875</u>	<u>0</u>	<u>11,500,000</u>	<u>57,875</u>
<b>EXPENDITURES:</b>				
General Government				
Public Safety				
Streets				
Capital outlay	1,796,490	0	2,000,000	(203,510)
Parks and Recreation				
Transportation				
Affordable Housing				
Debt Service				
<b>Total Expenditures</b>	<u>1,796,490</u>	<u>0</u>	<u>2,000,000</u>	<u>(203,510)</u>
<b>EXCESS REVENUE (EXPENDITURES)</b>	9,761,385	0	9,500,000	(145,635)
<b>OTHER FINANCING SOURCES (USES):</b>				
Operating transfers from other funds				
Operating transfers (to) other funds				
<b>NET CHANGE IN FUND BALANCES</b>	9,761,385	0	9,500,000	(145,635)
<b>FUND BALANCE - BEGINNING</b>	<u>0</u>	<u>0</u>	<u>0</u>	
<b>FUND BALANCE - ENDING</b>	<u>\$ 9,761,385</u>	<u>\$ 0</u>	<u>\$ 9,500,000</u>	

**CITY OF KETCHUM, IDAHO**  
**PUBLIC EMPLOYEE PENSION INFORMATION**  
For the year ended September 30, 2020

**Required Supplementary Information**

**Schedule of Employer's Share of Net Pension Liability**  
**PERSI - Base Plan**  
**Last 10 - Fiscal Years\***

	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>
Employer's portion of the net pension liability	.0865200%	.0799402%	.0866389%	.0857958%	.0889864%
Employer's proportionate share of the net pension liability	\$ 987,602	\$ 1,179,132	\$ 1,361,816	\$ 1,739,214	\$ 1,171,806
Employer's covered-employee payroll	\$ 3,625,685	\$ 3,742,286	\$ 3,585,052	\$ 3,435,203	\$ 2,691,486
Employer's proportional share of the net pension liability as a percentage of its covered-employee payroll	27.24%	31.51%	37.99%	50.63%	43.54%
Plan fiduciary net position as a percentage of the total pension liability	93.79%	91.69%	90.68%	87.26%	91.38%
					<u>2020</u>
Employer's portion of the net pension liability					.0833870%
Employer's proportionate share of the net pension liability				\$ 1,936,356	
Employer's covered-employee payroll				\$ 3,822,116	
Employer's proportional share of the net pension liability as a percentage of its covered-employee payroll					50.66%
Plan fiduciary net position as a percentage of the total pension liability					88.22%

\* GASB Statement No. 68 required ten years of information to be presented in this table. However, until a full 10-year trend is compiled, the City will present information for those years for which information is available.

Data reported is measured as of June 30, 2020

**Schedule of Employer's Contributions**  
**PERSI - Base Plan**  
**Last 10 - Fiscal Years\***

	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>
Statutorily required contributions	\$ 441,262	\$ 455,247	\$ 445,468	\$ 425,702	\$ 393,730
Contributions in relation to the statutorily required contribution	\$ (441,262)	\$ (455,247)	\$ (445,468)	\$ (425,702)	\$ (393,730)
Contribution (deficiency) excess	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Employer's covered-employee payroll	\$ 3,625,685	\$ 3,742,286	\$ 3,585,052	\$ 3,435,203	\$ 2,691,486
Contributions as a percentage of covered-employee payroll	12.17%	12.16%	12.43%	12.39%	12.03%
					<u>2020</u>
Statutorily required contributions				\$ 465,534	
Contributions in relation to the statutorily required contribution				\$ (465,534)	
Contribution (deficiency) excess				\$ 0	
Employer's covered-employee payroll				\$ 3,822,116	
Contributions as a percentage of covered-employee payroll					12.18%

**OTHER  
SUPPLEMENTARY INFORMATION**

**CITY OF KETCHUM, IDAHO**  
**Combining Balance Sheets**  
**Combining Other Governmental Funds**  
**at September 30, 2020**

	<u>General Capital Improvement Fund</u>	<u>Street Capital Improvement Fund</u>	<u>Law Enforce Capital Improvement Fund</u>	<u>Fire/Rescue Capital Improvement Fund</u>
<b>ASSETS:</b>				
Cash and Cash Deposits	\$ 1,457,076	\$ 502,837	\$ 23,561	\$ 349,765
Taxes Receivable				
Due From Other Governments				
<b>Total Assets</b>	<u>\$ 1,457,076</u>	<u>\$ 502,837</u>	<u>\$ 23,561</u>	<u>\$ 349,765</u>
<b>LIABILITIES:</b>				
Accounts Payable	\$	\$	\$	\$
Funds Held in Trust				
Due To Other Funds				
<b>Total Liabilities</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>FUND BALANCE:</b>				
Non-spendable				
Restricted				
Committed				
Assigned	1,457,076	502,837	23,561	349,765
Unassigned				
<b>Total Fund Balance</b>	<u>1,457,076</u>	<u>502,837</u>	<u>23,561</u>	<u>349,765</u>
<b>Total Liabilities and Fund Balance</b>	<u>\$ 1,457,076</u>	<u>\$ 502,837</u>	<u>\$ 23,561</u>	<u>\$ 349,765</u>

The accompanying notes are a part of these financial statements.

<u>Parks Capital Improvement Fund</u>	<u>GO Bond Debt Fund</u>	<u>Wagon Days Fund</u>	<u>Police/Fire Trust Fund</u>	<u>Community Development Trust Fund</u>	<u>Park Trust Fund</u>	<u>Total Governmental Funds</u>
\$ 59,592	\$ 3,212	\$ 44,741	\$ 101,466	\$ 96,474	\$ 161,124	\$ 2,799,848
						0
						0
<u>\$ 59,592</u>	<u>\$ 3,212</u>	<u>\$ 44,741</u>	<u>\$ 101,466</u>	<u>\$ 96,474</u>	<u>\$ 161,124</u>	<u>\$ 2,799,848</u>
\$	\$	\$	\$	\$	\$	\$
				96,474		0
						96,474
						0
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>96,474</u>	<u>0</u>	<u>96,474</u>
						0
			101,466		161,124	262,590
						0
59,592	3,212	44,741				2,440,784
						0
<u>59,592</u>	<u>3,212</u>	<u>44,741</u>	<u>101,466</u>	<u>0</u>	<u>161,124</u>	<u>2,703,374</u>
<u>\$ 59,592</u>	<u>\$ 3,212</u>	<u>\$ 44,741</u>	<u>\$ 101,466</u>	<u>\$ 96,474</u>	<u>\$ 161,124</u>	<u>\$ 2,799,848</u>

The accompanying notes are a part of these financial statements.

**CITY OF KETCHUM, IDAHO**  
**Statement of Revenues, Expenditures, and Changes in Fund Balances**  
**Combining Other Governmental Funds**  
**for the year ended September 30, 2020**

	<u>General Capital Improvement Fund</u>	<u>Street Capital Improvement Fund</u>	<u>Law Enforce Capital Improvement Fund</u>	<u>Fire/Rescue Capital Improvement Fund</u>
<b>REVENUE:</b>				
Property taxes	\$	\$	\$	\$
Local Option sales taxes				
Franchises, licenses, permits	261,605			
State of Idaho shared revenue				
State of Idaho sales tax				
State of Idaho liquor receipts				
State highway user collections				
Penalty and interest on property taxes				
Proceeds from sale of assets				
Fees and charges for services	324,881	154,937	4,129	83,607
Grants and contributions				
Earnings on investments	15,339	6,219	251	4,414
Miscellaneous				
	<u>601,825</u>	<u>161,156</u>	<u>4,380</u>	<u>88,021</u>
<b>Total Revenue</b>				
<b>EXPENDITURES:</b>				
General Government				
Public Safety				
Streets				
Capital outlay	379,271	33,974		73,535
Parks and Recreation				
Transportation				
Affordable Housing				
Debt Service				
	<u>379,271</u>	<u>33,974</u>	<u>0</u>	<u>73,535</u>
<b>Total Expenditures</b>				
<b>EXCESS REVENUE (EXPENDITURES)</b>	222,554	127,182	4,380	14,486
<b>OTHER FINANCING SOURCES (USES):</b>				
Operating transfers from other funds				90,518
Operating transfers (to) other funds				
	<u>222,554</u>	<u>127,182</u>	<u>4,380</u>	<u>105,004</u>
<b>NET CHANGE IN FUND BALANCES</b>				
FUND BALANCE - BEGINNING	<u>1,234,522</u>	<u>375,655</u>	<u>19,181</u>	<u>244,761</u>
FUND BALANCE - ENDING	\$ <u><u>1,457,076</u></u>	\$ <u><u>502,837</u></u>	\$ <u><u>23,561</u></u>	\$ <u><u>349,765</u></u>

The accompanying notes are a part of these financial statements.

<u>Parks Capital Improvement Fund</u>	<u>GO Bond Debt Fund</u>	<u>Wagon Days Fund</u>	<u>Police/Fire Trust Fund</u>	<u>Community Development Trust Fund</u>	<u>Park Trust Fund</u>	<u>Total Governmental Funds</u>
\$	\$	\$	\$	\$	\$	\$
						0
						0
						261,605
						0
						0
						0
						0
						0
52,110		95		253,598		873,357
		250			13,672	13,922
265	441	314	1,615	4	1,963	30,825
						0
<u>52,375</u>	<u>441</u>	<u>659</u>	<u>1,615</u>	<u>253,602</u>	<u>15,635</u>	<u>1,179,709</u>
		15,693		253,602		269,295
						0
						0
					8,500	495,280
					36,666	36,666
						0
						0
	<u>149,835</u>					<u>149,835</u>
<u>0</u>	<u>149,835</u>	<u>15,693</u>	<u>0</u>	<u>253,602</u>	<u>45,166</u>	<u>951,076</u>
52,375	(149,394)	(15,034)	1,615	0	(29,531)	228,633
	149,507	42,500				282,525
						0
<u>52,375</u>	<u>113</u>	<u>27,466</u>	<u>1,615</u>	<u>0</u>	<u>(29,531)</u>	<u>511,158</u>
<u>7,217</u>	<u>3,099</u>	<u>17,275</u>	<u>99,851</u>	<u>0</u>	<u>190,655</u>	<u>2,192,216</u>
<u>\$ 59,592</u>	<u>\$ 3,212</u>	<u>\$ 44,741</u>	<u>\$ 101,466</u>	<u>\$ 0</u>	<u>\$ 161,124</u>	<u>\$ 2,703,374</u>

The accompanying notes are a part of these financial statements.



**CITY OF KETCHUM, IDAHO**  
**Bond-Future Principal and Interest Requirements**  
**at September 30, 2020**

	Annual Payment			
	Interest Rate	Fiscal Year	Principal Payment	Interest Payment
General Obligation Bond:				
\$1,550,000 General Obligation Bonds				
Series June 5, 2007				
3.72% - 4.43%				
	4.43%	2021	\$ 143,000	\$ 6,335
			\$ 143,000	\$ 6,335

	Annual Payment			
	Interest Rate	Fiscal Year	Principal Payment	Interest Payment
General Obligation Bond:				
\$11,500,000 General Obligation Bonds				
Series 2020				
	5.00%	2021	\$ 145,000	\$ 468,784
	5.00%	2022	305,000	307,019
	5.00%	2023	320,000	291,769
	5.00%	2024	335,000	275,769
	5.00%	2025	355,000	259,019
	5.00%	2026	370,000	241,269
	5.00%	2027	390,000	222,769
	5.00%	2028	410,000	203,269
	5.00%	2029	430,000	182,769
	2.00%	2030	450,000	161,269
	2.00%	2031	460,000	152,269
	2.00%	2032	470,000	143,069
	2.00%	2033	480,000	133,669
	2.00%	2034	490,000	124,069
	2.00%	2035	495,000	114,269
	2.00%	2036	505,000	104,369
	2.00%	2037	520,000	94,269
	2.00%	2038	530,000	83,869
	2.00%	2039	540,000	73,269
	2.125%	2040	550,000	62,468
	2.150%	2041	560,000	50,780
	2.125%	2042	575,000	38,881
	2.250%	2043	585,000	26,661
	2.250%	2044	600,000	13,500
			\$ 10,870,000	\$ 3,829,116

The accompanying notes are a part of these financial statements.

**CITY OF KETCHUM, IDAHO**  
**Bond-Future Principal and Interest Requirements**  
**at September 30, 2020**

	Annual Payment			
	Interest Rate	Fiscal Year	Principal Payment	Interest Payment
Water Revenue Bond:				
Water Refunding Bond 2016				
\$ 1,697,000, September 8, 2016				
1.74%				
	1.74%	2021	\$ 151,000	\$ 19,540
	1.74%	2022	152,000	16,912
	1.74%	2023	157,000	14,269
	1.74%	2024	162,000	11,537
	1.74%	2025	162,000	8,717
	1.74%	2026	166,000	5,899
	1.74%	2027	173,000	3,010
			<u>\$ 1,123,000</u>	<u>\$ 79,884</u>

The accompanying notes are a part of these financial statements.

**CITY OF KETCHUM, IDAHO**  
**Bond-Future Principal and Interest Requirements**  
**at September 30, 2020**

	Annual Payment			
	Interest Rate	Fiscal Year	Principal Payment	Interest Payment
Water Revenue Bond:				
Water Revenue Refunding Bonds 2015				
\$2,310,000, September 2, 2015				
2.00% - 5.00%				
	3.00%	2021	\$ 30,000	\$ 108,575
	4.00%	2022	30,000	107,675
	3.25%	2023	30,000	106,475
	5.00%	2024	30,000	105,500
	5.00%	2025	35,000	104,000
	5.00%	2026	35,000	102,250
	5.00%	2027	30,000	100,500
	5.00%	2028	255,000	99,000
	5.00%	2029	270,000	86,250
	5.00%	2030	285,000	72,750
	5.00%	2031	295,000	58,500
	5.00%	2032	310,000	43,750
	5.00%	2033	330,000	28,250
	5.00%	2034	235,000	11,750
			<u>\$ 2,200,000</u>	<u>\$ 1,135,225</u>

The accompanying notes are a part of these financial statements.

**CITY OF KETCHUM, IDAHO**  
**Bond-Future Principal and Interest Requirements**  
**at September 30, 2020**

Wastewater Revenue Bond:	Annual Payment			
	Interest Rate	Fiscal Year	Principal Payment	Interest Payment
Wastewater Revenue Refunding Bonds 2014				
\$1,950,000, November 18, 2014				
2.00% - 5.00%				
	5.00%	2021	\$ 205,000	\$ 56,000
	5.00%	2022	215,000	45,750
	5.00%	2023	220,000	35,000
	5.00%	2024	230,000	24,000
	5.00%	2025	250,000	12,500
			\$ 1,120,000	\$ 173,250

The accompanying notes are a part of these financial statements.

2190 Village Park Avenue, Suite 300 • Twin Falls, ID 83301 • 208.733.1161 • Fax: 208.733.6100

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING  
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL  
STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

November 6, 2020

To the City Council  
City of Ketchum, Idaho

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Ketchum, Idaho, as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the City of Ketchum, Idaho's basic financial statements, and have issued our report thereon dated November 6, 2020.

### **Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the City of Ketchum, Idaho's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City of Ketchum, Idaho's internal control. Accordingly, we do not express an opinion on the effectiveness of the City of Ketchum, Idaho's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the City of Ketchum, Idaho's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Report Continued—

**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*Workman & Company*

WORKMAN AND COMPANY  
Certified Public Accountants  
Twin Falls, Idaho



City of Ketchum  
City Hall

December 21, 2020

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

**Request to Approve Contract #20575 with CSHQA  
for Design Development for the New City Hall at 191 5<sup>th</sup> Street**

Recommendation and Summary

Staff requests City Council approve contract #20575 with CSHQA to proceed with detailed drawings for the new city hall project.

The reasons for the recommendation are as follows:

- Plans provide for minimal upgrades to existing building.
- The city must relocate to the new city hall by summer 2021.
- Design development (detailed design) is necessary to obtain construction bids.

Introduction and History

In mid-October 2020, staff met with City Council to review proposed plans for the new city hall. The plans provided for a more robust remodel of the existing building at 191 5<sup>th</sup> Street, focused on the first floor of the building to better accommodate public functions such as a larger public meeting room (Council Chambers) and police space, as well as updated mechanical systems, roofing, exterior improvements, etc. Cost estimation was completed by CORE Construction for this approach and it was outside the city's current budget allowance. It is important to note that the existing building can accommodate city operations with minimal alterations; the first approach was geared toward reducing future disruptions via a phased improvement approach.

These factors, along with the time frame in which the city needs to vacate the current city hall, led staff to request short-term options to meet these terms and stay within budget. Two options were developed. The preferred plan is Option 1 (see attached), which includes an on-site meeting room. Initial cost estimates for the short-term plan range from \$750,000 to \$850,000. It is important to note, better cost estimates will be produced should the Council approve the next task order for CSHQA. Detailed drawings are necessary to continue value engineering the tenant improvements with CORE Construction.

### Analysis

On June 15, 2020, City Council approved a contract with CSHQA to perform programming tasks and develop conceptual designs and cost estimates for the project. On September 17, 2020, City Council approved the second phase of services from CSHQA, and a CM/GC contract with CORE Construction for preconstruction services. CSHQA services included further analysis of the project with the CM/GC to arrive at construction options and cost estimates.

In mid-October, staff gave a tour of the buildings to individual Councilmembers to review the initial plans for a more robust remodel of 191 5<sup>th</sup> Street. After further analysis of the full remodel design and estimated costs, staff worked with CSHQA and CORE to develop a phased tenant improvement plan for the building that would posture that asset for the long-term.

In this short-term plan, the first floor of the building offers a reception area, two conference rooms, a meeting room, administrative office space, and a reception area and offices for police with two entrances that can be secured. Secured storage for police is located in the basement. Finance and Clerk, along with Community Service Officers will occupy half of the second floor. City staff is working with the tenant on the east side of the second floor to better understand the timeframe for the vacation of the space. The third floor will house the Planning & Building Department and the IT room. This short-term plan will allow all existing city hall functions to relocate to the new facility by next summer.

No timeframe has been developed for the long-term remodel of the first and third floors. Staff will work on some scenarios and return to council for feedback. However, in the short-term depending on when tenant vacates, the city would like to complete the remainder of the second floor.

The remaining phases would include a larger Council meeting room and additional space for the police department on the first floor, conversion of offices on the third floor to meeting spaces, and basement and mechanical system improvements.

### Sustainability Impact

Reuse of existing buildings is best practice from a sustainability perspective versus new construction. The long-term improvement plan calls for new electrical, HVAC and low flow plumbing.

### Financial Requirement/Impact

The CSHQA contract will be funded through rents received from 191 5<sup>th</sup> Street.

### Attachment:

- Contract #20575
- Concept Drawings for Option #1
- Long-Term Proposed Tenant Improvements



**TASK ORDER AUTHORIZATION**

**Date:** December 17, 2020

Revised Task Order No.: 03

**Client:** City of Ketchum  
480 East Avenue North  
Ketchum, Idaho 83340

Project No.: 20126.000

**Project:** Ketchum City Hall  
191 Fifth Street  
Ketchum, Idaho 83340

**Description of Services:**

Provide limited architectural, interior design, and engineering (mechanical (plumbing and HVAC), electrical and telecommunications) Design Development services for the Ketchum City Hall remodel project. Our services are based on the Program and Conceptual Design Documents titled Minimal Package – Option #1, dated December 14, 2020; a building survey completed on June 17, 2020 and June 18, 2020; coordination with CORE construction and their cost estimate; and subsequent virtual meetings with the city Stakeholder group. This Task Order Authorization is also based on the Client providing and/or being responsible for the following:

- Security consultant for coordination of building security design.
- Audio Visual consultant for coordination of Audio-Visual design.

PROJECT UNDERSTANDING

Our proposal for Design Development documents is based on the SCOPE OF WORK NOTED BELOW. Our proposed fees assume that all work would occur within a single time frame. If additional tasks are requested beyond the tasks noted below, and at the City's request, CSHQA shall provide a fee to the City for approval to move forward with additional tasks.

**SCOPE OF WORK**

The following is a list of the anticipated construction scope of work:

- Limited removal of existing walls and construction of new walls to facilitate work shown on the Conceptual Plans, dated December 14, 2020, for the basement, first, second, and third floor plans.
- Removal of existing cabinetry, sinks, and other equipment to create useable office and circulation space.
- Reuse existing doors and hardware as much as is feasibly possible.
- Maintain existing exterior doors, hardware, and windows.
- Maintain the basement floor plan 'as is', except for:

## Task Order Authorization

Task Order No.: 03

Project Name, Location: Ketchum City Hall, Ketchum, Idaho

Project No.: 20126.000

Page 2 of 4

December 17, 2020

- Any work required to make required mechanical, electrical and fire protection modifications
- Modifications to existing basement storage units to accommodate Police storage.
- Code and ADA review and recommendations.
- Limited replacement of existing ceilings on the first, second and third floors to accommodate the new floor plan layout.
- Replacement of existing finishes where directed with a new interior design to create one (1) cohesive building on the first, second and third floors.
- Maintain existing building exit stairs and elevator.
- Minor modifications to the existing fire protection system to accommodate the new floor plan layout.
- Minor modifications to the existing mechanical system to accommodate the new floor plan layout. The existing mechanical equipment will be reused and reoriented as needed. The existing mechanical system provides for two (2) zones on each floor. Each zone has a single control point, and individual controls are not possible with this system. This type of system can possibly provide occupants with discomfort depending on the setpoint of the control, during large temperature swings, and in spaces with large volumes of equipment.
- Minor modifications to the existing electrical system to accommodate the new floor plan layout. Existing panels and electrical infrastructure will be reused. New switches, outlets, and low voltage devices will be installed where needed to supplement the existing.
- Minor modifications to the existing lighting layout to accommodate the new floor plan layout. Existing lighting will be relocated to coordinate with the new floor plan layout and provide the appropriate foot candles.
- Modify first floor toilet rooms to be ADA accessible.
- Maintain multiple electrical services to the building. This means that the City will receive multiple bills for service in the building.
- Provide power to accommodate electronic hardware at doors where indicated by the Client.
- The mechanical engineer will utilize photos and survey notes to create a Design Development document set. Not all information is known at this time, and it may be necessary in future phases to perform additional survey work to confirm actual routing and placement of systems.
- The electrical engineer will utilize photos and survey notes to create a Design Development document set. Not all information is known at this time, and it may be necessary in future phases to perform additional survey work to confirm actual routing and placement of systems.
- Fire sprinkler and alarm modifications will not be included in the Design Development set and will be carried out through a design-build process with the Contractor's fire protection sub-contractor. The fire protection sub-contractor's work will include documenting the existing conditions and recommending a revised layout.
- LEED analysis and certification are not included in the scope of work at this time.
- Structural design is not anticipated at this time but may be necessary for Construction Documents to address changes to the roof.

**Task Order Authorization**

Task Order No.: 03

Project Name, Location: Ketchum City Hall, Ketchum, Idaho

Project No.: 20126.000

Page 3 of 4

December 17, 2020

**Task 03 – Design Development**

- Meet virtually to review Conceptual drawings and any potential changes, upon approval to proceed.
- Discuss and incorporate value engineering concepts.
- Develop a plan for phasing and Bid Alternates.
- Develop a project schedule for continuation through Construction.
- Participate in bi-monthly project meetings via Zoom or other electronic software with City stakeholders.
- Provide Architectural and Engineering Design Development level drawings.
- Provide Outline Specifications.

**Compensation shall be on a Payroll Cost basis not-to-exceed \$24,000.00 plus Reimbursable Expenses.**

*If the NTE is nearing the limit CSHQA will confer with the City for direction on how to proceed.*

*NOTE: Task 03 does not include a Design Development level cost estimate. If such estimate is requested, we can provide an estimate from a professional cost estimator. We anticipate this level of estimate to cost \$1,500-\$2,000.*

The terms and conditions of the original contract executed June 19, 2020, shall apply to the services provided in this Task Order Authorization. This Authorization shall be considered an addendum to the original contract with the Architect/Engineer.

This Task Order Authorization constitutes your acceptance and authorization for the Architect and/or Engineer to proceed with the services described above.

**Approved By:** \_\_\_\_\_  
Neil Bradshaw, Mayor

John D. Maulin  
Executive Vice President  
Electronic Signature  
2020.12.17 14:53:68-07'00'  
**Approved By:** \_\_\_\_\_  
John D. Maulin, Executive Vice President

Date: \_\_\_\_\_

Date: December 17, 2020

We appreciate this opportunity and look forward to continue working with you on this project. Please contact this office if you have any questions.

**Task Order Authorization**

Task Order No.: 03

Project Name, Location: Ketchum City Hall, Ketchum, Idaho

Project No.: 20126.000

Page 4 of 4

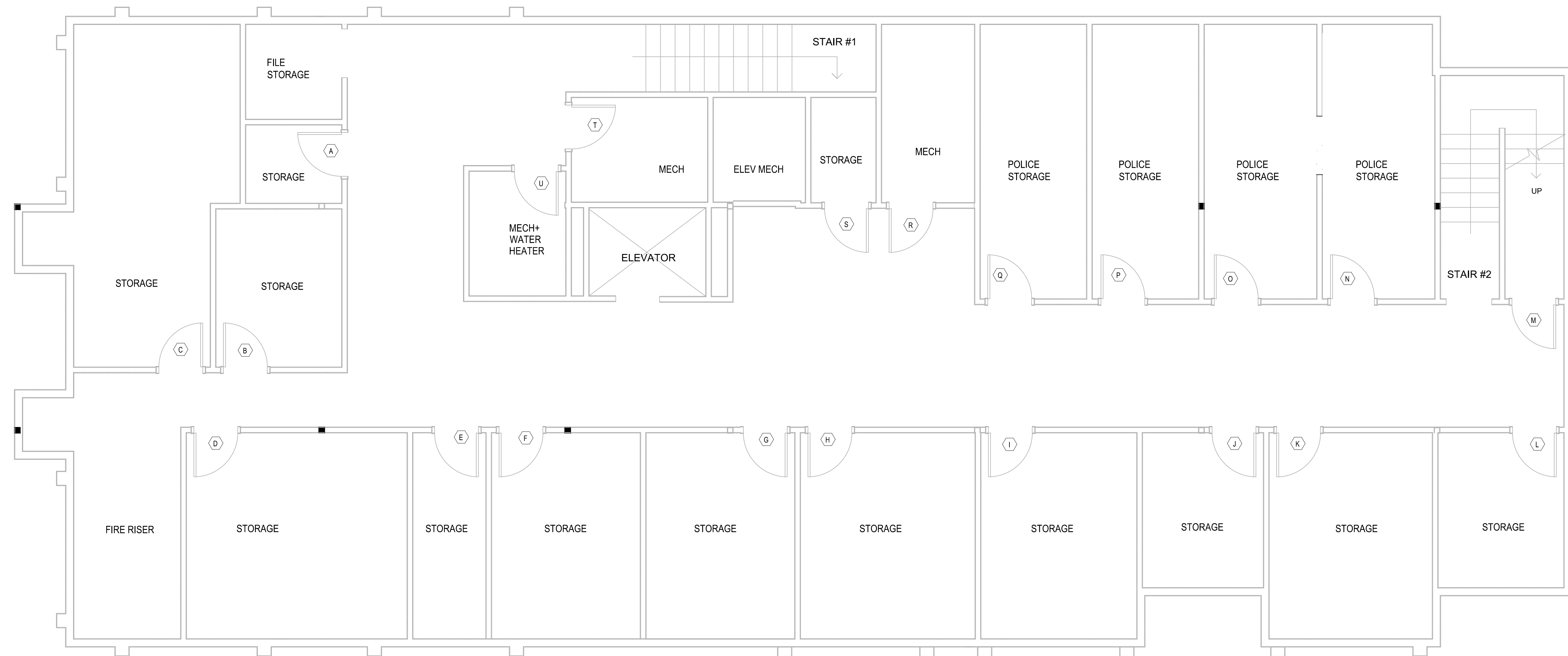
December 17, 2020

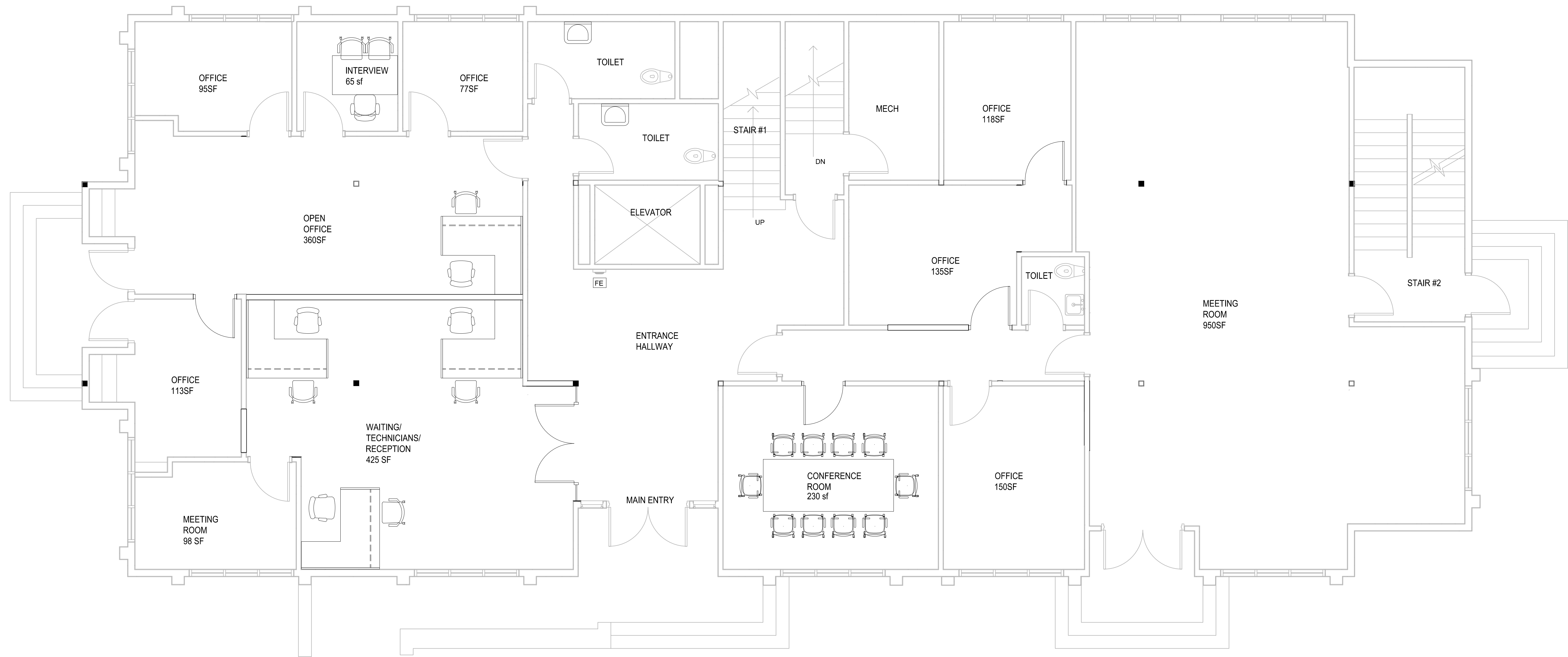
Sincerely,

CSHQA, Inc.

A handwritten signature in blue ink that reads "Danielle Weaver". The signature is written in a cursive, flowing style.

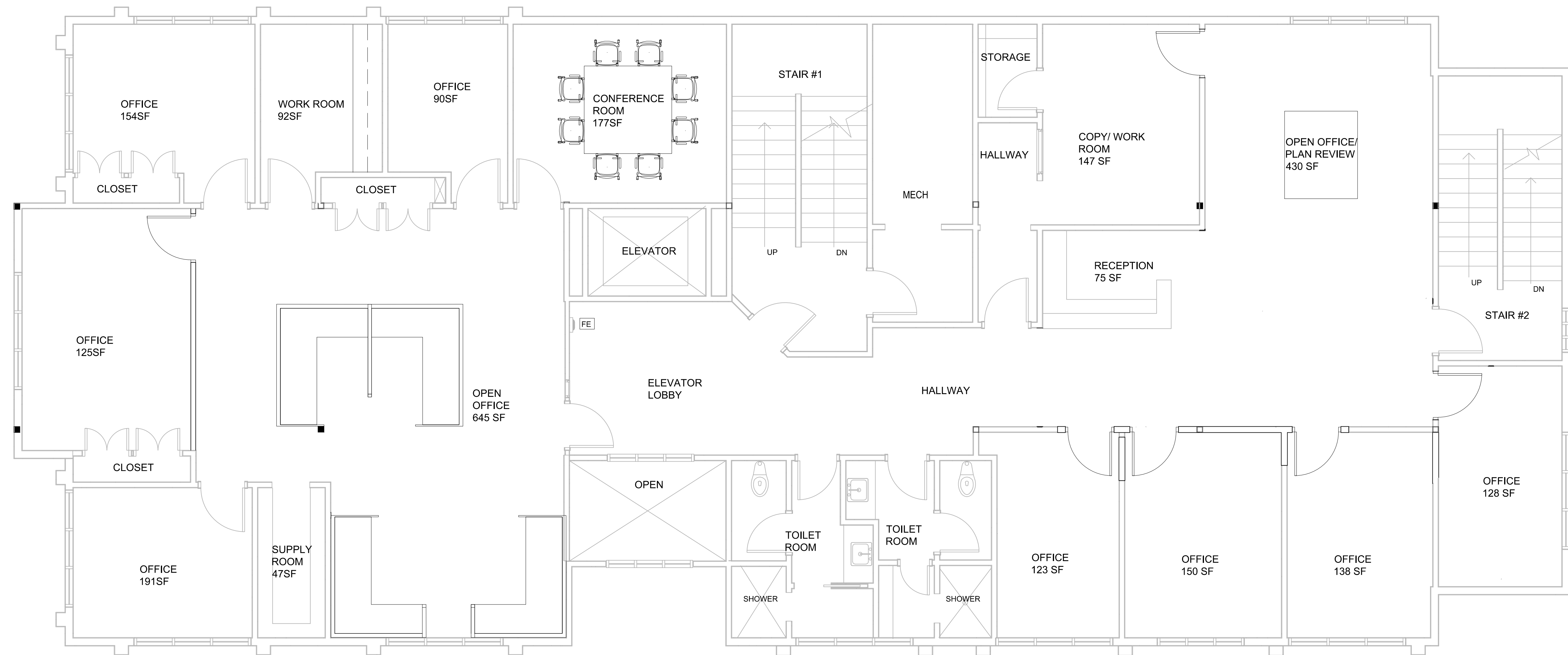
Danielle Weaver, AIA  
Project Manager

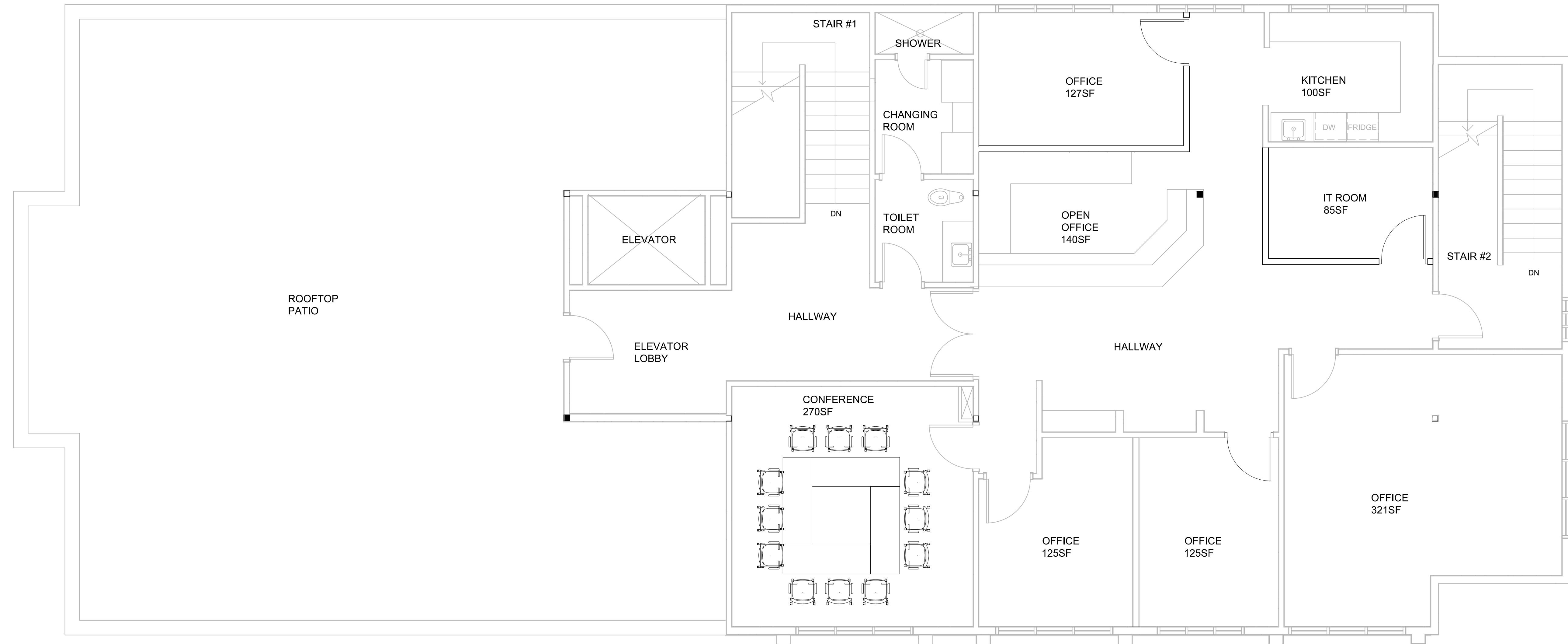




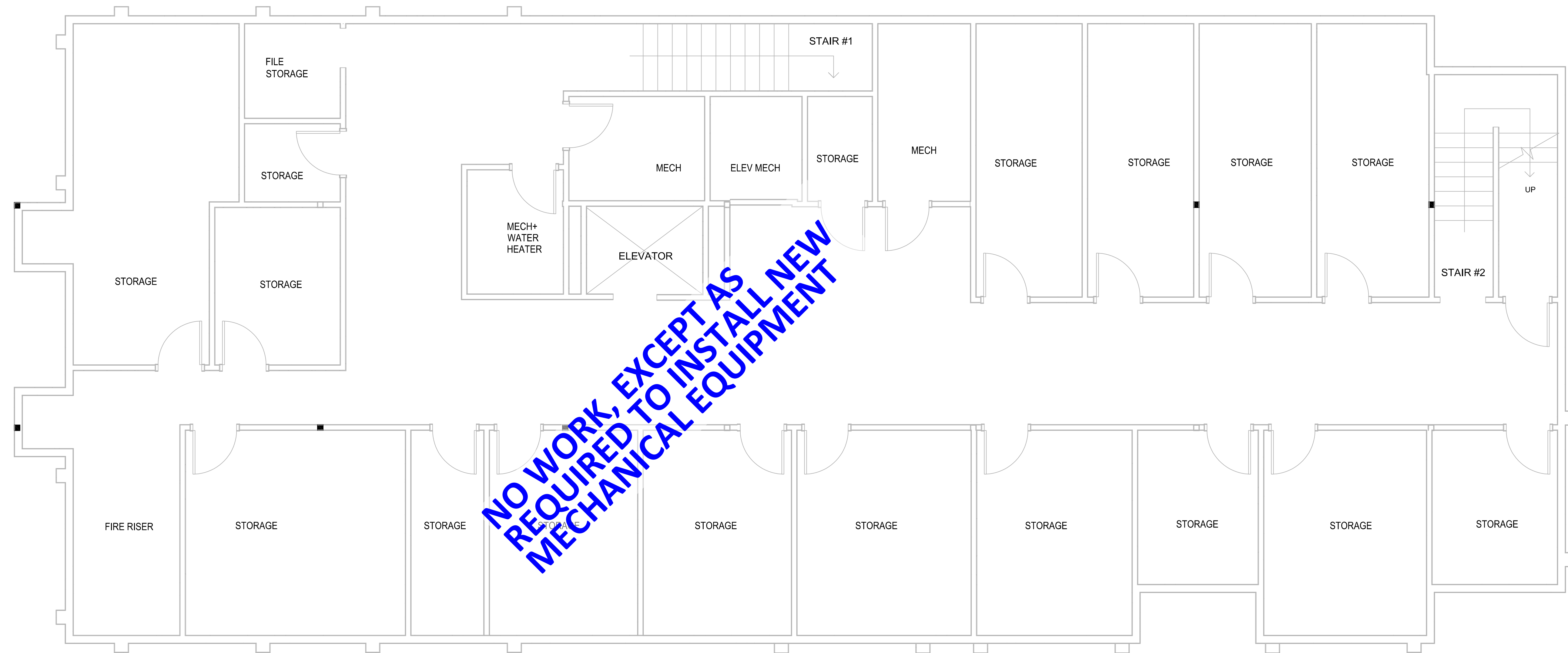
**MINIMAL PACKAGE - OPTION #1** - CONCEPTUAL FIRST FLOOR PLAN

1/4" = 1'-0"

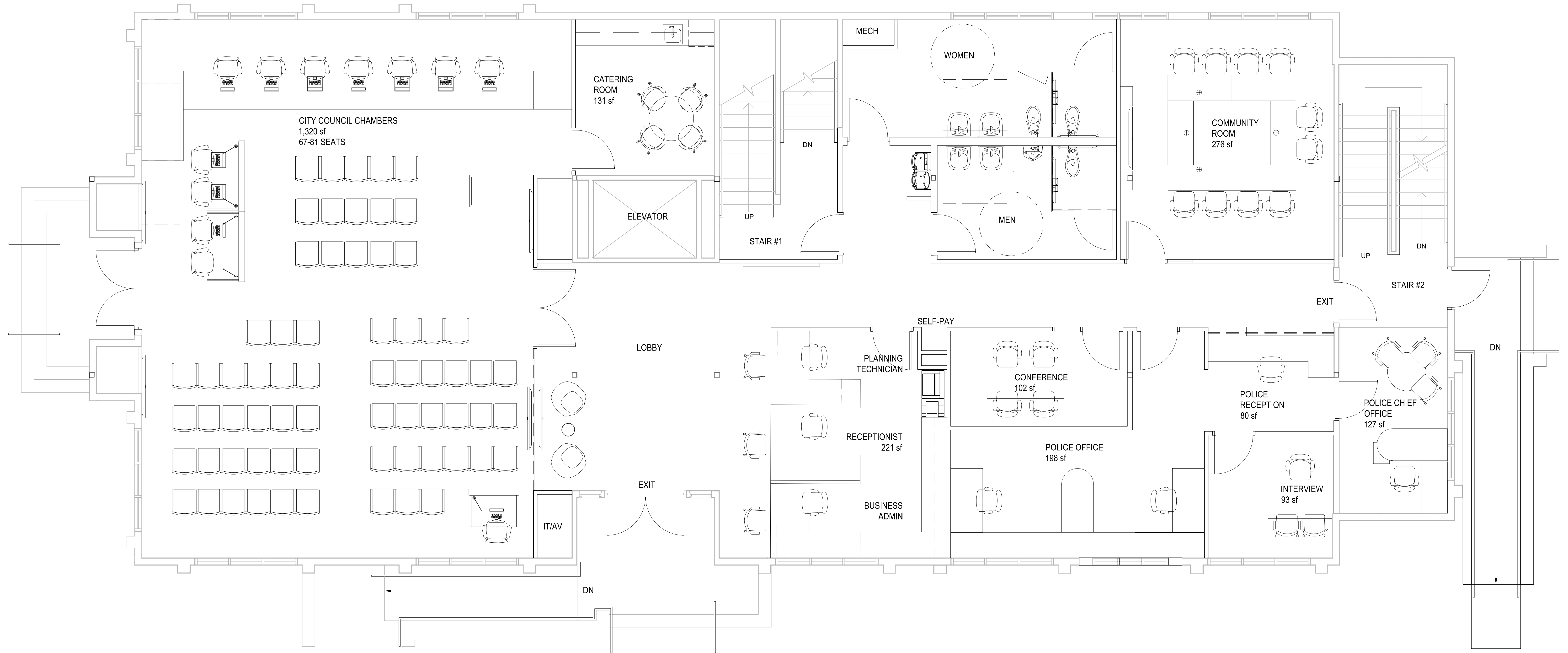








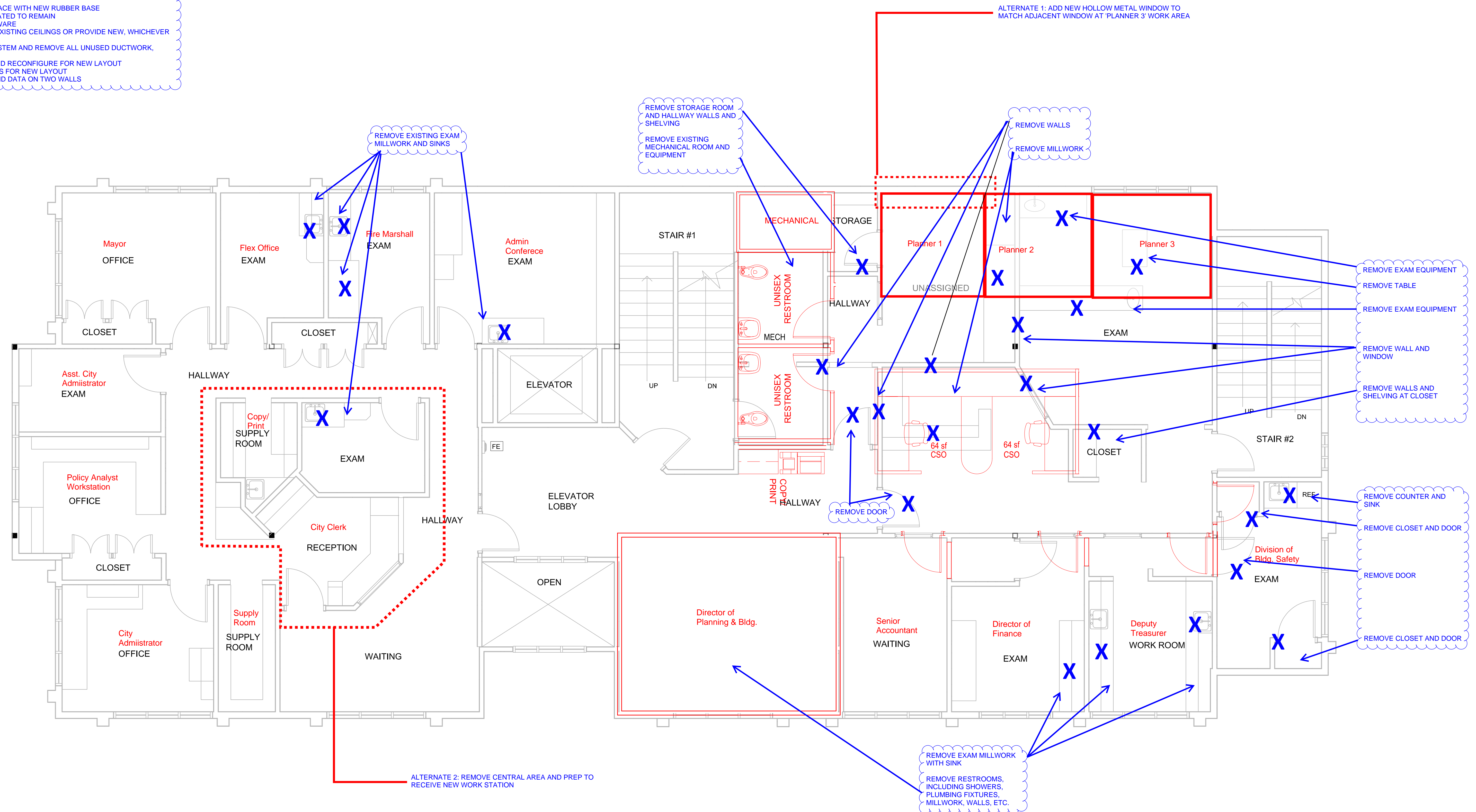
**EXISTING BASEMENT PLAN**  
1/4" = 1'-0"



REVISED CONCEPTUAL FIRST FLOOR PLAN

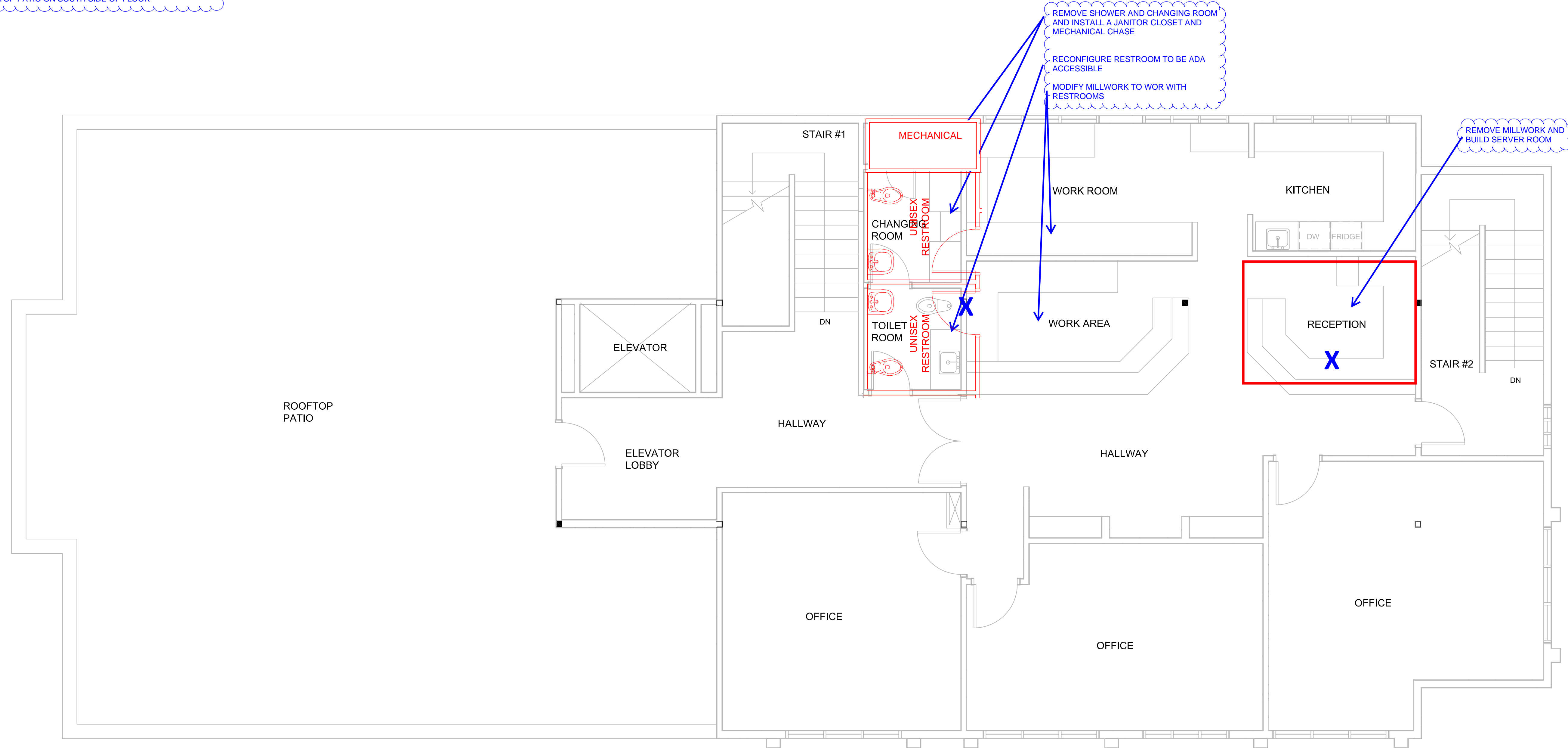
1/4" = 1'-0"

- NOTES:**
- REMOVE ALL CARPET, TILE AND SHEET VINYL FLOORING AND PROVIDE:
  - NEW CARPET IN HALLWAYS, OFFICES, AND CONFERENCE ROOMS
  - NEW SHEET VINYL IN STORAGE ROOMS
  - NEW CERAMIC/PORCELAIN TILE IN RESTROOMS
  - REPAIR WALLS WHERE WALLS, MILLWORK, AND EQUIPMENT WAS REMOVED
  - REMOVE ALL WALL MOUNTED EQUIPMENT, SUCH AS XRAY BOXES, PHONES, ETC.
  - PAINT ALL WALLS
  - REMOVE ALL WOOD BASE AND REPLACE WITH NEW RUBBER BASE
  - NO WORK TO EXISTING WOOD INDICATED TO REMAIN
  - REUSE EXISTING DOORS AND HARDWARE
  - CONTRACTOR'S OPTION TO REUSE EXISTING CEILINGS OR PROVIDE NEW, WHICHEVER IS MORE COST EFFECTIVE
  - REPLACE EXISTING MECHANICAL SYSTEM AND REMOVE ALL UNUSED DUCTWORK, PIPES, ETC.
  - REUSE EXISTING LIGHT FIXTURES AND RECONFIGURE FOR NEW LAYOUT
  - RECONFIGURE EXISTING SPRINKLERS FOR NEW LAYOUT
  - ALL OFFICES SHALL HAVE POWER AND DATA ON TWO WALLS



**EXISTING SECOND FLOOR PLAN**  
 1/4" = 1'-0"

- NOTES:
- REMOVE ALL CARPET, TILE AND SHEET VINYL FLOORING AND PROVIDE:
    - NEW CARPET IN HALLWAYS, OFFICES, AND CONFERENCE ROOMS
    - NEW SHEET VINYL IN STORAGE ROOMS
    - NEW CERAMIC/PORCELAIN TILE IN RESTROOMS
  - REPAIR WALLS WHERE WALLS, MILLWORK, AND EQUIPMENT WAS REMOVED
  - REMOVE ALL WALL MOUNTED EQUIPMENT, SUCH AS XRAY BOXES, PHONES, ETC.
  - PAINT ALL WALLS
  - REMOVE ALL WOOD BASE AND REPLACE WITH NEW RUBBER BASE
  - NO WORK TO EXISTING WOOD INDICATED TO REMAIN
  - REUSE EXISTING DOORS AND HARDWARE
  - CONTRACTOR'S OPTION TO REUSE EXISTING CEILINGS OR PROVIDE NEW, WHICHEVER IS MORE COST EFFECTIVE
  - REPLACE EXISTING MECHANICAL SYSTEM AND REMOVE ALL UNUSED DUCTWORK, PIPES, ETC.
  - REUSE EXISTING LIGHT FIXTURES AND RECONFIGURE FOR NEW LAYOUT
  - RECONFIGURE EXISTING SPRINKLERS FOR NEW LAYOUT
  - ALL OFFICES SHALL HAVE POWER AND DATA ON TWO WALLS
  - PROVIDE HOOK UP FOR TWO MONITORS IN ADDITION TO OFFICE POWER/DATA IN LARGE OFFICE CLOSEST TO ROOFTOP PATIO ON SOUTH SIDE OF FLOOR



# EXISTING THIRD FLOOR PLAN

1/4" = 1'-0"



## City of Ketchum

December 21<sup>st</sup>, 2020

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

**Recommendation to hold a public hearing regarding city-initiated amendments to Ketchum Municipal Code, Title 17, Zoning, Chapter 17.88, Floodplain Management Overlay Zoning District, and Chapter 17.08, Definitions.**

Recommendation and Summary

Staff presented the city-initiated proposed amendments to Title 17, Zoning, Chapter 17.88, Floodplain Management Overlay Zoning District and Title 17, Zoning, Chapter 17.08, Definitions at the December 7<sup>th</sup>, 2020 meeting.

Council continued the hearing to December 21<sup>st</sup>, 2020 and requested staff 1) provide additional context regarding proposed amendments, 2) consider the public feedback received and respond to it, and 3) provide an overview of floodplain management.

The following provides additional information for Council consideration. A presentation will be provided at the meeting.

**Floodplain Management Overview**

Floodplain Management is a partnership between local communities and the federal government. The Federal Emergency Management Agency (FEMA) has minimum standards for developing in the floodplain<sup>1</sup> that must be adhered to by a city so that communities reduce their flood risk and are also eligible to have federally-backed National Flood Insurance Program (NFIP) flood insurance policies available in their communities. FEMA and its technical partners produce Flood Insurance Studies (FIS) that inform the Flood Insurance Rate Maps (FIRMs) that establish the location of the Special Flood Hazard Area (SFHA, also known as the 100-year or 1% annual chance floodplain) in a community. Some communities, such as Ketchum, benefit from detailed Flood Insurance Studies and FIRMs that also provide the locations of areas determined to be a floodway worthy of heightened regulations (termed the “regulatory floodway”) and 0.2% annual chance (500-year) floodplains.

Regulatory floodways are the areas that have the greatest flood risk – representing the areas adjacent to river channels where the river is anticipated to overflow and have moving water during a flood event. Development is severely restricted in the floodway because these lands must remain open so that they can carry enough floodwater so as not to displace floodwater and cause floodwaters to raise significantly elsewhere. On the other end of the spectrum, the 0.2% annual chance floodplain has a much lower risk of flood – statistically, it means there is a 1-in-500 chance of a flood occurring each year, as opposed to the 1% annual chance floodplain, which as a 1-in-100 chance of a flood occurring each year. Neither the 100-year or 500-year floodplain terms mean that a flood is at risk of occurring only once every 100 or 500 years; this is a misnomer and why terminology has evolved to use 1% and 0.2% annual chance respectively. In the Wood River Valley major floods have occurred in 1921, 1938, 1943, 1952, 1965, 1983, 1997, 2996 and 2017. Additionally, the “bankfull” measurement for the Big Wood River at the gaging station in Hailey is 3,000 cubic feet per second



(cfs). Bankfull is a term that refers to the quantity of water present in the channel just before the bank overtops and water inundates the floodplain. The Big Wood River has exceeded that flow at the Hailey Gage on 19 occasions during the past 50 years<sup>2</sup>.

It's easy to understand the importance of regulating the floodplain in order to prevent loss of life and damage to property, but the importance of flood insurance must not be overlooked either. Just like the Federal Deposit Insurance Corporation (FDIC) insures deposits in banks throughout the nation, the NFIP backs NFIP-issued flood insurance policies. This means that even in the most devastating flood event if you carry a NFIP-issued flood insurance policy you will be able to make a claim against the policy if your structure or contents are damaged during a flood. Standard homeowner's and renter's insurance policies do not cover property damage and loss of contents due to flooding. Further, all mortgage lenders require a property owner to carry flood insurance as a condition of issuing the mortgage.

To keep insurance premiums low and for the NFIP program to remain solvent, the NFIP has an interest in ensuring buildings are properly constructed to floodplain standards and the floodplain's carrying capacity is not jeopardized. Thus, in order for residential and commercial renters and property owners in a community to be able to purchase NFIP insurance, the local government entity is responsible for administering and enforcing FEMA's minimum floodplain standards. Ketchum currently has 148 structures located in the floodplain. There are 435 parcels of land located at least partially within the floodplain, which represents 9.6% of the parcels in city limits, and comprises 171.2 acres, which is 8.2% of the land area in city limits.

Ketchum's responsibilities include issuing permits for all development in the floodplain (such as grading and excavation, building a new home or an addition, and streambank stabilization), inspecting development under construction, maintaining records (such as permit records and Elevation Certificates for structures located in the floodplain) in perpetuity, and providing information to residents and stakeholders regarding flood risk and floodplain regulations. Ketchum is audited by the state floodplain coordinator on a regular basis to ensure we are properly enforcing and administering our regulations.

Ketchum has had floodplain regulations since 1976. The ordinance, and the floodplain maps, have evolved over time. In 1989 Ketchum adopted Ordinance 525, which established regulations for the riparian zone. FEMA has no regulations for riparian zones that are located outside of a mapped floodplain and does not distinguish between the riparian zone and the floodplain. Over 30 years ago Ketchum chose to make such a distinction and has had regulations that are more restrictive than FEMA's ever since. For example, FEMA would allow a new home, or a deck or patio, to be located within the first 25' of land area that is landward of the mean high-water mark, provided it was constructed to floodplain standards. Since 1989, Ketchum has not allowed any development to occur within the first 25' of land area measured landward of the mean high-water mark, which is Ketchum's regulated Riparian Zone. Further, Ketchum requires riparian vegetation to remain in its natural state in the riparian zone. The benefits are many: riparian vegetation provides a buffer between grassy lawn, the fertilizers used on it, and the river, riparian vegetation provides shading and cooling over the rivers, which is beneficial for fish, riparian vegetation also aids in stabilizing streambanks so that the bank is more resilient and less prone to erosion. FEMA also allows new development in the floodplain to have its lowest floor at the same height the Base Flood floodwaters are anticipated to reach. In Ketchum, we began requiring the lowest floor to be elevated 12" (1') above Base Flood Elevation in 1989 (Ordinance 525) and began requiring the lowest floor to be built 24" (2') above the Base Flood Elevation in 2014 (Ordinance 1120); Hailey and Blaine County also have the 2' requirement.

Additional overview information will be shared with Council during a presentation at the December 21<sup>st</sup>, 2020 meeting.

#### **Context regarding proposed amendments**

Attachment A provides detail regarding the proposed amendments.

## **Responses to public input**

Attachment B is a track-changes version of Chapter 17.88, Floodplain Management, which reflects minor clarifications made to the version of the ordinance prepared for the December 7<sup>th</sup>, 2020 hearing. The attachment also includes comments from staff detailing why the clarifications were made. Where a clarification was made in response to public comment an explanation is provided.

### Public Comment

To date (12/17/20), two written comments have been received, both of which were presented to Council prior to the first hearing held 12/7/20.

### Council options

The Council may proceed with a first reading of the ordinance during this hearing or may choose to continue the hearing to a date certain.

### Optional motions

“I move to approve the first reading of Ordinance 1214 by title only.”

Or

“I move to continue the public hearing regarding city-initiated amendments to Ketchum Municipal Code, Title 17, Zoning, Chapter 17.88, Floodplain, and Chapter 17.08, Definitions to a date certain: January 4, 2021.”

### Financial Impact

None at this time.

### **Footnotes:**

1. Unless otherwise stated, when the term “Floodplain” is used in this staff report, staff is referring to the Special Flood Hazard Area (SFHA), which is also known as the 100-year or 1% annual chance floodplain.
2. Source: Big Wood River Atlas produced by Cardno for Blaine County, Idaho, 2020

### **Attachments:**

- A. Track Changes to December 7<sup>th</sup>, 2020 version of Chapter 17.88, Article 1, Flood Damage Prevention
- B. Summary of ordinance amendments
- C. Draft Ordinance 1214
  - a. Exhibit A: Amendments to Section 17.08.020, Terms Defined
  - b. Exhibit B: Chapter 17.88, Article 1, Flood Damage Prevention
  - c. Exhibit C: Publication summary
- D. Track change to existing Chapter 17.88, Floodplain Development, Article 1, as prepared for December 7<sup>th</sup>, 2020 hearing

## **Attachment A.**

Track Changes to December 7<sup>th</sup>, 2020 version of Chapter 17.88, Article 1,  
Flood Damage Prevention



## Article I. Flood Damage Prevention

[17.88.010: Statutory Authorization and Findings of Fact](#)

[17.88.020: Statement Of Purpose](#)

[17.88.030: Methods Of Reducing Flood Losses](#)

[17.88.040: General Provisions](#)

[17.88.050: Administration](#)

[17.88.060: Provisions For Flood Hazard Reduction](#)

[17.88.070: Standards for Floodplains without Established Base Flood Elevations – Zone A](#)

[17.88.080: Standards for Riverine Floodplains with Base Flood Elevations but without Established Floodway](#)

[17.88.090: Standards for Floodways](#)

[17.88.100: Standards for Areas of Shallow Flooding \(Zone AO, AH, AR/AO, or AR/AH\)](#)

[17.88.110: Floodplain Development Permit Exemptions and Irrigation Activities and Development](#)

[17.88.120: Enforcement And Penalties](#)

### 17.88.010: STATUTORY AUTHORIZATION AND FINDINGS OF FACT:

A. Statutory Authority: The Legislature of the State of Idaho, pursuant to Idaho Code §§ 46-1020, 46-1023, and 46-1024, authorizes local governments to adopt floodplain management ordinances that identify floodplains and minimum floodplain development standards to minimize flood hazards and protect human life, health, and property. Therefore, the Council of the City of Ketchum Idaho does hereby ordain as follows:

1. The flood hazard areas of Ketchum, Idaho, are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
2. These flood losses are caused by the cumulative effects of obstruction in areas of special flood hazard which increase flood heights and velocities and by development that is inadequately floodproofed, elevated, anchored, or otherwise protected from flood damage.
3. The Big Wood River, its tributaries, and their associated floodplains in Ketchum are important to the well-being of our citizens as they provide recreation, fish and wildlife habitat, aesthetic beauty, a source of irrigation water, as well as other economic and lifestyle values.

B. The studies listed below are hereby adopted as the primary sources of flood hazard analysis:

1. "Flood Insurance Study (FIS) for Blaine County, Idaho and Incorporated Areas", Flood Insurance Study 16013CV001A and 16013CV002A, dated November 26, 2010, and any amendments thereto;
2. Digital flood insurance rate maps (DFIRMs) for Blaine County, Idaho, and incorporated areas: Map Number 16013CIND0A; Map Number 16013C0433E, Community Panel Number 0433E; Map Number 16013C0434E, Community Panel Number 0434E; Map Number 16013C0441E, Community Panel Number 0441E; Map Number 16013C0442E, Community Panel Number 0442E; Map Number 16013C0453E, Community Panel Number 0453E; Map Number 16013C0461E, Community Panel Number 0461E, and any amendments thereto; and
3. Other flood hazard studies, as may be adopted by the City, will be utilized in determining flood hazard.
4. Additionally, other flood hazard analysis sources as determined by the City Engineer, Floodplain Manager, or other expert hired by the City may be utilized.

DRAFT 12-21-2020 1

- C. Regulations pertaining to development on property affected by the one percent (1%) annual chance flood (100-year flood), as defined herein, are necessary in addition to those of the underlying zoning district in order to promote the health, safety, and welfare of the citizens of and visitors to the City of Ketchum, Idaho.
- D. Local government units have the primary responsibility for planning, adopting, and enforcing land use regulations to accomplish proper floodplain management.

**17.88.020: STATEMENT OF PURPOSE:**

It is the purpose of this ~~chapter section~~ to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- A. To protect human life, health, safety, property, and welfare;
- B. To minimize expenditure of public money for costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;
- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood damaged areas;
- G. To ensure that potential buyers and leaseholders are notified that property is in an area of special flood hazard or riparian zone, where the regulations of this ordinance apply;
- H. To ensure that those who occupy the areas of special flood hazard assume the responsibility for their actions.
- I. To ensure potential buyers of property in an area of special flood hazard are notified.
- J. To allow the river and creeks and their adjacent lands to convey floodwaters to minimize property damage;
- K. To regulate uses in the floodplain and Riparian Zone for the purpose of preserving, protecting, and enhancing the abundance and diversity of fish, wildlife and riparian resources;
- L. To protect, preserve and enhance the waterways and floodplains as a recreation resource;
- M. To provide a formal procedure for stream alteration permit applications;
- N. To restrict or prohibit uses which are injurious to health, safety, or property in times of flood, which result in environmental damage, or that cause increased flood heights or velocities; and
- O. To guide development and city review of development in the floodplain and adjacent to waterways in order to establish the most appropriate building envelopes for lots existing and in new subdivisions.

**17.88.030: METHODS OF REDUCING FLOOD LOSSES:**

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting development which is dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
- B. Requiring that uses necessary for general health, safety and welfare of citizens, including facilities which serve such uses, be protected against flood damage at the time of initial construction, at time of substantial improvement, and throughout their intended life span;
- C. Preserving and restoring natural floodplains, stream channels, and natural protective barriers that carry and store flood waters;
- D. Controlling, filling, grading, dredging, and other development which may increase flood damage or erosion; and
- E. Preventing or regulating the construction of flood barriers which may unnaturally divert floodwaters, or which may increase flood hazards to any other properties.

**17.88.040: GENERAL PROVISIONS:**

- A. Establishment of The Floodplain Management Overlay Zoning District: The floodplain management overlay zoning district is hereby established. In addition to the regulations contained in the underlying zoning district, the regulations of this district apply to all lands within the jurisdiction of the city that lie within the Special Flood Hazard Area (SFHA) boundaries as determined by the graphic representation shown on the Flood Insurance Rate Map (FIRM) and by the elevations of the base flood contained in the Flood Insurance Study (FIS).
  - 1. Establishment of The Floodway Subdistrict and The Floodplain Subdistrict: The floodplain areas are divided into two (2) subdistricts: the Floodway Subdistrict and the Floodplain Subdistrict.
  - 2. Rules for Interpretation of The Floodplain Management Overlay Zoning District Boundaries and The Floodway Subdistrict and The Floodplain Subdistrict Boundaries: The floodplain management overlay zoning district boundaries are represented on the official zoning map of the city.
    - a. All land within the external boundary of the Special Flood Hazard Area (SFHA) and all parcels with any portion thereof affected by said SFHA shall be considered to be within the Floodplain Management Overlay Zoning district.
    - b. All land areas within the external boundary of the SFHA shall be considered to be within the Floodplain Subdistrict of the Floodplain Management Overlay Zoning District. The city may make necessary interpretations of the boundary based upon the recommendation of the city engineer or other expert.
    - c. All land areas within the external boundary of the regulatory floodway shall be considered to be within the Floodway Subdistrict of the Floodplain Management Overlay Zoning District. The city may make necessary interpretations of the boundary based upon the recommendation of the city engineer or other expert.
  - 3. Basis For Establishing the Areas Of Special Flood Hazard and Floodway: The areas of special flood hazard identified by the Federal Insurance Administrator in a scientific and engineering report entitled "The Flood Insurance Study (FIS) For Blaine County, Idaho And Incorporated Areas" with accompanying Digital Flood Insurance Rate Maps (DFIRMs) bearing an effective date of November 26, 2010, to establish the areas of special flood hazard for land which has been or will be annexed into the city limits of the City of Ketchum, Idaho, since the adoption of said study for the incorporated area of the city are hereby adopted by reference and declared to be a part of this

article. The FIS and FIRM are on file at the office of the City Clerk, City Hall, 480 East Avenue North, Ketchum, Idaho.

~~a. At the Administrator's discretion, the precise one percent (1%) annual chance floodplain or Special Flood Hazard Area (SFHA), floodway, and 0.2% annual chance (500-year) floodplain locations shall be determined by a site survey and elevations as interpreted from the adopted Flood Insurance Rate Map and the Flood Insurance Study.~~

**Commented [BS1]:** This requirement is existing. Benchmark's comments illuminated it. Staff believes this requirement relates to requiring staking the boundaries of the 100 and 500-year floodplain on site, which would have been more helpful in the era of floodplain maps that were in paper form only and did not include parcel lines. Today we have the benefit of digital floodplain maps that are integrated into our GIS mapping platform and the level of detail provided is much more precise.

B. Establishment of Waterways Review District: The city hereby makes the following findings of fact with regard to establishing a Waterways Review District:

1. Flooding is aggravated by the collection of debris upstream of channel obstructions located in floodplain areas. Such obstructions include, but are not limited to, bridges, fences, houses, and trees. The accumulation of debris can result in significantly higher water surface elevations and flooding beyond limits of the SFHA shown on the FIRMs upstream from the obstructions.
2. Structures located ~~in proximity to waterways, even if the structure's location is outside the boundaries of the SFHA, within the limits of the 0.2% annual chance (500-year) floodplain of the Big Wood River~~ may be subject to inundation and damages during ~~smaller flood events, such as the ten (10) or twenty (20) year event~~, due to the potential of the channel to change direction abruptly during high flows. In particular, this risk affects lands adjacent to the Big Wood River, which is wide and flat with a relatively shallow channel in many areas.
3. The levees built by the U.S. Army Corps of Engineers are not considered by the Corps or FEMA to be adequately designed to be classified as permanent structures capable of withstanding a one percent (1%) annual chance flood.
4. Encroachments (i.e., houses, fill, etc.) on floodplains reduce the flood carrying capacity of the river and its floodplain and increase flood heights, thus increasing flood hazards on land beyond the encroachment. With every new development since the FEMA one percent (1%) annual chance boundary was determined, the ability of the floodplain to function as originally assumed changes.
5. Historically, development adjacent to waterways has had a direct effect on methods chosen by owners to protect their property, often to the detriment of the natural stream. Methods often destroy or greatly alter fish and wildlife habitat, unnaturally armor the banks of the waterways to prevent erosion or cause future damages to manmade structures.
6. Rules for Interpretation of the Waterways Review District: The Waterways Review District is not indicated on the zoning map due to the nature of how the boundaries are established. The Waterways Review District ~~is defined as~~ includes all parcels containing lands that are within twenty-five feet (25') of the mean high-water mark ~~as~~ measured horizontally from the mean high-water mark of any Waterway. Waterways include the Big Wood River, Trail Creek, and Warm Springs Creek, and any and all channels having year-round or intermittent flow. These lands within twenty-five feet (25') of the mean high-water mark area also known as the Riparian Zone that is regulated by the City of Ketchum.

**Commented [BS2]:** Added clarity in response to a comment from Benchmark

~~a. Some parcels of land may be located within the Waterways Review District and contain Riparian Zone but may not contain SFHA, 0.2% annual chance floodplain, floodway, or the channel of the river due to the proximity of the parcel to a waterway. Nevertheless, if a parcel contains land that is within twenty-five feet (25') of the mean high-water mark of a waterway, said parcel is within the Waterways Review District and the Riparian Zone is subject to riparian regulations.~~

~~b. Some parcels of land may be located within the SFHA and/or 0.2% annual chance floodplain and/or floodway and may also contain Riparian Zone. These parcels are located within the Waterways Review District and riparian regulations apply to the Riparian Zone.~~

**Commented [BS3]:** Clarified per a comment from Benchmark

7. Special purposes for the establishment of the Waterways Review District: Some parcels of land may be located in proximity to a waterway but may not contain SFHA, 0.2% annual chance floodplain, floodway, or the waterway's channel and therefore local, state and federal regulations to preserve these ecologically important areas are largely inapplicable. The Waterways Review District is a local designation created to build upon local, state and federal regulations when lands contain SFHA, 0.2% annual chance floodplain, floodway, and waterway channel, when applicable, but also to preserve and enhance the Riparian Zone when the aforementioned designations are not applicable. The purposes for which ~~said~~ the Waterways Review District is established are as follows:

**Commented [BS4]:** Clarified per a comment from Benchmark

- a. To guide development adjacent to waterways toward the most appropriate building envelope for its particular site;
- b. To minimize the impact of development adjacent to waterways on adjacent properties upstream, downstream and across waterways;
- c. To review development plans for property adjacent to waterways to minimize the obstruction of the conveyance of floodwaters;
- d. To provide for the stewardship, maintenance and/or enhancement of the Riparian Zone and riparian environment, including wildlife habitat along waterways;
- e. To carry out the provisions of the comprehensive plan as well as health, safety, and welfare with regard to properties adjacent to waterways;
- f. To warn that City review and approval is not going to prevent flooding and that flooding may occur;
- g. To advise of flood hazards and studies and options available;
- h. To review obstructions to flood carrying capacity and to advise on methods that may be used to moderate impact of the development;
- i. To review landscaping and access for flood carrying capacity and preservation or enhancement of riparian vegetation; and
- j. To provide regulations for the Riparian Zone.

8. "Development", as defined in section [17.08.020](#) of this title, and construction or placement of buildings or structures, including additions to any such structures or buildings ~~existing (insert date of ordinance adoption)~~permitted after November 20<sup>th</sup>, 1989, and landscaping changes within the Riparian Zone for parcels under development with new structures and parcels developed with structures after ~~(insert date riparian standard were adopted — 1989)~~November 20<sup>th</sup>, 1989, upon real property within the Waterways Review District shall require said approval under section [17.88.050](#) of this article, prior to issuance of a building permit, excavation/grading permit or commencement of any work associated with any such activity.

C. Uses Permitted and Prohibited in the Floodplain Management Overlay Zoning District and the Waterways Review District: Due to the potential hazard to individuals as well as public health, safety and welfare, uses allowed in the Floodplain Management Overlay Zoning District and the Waterways Review District are those which are permitted, conditional, and accessory as contained in the underlying zoning district. Due to the sensitive ecology of the river system and riparian area and the detrimental impacts that uncontrolled use of pesticides and herbicides can create to both the river system and human health and, due to the extremely hazardous nature of the floodway due to velocity of floodwaters carrying debris, potential projectiles and erosion potential, the following provisions apply, in addition to all others:

1. Encroachments in the floodway: Encroachments in the floodway are subject to the standards of Section 17.88.090.

2. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean high-water mark on any property within the City limits at any time.

**Commented [BS5]:** This regulation is existing.

3. No use of pesticides, herbicides, or fertilizers will be allowed within twenty-five feet (25') of the mean high-water mark on any property within the City limits unless approved by the City Arborist.

4. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates.

**Commented [BS6]:** This regulation is existing.

5. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall, unless otherwise approved by the City Arborist.

6. The application of dormant oil sprays and insecticidal soap within the Riparian Zone may be used throughout the growing season as needed.

7. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond, or basin that regularly or periodically carries or stores water.

D. General Notice and Disclosure Requirements: In order to provide reasonable notice to the public of the flood hazard potential within all areas of the Floodplain Management Overlay Zoning District and the Waterways Review District, the following notice regulations and requirements are hereby adopted for all real property and structures located within said districts:

1. Floodplain Acknowledgement Authorization Required: Prior to issuance of any floodplain development permit, the property owner or his or her authorized agent shall acknowledge by executed written affidavit that said property is located within the one percent (1%) annual chance floodplain (SFHA) as defined herein and that a violation of the terms of this article shall cause the City to seek legal remedies.

2. Real Estate Sales and Leasing Disclosures: Each and every real estate agent, sales person and broker, and each and every private party who offers for sale or lease a parcel of real property and/or structure that contains SFHA, floodway, frontage on a waterway and associated Riparian Zone, shall provide the prospective purchaser or leaseholder with written notice that said real property and/or structure is located within the Floodplain, Floodway, and/or Waterways Review District and that structures and land are subject to the regulations of this ordinance.

3. Special requirements for Subdivision Plats:

a. United States Geological Survey (USGS) datum shall be used and identified on the plat and a permanent benchmark shall be identified and shown on the plat.

b. All subdivision plats shall contain a plat note including a certification by a registered surveyor that the boundaries were established consistent with the FIRM for the City or Blaine County, whichever applies. The note shall include the FEMA FIRM panel number(s), FIRM effective date(s), and a note stating that "Flood Zones are subject to change by FEMA and all lands within ~~the Special Flood Hazard Area are a floodway or floodplain is~~ regulated by ~~the Article 1. Flood Damage Prevention of the Ketchum City Code~~City of Ketchum Municipal Code.

c. All subdivision plats shall identify and designate the Special Flood Hazard Area, the 0.2% annual chance (500-year) floodplain boundary, the floodway boundary, the mean high water mark, and the Riparian Zone. All flood zone(s), and base flood elevation(s) shall be shown on the plat.

**Commented [BS7]:** In response to Benchmark's comment: Staff recommends keeping this requirement in place. It memorializes, as a snapshot in time, where the floodplain was located when a decision regarding the platting action was approved. It provides historical context.

d. All subdivision plats shall contain a note or notes that warn prospective buyers of property that sheet flooding can and will occur and that flooding may extend beyond the floodway and floodplain boundary lines identified.

e. All subdivision plats shall contain a note that refers to the required twenty five foot (25') setback from all waterways, called the Riparian Zone, in which no development is permitted, and require that riparian vegetation shall remain in its natural state for the protection and stabilization of the riverbank ~~unless alterations are approved in accordance with Ketchum Municipal Code. Any modifications to riparian vegetation, including removal of trees or other vegetation shall only be considered and approved as part of the function of waterways design review as set forth in section 17.88.050 of this article.~~

f. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten-foot (10') fish and nature study easement adjacent to the waterway, measured horizontally from the mean high-water mark. In addition, there shall be a plat note stating that the fish and nature study easement shifts in accordance with the location of the channel and its mean high-water mark.

g. The Council may require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access easement. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the Council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.

#### 4. Special Requirements for Building Permits:

a. Prior to issuance of a Building Permit for a structure located on a parcel that contains SFHA, whether or not the structure is partially or wholly located in the SFHA, a Floodplain Development Permit is required.

b. Non-conversion Agreement Required: For any building in the floodplain with an area below the lowest floor that is below the base flood elevation and has a ceiling height of five feet (5') or greater, the building owner shall sign a non-conversion agreement, that shall run with the property, promising not to improve, finish or otherwise convert the area below the lowest floor to living area and granting the City the right to inspect the enclosed area at its discretion. Such agreement shall be recorded at Blaine County's Recorder's Office.

b. Preconstruction Elevation Certificate Required: Prior to issuance of any building permit for a structure located partially or wholly within the one percent (1%) annual chance floodplain, a preconstruction elevation certificate shall be completed by a registered professional engineer, architect or surveyor and submitted to the City of Ketchum building inspector.

c. Building Under Construction Elevation Certificate in accordance with section 17.88.050.H.1.a.

d. Finished Construction Elevation Certificate Required in accordance with section 17.88.050.H.1.b.

E. Compliance: No structure or land shall hereinafter be constructed, located, extended, converted, or altered without full compliance with the terms of this article and other applicable regulations. Should the regulations specified in any other ordinance of Ketchum be less restrictive, the regulations of this section shall apply.

F. Abrogation and Greater Restrictions: This section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this section and another ordinance or section herein, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent or greater restrictions shall prevail.

G. Interpretation: In the interpretation and application of this section, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the Governing Body; and
3. Deemed neither to limit nor repeal any other powers granted under State Statutes.

H. Warning and Disclaimer of Liability: The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This section does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. This section shall not be deemed or construed to create liability on the part of the City, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this section or any administrative decision lawfully made hereunder.

**17.88.050: ADMINISTRATION:**

A. Establishment Of Floodplain Development Permit: ~~For lands in the Floodplain and Floodway subdistricts of the Floodplain Management Overlay Zoning District a~~ floodplain development permit shall be obtained through an application provided by the City prior to ~~any and all development, as defined in section 17.08.020 of this whether or not the development requires~~ issuance of a building, excavation/grading permit, or ~~other land use permit, for any and all development as defined in section 17.08.020, including stream alteration and Riparian Zone alteration, within the Floodplain Management Overlay District and the Waterways Review District.~~

1. Exemptions: Activities exempt from floodplain development permit requirements and irrigation activity permitting is subject to the standards of Section 17.88.110 of this title.

~~a. Minor Riparian Alterations: When development proposed within ta Riparian Zone that contains SFHA or floodway consists only of removing four (4) or fewer hazard trees and/or minor alteration of riparian vegetation a full Floodplain Development permit is not required; a Riparian Alteration Permit is required.~~

~~2. Floodplain Development and Riparian Alteration Permits Combined: When development is proposed in a Riparian Zone that is located or overlaps with the Floodplain Management Overlay Zoning District a Floodplain Development permit shall be issued and all Riparian Zone regulations shall be evaluated and are applicable.~~

B. Establishment of Riparian Alteration Permit for Waterways Review District: ~~When development is proposed in a Riparian Zone that is not within the Floodplain or Floodway subdistricts of the Floodplain Management Overlay Zoning District, a Riparian Alteration Permit shall be obtained through an application provided by the City prior to any and all development, as defined in section 17.08.020 of this title.~~

BC. Applications, Submittals and Concurrent Applications: Applications shall be made on forms furnished by the City and may be made simultaneous with Land Use applications (such as Conditional Use Permits, Lot Line Shifts, and Preliminary Plats) where applicable, and prior to application for a building permit. In order for an application to be determined to be complete, the application shall contain all information required by the application form furnished by the city and any additional information which may be reasonably required by the Administrator or commission during the course of application review.

D. Duties and Responsibilities: The Planning and Building Director, or his or her designee, is the Administrator of Ketchum Municipal Code Title 17, Zoning Regulations, and is responsible for administering and implementing this section in accordance with its provisions.

**Commented [BS8]:** Added clarity regarding the permitting process



1. Administrative Review: The Administrator shall have the authority to consider and approve, approve with conditions, or deny applications for floodplain development permits and riparian alteration permits as required herein.

a. Noticing: The Administrator shall provide written notice of said application to owners of property within three hundred feet (300') of the external boundaries of the land being considered. Said notice shall inform adjacent property owners they may comment on the application during a period of not less than ten (10) days after mailing of the notice and prior to final action on said application.

a. (1) When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be used in lieu of mailed notice. Said alternate forms of notice shall be per Idaho Code 67-6512 in effect at the time of notice.

2. Commission Review: If the Administrator, in his or her sole discretion, determines that a project cannot be approved administratively, the Ketchum Planning and Zoning Commission shall consider and approve, approve with conditions, or deny applications for floodplain development permits.

a. Criteria for sending applications to the Planning and Zoning Commission includes, but is not limited to,:

- (1) Encroachments proposed within the floodway;
- (2) Stream alteration projects containing riprap;
- (3) Stream alteration projects including gravel extraction; and
- (4) Stream alteration projects involving multiple separate parcels of land.

b. For applications reviewed by the Planning and Zoning Commission the application shall be noticed for a public hearing in accordance with Idaho Code 67-6509.

3. Specific duties and responsibilities of the Administrator shall include, but are not limited to:

a. Permit Review:

- (1) Review of all applications for proposed construction within the City to determine whether such construction is proposed, in whole or in part, within the Floodplain Management Overlay District and/or the Waterways Review District.
- (2) Review all floodplain development permit applications to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334; Idaho Fish and Game, Idaho Department of Water Resources, Soil Conservation Service, Environmental Protection Agency, and U.S. Army Corps of Engineers. Such documentation shall be maintained on file with the floodplain development permit.
- (3) Review all floodplain development permit applications to determine that the proposed development meets the requirements of this ordinance, and is reasonably safe from flooding.
- (4) For projects within the floodway, review applications to ensure the proposal does not cause adverse impacts, or that any adverse impacts are mitigated, as demonstrated by a No Adverse Impact statement provided by the applicant.

(5) Prevent encroachments into floodways unless the no rise certification, no adverse impact, and flood hazard reduction provisions contained in this title are met.

(6) Review plans to verify public utilities are constructed in accordance with the provisions of this title.

(7) When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area (SFHA) is above the Base Flood Elevation (BFE), advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the LOMA issued by FEMA in the floodplain development permit file.

**Commented [BS9]:** Existing regulation relocated at the suggestion of Benchmark

b. Inspections:

(1) Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.

(2) Make periodic inspections throughout the Special Flood Hazard Areas within the jurisdiction of the community. The Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.

c. Stop-Work for Violations in Progress and Permit Revocation:

(1) Work with the Building Official to issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Building Official may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.

(2) Issue stop-work orders for unpermitted development in the floodplain that does not require a building permit. Examples include grading, filling, Riparian Zone alterations and stream bank stabilization and alteration.

(3) Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.

d. Coordination and Communication with Federal Agencies:

(1) Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-Fs) and Letters of Map Revision (LOMRs).

(2) Notify, in riverine situations, adjacent communities and state and federal agencies in accordance with Section 17.88.050.D.3.g.

(3) A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator (FIA) of the changes by submitting technical or scientific data in accordance with this part. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.

(4) Upon occurrence, notify the Federal Insurance Administrator (FIA) in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce flood plain management regulations for a particular area. In order that all FIRMs accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished flood plain management regulatory authority.

(5) The City of Ketchum will notify the State NFIP Coordinator of the Idaho Department of Water Resources of ~~its intention to grant a variance at least thirty (30) calendar days prior to granting the variance hearings scheduled to consider a variance within the SFHA fifteen (15) calendar days prior to the date of the hearing.~~

**Commented [BS10]:** This regulation was existing. Revised to remove potential conflict with open meeting law, per Benchmark's comment. Also changed noticing timeline to correspond with noticing requirements of other types of applications.

e. Use of Other Base Flood Data:

(1) When base flood elevation data has not been provided in accordance with subsection [17.88.040.A.3](#), "Basis For Establishing The Areas Of Special Flood Hazard", of this chapter, the Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source in order to administer subsections [17.88.060.B.2](#), "Residential Construction", [17.88.060.B.3](#), "Nonresidential Construction", and [17.88.090](#), "Standards for Floodways", of this chapter.

(2) When Base Flood Elevation (BFE) data is provided but no floodway data has been provided in accordance with the provisions of this title, require that no new construction, substantial improvements, or other development (including fill) shall be permitted ~~within Zones A1-30 and AE on the community's FIRM,~~ unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

~~(3) When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area (SFHA) is above the Base Flood Elevation (BFE), advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the LOMA issued by FEMA in the floodplain development permit file.~~

**Commented [BS11]:** Relocated to another section of the ordinance, at the suggestion of Benchmark

f. Records and Information to Be Obtained and Maintained:

(1) Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.

(2) Maintain a current map repository to include, but not limited to, the FIS Report, FIRM and other official flood maps, and studies adopted in accordance with the provisions of Article III, Section B of this ordinance, including any revisions thereto including Letters of Map Change, issued by FEMA. Notify the NFIP State Coordinator and FEMA of Ketchum's mapping needs.

(3) Obtain and maintain actual elevation (in relation to mean sea level) of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures.

(4) Where base flood elevation data is provided through the Flood Insurance Study or required as in subsection 17.88.050.D.3.e of this section, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

(5) For all new or substantially improved floodproofed structures:

(A) Verify and record the actual elevation (in relation to mean sea level); and

(B) Maintain the floodproofing certifications as required by this ordinance.

(6) Maintain in perpetuity records on all permits and appeals and report all variances to Federal Insurance Administration.

g. Stream Alterations:

(1) Notify adjacent communities and all State agencies with jurisdiction over the special flood hazard areas identified in subsection [17.88.040A](#) of this chapter and/or with jurisdiction over the corresponding watercourse, river, stream or tributaries prior to any alteration or riprapping, or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

(2) Notify adjacent communities and the Idaho Department of Water Resources State Coordinator for the National Flood Insurance Program (NFIP) prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administrator (FIA).

(3) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

h. Interpretation of FIRM Boundaries: Make interpretations where needed as to the exact location of the boundaries of the areas of special hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in.

E. Criteria for Evaluation of Applications: The criteria of floodplain development permit applications shall be as follows:

1. The proposal preserves or restores the inherent natural characteristics of the river, floodplain, and Riparian Zone, including riparian vegetation and wildlife habitat. Development does not alter river channel unless all stream alteration criteria for evaluation are also met.

2. No temporary construction activities, encroachment or other disturbance into the twenty-five foot (25') Riparian Zone, including encroachment of below grade structures, shall be permitted, with the exception of approved stream stabilization work and restoration work associated with a riparian zone that is degraded.

3. No permanent development shall occur within the twenty-five foot (25') Riparian Zone, with the exception of approved stream stabilization work and restoration work associated with permit issued under this title, or exceptions as described below:

a. Access to a property where no other primary access is available;

b. Emergency access required by the Fire Department;

- c. A single defined pathways or staircases for the purpose of providing access to the river channel and in order to mitigate multiple undefined social paths;
  - d. Development by the City of Ketchum
4. New or replacement planting and vegetation in the Riparian Zone shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings most commonly include: red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle. However, in rare instances the distance from the top-of-bank to the mean high water mark is significant and the native vegetation appropriate for the Riparian Zone are low growing, drought resistant grasses and shrubs. Replacement planting and vegetation shall be appropriate for the specific site conditions. Proposal does not include vegetation within the twenty-five foot (25') Riparian Zone that is degraded, not natural, or which does not promote bank stability.
  5. Landscaping and driveway plans to accommodate the function of the floodplain allow for sheet flooding. Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.
  6. Floodwater carrying capacity is not diminished by the proposal.
  7. Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not negative.
  8. Building setback in excess of the minimum required along waterways is encouraged. An additional ten foot (10') building setback beyond the required twenty-five foot (25') Riparian Zone is encouraged to provide for yards, decks and patios outside the twenty five foot (25') Riparian Zone.
  9. The top of the lowest floor of a building located in, or partially within, the SFHA shall be at or above the Flood Protection Elevation (FPE). A building is considered to be partially within the SFHA if any portion of the building or appendage of the building, such as footings, attached decks, posts for upper story decks, are located within the SFHA. See section [17.88.060](#), figures 1 and 2 of this chapter to reference construction details. See Chapter 17.08 of this title for definition of "lowest floor."
    - a. In the SFHA where Base Flood Elevations (BFEs) have been determined, the FPE shall be twenty-four inches (24") above the BFE for the subject property; twenty-four inches (24") or two (2) feet is the required freeboard in Ketchum city limits.
    - b. In the SFHA where no BFE has been established, the FPE shall be at least two (2) feet above the highest adjacent grade.
  10. The backfill used around the foundation in the SFHA floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent.
    - a. Compensatory storage shall be required for any fill placed within the floodplain.
    - b. A CLOMR-F shall be obtained prior to placement of any additional fill in the floodplain.
  11. All new buildings located partially or wholly within the SFHA shall be constructed on foundations that are designed by a licensed professional engineer.

12. Driveways shall comply with City of Ketchum street standards; access for emergency vehicles has been adequately provided for by limiting flood depths in all roadways to one foot (1-ft) or less during the 1% annual chance event.
13. Landscaping or revegetation shall conceal cuts and fills required for driveways and other elements of the development.
14. (Stream alteration.) The proposal is shown to be a permanent solution and creates a stable situation.
15. (Stream alteration.) No increase to the one percent (1%) annual chance flood elevation at any location in the community, based on hydrologic and hydraulic analysis performed in accordance with standard engineering practice and has been certified and submitted with supporting calculations and a No Rise Certificate, by a registered Idaho engineer.
16. (Stream alteration.) The project has demonstrated No Adverse Impact or has demonstrated all impacts will be mitigated.
17. (Stream alteration.) The recreational use of the stream including access along any and all public pedestrian/fisher's easements and the aesthetic beauty shall not be obstructed or interfered with by the proposed work.
18. (Stream alteration.) Fish habitat shall be maintained or improved as a result of the work proposed.
19. (Stream alteration.) The proposed work shall not be in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.
20. (Stream alteration.) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.
21. (Wetlands) Where development is proposed that impacts any wetland the first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with an equal amount and quality of new wetland area or riparian habitat improvement.

F. Conditions: Conditions of approval may include, but not be limited to:

1. Riparian vegetation and other landscaping is maintained in perpetuity as shown on approved plans.
2. An As Built Certification, with supporting documentation such as an as built survey of the project area and channel cross sections produced by a surveyor or engineer licensed in Idaho demonstrating that the project was constructed in accordance with the approved plans, shall be required to be submitted prior to occupancy of structure or upon completion of the proposed work.
3. Restoration of damaged riparian vegetation within Riparian Zone shall be required prior to completion of the proposed project. A bond to assure such restoration may be required prior to commencement of such work.
4. Maintenance and monitoring plan for projects including stream alteration and Riparian Zone alterations.
5. Bond or surety guarantee for work occurring on city-owned parcels.

G. Terms Of Approval: The term of a Floodplain Development Permit shall be twelve (12) months from the date that findings of fact, conclusions of law and decision are signed by the Administrator or Commission, or upon appeal, the

**DRAFT 12-21-2020** 14

date the findings of fact, conclusions of law, and decision are signed by the appellate body. Application must be made for a building permit (if required) with the Ketchum Building Department during the twelve (12) month term. Once a building permit (if required) has been issued, the approval shall be valid for the duration of the building permit. Unless an extension is granted as set forth below, failure to file a complete building permit application (if required) for a project in accordance with these provisions shall cause said approval to be null and void. The provisions of this section shall apply to those approvals obtained on or after September 24, 2014.

1. Permit Extension: The City may, upon written request by the holder, grant a maximum of two (2) 12-month extensions to an unexpired approval. The first twelve (12) month extension shall be reviewed by the Administrator. The second twelve (12) month extension shall be reviewed by the Planning and Zoning Commission. Whether or not an extension is warranted shall be based on the following considerations:

- a. Whether there have been significant amendments to the City's Comprehensive Plan, special studies, draft or interim floodplain maps, or ordinances which will apply to the subject approval;
- b. Whether significant land use changes have occurred in the project vicinity which would adversely impact the project or be adversely impacted by the project; a revised No Adverse Impact statement may be required prior to granting a permit extension;
- c. Whether hazardous situations have developed or have been discovered in the project area; or
- d. Whether community facilities and services required for the project are now inadequate.

2. Basis for Denial of Permit Extension:

- a. If any of the foregoing considerations are found to exist with regard to the project for which an extension is sought, an extension may be granted with conditions of approval to remedy any unmet requirements, or the City may choose not to grant an extension. Otherwise the City shall approve such an extension.
- b. Said decision shall be issued in writing.
- c. No extensions shall be granted for an expired floodplain development permit.

H. Inspection Procedures:

1. For structures located wholly or partially in the regulatory floodplain:

- a. A Building Under Construction Elevation Certificate (FEMA Form 86-0-33) is required after the lowest floor is established.

(1) Within seven (7) calendar days of establishment of the lowest floor elevation, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the lowest floor, in relation to mean sea level. Any work done within the seven (7) day calendar period and prior to submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the certificate data submitted.

(2) Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop-work order for the project.

- b. A final as-built Finished Construction Elevation Certificate (FEMA Form 86-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance.

**DRAFT 12-21-2020** 15

(1) It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the lowest floor and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

(2) The Finished Construction Elevation Certificate certifier shall provide at least two (2) photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least two (2) additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" x 3". Digital photographs are acceptable.

2. For waterways review projects:

a. Development associated with a Building Permit: Prior to final building permit inspection and issuance of a certificate of occupancy, planning staff shall conduct a site inspection to verify that the project was constructed per the approved plans and that all conditions of approval have been satisfied.

b. Development not associated with a Building Permit: Planning staff shall conduct a site inspection to verify that the project was constructed in general conformance with the approved plans and that all conditions of approval have been satisfied. The site visit shall be documented with a written memo to the application file.

I. Floodplain Development Variance Procedure:

1. General:

a. The Planning and Zoning Commission as established by the City of Ketchum, hereinafter referred to as the "Commission", shall hear and decide requests for variances from the requirements of this ordinance using the public hearing procedures established in Chapter 17.148, Variances.

b. The special considerations and conditions for variances contained in this section shall apply in addition to the criteria contained in Chapter 17.148, Variances.

c. Generally, variances may be issued for:

(1) The repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure;

(2) Functionally dependent facilities, if determined to meet the definition as stated in [Article #Section 17.08.020](#) of this [ordinance title](#), provided provisions of [Article IV, Section E.817.88.050.I.1](#), b, c, and d, have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety; or

(3) Any other type of development, provided it meets the requirements of this Section.



d. Upon consideration of the factors of subsection 17.88.050.1.2 of this section and the purposes of this article, the Commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.

2. Considerations: In passing upon such applications, the Commission shall consider all technical evaluations, and all relevant factors and standards specified in other sections herein and:

- a. The danger that materials may be swept onto other lands to the injury of others;
- b. The danger to life and property due to flooding or erosion damage;
- c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- d. The importance of the services provided by the proposed facility to the community;
- e. The necessity to the facility of a waterfront location as a functionally dependent facility, where applicable;
- f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- g. The compatibility of the proposed use with existing and anticipated development;
- h. The relationship of the proposed use to the Comprehensive Plan and Floodplain Management Program for that area;
- i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
- k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities such as sewer, gas, electrical, and water systems, and streets and bridges;
- l. Variances shall only be issued in accordance with the guidelines found at section 60.6, code of federal regulations (title 44 CFR), as set forth therein on the effective date hereof; and
- m. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

3. Conditions for Variance:

- a. Variances shall not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.
- b. Variances shall only be issued prior to development permit approval.
- c. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

d. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

e. In addition to the requirements of Chapter 17.12, Variances, a variance for floodplain development regulations contained in this chapter shall only be issued upon:

(1) A showing of good and sufficient cause;

(2) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

(3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expenses, create nuisances, cause fraud on or victimization of the public as identified in subsection 17.88.050.1.2 of this section, or conflict with existing local laws or ordinances.

f. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest flood elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

4. The City of Ketchum will notify the State NFIP Coordinator of the Idaho Department of Water Resources of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

5. Appeals: Any person aggrieved by the decision of the Commission may appeal such decision as described in Chapter 17.144, Appeals.

**17.88.060: PROVISIONS FOR FLOOD HAZARD REDUCTION:**

A. General Standards: In all Special Flood Hazard Areas the following standards are required:

1. Anchoring:

a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

b. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over the top or frame ties to ground anchors (reference the Federal Emergency Management Agency's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

2. Construction Materials and Methods:

a. All new construction, substantial improvements, and development shall be constructed with materials and utility equipment resistant to flood damage in accordance with the Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, and available from the Federal Emergency Management Agency.

b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

c. All new and replacement electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding to the Flood Protection Elevation. These include, but are not

limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, hot water heaters, and electric outlets/switches.

3. Utilities:

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and
- c. On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4. Subdivision Proposals:

- a. All subdivision proposals shall be consistent with the need to minimize flood damage;
  - b. All proposed lots in the subdivision shall have a building site that is located above the base flood elevation. It is preferred that building sites are located on natural high ground and special flood hazards areas are reserved for open space, trails, parks, and other low-impact, non-residential uses. If fill is proposed to elevate building sites, compensatory storage must be provided in accordance with section chapter.
  - c. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
  - d. All subdivision proposals shall include streets that are at or above the base flood elevation to allow dryland access for emergency vehicles during a flood event.
  - e. All subdivision proposals shall have adequate drainage facilities provided to ensure that the post-development stormwater (of a 25-year storm) discharge volume and flow rate will not exceed the pre-development conditions. Low impact development and green infrastructure techniques for stormwater management are encouraged. Drainage plans and pre- and post-development hydrology calculations shall be prepared by a civil engineer licensed in the State of Idaho;
  - f. All subdivision proposals and other development proposals greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals base flood elevation data. Base flood elevation shall be developed per FEMA hydrologic and hydraulic analysis methods and prepared by a qualified engineer licensed in the State of Idaho. United States Geological Survey (USGS) datum shall be used and identified on the plat and a permanent benchmark shall be identified and shown on the plat. Per subsection 17.88.050.D.3.d.(3) of this chapter, base flood elevation data and boundaries of the base flood shall be submitted to FEMA through the Conditional Letter of Map Revision (CLOMR) if fill is proposed or Letter of Map Revision (LOMR) process;
  - g. All requirements of the Code of Federal Regulations, 44 CFR 60.3 shall be met.
  - h. All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.
5. Review Of Building Permits: Where elevation data is not available either through the Flood Insurance Study or from another authoritative source (subsection [17.88.050.D.3.e.](#) of this chapter), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is

a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet (2') above grade in these zones may result in higher insurance rates.

6. Solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards and chemical storage facilities: New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by variance as specified in this title, in the Special Flood Hazard Area. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the Flood Protection Elevation and certified in accordance with the provisions of this title.

B. Specific Standards: In all areas of special flood hazard where base flood elevation data has been provided as set forth in subsection [17.88.040.A.3](#), "Basis For Establishing The Areas Of Special Flood Hazard", or [17.88.050.D.3.e](#), "Use Of Other Base Flood Data", of this chapter, the following provisions are required:

1. AO Zones: All construction in AO zones shall be designed and constructed with drainage paths around structures to guide water away from structures.

2. Residential Construction:

a. New construction and substantial improvement of any residential structure in any A1-30, AE and AH zone shall have the top of the lowest floor, including basement, elevated no lower than the Flood Protection Elevation.

b. New construction and substantial improvement of any residential structure in any AO zone shall have the lowest floor, including basement, elevated to or above the highest adjacent grade at least as high as the FIRM's depth number plus twenty four inches (24").

c. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be constructed entirely of flood resistant materials at least to the Flood Protection Elevation and designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria (see figures 1, "Preferred Crawl Space Construction", and 2, "Below Grade Crawl Space Construction", of this section and FEMA Technical Bulletin 11 for further information:

(1) A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. Openings shall be placed on at least two (2) walls to permit entry and exit of floodwaters. If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;

(2) The bottom of each flood vent opening shall be no higher than either one foot (1') above the interior grade or shall be no higher than one foot (1') above the exterior adjacent grade.

(3) Engineered flood vents are required.

(4) Portions of the building, utilities, and machinery located below the base flood elevation shall be constructed with material resistant to flood damage.

(5) The interior grade of a below grade crawl space (see figure 2, "Below Grade Crawl Space Construction", of this section) shall not be more than two feet (2') below the exterior lowest adjacent grade (LAG).

- (6) The height of a below grade crawl space, measured from the interior grade of the crawl space to the top of the crawl space foundation wall, shall not exceed four feet (4') at any point.
- (7) A below grade crawl space shall have an adequate drainage system that removes floodwaters from the interior area of the crawl space within a reasonable time after a flood event.
- (8) The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawlspace.

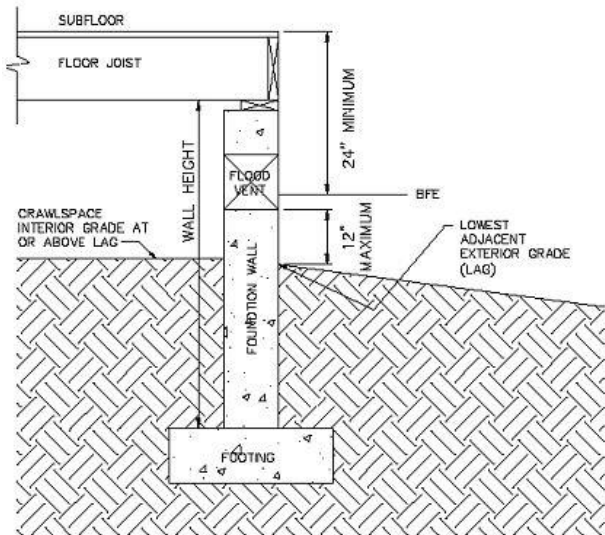


FIGURE 1  
PREFERRED CRAWL SPACE CONSTRUCTION

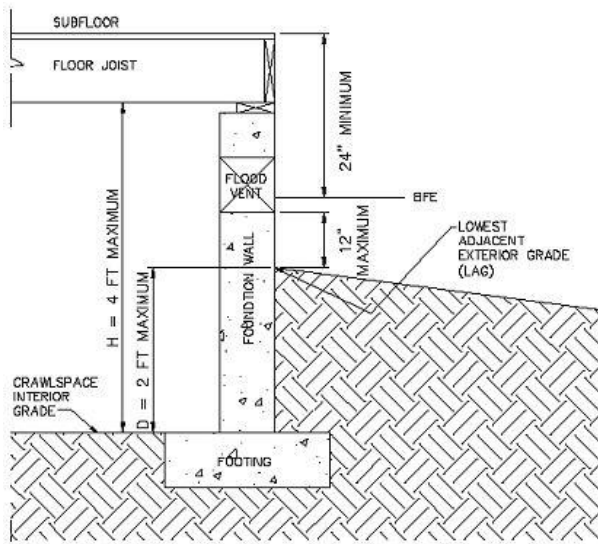


FIGURE 2  
BELOW GRADE CRAWL SPACE CONSTRUCTION

Note: A below grade crawl space shall be subject to higher flood insurance rates through the NFIP.

3. Nonresidential Construction:

a. New construction and substantial improvement of any commercial, industrial, nonresidential portion of a mixed use or other nonresidential structure in any A1-30, AE and AH zone shall either have the top of the floor structure of the lowest floor, including basement, elevated no lower than the Flood Protection Elevation or floodproofed to the Flood Protection Elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, are :

- (1) Watertight with walls substantially impermeable to the passage of water;
- (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- (3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this article based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Floodplain Administrator as set forth in subsection [17.88.050.D.3.f.\(5\)](#) of this chapter, along with the operational plan and inspection and maintenance plan;
- (4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subsection B2c of this section; and
- (5) Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot (1') below the floodproofed level (e.g., a building constructed to the base flood level will be rated as 1 foot below that level).

- b. All new construction and substantial improvement of nonresidential structures within AO zones shall:
- (1) Have the lowest floor (including basement) elevated above the highest adjacent grade at least twenty four inches (24") higher than the depth number specified in feet on the FIRM; or
  - (2) Together with the attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in subsection 17.88.060.B.3.a of this section.
4. **Manufactured Homes:** All manufactured homes to be placed or substantially improved within zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is twenty four inches (24") above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subsection 17.88.060.A.1.b of this section.
5. **Recreational Vehicles:** All recreational vehicles to be placed on a site within zones A1-30, AH, and AE shall meet the requirements of subsection 17.88.060.B.4 of this section, or be placed on the site for less than one hundred eighty (180) consecutive days and be fully licensed and highway ready. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions.
6. **Critical Facilities:**
- a. Construction of new critical facilities shall be, to the extent possible, located outside the limits of the special flood hazard area (SFHA) (100-year floodplain).
  - b. Construction of new critical facilities shall be permissible within the SFHA only if no feasible alternative site is available.
  - c. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet (3') above BFE or to the height of the 500-year flood, whichever is higher.
  - d. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.
  - e. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.
7. **Temporary Non-Residential Structures.** Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:
- a. a specified time period for which the temporary use will be permitted. Time specified may not exceed six (6) months, renewable up to one (1) year;
  - b. the name, address, and phone number of the individual responsible for the removal of the temporary structure;
  - c. the time frame prior to the event at which a structure will be removed (i.e., immediately upon flood warning notification);
  - d. a copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and

- e. designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.
- f. Temporary structures in the floodway must provide a Hydraulic and Hydrology Analysis along with a No-Rise Certification.

8. Accessory and Agricultural Structures (Appurtenant structures). When accessory structures (sheds, detached garages, etc.) used solely for parking, and storage are to be placed within a Special Flood Hazard Area, elevation or floodproofing certifications are required for all accessory structures in accordance with this title, and the following criteria shall be met:

- a. Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking, or restroom areas);
- b. Accessory structures shall not be temperature-controlled;
- c. Accessory structures shall be designed to have low flood damage potential;
- d. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
- e. Accessory structures shall be firmly anchored in accordance with the provisions of Section 17.88.060.A.1;
- f. All utility equipment and machinery, such as electrical, shall be installed in accordance with the provisions of Section 17.88.060.A.3; and
- g. Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of this title.
- h. Accessory structures not used solely for parking, access, and storage must be elevated per this title.
- i. An accessory structure with a footprint less than 200 square feet and is a minimal investment of \$7,500 and satisfies the criteria outlined in a - g above is not required to provide the elevation certificate per this title.

9. Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:

- a. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the base flood, including the effects of buoyancy (assuming the tank is empty);
- b. Elevated above-ground tanks, in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse, or lateral movement during conditions of the base flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;
- c. Not elevated above-ground tanks may be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.
- d. Tank inlets, fill openings, outlets and vents shall be:



- i. At or above the flood protection elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the base flood; and
- ii. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.

10. Compensatory Storage: New development shall not reduce the effective flood storage volume of the Regulatory Floodway and SFHA. A development proposal shall provide compensatory storage if grading or other activity eliminates any effective flood storage volume. Compensatory storage shall:

- a. Provide equivalent volume at equivalent elevations to that being displaced. For this purpose, “equivalent elevation” means having similar relationship to ordinary high water and the best available one hundred (100) year water surface profiles;
- b. Be hydraulically connected to the source of flooding; and
- c. Provide compensatory storage in the same construction season as when the displacement of flood storage volume occurs and before the flood season begins.
- d. The newly created storage area shall be graded and vegetated to allow fish access during flood events without creating fish stranding sites.

**17.88.070: Standards for Floodplains without Established Base Flood Elevations – Zone A**

Within the Special Flood Hazard Areas designated as Zone A (also known as Unnumbered A Zones) where no Base Flood Elevation (BFE) data has been provided by FEMA, the following provisions, in addition to the provisions of Section 17.88.060.A shall apply:

A. The BFE used in determining the Flood Protection Elevation (FPE) shall be determined based on the following criteria:

- 1. When Base Flood Elevation (BFE) data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in Sections 17.88.060.A and B.
- 2. When floodway data is available from a Federal, State, or other source, all new construction and substantial improvements within floodway areas shall also comply with the requirements of Sections 17.88.060.B. and 17.88.090.
- 3. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data. Such Base Flood Elevation (BFE) data shall be adopted by reference in accordance with Section 17.88.040.A.3 and utilized in implementing this ordinance. The applicant/developer shall submit an application for a Conditional Letter of Map Revision (CLOMR) prior to Preliminary Plat approval and have obtained a Letter of Map Revision (LOMR) prior to any building permits for structures being issued.
- 4. When Base Flood Elevation (BFE) data is not available from a Federal, State, or other source as outlined above, the lowest floor shall be elevated or floodproofed (non-residential) to two feet (2.0 ft.) above the Highest Adjacent Grade (HAG) at the building site or to the Flood Protection Elevation (FPE) whichever is higher. All other applicable provisions of Section 17.88.060.B shall also apply.

**17.88.080: Standards for Riverine Floodplains with Base Flood Elevations but without Established Floodways.**

A. Along rivers and streams where Base Flood Elevation (BFE) data is provided by FEMA or is available from another source but floodways are not identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

1. Standards of Sections 17.88.060.A and B; and
2. Until a regulatory floodway is designated, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

**17.88.090: Standards for Floodways.**

Areas designated as floodways located within the Special Flood Hazard Areas established in Section 17.88.040.A.3. The floodways are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Sections 17.88.060.A and B, shall apply to all development within such areas:

A. New residential structures and residential substantial improvements are prohibited in the floodway.

B. All encroachment, including fill, new construction, substantial improvements, residential structures, and other developments shall be prohibited, except for the following:

1. Roads and bridges necessary to connect areas outside of the special flood hazard area;
2. Utilities;
3. Recreational pathways and open space;
4. Flood control and stormwater management facilities;
5. Boat ramps or river access;
6. Wildlife habitat improvements;
7. Stream restoration and bank stabilization constructed in accordance with a Floodplain Development Permit;
8. Fences that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, in regulated floodways shall meet the limitations of 17.88.090 of this ordinance.
9. Retaining walls, bulkheads, sidewalks, and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance.
10. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings, and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, which encroach into regulated floodways, shall meet the limitations of Section 17.88.090 of this ordinance. The applicant/developer shall submit an application for a Letter of Map Revision (LOMR) upon completion of construction for the purpose of providing FEMA better available data.
11. Drilling water, oil, and/or gas wells including fuel storage tanks, apparatus, and any equipment at the site that encroach into regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance.
12. Docks, piers, boat ramps, marinas, moorings, decks, docking facilities, port facilities, shipbuilding, and ship repair facilities that encroach into regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance

C. Encroachments in the floodway are only allowed if:

1. All development shall comply with all applicable flood hazard reduction provisions of this ordinance and meet the approval of the Federal Emergency Management (FEMA) and National Flood Insurance Program (NFIP) and does not jeopardize the city's participation in the NFIP; and
2. Requirements of a No Adverse Impact statement and a No-Rise Certification, with accompanying analysis, are met; or

3. A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained within six months of completion of the proposed encroachment.

**17.88.100: Standards for Areas of Shallow Flooding (Zone AO, AH, AR/AO, or AR/AH)**

A. Areas designated as shallow flooding areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to all other applicable sections of this title, all new construction and substantial improvements shall meet the following requirements:

1. The lowest floor shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of two (2) feet, above the highest adjacent grade; or at least two (2) feet above the highest adjacent grade if no depth number is specified.
2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in chapter so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Floodproofing Certification is required in accordance with this chapter.
3. Accessory structure (appurtenant structure) (sheds, detached garages, etc.)
  - a. Used solely for parking, and storage:
    - (1) Shall have the lowest floor elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of two (2) feet, above the highest adjacent grade; or at least two (2) feet above the highest adjacent grade if no depth number is specified; or
    - (2) Shall have flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of 17.88.060.B.2.c.
  - b. Not used solely for parking, and storage
    - (1) Shall be elevated per 17.88.060.B.2 and 17.88.060.B.3.
4. Adequate drainage paths shall be provided around structures on slopes to guide floodwaters around and away from proposed structures.
5. Hazardous Velocities: Where hazardous velocities are noted on the FIRM, proper construction techniques and methods shall be used to mitigate the effects of the velocities.

**17.88.110: Floodplain Development Permit Exemptions and Irrigation Activities and Development:**

A. Activities that do not require a floodplain development permit:

Consistent with Idaho Code §46-1021 and §46-1022, operation, cleaning, maintenance or repair of any ditch, canal, lateral, drain, diversion structure or other irrigation or drainage works, as defined within this guidance document, do not constitute development under Idaho law and therefore do not require either a GIFD permit or an individual permit. The below list of activities delineates some activities that do not require a permit. The list is not exhaustive. The Floodplain Administrator must exercise their professional judgement when reviewing activities to determine if an activity requires a permit. When in doubt, the Floodplain Administrator should seek consultation from the IDWR Floodplain Coordinator to determine permit necessity.

1. General farming, pasture, horticultural activities, and forestry that do not involve earthwork that permanently alters the topography or any clearing/grubbing of an area.

2. Grading of existing roads or easements along or near channels and within the SFHA, provided that the grading does not add fill within the regulatory floodway or SFHA.
3. Maintenance of underground utilities (work must not permanently alter topography).
4. In-kind replacement of existing piers or posts supporting a conforming deck.
5. Activities associated with land-surface construction stormwater Best Management Practices (“BMP”), provided the measures are temporary in nature (i.e. not in place for longer than 180 days) or do not increase the BFE. Examples of stormwater BMP activities that do not require a permit include the following: dust control; materials and equipment covers; mulching; geotextile fabrics; matting; bio-filter bags; fiber rolls; silt fences; vegetative buffer strips; temporary swales; and temporary berms.
6. New installation or maintenance of non-solid fences constructed parallel to the flow of water during a flood event. Non-parallel or solid fences that block the flow will need to go through the individual permitting process.
- ~~6-7.~~ [Activities that fall under the scope of a Riparian Alteration Permit as described in 17.88.050.](#)

B. General Irrigation Floodplain Development Permit:

1. Upon review of the proposed activities and projects, the Floodplain Administrator will assess whether or not they fall, in whole or in part, under the GIFD permit, and whether any components require an individual permit and notify the applicant in writing accordingly.

The Floodplain Administrator shall advise the applicant or project sponsor of their assessment via written notice (email is preferable). The Floodplain Administrator shall maintain a copy of all proposed project notifications and responses.

2. GIFD permit does NOT include the following types of development activities and projects:

- a. Fill, except as outlined in the examples below;
- b. new construction, or replacements that do not meet the in-kind definition;
- c. activities or projects that trigger any requirement found in the local floodplain management or NFIP regulations; and
- d. activities or projects that increase flood damage and/or increase exposure to flood hazards.

3. GIFD permit activities and projects:

- a. Dredging and grading of irrigation and drainage channels, provided that fill from dredging or grading is not deposited on the banks of channels or anywhere within the regulatory floodway or SFHA for longer than 10 days.
- b. Seasonal grading within natural stream channels to check or direct water into irrigation facilities (i.e. earthen “push-up dams” and “wing dams”).
- c. Deposition of fill within the SFHA for less than 10 days. After 10 days, deposited fill must be removed from the SFHA, or graded and compacted to existing grade within  $\pm 0.2$  feet. Deposition of fill includes deposition of material resulting from grading or excavating irrigation or drainage channels. Deposition of fill within the mapped floodway requires an individual permit.
- d. Construction of new underground utilities that do not permanently alter the topography. Excess soil from new pipes larger than 2 feet in diameter must be disposed of outside the regulatory floodway and SFHA.
- e. In-kind replacement of irrigation and drainage works or components including but not limited to control gates or head gates, measuring devices and their housing structures/stilling wells, culverts, pumps, pipes, flumes, siphons and similar works. GIFD permits cannot authorize the In-kind replacement of dams or bridge structures.
- f. New driveways, trails, sidewalks, roads and streets constructed completely at-or-below existing grade.

- g. New underground utilities that do not permanently alter the existing grade elevations by ± 0.5 feet.
  - h. Armoring, stabilizing, securing, or in-kind replacement of existing infrastructure within the channel banks (such as bridge piers, sewer/utility supports and storm water/sewer drainage outfalls/headwalls) provided the dimensions (bank slopes, channel location, channel elevation) of the channel are not altered. This should not involve replacement with larger or additional above ground infrastructure.
4. Floodplain Development Permits: An individual permit is required for all other permitted activities and projects within the regulatory floodway and SFHA that do not meet the requirements of a GIFD permit.

**17.88.120: ENFORCEMENT AND PENALTIES FOR VIOLATION:**

A. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations.

B. Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$300 or imprisoned for not more than six (6) months. Each day the violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Ketchum from taking such other lawful actions as is necessary to prevent or remedy any violation.

C. The provisions of this article shall be enforced by one or more of the following methods:

- 1. Requirements of floodplain development permit;
- 2. Requirements of building permit;
- 3. Inspection and ordering removal of violations;
- 4. Criminal liability;
- 5. Injunction; and
- 6. Civil enforcement.

D. Enforcement shall further be administered according to [chapter 17.156](#) of this title. (Ord. 1135, 2015)

**17.88.130: Title**

**17.88.140: Guidelines**

**17.88.150: Procedure**

**17.88.160: Application For Emergency Stream Bank Stabilization**

**17.88.170: Action Upon Submittal Of Stream Bank Stabilization Application**

**17.88.180: Site Inspection**

**17.88.190: Basis For Denial Of An Emergency Stream Bank Stabilization Permit**

**17.88.200: Conditions Of Emergency Stream Bank Stabilization Approval**

**17.88.210: Enforcement**

- 17.88.220: Title**
- 17.88.230: Guidelines**
- 17.88.240: Procedure**
- 17.88.250: Application For Emergency Riparian Alteration**
- 17.88.260: Action Upon Submittal Of Emergency Riparian Alteration Application**
- 17.88.270: Site Inspection**
- 17.88.280: Basis For Denial Of An Emergency Riparian Alteration Permit**
- 17.88.290: Conditions Of Emergency Riparian Alteration Approval**
- 17.88.300: Enforcement**
  
- 17.88.310: Title**
- 17.88.320: Guidelines**
- 17.88.330: Procedure**
- 17.88.340: Application**
- 17.88.350: Action Upon Submittal Of Emergency Application**
- 17.88.360: Conditions Of Emergency Application Approval**
  
- 17.88.370: Uses Permitted**
- 17.88.380: Use Restrictions**
- 17.88.390: Application For Temporary Flood Control Barriers**
- 17.88.400: Enforcement**

**Attachment B.**  
Summary of ordinance amendments

## **Overview: Amendments to Title 17, Zoning, Chapter 17.88, Floodplain Management Overlay Zoning District**

### **17.88.040: General Provisions**

- **17.88.060.B.6:** Clarified how the Waterways Review District is determined and why it is not indicated on the zoning map.
- **17.88.060.D.1.e:** This is an existing requirement in the Subdivision Ordinance now cross-referenced in the floodplain chapter.
- **17.88.060.D.2:** Added to this existing requirement that real estate and leasing agents shall also disclose that applicable properties are located in the Waterways Review District. Added this at the recommendation of the P&Z Commission to strengthen awareness of the city's Riparian Zone regulations.

### **17.88.50: Administration**

- Revised for clarity the parameters of the Waterways Review District. Removed cross-references with the Design Review chapter of the zoning code and enmeshed the review process entirely within the Floodplain Ordinance.
- 17.88.050.A: Clarified the different types of permits (Floodplain vs. Riparian Alteration) and when a permit is applicable.
- 17.88.050.B: Removed list of application submittals from ordinance. This will now be included as part of the application packet.
- 17.88.050.D.2: Added criteria to consider for the Administrator forwarding an application to the P&Z Commission for review.
- 17.88.050.D.3.b: Added inspection requirements from state's model code
- 17.88.050.D.3.c: Added stop-work requirements from state's model code
- 17.88.050.D.3.d: Added coordination with federal agencies from state's model code
- 17.88.050.E: Clarified Criteria for Evaluations. Many of the evaluation criteria have existed in the Floodplain Ordinance since 1989. As procedures have changed meaning/intent were eroded. Added criteria related to a No Adverse Impact statement for stream alterations.
- 17.88.050.G.1: Added changes to draft or interim floodplain maps and special studies as materials to consider when making a determination for granting a permit extension.
- 17.88.050.H.1: Clarified when an inspection (already required by existing ordinance) of a structure under construction in the floodplain shall occur.
- 17.88.050.H.1.b: Added language from state's model code related to existing ordinance requirements for Elevation Certificates
- 17.88.050.H.2.b: Added requirement that staff has the authority to conduct a site inspection for work completed in the floodplain or riparian zone that isn't accompanied by a building permit.
- 17.88.050.I: The major change, which was recommended for approval by the P&Z Commission, is that variances from floodplain regulations now must be approved by the Commission after a public hearing, just like all other variances approved by the city, and that the appeal procedure follows the Appeals chapter of the zoning code. The existing ordinance allowed the Floodplain Administrator to grant variances from floodplain ordinance regulations. Additionally, new standard language from the state's model code was incorporated.



### **17.88.060: Provisions for Flood Hazard Reduction**

- All changes to this section are related to construction methodologies for building in the floodplain and/or the construction of certain types of facilities that are treated differently by federal regulations (such as “Critical Facilities”, “Temporary Non-Residential Structures”, and “Accessory and Agricultural Structures”). All amendments reflect language incorporated from the state’s model code. Highlights include adopting for the first time:
  - Standards for floodplain development activities related to irrigation (aligns with Idaho state statute)
  - Standards for using compensatory storage to offset grading/fill in the floodplain
  - Standards for temporary non-residential structures located in the floodplain
  - Standards for agricultural structures
  - Standards for accessory structures

## **Attachment C.**

### Draft Ordinance 1214

Exhibit A: Amendments to Section 17.08.020, Terms Defined

Exhibit B: Chapter 17.88, Article 1, Flood Damage Prevention

Exhibit C: Publication summary

**ORDINANCE NO. 1214**

**AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 17, ZONING REGULATIONS, SECTION 17.08.020, TERMS DEFINED; REPEALING ARTICLE I, FLOOD DAMAGE PREVENTION, OF CHAPTER 17.88, FLOODPLAIN MANAGEMENT OVERLAY ZONING DISTRICT (FP); ADOPTING A NEW ARTICLE I, FLOOD DAMAGE PREVENTION; AMENDING CHAPTER 17.88, FLOODPLAIN MANAGEMENT, OVERLAY ZONING DISTRICT (FP), ARTICLES II – IV TO RENUMBER SECTIONS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Ketchum is authorized to amend the city zoning ordinance pursuant to Idaho Code § 67-6511; and

WHEREAS, the City first adopted an ordinance regulating development in the floodplain in 1974 with the passage of Ord. 208 and first distinguished between Floodplain and Floodway areas and established a streambank alteration and riparian regulations in 1989 with the adoption of Ord. 525; and

WHEREAS, the City participates in the Federal Emergency Management Agency (FEMA)'s National Flood Insurance Program (NFIP) in order to protect the health, safety, and welfare of its citizens and to ensure that flood insurance is available to them; and

WHEREAS, by participating in the NFIP the City's responsibilities include requiring permits for all development within the 100-year floodplain, ensuring all other permits required by local, State, and Federal laws are obtained, maintaining records of all development permits, and ensuring flood carrying capacity of altered or relocated watercourses is maintained; and

WHEREAS, the City desires to implement regulations that facilitate the protection of property from inundation of flood waters that simultaneously mitigate reduction of the floodplain's carrying capacity; and

WHEREAS, the Planning and Zoning Commission held a public hearing and considered public input on July 13<sup>th</sup>, August 11<sup>th</sup>, and September 15<sup>th</sup>, 2020, and recommended approval to the City Council;

WHEREAS, the City Council, having reviewed the proposed subdivision code amendments, held public hearings on December 7<sup>th</sup>, 2020, December 21<sup>st</sup>, 2020, and January 4<sup>th</sup> 2021, and \_\_\_\_\_.

WHEREAS, the City Council, having considered the recommendation of the Planning and Zoning Commission and submitted comments and testimony from the public, having determined that it is in the best interests of the public to adopt the proposed amendments to Title 17, Zoning Regulations:

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

**Section 1. AMENDMENTS TO SECTION 17.08.020, TERMS DEFINED.** That Title 17 of the Ketchum Municipal Code, Section 17.08.020, Terms Defined, be amended with the following new, revised, and deleted definitions as attached and incorporated as Exhibit A to this Ordinance.

**Section 2. AMENDMENTS TO CHAPTER 17.88, FLOODPLAIN MANAGEMENT OVERLAY ZONING DISTRICT (FP), ARTICLE I, FLOOD DAMAGE PREVENTION.** That Title 17 of the Ketchum Municipal Code be amended by repealing Article 1, Flood Damage Prevention, of Chapter 17.88 Floodplain management, in its entirety and replacing it with a new Article 1, Flood Damage Prevention, as attached and incorporated as Exhibit B to this Ordinance.

**Section 3. AMENDMENTS TO CHAPTER 17.88, FLOODPLAIN MANAGEMENT, OVERLAY ZONING DISTRICT (FP), ARTICLES II – IV.** That Title 17 of the Ketchum Municipal Code be amended as follows to renumber the sections of Chapter 17.88, Articles II-IV as follows:

17.88.120: Title  
17.88.130: Guidelines  
17.88.140: Procedure  
17.88.150: Application For Emergency Stream Bank Stabilization  
17.88.160: Action Upon Submittal Of Stream Bank Stabilization Application  
17.88.170: Site Inspection  
17.88.180: Basis For Denial Of An Emergency Stream Bank Stabilization Permit  
17.88.190: Conditions Of Emergency Stream Bank Stabilization Approval  
17.88.200: Enforcement

17.88.210: Title  
17.88.220: Guidelines  
17.88.230: Procedure  
17.88.240: Application For Emergency Riparian Alteration  
17.88.250: Action Upon Submittal Of Emergency Riparian Alteration Application  
17.88.260: Site Inspection  
17.88.270: Basis For Denial Of An Emergency Riparian Alteration Permit  
17.88.280: Conditions Of Emergency Riparian Alteration Approval  
17.88.290: Enforcement

17.88.300: Title  
17.88.310: Guidelines  
17.88.320: Procedure  
17.88.330: Application  
17.88.340: Action Upon Submittal Of Emergency Application

17.88.350: Conditions Of Emergency Application Approval

17.88.360: Uses Permitted

17.88.370: Use Restrictions

17.88.380: Application For Temporary Flood Control Barriers

17.88.390: Enforcement

**Section 4. 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 5. REPEALER CLAUSE.** All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

**Section 6. PUBLICATION.** This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit C, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

**Section 7. EFFECTIVE DATE.** This Ordinance shall be in full force and effect after its passage, approval and publication, according to law.

PASSED BY the CITY COUNCIL and APPROVED by the MAYOR of Ketchum, Idaho, on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED BY the Mayor of the City of Ketchum, Idaho, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
Neil Bradshaw, Mayor

ATTEST:

\_\_\_\_\_  
Katrin Sharp, Deputy City Clerk

EXHIBIT A

ADVERSE IMPACT: An adverse impact with respect to floodplain development includes impacts that cause damage to property, threaten public safety and health, or cause loss of natural floodplain functions. These can be caused by increases in flood stages or elevations, increases in flood velocity, increases in flow rates, decreases in conveyance areas, decreases in flood storage, increased potential for erosion and sedimentation, or degradation of water quality. Development within the regulatory floodway and all other waterways, whether within the SFHA or not, shall be required to certify by a registered professional engineer that the development does not adversely affect flood risks for other properties as measured by increased flood stages, increased flood velocity, increased flows, increased potential for erosion and sedimentation, or any other impact deemed important or as specified by the City of Ketchum, unless the impact is mitigated. This certification shall employ industry standards for hydraulic and hydrological analysis to determine no adverse impact and all data shall be provided in hard copy and digitally for review and corroboration by the city's engineer or any governmental review agency acceptable to the City of Ketchum.

AREA OF SHALLOW FLOODING: A designated AO or VO zone on the flood insurance rate map (FIRM). The base flood depths range from one foot to three feet (1'–3'); a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. AO is characterized as sheet flow, and AH indicates ponding. A designated AO, AH, AR/AO, or AR/AH zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent (1%) or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD: The land in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year. Designation on maps always includes the letters "A" or "V". The term "special flood hazard area", for the purposes of these regulations, is synonymous with the phrase "area of special flood hazard". See Special Flood Hazard Area (SFHA).

BASE FLOOD: The flood having one percent (1%) chance of being equaled or exceeded in any given year. Also referred to as the 100-year flood, the regulatory flood or the intermediate regional flood (IRF). Designation on maps always includes the letters "A" or "V".

BASE FLOOD ELEVATION (BFE): The water surface elevation of the one percent (1%) annual chance flood. A determination by the Federal Insurance Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent (1%) or greater chance of occurrence in any given year. When the BFE has not been provided in a Special Flood Hazard Area, it may be obtained from engineering studies available from a Federal, State, or other source using FEMA-approved engineering methodologies. This elevation, when combined with the Freeboard, establishes the Flood Protection Elevation.

Cleaning (irrigation): mowing, cutting, or burning of weeds, trees and other nuisance growth, including algae growth, application of pesticides as permitted, removal of beaver dams, and removal of trash or other debris whether floating, lodged or otherwise obstructing the conveyance of water flow through channels and works.

DEVELOPMENT: Any man-made change to improved or unimproved land, including subdivision, construction activity, or alteration of the landscape (except for routine pruning and maintenance of riparian vegetation to benefit the health of the vegetation) (except routine maintenance), its terrain contour or vegetation, including any construction of structures, establishment of a land use, or alteration of an existing structure or land use. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, streambank stabilization, placement of manufactured or mobile homes, construction of fences, hedges, berms, walls, or storage of equipment or materials on a temporary or permanent basis.

DEVELOPMENT ACTIVITY: For the purpose of floodplain management, Development Activity is development as defined in this title that will require a Floodplain Development Permit.

~~FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from:~~

~~A. The overflow of inland or tidal water; and/or~~

~~B. The unusual and rapid accumulation or runoff of surface waters from any source.~~

a. A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.

2. The unusual and rapid accumulation or runoff of surface waters from any source.

3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph a.2. of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph a.1. of this definition.

FLOOD INSURANCE RATE MAP (FIRM): The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazard and risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

FLOOD INSURANCE STUDY (FIS): an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations; or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

FLOODPLAIN OR FLOOD-PRONE AREA: Any land area susceptible to being inundated by water from any source (see definition of "flooding").

FLOODPLAIN ADMINISTRATOR: the individual appointed to administer and enforce the floodplain management regulations.

FLOODPLAIN DEVELOPMENT PERMIT: any type of permit that is required in conformance with the provisions of this ordinance, prior to the commencement of any development activity.

FLOODPLAIN MANAGEMENT: the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and flood plain management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS: zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a flood plain ordinance, grading ordinance, and erosion control ordinance), and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOOD PROTECTION ELEVATION Flood Protection Elevation (FPE): the Base Flood Elevation plus the Freeboard.

a. In "Special Flood Hazard Areas" where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus two (2) feet of freeboard; and

b. In "Special Flood Hazard Areas" where no BFE has been established, this elevation shall be at least two (2) feet above the highest adjacent grade.



FLOOD PROTECTION SYSTEM: those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height ~~one~~ foot (1'). This term is also referred to as the "regulatory floodway".

FREEBOARD: a factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the hydrologic effects of urbanization in a watershed. The Base Flood Elevation (BFE) plus the freeboard establishes the Flood Protection Elevation (FPE). Freeboard shall be two (2) feet.

Functionally Dependent Use: a facility that cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

General Irrigation Floodplain Development Permit (GIFD Permit): The intent of the GIFD permit is to collectively authorize low-to-no impact irrigation and drainage development activities or uses in the floodplain which inherently do not increase the BFE. GIFD permits apply to all qualifying activities within the spatial extents of an irrigation delivery or drainage system and within the regulatory floodway or SFHA, over a predetermined period of time, not to exceed five years. Issuance of a GIFD permit requires coordination between the irrigation entity and the Floodplain Administrator.

HEC-RAS (Hydrologic Engineering Center-River Analysis System): A computer program for modeling water flowing through systems of open channels and computing water surface profiles.

HIGHEST ADJACENT GRADE (HAG): The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. Refer to the FEMA Elevation Certificate for HAG related to building elevation information.

Intermediate Regional Flood (IRF): The flood having a 0.2% annual chance of being equaled or exceeded in any given year.

LETTER OF MAP CHANGE (LOMC): a general term used to refer to the several types of revisions and amendments to FIRMs that can be accomplished by letter. They include Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR), and Letter of Map Revision based on Fill (LOMR-F)

1. Letter of Map Amendment (LOMA): an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map. A LOMA establishes a property's or structure's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property or structure has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation.
2. Letter of Map Revision (LOMR): FEMA's modification to an effective Flood Insurance Rate Map (FIRM) or a Flood Boundary and Floodway Map (FBFM) or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM), and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.
3. Letter of Map Revision Based on Fill (LOMR-F): FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway. The LOMR-F does not change the FIRM, FBFM, or FIS report.

1-4. Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map (FIRM) or Flood Insurance Study (FIS). Upon submission and approval of certified as-built documentation, a Letter of Map Revision (LOMR) may be issued by FEMA to revise the effective FIRM. Building Permits and/or Flood Development Permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

LOWEST ADJACENT GRADE (LAG): The lowest point of the ground level immediately next to a building. Refer to the FEMA Elevation Certificate for LAG related to building elevation information.

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement contained in 44 CFR § 60.3 and subsection 17.88.060B2c of this title.

Maintenance (irrigation): the act of ongoing upkeep of existing structures required to keep channels in a condition adequate to support the conveyance of irrigation and drainage water (this does not include the complete replacement or substantial replacement of an existing structure). Maintenance is further defined as the care or upkeep of channels, works, appurtenances, easements, utility corridors and property; to keep in an existing state, specified state of repair, and efficiency; return to a former condition, elevation, place, and position; to preserve from failure or decline; or repair or renovate so as to return it to its original condition. Maintenance does not include dredging as defined herein.

MANUFACTURED HOME: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles. The term "Manufactured Home" does not include a "Recreational Vehicle."

MARKET VALUE: the building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.

NEW CONSTRUCTION: for floodplain management purposes, a structure for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Any construction started after {insert effective date of community's first floodplain management ordinance adopted by the community/NFIP emergency entry date} and before the effective start date of this floodplain management ordinance is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

Operation (irrigation): the regular and reoccurring performance of typical work by an irrigation or drainage entity including, but not limited to: the delivery or drainage of water, measurement of water, and adjustment of irrigation and drainage works and all related appurtenances.

POST-FIRM: construction or other development for which the "start of construction" occurred on or after the effective date of the initial Flood Insurance Rate Map (FIRM).

PRE-FIRM: construction or other development for which the "start of construction" occurred before {insert effective date of community's first FIRM}, the effective date of the initial Flood Insurance Rate Map (FIRM).

RECREATIONAL VEHICLE: a vehicle that is:

- a. Built on a single chassis, and
- b. 400 square feet or less when measured at the largest horizontal projection, and
- c. Designed to be self-propelled or permanently towed by a light duty truck, and
- d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**REGULATORY FLOODWAY: See Floodway**

Repair (irrigation): the restoration to good or sound conditions of any part of an existing structure, channel, channel bank, or service road for the purpose of maintenance (this does not include the complete replacement or substantial replacement of an existing structure). Repair does not include dredging as defined herein.

**RIPARIAN ZONE:** That area along the banks of any waterway twenty five feet (25') in width measured horizontally from the mean high-water mark; this area is the regulated Riparian Zone in Ketchum city limits. All parcels that contain Riparian Zone are included in the Waterways Review District.

SPECIAL FLOOD HAZARD AREA (SFHA): the land in the flood plain within a community subject to a one percent (1%) or greater chance of flooding in any given year. For purposes of these regulations, the term "special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard", 100-year floodplain, and one percent (1%) annual chance floodplain.

**START OF CONSTRUCTION:** Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**STRUCTURE:** Anything permanently constructed in or on the ground, or over the water, including gas or liquid storage tank that is principally above ground and manufactured homes; excluding fences less than six feet (6') in height, decks less than thirty inches (30") above grade, paved areas, and structural or nonstructural fill.

**SUBSTANTIAL DAMAGE:** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred. See definition of "substantial improvement".

**SUBSTANTIAL IMPROVEMENT:** Includes the following:

A. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement over a three (3) year time frame. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed.-either:

1. Before the improvement or repair is started; or

~~2. If the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.~~

B. The term does not, however, include either:

1. Any project for improvement of a structure to comply with existing State or local Health, Sanitary, or Safety Code specifications ~~which are solely~~ which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a structure listed on the National Register of Historic Places or the Idaho Historic Sites Inventory provided that the alteration will not preclude the structure's continued designation as a "historic structure" and the alteration is approved by variance issued pursuant to this ordinance.

~~VARIANCE, FLOODPLAIN: A grant of relief from the requirements of chapter 17.88, article 1 of this title which permits construction in a manner that would otherwise be prohibited by said article.~~

VIOLATION (FLOODPLAIN ORDINANCE): the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the Finished Construction Elevation Certificate, other certifications, or other evidence of compliance required in 44 CFR § 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

## EXHIBIT B

## Article I. Flood Damage Prevention

[17.88.010: Statutory Authorization and Findings of Fact](#)

[17.88.020: Statement Of Purpose](#)

[17.88.030: Methods Of Reducing Flood Losses](#)

[17.88.040: General Provisions](#)

[17.88.050: Administration](#)

[17.88.060: Provisions For Flood Hazard Reduction](#)

[17.88.070: Standards for Floodplains without Established Base Flood Elevations – Zone A](#)

[17.88.080: Standards for Riverine Floodplains with Base Flood Elevations but without Established Floodway](#)

[17.88.090: Standards for Floodways](#)

[17.88.100: Standards for Areas of Shallow Flooding \(Zone AO, AH, AR/AO, or AR/AH\)](#)

[17.88.110: Floodplain Development Permit Exemptions and Irrigation Activities and Development](#)

[17.88.120: Enforcement And Penalties](#)

### **17.88.010: STATUTORY AUTHORIZATION AND FINDINGS OF FACT:**

A. Statutory Authority: The Legislature of the State of Idaho, pursuant to Idaho Code §§ 46-1020, 46-1023, and 46-1024, authorizes local governments to adopt floodplain management ordinances that identify floodplains and minimum floodplain development standards to minimize flood hazards and protect human life, health, and property.

Therefore, the Council of the City of Ketchum Idaho does hereby ordain as follows:

1. The flood hazard areas of Ketchum, Idaho, are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
2. These flood losses are caused by the cumulative effects of obstruction in areas of special flood hazard which increase flood heights and velocities and by development that is inadequately floodproofed, elevated, anchored, or otherwise protected from flood damage.
3. The Big Wood River, its tributaries, and their associated floodplains in Ketchum are important to the well-being of our citizens as they provide recreation, fish and wildlife habitat, aesthetic beauty, a source of irrigation water, as well as other economic and lifestyle values.

B. The studies listed below are hereby adopted as the primary sources of flood hazard analysis:

1. "Flood Insurance Study (FIS) for Blaine County, Idaho and Incorporated Areas", Flood Insurance Study 16013CV001A and 16013CV002A, dated November 26, 2010, and any amendments thereto;
2. Digital flood insurance rate maps (DFIRMs) for Blaine County, Idaho, and incorporated areas: Map Number 16013CIND0A; Map Number 16013C0433E, Community Panel Number 0433E; Map Number 16013C0434E, Community Panel Number 0434E; Map Number 16013C0441E, Community Panel Number 0441E; Map Number 16013C0442E, Community Panel Number 0442E; Map Number 16013C0453E, Community Panel Number 0453E; Map Number 16013C0461E, Community Panel Number 0461E, and any amendments thereto; and
3. Other flood hazard studies, as may be adopted by the City, will be utilized in determining flood hazard.
4. Additionally, other flood hazard analysis sources as determined by the City Engineer, Floodplain Manager, or other expert hired by the City may be utilized.

- C. Regulations pertaining to development on property affected by the one percent (1%) annual chance flood (100-year flood), as defined herein, are necessary in addition to those of the underlying zoning district in order to promote the health, safety, and welfare of the citizens of and visitors to the City of Ketchum, Idaho.
- D. Local government units have the primary responsibility for planning, adopting, and enforcing land use regulations to accomplish proper floodplain management.

**17.88.020: STATEMENT OF PURPOSE:**

It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- A. To protect human life, health, safety, property, and welfare;
- B. To minimize expenditure of public money for costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;
- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood damaged areas;
- G. To ensure that potential buyers and leaseholders are notified that property is in an area of special flood hazard or riparian zone, where the regulations of this ordinance apply;
- H. To ensure that those who occupy the areas of special flood hazard assume the responsibility for their actions.
- I. To ensure potential buyers of property in an area of special flood hazard are notified.
- J. To allow the river and creeks and their adjacent lands to convey floodwaters to minimize property damage;
- K. To regulate uses in the floodplain and Riparian Zone for the purpose of preserving, protecting, and enhancing the abundance and diversity of fish, wildlife and riparian resources;
- L. To protect, preserve and enhance the waterways and floodplains as a recreation resource;
- M. To provide a formal procedure for stream alteration permit applications;
- N. To restrict or prohibit uses which are injurious to health, safety, or property in times of flood, which result in environmental damage, or that cause increased flood heights or velocities; and
- O. To guide development and city review of development in the floodplain and adjacent to waterways in order to establish the most appropriate building envelopes for lots existing and in new subdivisions.

**17.88.030: METHODS OF REDUCING FLOOD LOSSES:**

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting development which is dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
- B. Requiring that uses necessary for general health, safety and welfare of citizens, including facilities which serve such uses, be protected against flood damage at the time of initial construction, at time of substantial improvement, and throughout their intended life span;
- C. Preserving and restoring natural floodplains, stream channels, and natural protective barriers that carry and store flood waters;
- D. Controlling, filling, grading, dredging, and other development which may increase flood damage or erosion; and
- E. Preventing or regulating the construction of flood barriers which may unnaturally divert floodwaters, or which may increase flood hazards to any other properties.

**17.88.040: GENERAL PROVISIONS:**

- A. Establishment of The Floodplain Management Overlay Zoning District: The floodplain management overlay zoning district is hereby established. In addition to the regulations contained in the underlying zoning district, the regulations of this district apply to all lands within the jurisdiction of the city that lie within the Special Flood Hazard Area (SFHA) boundaries as determined by the graphic representation shown on the Flood Insurance Rate Map (FIRM) and by the elevations of the base flood contained in the Flood Insurance Study (FIS).
  - 1. Establishment of The Floodway Subdistrict and The Floodplain Subdistrict: The floodplain areas are divided into two (2) subdistricts: the Floodway Subdistrict and the Floodplain Subdistrict.
  - 2. Rules for Interpretation of The Floodplain Management Overlay Zoning District Boundaries and The Floodway Subdistrict and The Floodplain Subdistrict Boundaries: The floodplain management overlay zoning district boundaries are represented on the official zoning map of the city.
    - a. All land within the external boundary of the Special Flood Hazard Area (SFHA) and all parcels with any portion thereof affected by said SFHA shall be considered to be within the Floodplain Management Overlay Zoning district.
    - b. All land areas within the external boundary of the SFHA shall be considered to be within the Floodplain Subdistrict of the Floodplain Management Overlay Zoning District. The city may make necessary interpretations of the boundary based upon the recommendation of the city engineer or other expert.
    - c. All land areas within the external boundary of the regulatory floodway shall be considered to be within the Floodway Subdistrict of the Floodplain Management Overlay Zoning District. The city may make necessary interpretations of the boundary based upon the recommendation of the city engineer or other expert.
  - 3. Basis For Establishing the Areas Of Special Flood Hazard and Floodway: The areas of special flood hazard identified by the Federal Insurance Administrator in a scientific and engineering report entitled "The Flood Insurance Study (FIS) For Blaine County, Idaho And Incorporated Areas" with accompanying Digital Flood Insurance Rate Maps (DFIRMs) bearing an effective date of November 26, 2010, to establish the areas of special flood hazard for land which has been or will be annexed into the city limits of the City of Ketchum, Idaho, since the adoption of said study for the incorporated area of the city are hereby adopted by reference and declared to be a part of this



article. The FIS and FIRM are on file at the office of the City Clerk, City Hall, 480 East Avenue North, Ketchum, Idaho.

**B. Establishment of Waterways Review District:** The city hereby makes the following findings of fact with regard to establishing a Waterways Review District:

1. Flooding is aggravated by the collection of debris upstream of channel obstructions located in floodplain areas. Such obstructions include, but are not limited to, bridges, fences, houses, and trees. The accumulation of debris can result in significantly higher water surface elevations and flooding beyond limits of the SFHA shown on the FIRMs upstream from the obstructions.
2. Structures located in proximity to waterways, even if the structure's location is outside the boundaries of the SFHA, may be subject to inundation and damages during flood events due to the potential of the channel to change direction abruptly during high flows. In particular, this risk affects lands adjacent to the Big Wood River, which is wide and flat with a relatively shallow channel in many areas.
3. The levees built by the U.S. Army Corps of Engineers are not considered by the Corps or FEMA to be adequately designed to be classified as permanent structures capable of withstanding a one percent (1%) annual chance flood.
4. Encroachments (i.e., houses, fill, etc.) on floodplains reduce the flood carrying capacity of the river and its floodplain and increase flood heights, thus increasing flood hazards on land beyond the encroachment. With every new development since the FEMA one percent (1%) annual chance boundary was determined, the ability of the floodplain to function as originally assumed changes.
5. Historically, development adjacent to waterways has had a direct effect on methods chosen by owners to protect their property, often to the detriment of the natural stream. Methods often destroy or greatly alter fish and wildlife habitat, unnaturally armor the banks of the waterways to prevent erosion or cause future damages to manmade structures.
6. Rules for Interpretation of the Waterways Review District: The Waterways Review District is not indicated on the zoning map due to the nature of how the boundaries are established. The Waterways Review District includes all parcels containing lands that are within twenty-five feet (25') of the mean high-water mark as measured horizontally from the mean high-water mark of any Waterway. Waterways include the Big Wood River, Trail Creek, and Warm Springs Creek, and any and all channels having year-round or intermittent flow. These lands within twenty-five feet (25') of the mean high-water mark area also known as the Riparian Zone that is regulated by the City of Ketchum.
  - a. Some parcels of land may be located within the Waterways Review District and contain Riparian Zone but may not contain SFHA, 0.2% annual chance floodplain, floodway, or the channel due to the proximity of the parcel to a waterway. Nevertheless, if a parcel contains land that is within twenty-five feet (25') of the mean high-water mark of a waterway, said parcel is within the Waterways Review District and the Riparian Zone is subject to riparian regulations.
  - b. Some parcels of land may be located within the SFHA and/or 0.2% annual chance floodplain and/or floodway and may also contain Riparian Zone. These parcels are located within the Waterways Review District and riparian regulations apply to the Riparian Zone.

7. Special purposes for the establishment of the Waterways Review District: Some parcels of land may be located in proximity to a waterway but may not contain SFHA, 0.2% annual chance floodplain, floodway, or the waterway's channel and therefore local, state and federal regulations to preserve these ecologically important areas are largely inapplicable. The Waterways Review District is a local designation created to build upon local, state and federal regulations when lands contain SFHA, 0.2% annual chance floodplain, floodway, and waterway channel, when applicable, but also to

preserve and enhance the Riparian Zone when the aforementioned designations are not applicable. The purposes for which the Waterways Review District is established are as follows:

- a. To guide development adjacent to waterways toward the most appropriate building envelope for its particular site;
  - b. To minimize the impact of development adjacent to waterways on adjacent properties upstream, downstream and across waterways;
  - c. To review development plans for property adjacent to waterways to minimize the obstruction of the conveyance of floodwaters;
  - d. To provide for the stewardship, maintenance and/or enhancement of the Riparian Zone and riparian environment, including wildlife habitat along waterways;
  - e. To carry out the provisions of the comprehensive plan as well as health, safety, and welfare with regard to properties adjacent to waterways;
  - f. To warn that City review and approval is not going to prevent flooding and that flooding may occur;
  - g. To advise of flood hazards and studies and options available;
  - h. To review obstructions to flood carrying capacity and to advise on methods that may be used to moderate impact of the development;
  - i. To review landscaping and access for flood carrying capacity and preservation or enhancement of riparian vegetation; and
  - j. To provide regulations for the Riparian Zone.
8. "Development", as defined in section [17.08.020](#) of this title, and construction or placement of buildings or structures, including additions to any such structures or buildings permitted after November 20<sup>th</sup>, 1989, and landscaping changes within the Riparian Zone for parcels under development with new structures and parcels developed with structures after November 20<sup>th</sup>, 1989, upon real property within the Waterways Review District shall require said approval under section [17.88.050](#) of this article, prior to issuance of a building permit, excavation/grading permit or commencement of any work associated with any such activity.
- C. Uses Permitted and Prohibited in the Floodplain Management Overlay Zoning District and the Waterways Review District: Due to the potential hazard to individuals as well as public health, safety and welfare, uses allowed in the Floodplain Management Overlay Zoning District and the Waterways Review District are those which are permitted, conditional, and accessory as contained in the underlying zoning district. Due to the sensitive ecology of the river system and riparian area and the detrimental impacts that uncontrolled use of pesticides and herbicides can create to both the river system and human health and, due to the extremely hazardous nature of the floodway due to velocity of floodwaters carrying debris, potential projectiles and erosion potential, the following provisions apply, in addition to all others:
1. Encroachments in the floodway: Encroachments in the floodway are subject to the standards of Section 17.88.090.
  2. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean high-water mark on any property within the City limits at any time.

3. No use of pesticides, herbicides, or fertilizers will be allowed within twenty-five feet (25') of the mean high-water mark on any property within the City limits unless approved by the City Arborist.
  4. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates.
  5. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall, unless otherwise approved by the City Arborist.
  6. The application of dormant oil sprays and insecticidal soap within the Riparian Zone may be used throughout the growing season as needed.
  7. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond, or basin that regularly or periodically carries or stores water.
- D. General Notice and Disclosure Requirements: In order to provide reasonable notice to the public of the flood hazard potential within all areas of the Floodplain Management Overlay Zoning District and the Waterways Review District, the following notice regulations and requirements are hereby adopted for all real property and structures located within said districts:
1. Floodplain Acknowledgement Authorization Required: Prior to issuance of any floodplain development permit, the property owner or his or her authorized agent shall acknowledge by executed written affidavit that said property is located within the one percent (1%) annual chance floodplain (SFHA) as defined herein and that a violation of the terms of this article shall cause the City to seek legal remedies.
  2. Real Estate Sales and Leasing Disclosures: Each and every real estate agent, sales person and broker, and each and every private party who offers for sale or lease a parcel of real property and/or structure that contains SFHA, floodway, frontage on a waterway and associated Riparian Zone, shall provide the prospective purchaser or leaseholder with written notice that said real property and/or structure is located within the Floodplain, Floodway, and/or Waterways Review District and that structures and land are subject to the regulations of this ordinance.
  3. Special requirements for Subdivision Plats:
    - a. United States Geological Survey (USGS) datum shall be used and identified on the plat and a permanent benchmark shall be identified and shown on the plat.
    - b. All subdivision plats shall contain a plat note including a certification by a registered surveyor that the boundaries were established consistent with the FIRM for the City or Blaine County, whichever applies. The note shall include the FEMA FIRM panel number(s), FIRM effective date(s), and a note stating that "Flood Zones are subject to change by FEMA and all lands within the Special Flood Hazard Area are regulated by City of Ketchum Municipal Code.
    - c. All subdivision plats shall identify and designate the Special Flood Hazard Area, the 0.2% annual chance (500-year) floodplain boundary, the floodway boundary, the mean high-water mark, and the Riparian Zone. All flood zone(s), and base flood elevation(s) shall be shown on the plat.
    - d. All subdivision plats shall contain a note or notes that warn prospective buyers of property that sheet flooding can and will occur and that flooding may extend beyond the floodway and floodplain boundary lines identified.
    - e. All subdivision plats shall contain a note that refers to the required twenty-five foot (25') setback from all waterways, called the Riparian Zone, in which no development is permitted, and require that riparian vegetation

shall remain in its natural state for the protection and stabilization of the riverbank unless alterations are approved in accordance with Ketchum Municipal Code.

f. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten-foot (10') fish and nature study easement adjacent to the waterway, measured horizontally from the mean high-water mark. In addition, there shall be a plat note stating that the fish and nature study easement shifts in accordance with the location of the channel and its mean high-water mark.

g. The Council may require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access easement. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the Council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.

#### 4. Special Requirements for Building Permits:

a. Prior to issuance of a Building Permit for a structure located on a parcel that contains SFHA, whether or not the structure is partially or wholly located in the SFHA, a Floodplain Development Permit is required.

b. Non-conversion Agreement Required: For any building in the floodplain with an area below the lowest floor that is below the base flood elevation and has a ceiling height of five feet (5') or greater, the building owner shall sign a non-conversion agreement, that shall run with the property, promising not to improve, finish or otherwise convert the area below the lowest floor to living area and granting the City the right to inspect the enclosed area at its discretion. Such agreement shall be recorded at Blaine County's Recorder's Office.

b. Preconstruction Elevation Certificate Required: Prior to issuance of any building permit for a structure located partially or wholly within the one percent (1%) annual chance floodplain, a preconstruction elevation certificate shall be completed by a registered professional engineer, architect or surveyor and submitted to the City of Ketchum building inspector.

c. Building Under Construction Elevation Certificate in accordance with section 17.88.050.H.1.a.

d. Finished Construction Elevation Certificate Required in accordance with section 17.88.050.H.1.b.

E. Compliance: No structure or land shall hereinafter be constructed, located, extended, converted, or altered without full compliance with the terms of this article and other applicable regulations. Should the regulations specified in any other ordinance of Ketchum be less restrictive, the regulations of this section shall apply.

F. Abrogation and Greater Restrictions: This section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this section and another ordinance or section herein, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent or greater restrictions shall prevail.

G. Interpretation: In the interpretation and application of this section, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the Governing Body; and
3. Deemed neither to limit nor repeal any other powers granted under State Statutes.

H. Warning and Disclaimer of Liability: The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This section does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. This section shall not be deemed or construed to create liability on the part of the City, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this section or any administrative decision lawfully made hereunder.

**17.88.050: ADMINISTRATION:**

A. Establishment Of Floodplain Development Permit: For lands in the Floodplain and Floodway subdistricts of the Floodplain Management Overlay Zoning District a floodplain development permit shall be obtained through an application provided by the City prior to any and all development, as defined in section 17.08.020 of this whether or not the development requires issuance of a building, excavation/grading permit, or other land use permit..

1. Exemptions: Activities exempt from floodplain development permit requirements and irrigation activity permitting is subject to the standards of Section 17.88.110 of this title.

a. Minor Riparian Alterations: When development proposed within ta Riparian Zone that contains SFHA or floodway consists only of removing four (4) or fewer hazard trees and/or minor alteration of riparian vegetation a full Floodplain Development permit is not required; a Riparian Alteration Permit is required.

2. Floodplain Development and Riparian Alteration Permits Combined: When development is proposed in a Riparian Zone that is located or overlaps with the Floodplain Management Overlay Zoning District a Floodplain Development permit shall be issued and all Riparian Zone regulations shall be evaluated and are applicable.

B. Establishment of Riparian Alteration Permit for Waterways Review District: When development is proposed in a Riparian Zone that is not within the Floodplain or Floodway subdistricts of the Floodplain Management Overlay Zoning District, a Riparian Alteration Permit shall be obtained through an application provided by the City prior to any and all development, as defined in section 17.08.020 of this title.

C. Applications, Submittals and Concurrent Applications: Applications shall be made on forms furnished by the City and may be made simultaneous with Land Use applications (such as Conditional Use Permits, Lot Line Shifts, and Preliminary Plats) where applicable, and prior to application for a building permit. In order for an application to be determined to be complete, the application shall contain all information required by the application form furnished by the city and any additional information which may be reasonably required by the Administrator or commission during the course of application review.

D. Duties and Responsibilities: The Planning and Building Director, or his or her designee, is the Administrator of Ketchum Municipal Code Title 17, Zoning Regulations, and is responsible for administering and implementing this section in accordance with its provisions.

1. Administrative Review: The Administrator shall have the authority to consider and approve, approve with conditions, or deny applications for floodplain development permits and riparian alteration permits as required herein.

a. Noticing: The Administrator shall provide written notice of said application to owners of property within three hundred feet (300') of the external boundaries of the land being considered. Said notice shall inform adjacent property owners they may comment on the application during a period of not less than ten (10) days after mailing of the notice and prior to final action on said application.

- a. (1) When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be used in lieu of mailed notice. Said alternate forms of notice shall be per Idaho Code 67-6512 in effect at the time of notice.
2. Commission Review: If the Administrator, in his or her sole discretion, determines that a project cannot be approved administratively, the Ketchum Planning and Zoning Commission shall consider and approve, approve with conditions, or deny applications for floodplain development permits.
  - a. Criteria for sending applications to the Planning and Zoning Commission includes, but is not limited to,:
    - (1) Encroachments proposed within the floodway;
    - (2) Stream alteration projects containing riprap;
    - (3) Stream alteration projects including gravel extraction; and
    - (4) Stream alteration projects involving multiple separate parcels of land.
  - b. For applications reviewed by the Planning and Zoning Commission the application shall be noticed for a public hearing in accordance with Idaho Code 67-6509.
3. Specific duties and responsibilities of the Administrator shall include, but are not limited to:
  - a. Permit Review:
    - (1) Review of all applications for proposed construction within the City to determine whether such construction is proposed, in whole or in part, within the Floodplain Management Overlay District and/or the Waterways Review District.
    - (2) Review all floodplain development permit applications to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334; Idaho Fish and Game, Idaho Department of Water Resources, Soil Conservation Service, Environmental Protection Agency, and U.S. Army Corps of Engineers. Such documentation shall be maintained on file with the floodplain development permit.
    - (3) Review all floodplain development permit applications to determine that the proposed development meets the requirements of this ordinance, and is reasonably safe from flooding.
    - (4) For projects within the floodway, review applications to ensure the proposal does not cause adverse impacts, or that any adverse impacts are mitigated, as demonstrated by a No Adverse Impact statement provided by the applicant.
    - (5) Prevent encroachments into floodways unless the no rise certification, no adverse impact, and flood hazard reduction provisions contained in this title are met.
    - (6) Review plans to verify public utilities are constructed in accordance with the provisions of this title.
    - (7) When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area (SFHA) is above the Base Flood Elevation (BFE), advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the LOMA issued by FEMA in the floodplain development permit file.

b. Inspections:

- (1) Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
- (2) Make periodic inspections throughout the Special Flood Hazard Areas within the jurisdiction of the community. The Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.

c. Stop-Work for Violations in Progress and Permit Revocation:

- (1) Work with the Building Official to issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Building Official may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- (2) Issue stop-work orders for unpermitted development in the floodplain that does not require a building permit. Examples include grading, filling, Riparian Zone alterations and stream bank stabilization and alteration.
- (3) Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.

d. Coordination and Communication with Federal Agencies:

- (1) Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-Fs) and Letters of Map Revision (LOMRs).
- (2) Notify, in riverine situations, adjacent communities and state and federal agencies in accordance with Section 17.88.050.D.3.g.
- (3) A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator (FIA) of the changes by submitting technical or scientific data in accordance with this part. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.
- (4) Upon occurrence, notify the Federal Insurance Administrator (FIA) in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce flood plain management regulations for a particular area. In order that all

FIRMs accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished flood plain management regulatory authority.

- (5) The City of Ketchum will notify the State NFIP Coordinator of the Idaho Department of Water Resources of hearings scheduled to consider a variance within the SFHA fifteen (15) calendar days prior to the date of the hearing

e. Use of Other Base Flood Data:

- (1) When base flood elevation data has not been provided in accordance with subsection [17.88.040.A.3](#), "Basis For Establishing The Areas Of Special Flood Hazard", of this chapter, the Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source in order to administer subsections [17.88.060.B.2](#), "Residential Construction", [17.88.060.B.3](#), "Nonresidential Construction", and [17.88.090](#), "Standards for Floodways", of this chapter.

- (2) When Base Flood Elevation (BFE) data is provided but no floodway data has been provided in accordance with the provisions of this title, require that no new construction, substantial improvements, or other development (including fill) shall be permitted unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

f. Records and Information to Be Obtained and Maintained:

- (1) Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.

- (2) Maintain a current map repository to include, but not limited to, the FIS Report, FIRM and other official flood maps, and studies adopted in accordance with the provisions of Article III, Section B of this ordinance, including any revisions thereto including Letters of Map Change, issued by FEMA. Notify the NFIP State Coordinator and FEMA of Ketchum's mapping needs.

- (3) Obtain and maintain actual elevation (in relation to mean sea level) of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures.

- (4) Where base flood elevation data is provided through the Flood Insurance Study or required as in subsection [17.88.050.D.3.e](#) of this section, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

- (5) For all new or substantially improved floodproofed structures:

- (A) Verify and record the actual elevation (in relation to mean sea level); and

- (B) Maintain the floodproofing certifications as required by this ordinance.

- (6) Maintain in perpetuity records on all permits and appeals and report all variances to Federal Insurance Administration.

g. Stream Alterations:



- (1) Notify adjacent communities and all State agencies with jurisdiction over the special flood hazard areas identified in subsection [17.88.040A](#) of this chapter and/or with jurisdiction over the corresponding watercourse, river, stream or tributaries prior to any alteration or riprapping, or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- (2) Notify adjacent communities and the Idaho Department of Water Resources State Coordinator for the National Flood Insurance Program (NFIP) prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administrator (FIA).
- (3) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

h. Interpretation of FIRM Boundaries: Make interpretations where needed as to the exact location of the boundaries of the areas of special hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in.

E. Criteria for Evaluation of Applications: The criteria of floodplain development permit applications shall be as follows:

1. The proposal preserves or restores the inherent natural characteristics of the river, floodplain, and Riparian Zone, including riparian vegetation and wildlife habitat. Development does not alter river channel unless all stream alteration criteria for evaluation are also met.
2. No temporary construction activities, encroachment or other disturbance into the twenty-five foot (25') Riparian Zone, including encroachment of below grade structures, shall be permitted, with the exception of approved stream stabilization work and restoration work associated with a riparian zone that is degraded.
3. No permanent development shall occur within the twenty-five foot (25') Riparian Zone, with the exception of approved stream stabilization work and restoration work associated with permit issued under this title, or exceptions as described below:
  - a. Access to a property where no other primary access is available;
  - b. Emergency access required by the Fire Department;
  - c. A single defined pathways or staircases for the purpose of providing access to the river channel and in order to mitigate multiple undefined social paths;
  - d. Development by the City of Ketchum
4. New or replacement planting and vegetation in the Riparian Zone shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings most commonly include: red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle. However, in rare instances the distance from the top-of-bank to the mean high water mark is significant and the native vegetation appropriate for the Riparian Zone are low growing, drought resistant grasses and shrubs. Replacement planting and vegetation shall be appropriate for the specific site conditions. Proposal does not include vegetation within the twenty-five foot (25') Riparian Zone that is degraded, not natural, or which does not promote bank stability.

5. Landscaping and driveway plans to accommodate the function of the floodplain allow for sheet flooding. Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.
6. Floodwater carrying capacity is not diminished by the proposal.
7. Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not negative.
8. Building setback in excess of the minimum required along waterways is encouraged. An additional ten foot (10') building setback beyond the required twenty-five foot (25') Riparian Zone is encouraged to provide for yards, decks and patios outside the twenty five foot (25') Riparian Zone.
9. The top of the lowest floor of a building located in, or partially within, the SFHA shall be at or above the Flood Protection Elevation (FPE). A building is considered to be partially within the SFHA if any portion of the building or appendage of the building, such as footings, attached decks, posts for upper story decks, are located within the SFHA. See section [17.88.060](#), figures 1 and 2 of this chapter to reference construction details. See Chapter 17.08 of this title for definition of "lowest floor."
  - a. In the SFHA where Base Flood Elevations (BFEs) have been determined, the FPE shall be twenty-four inches (24") above the BFE for the subject property; twenty-four inches (24") or two (2) feet is the required freeboard in Ketchum city limits.
  - b. In the SFHA where no BFE has been established, the FPE shall be at least two (2) feet above the highest adjacent grade.
10. The backfill used around the foundation in the SFHA floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent.
  - a. Compensatory storage shall be required for any fill placed within the floodplain.
  - b. A CLOMR-F shall be obtained prior to placement of any additional fill in the floodplain.
11. All new buildings located partially or wholly within the SFHA shall be constructed on foundations that are designed by a licensed professional engineer.
12. Driveways shall comply with City of Ketchum street standards; access for emergency vehicles has been adequately provided for by limiting flood depths in all roadways to one foot (1-ft) or less during the 1% annual chance event.
13. Landscaping or revegetation shall conceal cuts and fills required for driveways and other elements of the development.
14. (Stream alteration.) The proposal is shown to be a permanent solution and creates a stable situation.
15. (Stream alteration.) No increase to the one percent (1%) annual chance flood elevation at any location in the community, based on hydrologic and hydraulic analysis performed in accordance with standard engineering practice and has been certified and submitted with supporting calculations and a No Rise Certificate, by a registered Idaho engineer.
16. (Stream alteration.) The project has demonstrated No Adverse Impact or has demonstrated all impacts will be mitigated.

17. (Stream alteration.) The recreational use of the stream including access along any and all public pedestrian/fisher's easements and the aesthetic beauty shall not be obstructed or interfered with by the proposed work.
18. (Stream alteration.) Fish habitat shall be maintained or improved as a result of the work proposed.
19. (Stream alteration.) The proposed work shall not be in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.
20. (Stream alteration.) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.
21. (Wetlands) Where development is proposed that impacts any wetland the first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with an equal amount and quality of new wetland area or riparian habitat improvement.

F. Conditions: Conditions of approval may include, but not be limited to:

1. Riparian vegetation and other landscaping is maintained in perpetuity as shown on approved plans.
2. An As Built Certification, with supporting documentation such as an as built survey of the project area and channel cross sections produced by a surveyor or engineer licensed in Idaho demonstrating that the project was constructed in accordance with the approved plans, shall be required to be submitted prior to occupancy of structure or upon completion of the proposed work.
3. Restoration of damaged riparian vegetation within Riparian Zone shall be required prior to completion of the proposed project. A bond to assure such restoration may be required prior to commencement of such work.
4. Maintenance and monitoring plan for projects including stream alteration and Riparian Zone alterations.
5. Bond or surety guarantee for work occurring on city-owned parcels.

G. Terms Of Approval: The term of a Floodplain Development Permit shall be twelve (12) months from the date that findings of fact, conclusions of law and decision are signed by the Administrator or Commission, or upon appeal, the date the findings of fact, conclusions of law, and decision are signed by the appellate body. Application must be made for a building permit (if required) with the Ketchum Building Department during the twelve (12) month term. Once a building permit (if required) has been issued, the approval shall be valid for the duration of the building permit. Unless an extension is granted as set forth below, failure to file a complete building permit application (if required) for a project in accordance with these provisions shall cause said approval to be null and void. The provisions of this section shall apply to those approvals obtained on or after September 24, 2014.

1. Permit Extension: The City may, upon written request by the holder, grant a maximum of two (2) 12-month extensions to an unexpired approval. The first twelve (12) month extension shall be reviewed by the Administrator. The second twelve (12) month extension shall be reviewed by the Planning and Zoning Commission. Whether or not an extension is warranted shall be based on the following considerations:

- a. Whether there have been significant amendments to the City's Comprehensive Plan, special studies, draft or interim floodplain maps, or ordinances which will apply to the subject approval;

- b. Whether significant land use changes have occurred in the project vicinity which would adversely impact the project or be adversely impacted by the project; a revised No Adverse Impact statement may be required prior to granting a permit extension;
- c. Whether hazardous situations have developed or have been discovered in the project area; or
- d. Whether community facilities and services required for the project are now inadequate.

2. Basis for Denial of Permit Extension:

- a. If any of the foregoing considerations are found to exist with regard to the project for which an extension is sought, an extension may be granted with conditions of approval to remedy any unmet requirements, or the City may choose not to grant an extension. Otherwise the City shall approve such an extension.
- b. Said decision shall be issued in writing.
- c. No extensions shall be granted for an expired floodplain development permit.

H. Inspection Procedures:

1. For structures located wholly or partially in the regulatory floodplain:

- a. A Building Under Construction Elevation Certificate (FEMA Form 86-0-33) is required after the lowest floor is established.

(1) Within seven (7) calendar days of establishment of the lowest floor elevation, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the lowest floor, in relation to mean sea level. Any work done within the seven (7) day calendar period and prior to submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the certificate data submitted.

(2) Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop-work order for the project.

- b. A final as-built Finished Construction Elevation Certificate (FEMA Form 86-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance.

(1) It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the lowest floor and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

(2) The Finished Construction Elevation Certificate certifier shall provide at least two (2) photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least two (2) additional photographs showing side views of the building. In addition, when applicable, provide a

photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" × 3". Digital photographs are acceptable.

2. For waterways review projects:

a. Development associated with a Building Permit: Prior to final building permit inspection and issuance of a certificate of occupancy, planning staff shall conduct a site inspection to verify that the project was constructed per the approved plans and that all conditions of approval have been satisfied.

b. Development not associated with a Building Permit: Planning staff shall conduct a site inspection to verify that the project was constructed in general conformance with the approved plans and that all conditions of approval have been satisfied. The site visit shall be documented with a written memo to the application file.

I. Floodplain Development Variance Procedure:

1. General:

a. The Planning and Zoning Commission as established by the City of Ketchum, hereinafter referred to as the "Commission", shall hear and decide requests for variances from the requirements of this ordinance using the public hearing procedures established in Chapter 17.148, Variances.

b. The special considerations and conditions for variances contained in this section shall apply in addition to the criteria contained in Chapter 17.148, Variances.

c. Generally, variances may be issued for:

(1) The repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure;

(2) Functionally dependent facilities, if determined to meet the definition as stated in Section 17.08.020 of this title, provided provisions of 17.88.050.1.1.b, c, and d, have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety; or

(3) Any other type of development, provided it meets the requirements of this Section.

d. Upon consideration of the factors of subsection 17.88.050.1.2 of this section and the purposes of this article, the Commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.

2. Considerations: In passing upon such applications, the Commission shall consider all technical evaluations, and all relevant factors and standards specified in other sections herein and:

a. The danger that materials may be swept onto other lands to the injury of others;

b. The danger to life and property due to flooding or erosion damage;

c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

d. The importance of the services provided by the proposed facility to the community;

- e. The necessity to the facility of a waterfront location as a functionally dependent facility, where applicable;
- f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- g. The compatibility of the proposed use with existing and anticipated development;
- h. The relationship of the proposed use to the Comprehensive Plan and Floodplain Management Program for that area;
- i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
- k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities such as sewer, gas, electrical, and water systems, and streets and bridges;
- l. Variances shall only be issued in accordance with the guidelines found at section 60.6, code of federal regulations (title 44 CFR), as set forth therein on the effective date hereof; and
- m. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

3. Conditions for Variance:

- a. Variances shall not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.
- b. Variances shall only be issued prior to development permit approval.
- c. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- d. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- e. In addition to the requirements of Chapter 17.12, Variances, a variance for floodplain development regulations contained in this chapter shall only be issued upon:
  - (1) A showing of good and sufficient cause;
  - (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
  - (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expenses, create nuisances, cause fraud on or victimization of the public as identified in subsection 17.88.050.1.2 of this section, or conflict with existing local laws or ordinances.

f. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest flood elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

4. The City of Ketchum will notify the State NFIP Coordinator of the Idaho Department of Water Resources of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

5. Appeals: Any person aggrieved by the decision of the Commission may appeal such decision as described in Chapter 17.144, Appeals.

**17.88.060: PROVISIONS FOR FLOOD HAZARD REDUCTION:**

A. General Standards: In all Special Flood Hazard Areas the following standards are required:

1. Anchoring:

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- b. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over the top or frame ties to ground anchors (reference the Federal Emergency Management Agency's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

2. Construction Materials and Methods:

- a. All new construction, substantial improvements, and development shall be constructed with materials and utility equipment resistant to flood damage in accordance with the Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, and available from the Federal Emergency Management Agency.
- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- c. All new and replacement electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding to the Flood Protection Elevation. These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, hot water heaters, and electric outlets/switches.

3. Utilities:

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and
- c. On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

#### 4. Subdivision Proposals:

- a. All subdivision proposals shall be consistent with the need to minimize flood damage;
  - b. All proposed lots in the subdivision shall have a building site that is located above the base flood elevation. It is preferred that building sites are located on natural high ground and special flood hazards areas are reserved for open space, trails, parks, and other low-impact, non-residential uses. If fill is proposed to elevate building sites, compensatory storage must be provided in accordance with section chapter.
  - c. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
  - d. All subdivision proposals shall include streets that are at or above the base flood elevation to allow dryland access for emergency vehicles during a flood event.
  - e. All subdivision proposals shall have adequate drainage facilities provided to ensure that the post-development stormwater (of a 25-year storm) discharge volume and flow rate will not exceed the pre-development conditions. Low impact development and green infrastructure techniques for stormwater management are encouraged. Drainage plans and pre- and post-development hydrology calculations shall be prepared by a civil engineer licensed in the State of Idaho;
  - f. All subdivision proposals and other development proposals greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals base flood elevation data. Base flood elevation shall be developed per FEMA hydrologic and hydraulic analysis methods and prepared by a qualified engineer licensed in the State of Idaho. United States Geological Survey (USGS) datum shall be used and identified on the plat and a permanent benchmark shall be identified and shown on the plat. Per subsection 17.88.050.D.3.d.(3) of this chapter, base flood elevation data and boundaries of the base flood shall be submitted to FEMA through the Conditional Letter of Map Revision (CLOMR) if fill is proposed or Letter of Map Revision (LOMR) process;
  - g. All requirements of the Code of Federal Regulations, 44 CFR 60.3 shall be met.
  - h. All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.
5. Review Of Building Permits: Where elevation data is not available either through the Flood Insurance Study or from another authoritative source (subsection [17.88.050.D.3.e.](#) of this chapter), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet (2') above grade in these zones may result in higher insurance rates.
6. Solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards and chemical storage facilities: New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by variance as specified in this title, in the Special Flood Hazard Area. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the Flood Protection Elevation and certified in accordance with the provisions of this title.



B. Specific Standards: In all areas of special flood hazard where base flood elevation data has been provided as set forth in subsection [17.88.040.A.3](#), "Basis For Establishing The Areas Of Special Flood Hazard", or [17.88.050.D.3.e](#), "Use Of Other Base Flood Data", of this chapter, the following provisions are required:

1. AO Zones: All construction in AO zones shall be designed and constructed with drainage paths around structures to guide water away from structures.
2. Residential Construction:
  - a. New construction and substantial improvement of any residential structure in any A1-30, AE and AH zone shall have the top of the lowest floor, including basement, elevated no lower than the Flood Protection Elevation.
  - b. New construction and substantial improvement of any residential structure in any AO zone shall have the lowest floor, including basement, elevated to or above the highest adjacent grade at least as high as the FIRM's depth number plus twenty four inches (24").
  - c. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be constructed entirely of flood resistant materials at least to the Flood Protection Elevation and designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria (see figures 1, "Preferred Crawl Space Construction", and 2, "Below Grade Crawl Space Construction", of this section and FEMA Technical Bulletin 11 for further information:
    - (1) A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. Openings shall be placed on at least two (2) walls to permit entry and exit of floodwaters. If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;
    - (2) The bottom of each flood vent opening shall be no higher than either one foot (1') above the interior grade or shall be no higher than one foot (1') above the exterior adjacent grade.
    - (3) Engineered flood vents are required.
    - (4) Portions of the building, utilities, and machinery located below the base flood elevation shall be constructed with material resistant to flood damage.
    - (5) The interior grade of a below grade crawl space (see figure 2, "Below Grade Crawl Space Construction", of this section) shall not be more than two feet (2') below the exterior lowest adjacent grade (LAG).
    - (6) The height of a below grade crawl space, measured from the interior grade of the crawl space to the top of the crawl space foundation wall, shall not exceed four feet (4') at any point.
    - (7) A below grade crawl space shall have an adequate drainage system that removes floodwaters from the interior area of the crawl space within a reasonable time after a flood event.
    - (8) The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawlspace.

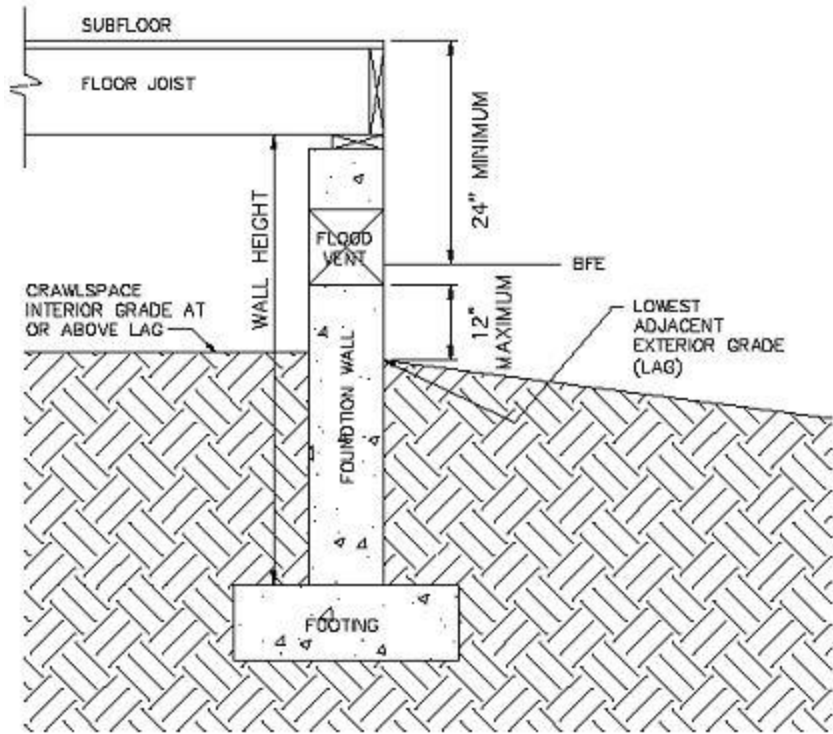


FIGURE 1  
PREFERRED CRAWL SPACE CONSTRUCTION

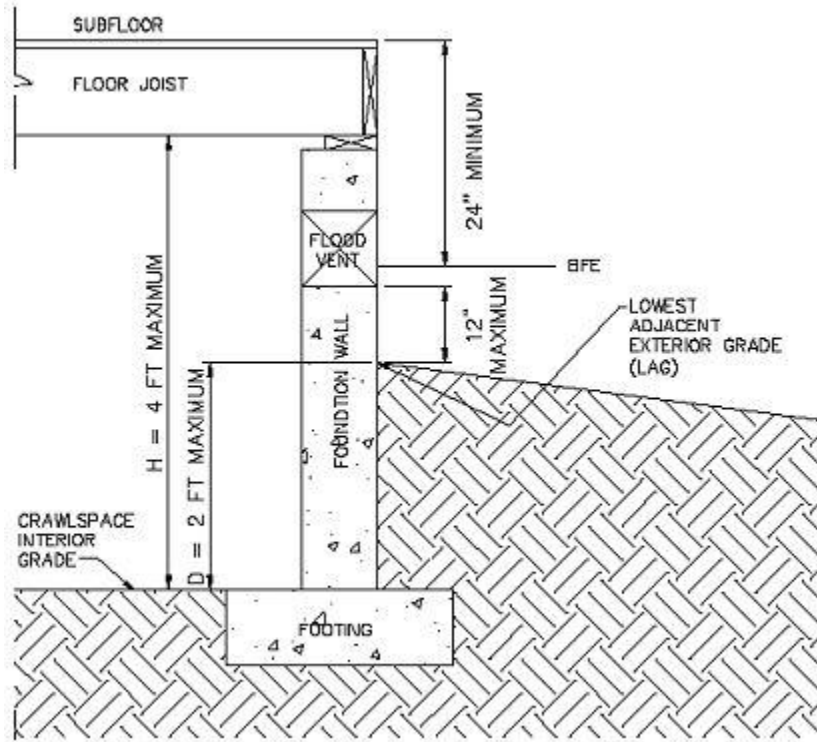


FIGURE 2  
BELOW GRADE CRAWL SPACE CONSTRUCTION

Note: A below grade crawl space shall be subject to higher flood insurance rates through the NFIP.

3. Nonresidential Construction:

a. New construction and substantial improvement of any commercial, industrial, nonresidential portion of a mixed use or other nonresidential structure in any A1-30, AE and AH zone shall either have the top of the floor structure of the lowest floor, including basement, elevated no lower than the Flood Protection Elevation or floodproofed to the Flood Protection Elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, are :

(1) Watertight with walls substantially impermeable to the passage of water;

(2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this article based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Floodplain Administrator as set forth in subsection [17.88.050.D.3.f.\(5\)](#) of this chapter, along with the operational plan and inspection and maintenance plan;

(4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subsection B2c of this section; and

(5) Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot (1') below the floodproofed level (e.g., a building constructed to the base flood level will be rated as 1 foot below that level).

b. All new construction and substantial improvement of nonresidential structures within AO zones shall:

(1) Have the lowest floor (including basement) elevated above the highest adjacent grade at least twenty four inches (24") higher than the depth number specified in feet on the FIRM; or

(2) Together with the attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in subsection 17.88.060.B.3.a of this section.

4. **Manufactured Homes:** All manufactured homes to be placed or substantially improved within zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is twenty four inches (24") above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subsection 17.88.060.A.1.b of this section.

5. **Recreational Vehicles:** All recreational vehicles to be placed on a site within zones A1-30, AH, and AE shall meet the requirements of subsection 17.88.060.B.4 of this section, or be placed on the site for less than one hundred eighty (180) consecutive days and be fully licensed and highway ready. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions.

6. **Critical Facilities:**

a. Construction of new critical facilities shall be, to the extent possible, located outside the limits of the special flood hazard area (SFHA) (100-year floodplain).

b. Construction of new critical facilities shall be permissible within the SFHA only if no feasible alternative site is available.

c. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet (3') above BFE or to the height of the 500-year flood, whichever is higher.

d. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

e. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

7. Temporary Non-Residential Structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:

a. a specified time period for which the temporary use will be permitted. Time specified may not exceed six (6) months, renewable up to one (1) year;

b. the name, address, and phone number of the individual responsible for the removal of the temporary structure;

c. the time frame prior to the event at which a structure will be removed (i.e., immediately upon flood warning notification);

d. a copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and

e. designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.

f. Temporary structures in the floodway must provide a Hydraulic and Hydrology Analysis along with a No-Rise Certification.

8. Accessory and Agricultural Structures (Appurtenant structures). When accessory structures (sheds, detached garages, etc.) used solely for parking, and storage are to be placed within a Special Flood Hazard Area, elevation or floodproofing certifications are required for all accessory structures in accordance with this title, and the following criteria shall be met:

a. Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking, or restroom areas);

b. Accessory structures shall not be temperature-controlled;

c. Accessory structures shall be designed to have low flood damage potential;

d. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;

e. Accessory structures shall be firmly anchored in accordance with the provisions of Section 17.88.060.A.1;

f. All utility equipment and machinery, such as electrical, shall be installed in accordance with the provisions of Section 17.88.060.A.3; and

g. Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of this title.

h. Accessory structures not used solely for parking, access, and storage must be elevated per this title.

i. An accessory structure with a footprint less than 200 square feet and is a minimal investment of \$7,500 and satisfies the criteria outlined in a - g above is not required to provide the elevation certificate per this title.

9. Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:

a. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the base flood, including the effects of buoyancy (assuming the tank is empty);

b. Elevated above-ground tanks, in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse, or lateral movement during conditions of the base flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;

c. Not elevated above-ground tanks may be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

d. Tank inlets, fill openings, outlets and vents shall be:

i. At or above the flood protection elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the base flood; and

ii. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.

10. Compensatory Storage: New development shall not reduce the effective flood storage volume of the Regulatory Floodway and SFHA. A development proposal shall provide compensatory storage if grading or other activity eliminates any effective flood storage volume. Compensatory storage shall:

a. Provide equivalent volume at equivalent elevations to that being displaced. For this purpose, "equivalent elevation" means having similar relationship to ordinary high water and the best available one hundred (100) year water surface profiles;

b. Be hydraulically connected to the source of flooding; and

c. Provide compensatory storage in the same construction season as when the displacement of flood storage volume occurs and before the flood season begins.

d. The newly created storage area shall be graded and vegetated to allow fish access during flood events without creating fish stranding sites.

#### **17.88.070: Standards for Floodplains without Established Base Flood Elevations – Zone A**

Within the Special Flood Hazard Areas designated as Zone A (also known as Unnumbered A Zones) where no Base Flood Elevation (BFE) data has been provided by FEMA, the following provisions, in addition to the provisions of Section 17.88.060.A shall apply:

A. The BFE used in determining the Flood Protection Elevation (FPE) shall be determined based on the following criteria:

1. When Base Flood Elevation (BFE) data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in Sections 17.88.060.A and B.
2. When floodway data is available from a Federal, State, or other source, all new construction and substantial improvements within floodway areas shall also comply with the requirements of Sections 17.88.060.B. and 17.88.090.
3. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data. Such Base Flood Elevation (BFE) data shall be adopted by reference in accordance with Section 17.88.040.A.3 and utilized in implementing this ordinance. The applicant/developer shall submit an application for a Conditional Letter of Map Revision (CLOMR) prior to Preliminary Plat approval and have obtained a Letter of Map Revision (LOMR) prior to any building permits for structures being issued.
4. When Base Flood Elevation (BFE) data is not available from a Federal, State, or other source as outlined above, the lowest floor shall be elevated or floodproofed (non-residential) to two feet (2.0 ft.) above the Highest Adjacent Grade (HAG) at the building site or to the Flood Protection Elevation (FPE) whichever is higher. All other applicable provisions of Section 17.88.060.B shall also apply.

**17.88.080: Standards for Riverine Floodplains with Base Flood Elevations but without Established Floodways.**

A. Along rivers and streams where Base Flood Elevation (BFE) data is provided by FEMA or is available from another source but floodways are not identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

1. Standards of Sections 17.88.060.A and B; and
2. Until a regulatory floodway is designated, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

**17.88.090: Standards for Floodways.**

Areas designated as floodways located within the Special Flood Hazard Areas established in Section 17.88.040.A.3. The floodways are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Sections 17.88.060.A and B, shall apply to all development within such areas:

A. New residential structures and residential substantial improvements are prohibited in the floodway.

B. All encroachment, including fill, new construction, substantial improvements, residential structures, and other developments shall be prohibited, except for the following:

1. Roads and bridges necessary to connect areas outside of the special flood hazard area;
2. Utilities;
3. Recreational pathways and open space;
4. Flood control and stormwater management facilities;
5. Boat ramps or river access;
6. Wildlife habitat improvements;
7. Stream restoration and bank stabilization constructed in accordance with a Floodplain Development Permit;
8. Fences that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, in regulated floodways shall meet the limitations of 17.88.090 of this ordinance.
9. Retaining walls, bulkheads, sidewalks, and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance.
10. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings, and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, which encroach into regulated floodways, shall meet the limitations of Section 17.88.090 of this ordinance. The applicant/developer shall submit an application for a Letter of Map Revision (LOMR) upon completion of construction for the purpose of providing FEMA better available data.
11. Drilling water, oil, and/or gas wells including fuel storage tanks, apparatus, and any equipment at the site that encroach into regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance.
12. Docks, piers, boat ramps, marinas, moorings, decks, docking facilities, port facilities, shipbuilding, and ship repair facilities that encroach into regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance

C. Encroachments in the floodway are only allowed if:

1. All development shall comply with all applicable flood hazard reduction provisions of this ordinance and meet the approval of the Federal Emergency Management (FEMA) and National Flood Insurance Program (NFIP) and does not jeopardize the city's participation in the NFIP; and
2. Requirements of a No Adverse Impact statement and a No-Rise Certification, with accompanying analysis, are met; or
3. A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained within six months of completion of the proposed encroachment.

**17.88.100: Standards for Areas of Shallow Flooding (Zone AO, AH, AR/AO, or AR/AH)**

A. Areas designated as shallow flooding areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to all other applicable sections of this title, all new construction and substantial improvements shall meet the following requirements:

1. The lowest floor shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of two (2) feet, above the highest adjacent grade; or at least two (2) feet above the highest adjacent grade if no depth number is specified.
2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in chapter so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Floodproofing Certification is required in accordance with this chapter.
3. Accessory structure (appurtenant structure) (sheds, detached garages, etc.)
  - a. Used solely for parking, and storage:

(1) Shall have the lowest floor elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of two (2) feet, above the highest adjacent grade; or at least two (2) feet above the highest adjacent grade if no depth number is specified; or

(2) Shall have flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of 17.88.060.B.2.c.

b. Not used solely for parking, and storage

(1) Shall be elevated per 17.88.060.B.2 and 17.88.060.B.3.

4. Adequate drainage paths shall be provided around structures on slopes to guide floodwaters around and away from proposed structures.

5. Hazardous Velocities: Where hazardous velocities are noted on the FIRM, proper construction techniques and methods shall be used to mitigate the effects of the velocities.

### **17.88.110: Floodplain Development Permit Exemptions and Irrigation Activities and Development:**

A. Activities that do not require a floodplain development permit:

Consistent with Idaho Code §46-1021 and §46-1022, operation, cleaning, maintenance or repair of any ditch, canal, lateral, drain, diversion structure or other irrigation or drainage works, as defined within this guidance document, do not constitute development under Idaho law and therefore do not require either a GIFD permit or an individual permit. The below list of activities delineates some activities that do not require a permit. The list is not exhaustive. The Floodplain Administrator must exercise their professional judgement when reviewing activities to determine if an activity requires a permit. When in doubt, the Floodplain Administrator should seek consultation from the IDWR Floodplain Coordinator to determine permit necessity.

1. General farming, pasture, horticultural activities, and forestry that do not involve earthwork that permanently alters the topography or any clearing/grubbing of an area.
2. Grading of existing roads or easements along or near channels and within the SFHA, provided that the grading does not add fill within the regulatory floodway or SFHA.
3. Maintenance of underground utilities (work must not permanently alter topography).
4. In-kind replacement of existing piers or posts supporting a conforming deck.
5. Activities associated with land-surface construction stormwater Best Management Practices (“BMP”), provided the measures are temporary in nature (i.e. not in place for longer than 180 days) or do not increase the BFE. Examples of stormwater BMP activities that do not require a permit include the following: dust control; materials and equipment covers; mulching; geotextile fabrics; matting; bio-filter bags; fiber rolls; silt fences; vegetative buffer strips; temporary swales; and temporary berms.
6. New installation or maintenance of non-solid fences constructed parallel to the flow of water during a flood event. Non-parallel or solid fences that block the flow will need to go through the individual permitting process.
7. Activities that fall under the scope of a Riparian Alteration Permit as described in 17.88.050.

B. General Irrigation Floodplain Development Permit:

1. Upon review of the proposed activities and projects, the Floodplain Administrator will assess whether or not they fall, in whole or in part, under the GIFD permit, and whether any components require an individual permit and notify the applicant in writing accordingly.

The Floodplain Administrator shall advise the applicant or project sponsor of their assessment via written notice (email is preferable). The Floodplain Administrator shall maintain a copy of all proposed project notifications and responses.



2. GIFD permit does NOT include the following types of development activities and projects:

- a. Fill, except as outlined in the examples below;
- b. new construction, or replacements that do not meet the in-kind definition;
- c. activities or projects that trigger any requirement found in the local floodplain management or NFIP regulations; and
- d. activities or projects that increase flood damage and/or increase exposure to flood hazards.

3. GIFD permit activities and projects:

- a. Dredging and grading of irrigation and drainage channels, provided that fill from dredging or grading is not deposited on the banks of channels or anywhere within the regulatory floodway or SFHA for longer than 10 days.
  - b. Seasonal grading within natural stream channels to check or direct water into irrigation facilities (i.e. earthen “push-up dams” and “wing dams”).
  - c. Deposition of fill within the SFHA for less than 10 days. After 10 days, deposited fill must be removed from the SFHA, or graded and compacted to existing grade within  $\pm 0.2$  feet. Deposition of fill includes deposition of material resulting from grading or excavating irrigation or drainage channels. Deposition of fill within the mapped floodway requires an individual permit.
  - d. Construction of new underground utilities that do not permanently alter the topography. Excess soil from new pipes larger than 2 feet in diameter must be disposed of outside the regulatory floodway and SFHA.
  - e. In-kind replacement of irrigation and drainage works or components including but not limited to control gates or head gates, measuring devices and their housing structures/stilling wells, culverts, pumps, pipes, flumes, siphons and similar works. GIFD permits cannot authorize the In-kind replacement of dams or bridge structures.
  - f. New driveways, trails, sidewalks, roads and streets constructed completely at-or-below existing grade.
  - g. New underground utilities that do not permanently alter the existing grade elevations by  $\pm 0.5$  feet.
  - h. Armoring, stabilizing, securing, or in-kind replacement of existing infrastructure within the channel banks (such as bridge piers, sewer/utility supports and storm water/sewer drainage outfalls/headwalls) provided the dimensions (bank slopes, channel location, channel elevation) of the channel are not altered. This should not involve replacement with larger or additional above ground infrastructure.
4. Floodplain Development Permits: An individual permit is required for all other permitted activities and projects within the regulatory floodway and SFHA that do not meet the requirements of a GIFD permit.

#### **17.88.120: ENFORCEMENT AND PENALTIES FOR VIOLATION:**

A. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations.

B. Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$300 or imprisoned for not more than six (6) months. Each day the violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Ketchum from taking such other lawful actions as is necessary to prevent or remedy any violation.

C. The provisions of this article shall be enforced by one or more of the following methods:

1. Requirements of floodplain development permit;

2. Requirements of building permit;
3. Inspection and ordering removal of violations;
4. Criminal liability;
5. Injunction; and
6. Civil enforcement.

D. Enforcement shall further be administered according to [chapter 17.156](#) of this title. (Ord. 1135, 2015)

**17.88.130: Title**

**17.88.140: Guidelines**

**17.88.150: Procedure**

**17.88.160: Application For Emergency Stream Bank Stabilization**

**17.88.170: Action Upon Submittal Of Stream Bank Stabilization Application**

**17.88.180: Site Inspection**

**17.88.190: Basis For Denial Of An Emergency Stream Bank Stabilization Permit**

**17.88.200: Conditions Of Emergency Stream Bank Stabilization Approval**

**17.88.210: Enforcement**

**17.88.220: Title**

**17.88.230: Guidelines**

**17.88.240: Procedure**

**17.88.250: Application For Emergency Riparian Alteration**

**17.88.260: Action Upon Submittal Of Emergency Riparian Alteration Application**

**17.88.270: Site Inspection**

**17.88.280: Basis For Denial Of An Emergency Riparian Alteration Permit**

**17.88.290: Conditions Of Emergency Riparian Alteration Approval**

**17.88.300: Enforcement**

**17.88.310: Title**

**17.88.320: Guidelines**

**17.88.330: Procedure**

**17.88.340: Application**

**17.88.350: Action Upon Submittal Of Emergency Application**

**17.88.360: Conditions Of Emergency Application Approval**

**17.88.370: Uses Permitted**

**17.88.380: Use Restrictions**

**17.88.390: Application For Temporary Flood Control Barriers**

**17.88.400: Enforcement**

## EXHIBIT C

**PUBLICATION SUMMARY OF ORDINANCE NO. 1214**

**AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 17, ZONING REGULATIONS, SECTION 17.08.020, TERMS DEFINED; REPEALING ARTICLE I, FLOOD DAMAGE PREVENTION, OF CHAPTER 17.88, FLOODPLAIN MANAGEMENT OVERLAY ZONING DISTRICT (FP); ADOPTING A NEW ARTICLE I, FLOOD DAMAGE PREVENTION; AMENDING CHAPTER 17.88, FLOODPLAIN MANAGEMENT, OVERLAY ZONING DISTRICT (FP), ARTICLES II – IV TO RENUMBER SECTIONS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

A summary of the principal provisions of Ordinance No. 1214 of the City of Ketchum, Blaine County, Idaho, adopted on \_\_\_\_\_ 2020, is as follows:

- SECTION 1.** Amends Section 17.08.020, Terms Defined, to repeal, adopt new, and revise definitions related to floodplain development activities.
- SECTION 2.** Amends Chapter 17.88, Floodplain Management Overlay Zoning District, Article I, Flood Damage Prevention, to repeal the prior Article I and replace it with a new Article I that aligns with the state of Idaho’s model floodplain ordinance, National Flood Insurance Program regulations, and best management practices for floodplain development.
- SECTION 3.** Amends Chapter 17.88, Floodplain Management Overlay Zoning District, Articles II-IV, to renumber each section to account for additional new sections added to Article I.
- SECTION 4.** Establishes a savings and severability clause.
- SECTION 5.** Established a repealer clause.
- SECTION 6.** Provides for publication by summary.
- SECTION 7.** Establishes an 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.

APPROVED:

---

Neil Bradshaw, Mayor

ATTEST:

---

Katrin Sharp, Deputy City Clerk

## **Attachment D.**

Track change to existing Chapter 17.88, Floodplain Development, Article 1,  
as prepared for December 7<sup>th</sup>, 2020 hearing

## Article I. Flood Damage Prevention

17.88.010: Statutory Authorization and Findings of Fact

17.88.020: Statement Of Purpose

17.88.030: Methods Of Reducing Flood Losses

17.88.040: General Provisions

17.88.050: Administration

17.88.060: Provisions For Flood Hazard Reduction

17.88.070: Standards for Floodplains without Established Base Flood Elevations – Zone A

17.88.080: Standards for Riverine Floodplains with Base Flood Elevations but without Established Floodway

17.88.090: Standards for Floodways

17.88.100: Standards for Areas of Shallow Flooding (Zone AO, AH, AR/AO, or AR/AH)

17.88.110~~70~~: Enforcement And Penalties

**17.88.010: STATUTORY AUTHORIZATION AND FINDINGS OF FACT:**

A.- Statutory Authority: The Legislature of the State of Idaho, pursuant to Idaho Code §§ 46-1020, 46-1023, and 46-1024, authorizes local governments to adopt floodplain management ordinances that identify floodplains and minimum floodplain development standards to minimize flood hazards and protect human life, health, and property. Therefore, the Council of the City of Ketchum Idaho does hereby ordain as follows:

B1. The flood hazard areas of Ketchum, Idaho, are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

2.CB. These flood losses are caused by the cumulative effects of obstruction in areas of special flood hazard which increase flood heights and velocities, and ~~when inadequately anchored, damage uses in other areas by development that is~~ uses that are inadequately floodproofed, elevated, anchored, or otherwise protected from flood damage ~~also contribute to the flood loss.~~

3.DC. The Big Wood River, ~~and~~ its tributaries, and their associated floodplains in Ketchum are important to the ~~well-being~~ well-being of ~~our its~~ citizens as ~~they provide a source of~~ recreation, fish and wildlife habitat, aesthetic beauty, a source of irrigation water, as well as other economic and lifestyle values.

BED. The studies listed below are hereby adopted as the primary sources of flood hazard analysis:

1. "Flood Insurance Study (FIS) for Blaine County, Idaho and Incorporated Areas", Flood Insurance Study 16013CV001A and 16013CV002A, dated November 26, 2010, and any amendments thereto;
2. Digital flood insurance rate maps (DFIRMs) for Blaine County, Idaho, and incorporated areas: Map Number 16013CIND0A; Map Number 16013C0433E, Community Panel Number 0433E; Map Number 16013C0434E, Community Panel Number 0434E; Map Number 16013C0441E, Community Panel Number 0441E; Map Number 16013C0442E, Community Panel Number 0442E; Map Number 16013C0453E,



Community Panel Number 0453E; Map Number 16013C0461E, Community Panel Number 0461E, and any amendments thereto; and

3. Other flood hazard studies, as may be adopted by the City, will be utilized in determining flood hazard.

4. Additionally, other flood hazard analysis sources as determined by the City Engineer, Floodplain Manager, or other expert hired by the City may be utilized.

CFE. Regulations pertaining to development on property affected by the one percent (1%) annual chance flood (100-year flood), as defined herein, are necessary in addition to those of the underlying zoning district in order to promote the health, safety, and welfare of the citizens of and visitors to the City of Ketchum, Idaho. ~~(Ord. 1135, 2015)~~

G. Local government units have the primary responsibility for planning, adopting, and enforcing land use regulations to accomplish proper floodplain management.

#### **17.88.020: STATEMENT OF PURPOSE:**

It is the purpose of this section to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- A. To protect human life, health, safety, property, and welfare;
- B. To minimize expenditure of public money for costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;
- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood ~~blight-damaged~~ areas;
- G. To ensure that potential buyers and leaseholders are notified that property is in an area of special flood hazard or riparian areazone, where the regulations of this ordinance apply;
- H. To ensure that those who occupy the areas of special flood hazard assume the responsibility for their actions.
- I. To ensure potential buyers of property in an area of special flood hazard are notified.
- J. To allow the river and creeks and their adjacent lands to convey floodwaters to minimize property damage;
- K. To regulate uses in the floodplain and Riparian Zone for the purpose of preserving, protecting, and enhancing the abundance and diversity of fish, wildlife and riparian resources;

- ~~LK.~~ To protect, preserve and enhance the waterways and floodplains as a recreation resource;
- ~~ML.~~ To provide a formal procedure for stream alteration permit applications;
- ~~NM.~~ To restrict or prohibit uses which are injurious to health, safety, or property in times of flood, which result in environmental damage, or that cause increased flood heights or velocities; and
- ~~ON.~~ To guide development and city review of development in the floodplain and adjacent to waterways in order to establish the most appropriate building envelopes for lots existing and in new subdivisions. (Ord. 1135, 2015)

**17.88.030: METHODS OF REDUCING FLOOD LOSSES:**

In order to accomplish its purposes, this ~~section~~ chapter includes methods and provisions for:

- A. Restricting or prohibiting ~~uses-development~~ which ~~are-is~~ dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion, ~~or~~ flood heights, or velocities;
- B. Requiring that uses ~~-necessary for general health, safety and welfare of citizens~~ vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction, at time of ~~substantial damage or~~ substantial improvement, and throughout their intended life span;
- C. ~~Preserving and restoring~~ Controlling the alteration of natural floodplains, stream channels, and natural protective barriers that carry and store flood waters. ~~which help accommodate or channel floodwaters;~~
- D. Controlling, filling, grading, dredging, and other development which may increase flood damage or erosion; and;
- E. Preventing or regulating the construction of flood barriers which may unnaturally divert floodwaters, or which may increase flood hazards ~~in other areas~~ to any other properties. (Ord. 1135, 2015)

**17.88.040: GENERAL PROVISIONS:**

- A. Establishment ~~of~~ The Floodplain Management Overlay Zoning District: The floodplain management overlay zoning district is hereby established. In addition to the regulations contained in the underlying zoning district, ~~t~~he regulations of this district apply to all lands within the jurisdiction of the city that lie within the ~~one percent (1%) annual chance floodplain~~ Special Flood Hazard Area (SFHA) boundaries as determined by the graphic representation shown on the ~~Flood Insurance Rate Map (FIRM)~~ and by the elevations of the base flood contained in the ~~Flood Insurance Study (FIS)~~ referred to herein below in addition to the regulations contained in the underlying zoning district.
- 1. Establishment ~~of~~ The Floodway Subdistrict ~~And~~ and The Floodplain Subdistrict: The floodplain areas are divided into two (2) subdistricts: the ~~Floodway~~ Subdistrict and the ~~Floodplain~~ Subdistrict.

2. Rules ~~F~~or Interpretation ~~of~~ The Floodplain Management Overlay Zoning District Boundaries ~~and~~ The Floodway Subdistrict ~~and~~ The Floodplain Subdistrict Boundaries: The floodplain management overlay zoning district boundaries are represented on the official zoning map of the city. ~~However, the precise intermediate regional flood (IRF) location shall be determined by a site survey and elevations as interpreted from the adopted flood insurance rate map and the flood insurance study.~~

a. All land within the external boundary of the one percent (1%) annual chance floodplain Special Flood Hazard Area (SFHA) and all parcels with any portion thereof affected by said one percent (1%) annual chance floodplain SFHA shall be considered to be within the Floodplain Management Overlay Zoning district and the Floodplain Subdistrict. governed thereby in addition to the underlying zoning district. The city may make necessary interpretations of the boundary based upon the recommendation of the city engineer or other expert.

b. All land within the external boundary of the regulatory floodway and all parcels with any portion thereof affected by said floodway shall be considered to be within the Floodway Subdistrict. The city may make necessary interpretations of the boundary based upon the recommendation of the city engineer or other expert.

3. Basis For Establishing ~~T~~he Areas Of Special Flood Hazard ~~and~~ Floodway: The areas of special flood hazard identified by the ~~F~~ederal ~~I~~nsurance ~~A~~ddministrator ~~ation~~ in a scientific and engineering report entitled "The Flood Insurance Study (FIS) For Blaine County, Idaho And Incorporated Areas" with accompanying ~~D~~igital ~~F~~lood ~~I~~nsurance ~~R~~ate ~~M~~aps (DFIRMs) bearing an effective date of November 26, 2010, to establish the areas of special flood hazard for land which has been or will be annexed into the city limits of the ~~C~~eity of Ketchum, Idaho, since the adoption of said study for the incorporated area of the city are hereby adopted by reference and declared to be a part of this article. The ~~FIS and FIRM flood insurance studies~~ are on file at the office of the ~~C~~eity ~~C~~lerk, ~~e~~City ~~H~~all, 480 East Avenue North, Ketchum, Idaho.

a. At the Administrator's discretion, the precise one percent (1%) annual chance floodplain (Special Flood Hazard Area), floodway, and 0.2% annual chance floodplain (500-year floodplain) intermediate regional flood (IRF) locations shall be determined by a site survey and elevations as interpreted from the adopted Flood Insurance Rate Map and the Flood Insurance Study.

B. Establishment ~~of~~ Waterways ~~Design Review Subdistrict~~ ~~Review District~~: The city hereby makes the following findings of fact with regard to establishing a ~~W~~aterways ~~D~~esign ~~R~~eview ~~S~~ubdistrict ~~D~~istrict:

1. Flooding is aggravated by the collection of debris upstream of ~~the many~~ channel obstructions located in ~~the~~ floodplain areas. Such obstructions include, but are not limited to, bridges, fences, houses, and trees, ~~, etc.~~ The accumulation of debris ~~can has resulted~~ in significantly higher water surface elevations and flooding to beyond limits of the SFHA shown on the FIRMs upstream from the obstructions. ~~than would otherwise be expected. Obstructions can and tend to cause flooding to extend beyond anticipated FEMA one percent (1%) annual chance flood boundaries at points of debris accumulation which cannot be predicted.~~

2. ~~All~~ Structures located ~~roughly~~ within the limits of the 0.2 percent annual chance (500-year) floodplain of the Big Wood River may be ~~are~~ subject to inundation and damages, ~~if not direct impact by the channel itself,~~ during smaller flood events such as the of return frequencies of ten (10) or to twenty (20) year event s due to ~~.~~ This is due to the potential of the tendency of the channel to change direction abruptly, ~~often cutting a totally new channel in a few hours,~~ during high flows. high water periods. In particular,

~~this risk affects adjacent to the Big Wood River, which is This is due to the because the Big Wood River being is wide and, flat with a and has~~ relatively shallow channel in many areas.

3. The levees built by the U.S. Army Corps of Engineers are not considered by the Corps or FEMA to be adequately designed to be classified as permanent structures capable of withstanding a one percent (1%) annual chance flood.
4. Encroachments (i.e., houses, fill, etc.) on floodplains reduce the flood carrying capacity of the river and its floodplain and increase flood heights, thus increasing flood hazards on land beyond the encroachment. With every new structure or other development since the FEMA one percent (1%) annual chance boundary was determined, the ability of the floodplain to function as originally assumed changes.
5. Historically, development adjacent to waterways has had a direct effect on methods chosen by owners to protect their property, and often to the detriment of the natural stream. Methods often by destroying or greatly altering fish and wildlife habitat, and by unnaturally armoring the banks of the waterways to prevent erosion, or and, thus, cause future damages to manmade structures.

6. The Waterways Review District is not indicated on the zoning map due to the nature of how the boundaries are established. The Waterways Review District is defined as parcels containing lands that are within twenty-five feet (25') of the mean high water mark of the Big Wood River, Trail Creek, and Warm Springs Creek and any and all channels, having year round or intermittent flow, thereof; these lands area also known as the Riparian Zone regulated by the City of Ketchum. Some parcels of land may be located within the Waterways Design Review Subdistrict and contain Riparian Zone but may not contain 1% annual chance floodplainSFHA, 0.2% annual chance floodplain, floodway, or the channel of the river. Nevertheless, if a parcel contains land that is within twenty-five feet (25') of the mean high water mark of a waterway, said parcel is within the Waterways Design Review subdistrict and is subject to riparian regulations.

~~7. a-~~ The purposes for which said subdistrict is established are as follows:

- ~~(1)a.~~ To guide development adjacent to waterways toward the most appropriate building envelope for its particular site;
- ~~b.(2)~~ To minimize the impact of development adjacent to waterways on adjacent properties upstream, downstream and across waterways;
- ~~c.(3)~~ To review development plans for property adjacent to waterways to minimize the obstruction of the conveyance of floodwaters;
- ~~d.(4)~~ To provide for the stewardship, maintenance and/or enhancement of the Riparian Zone and riparian environment, including wildlife habitat along waterways;
- ~~e.(5)~~ To carry out the provisions of the comprehensive plan as well as health, safety, and welfare with regard to properties adjacent to waterways;
- ~~f.(6)~~ To warn that City review and approval is not going to prevent flooding and that flooding may occur;

~~g. (7)~~ To advise of flood hazards and studies and options available;

~~h. (8)~~ To review ~~drainage/~~obstructions to flood carrying capacity and to advise on methods that may be used to moderate impact of the development; ~~and~~

~~i. (9)~~ To review landscaping and access for flood carrying capacity and preservation or enhancement of riparian vegetation; ~~and~~

~~j. (10) To provide regulations for the Riparian Zone-~~

~~8.b.~~ The Waterways ~~Design-Review Subdistrict-District~~ is hereby established and shall be defined as including all those parcels of property within the City limits lying adjacent to or within twenty five feet (25') of the mean high water mark of the Big Wood River, Trail Creek, and Warm Springs Creek and any and all channels, having year round or intermittent flow, thereof. All such channels are considered Waterways for the purpose of defining and regulating the Riparian Zone. The area along the banks of any waterway that is within twenty-five feet (25'), measured horizontally from the mean high water mark, is the Riparian Zone regulated by this ordinance.

~~9e.~~ "Development", as defined in section 17.08.020 of this title, and construction or placement of buildings or structures, including additions to any such structures or buildings existing- (insert date of ordinance adoption) at the effective date hereof, and landscaping changes within the Riparian Zone for parcels under development with new structures and parcels developed with structures after (insert date riparian standard were adopted – 1988), upon real property within the Waterways Design Review Subdistrict shall ~~be subject to design review and shall~~ require said approval under section 17.88.050 of this article, prior to issuance of a building permit, excavation/grading permit or commencement of any work associated with any such activity.

~~d. Applications for floodplain development permits and waterways design review shall be made according to this chapter.~~

C. Uses Permitted and Prohibited: Due to the potential hazard to individuals as well as public health, safety and welfare, uses allowed in the Floodplain Management Overlay Zoning District and the Waterways Review District are those which are permitted, conditional, and accessory as contained in the underlying zoning district. ~~Due to the sensitive ecology of the river system and riparian area and the detrimental impacts that uncontrolled use of pesticides and herbicides can create to both the river system and human health and, due to the extremely hazardous nature of the floodway due to velocity of floodwaters carrying debris, potential projectiles and erosion potential, the following provisions apply, in addition to all others:~~

1. Encroachments in the floodway: Encroachments in the floodway, including fill, new construction, substantial improvements, ~~or and~~ other development ~~is are~~ prohibited unless certification, with supporting calculations and a No-Rise Certification, by a registered professional ~~hydraulic~~ engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge. ~~and~~

~~a. Uses Permitted: Uses permitted~~ within the floodway shall be restricted to those which are required by public necessity (for example, bridges, water pumps), recreational use (for example, paths), wildlife habitat improvements (for example, vegetation, nesting structures, pool/riffle improvements), and public safety (such as streambank stabilization materials) ~~materials, and gravel extraction~~; provided,

that the use/encroachment meets the approval of the Federal Emergency Management Agency and national flood insurance program and does not jeopardize the City's participation in the national flood insurance program.

~~b. Uses Prohibited: All other uses are prohibited. New residential structures and residential substantial improvements are prohibited in the floodway.~~

2. If ~~subsection D1~~section 17.88.040.D.1 of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of section 17.88.060, "Provisions For Flood Hazard Reduction", of this article.
  3. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean ~~high water~~high-water mark on any property within the City limits at any time.
  4. No use of pesticides, herbicides, or fertilizers will be allowed within ~~twenty five~~twenty-five feet (25') of the mean high water mark on any property within the City limits unless approved by the City Arborist.
  5. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates.
  6. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall, unless otherwise approved by the City Arborist.
  7. The application of dormant oil sprays and insecticidal soap within the Riparian Zone may be used throughout the growing season as needed.
  8. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond, or basin that regularly or periodically carries or stores water.
- D. General Notice ~~and Disclosure Requirements~~Requirements: In order to provide reasonable notice to the public of the flood hazard potential within all areas of the Floodplain Management Overlay Zoning District, the following notice regulations and requirements are hereby adopted for all real property and structures located within said district:

1. Subdivision Plats:

a. All subdivision plats shall identify and designate the ~~one percent (1%) annual chance floodplain boundary~~ Special Flood Hazard Area, the 0.2% annual chance floodplain ~~and boundary~~, and the floodway boundary, the mean high water mark, and the Riparian Zone. All flood zone(s), and base flood elevation(s) shall be shown on the plat.

b. All subdivision plats shall contain a plat note including a certification by a registered surveyor that the boundaries were established consistent with the FIRM ~~map~~ for the City or Blaine County, whichever applies. The note shall include the FEMA FIRM panel number(s), FIRM effective date(s), and a note stating that "Flood Zones are subject to change by FEMA and all lands within a floodway or floodplain is regulated by the Article 1. Flood Damage Prevention of the Ketchum City Code.



c. All subdivision plats shall contain a note or notes that warn prospective buyers of property that sheet flooding can and will occur and that flooding may extend beyond the floodway and floodplain boundary lines identified.

d. ~~2-~~All subdivision plats shall contain ~~a note~~~~note(s)~~ that refers to the required twenty five foot (25') setback from all waterways called the Riparian Zone in which no development is permitted, and require that riparian vegetation shall ~~be maintained~~remain in its natural state for the protection and stabilization of the riverbank. Any modifications to riparian vegetation, including, and that removal of trees or other vegetation ~~will be~~shall only be considered and approved as part of the function of waterways design review as set forth in section 17.88.050 of this article.

e. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten foot (10') fish and nature study easement along the riverbank. Furthermore, the Council shall require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the Council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.

f. United States Geological Survey (USGS) datum shall be used and identified on the plat and a permanent ~~bench~~ benchmark shall be identified and shown on the plat.;

### 23. Building Permits:

a. Preconstruction Elevation Certificate Required: Prior to issuance of any building permit for a structure located partially or wholly within the one percent (1%) annual chance floodplain, a preconstruction elevation certificate shall be completed by a registered professional engineer, architect or surveyor and submitted to the City of Ketchum building inspector. ~~The elevation certificate form shall be made available from the City.~~

b. Building Under Construction Elevation Certificate - Foundation and Lowest Floor: An~~The Elevation Certificate certificate~~ shall again be completed by the owner and/or his/her agents and submitted to the City upon completion of the foundation and construction of the lowest floor. See Section 17.88.050.H.1.a for detail.

c. Finished Construction Elevation Certificate Required; ~~An Elevation Certificate shall and~~ again be completed and submitted to the City prior to issuance of a certificate of occupancy or a final inspection by the building inspector to evidence the as built elevation of the lowest floor ~~including basement~~. See Section 17.88.050.H.1.b. for detail.

4. Real Estate Sales and Leasing Disclosures: Each and every real estate agent, sales person and broker, and each and every private party who offers for sale or lease a parcel of real property and/or structure that contains 1% annual chance floodplain, floodway, or frontage on a waterway, within said district shall provide the prospective purchaser or leaseholder with written notice that said real property and/or structure is located within ~~said district~~the Floodplain, Floodway, and/or Waterways Design Review subdistrict and that structures and land are subject to the regulations of this ordinance.

5. Floodplain Acknowledgement Authorization Required: Prior to issuance of any floodplain development permit, the property owner or his or her authorized agent shall acknowledge by executed written affidavit that said property is located within the one percent (1%) annual chance floodplain as defined herein and that a violation of the terms of this article shall cause the City to seek legal remedies.

6. Non-conversion Agreement Required: For any building in the floodplain with an area below the lowest floor that is below the base flood elevation and has a ceiling height of five feet (5') or greater, the building owner shall sign a non-conversion agreement, that shall run with the property, promising not to improve, finish or otherwise convert the area below the lowest floor to living area and granting the City the right to inspect the enclosed area at its discretion. Such agreement shall be recorded at Blaine County's Recorder's Office.

E. Compliance: No structure or land shall hereinafter be constructed, located, extended, converted, or altered without full compliance with the terms of this article and other applicable regulations. Should the regulations specified in any other ordinance of Ketchum be less restrictive, the regulations of this section shall apply.

F. Abrogation ~~and~~ Greater Restrictions: This section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this section and another ordinance or section herein, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent or greater restrictions shall prevail.

G. Interpretation: In the interpretation and application of this section, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the Governing Body; and
3. Deemed neither to limit nor repeal any other powers granted under State Statutes.

H. Warning ~~and~~ Disclaimer ~~of~~ Liability: The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This section does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. This section shall not be deemed or construed to create liability on the part of the City, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this section or any administrative decision lawfully made hereunder. (Ord. 1190, 2018: Ord. 1135, 2015)

#### **17.88.050: ADMINISTRATION:**

A. Establishment Of Floodplain Development Permit: A floodplain development permit shall be obtained through an application provided by the City prior to issuance of a building or excavation/grading permit for any and all ~~"development"~~ development, as defined in section 17.08.020, within the Floodplain Management Overlay District, including subdivision preliminary plat approval, and the Waterways Review District, as defined in section 17.08.020 of this title, and construction, including "stream alteration", as



~~defined herein in Chapter 17.08 of the zoning code, within the Floodplain Management Overlay District established in subsection 17.88.040A of this article.~~

~~B. Establishment Of Waterways Design Review Permit: Approval of waterways design review permit, as either a stand-alone permit or in conjunction with a Floodplain Development Permit, shall be obtained prior to issuance of a building or excavation/grading permit and prior to commencement of construction for any and all "development" defined in section 17.08.020 of this title within the Waterways Design Review Subdistrict as defined in subsection 17.88.040B of this article.~~

~~BE. Applications and Submittals: Applications shall be made on forms furnished by the City and may be made simultaneous with Land Use applications (such as Conditional Use Permits, Lot Line Shifts, and Preliminary Plats) for Design Review as required by Chapter 17.96 of the zoning code, where applicable, and prior to application for a building permit. In order for an application to be determined to be complete, the application shall contain the following information and any all information required by the application form furnished by the city and any additional information which may be reasonably required by the Administrator or commission during the course of application review.:~~

- ~~1. Engineer, owner of property, applicant if different than owner, address, phone, e-mail address, etc.~~
- ~~2. Fees as set by resolution of Council.~~
- ~~3. Vicinity map.~~
- ~~4. Site plan(s), drawn to scale, prepared and certified by a registered land surveyor, Professional Engineer, architect or landscape architect showing:
  - ~~a. Nature, location, dimensions, and elevations of lot, including one foot one foot (1') contours.~~
  - ~~b. Location of existing and proposed structures, fill, storage of materials, drainage facilities and infrastructure.~~
  - ~~c. For the linear distance 300' upstream and downstream of the subject property, location of existing channels and ditches and other significant natural features, boundaries of regulatory floodway and regulatory special flood hazard area floodplain as delineated on the FIRM or other flood map determined by this title, including intermediate regional flood (IRF), flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined by this title, Base Flood Elevation where provided, and other site specific information from the studies referred to in subsection 17.88.040A3 of this article.~~
  - ~~d. Location and elevations of adjacent streets, water supply and sewer lines, including private wells and/or septic systems.~~
  - ~~e. Elevation of the lowest floor (including basement) of all structures, utility equipment, and machinery existing and proposed partially or wholly located in the one percent (1%) annual chance floodplain, including elevation to which any structure has been or will be floodproofed.~~
  - ~~f. Existing vegetation and proposed landscape plan, including identification of sizes and types of trees and other plants to be saved or, removed, and/or planted.~~~~

~~g. Identification of the Riparian Zone and the "mean high water mark", as defined in section 17.08.020 of this title.~~

~~h. For the linear distance 300' upstream and downstream of the subject property, Location of previous stream alterations upstream, downstream and along both banks from subject lot.~~

~~i. Former, existing, and new location of any watercourse that will be altered or relocated as a result of proposed development;~~

~~i. Location of drainageways intermittent and year round/year round including potential overflow channels or channel movement.~~

~~j. Proposed excavation or landfill including resulting slopes or grades for the building pad(s), driveways, and any other element of the proposed development where excavation or fill will take place.~~

~~k. Drainage plan including off site/offsite improvements such as borrow ditches and culverts and including a plan for on and off site improvements to provide for unobstructed conveyance of floodwaters.m~~

~~5.l. For any building in the floodplain with an area below the lowest floor that is below the base flood elevation and has a ceiling height of five feet (5') or greater, the building owner shall sign a nonconversion agreement, that shall run with the property, promising not to improve, finish or otherwise convert the area below the lowest floor to living area and granting the City the right to inspect the enclosed area at its discretion. Such agreement shall be recorded at Blaine County's Recorder's Office.~~

~~6. Proposed landscape plan, including identification of sizes and types of trees and other plants to be saved, removed, and/or planted.~~

~~7. Grading and drainage plan indicating existing and proposed contours with quantities of cut and fill specified.~~

~~85. Written Ddescription of proposed development.~~

~~96. Specifications for building construction and materials, floodproofing, and proposed flood vents if applicable. filling, grading, dredging, channel improvement/changes and utilities.~~

~~107. Pre Construction Elevation Ccertificate, prepared by a licensed surveyor or engineer for any proposed and/or floodproofing certification prepared by a professional engineer for any existing and proposed residential and/or nonresidential structures located partially or wholly within the one percent (1%) annual chance floodplain. Said floodproofing methods shall meet the criteria in subsection 17.88.060B of this article.~~

~~11. Elevation Certificate, prepared by a licensed surveyor or engineer, for any existing structure located partially or wholly within the one percent (1%) annual chance floodplain that is proposed to be altered.~~

~~12. Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:~~

~~a. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures;~~

~~b. Elevation in relation to mean sea level to which any non-residential structure in Zone A, AE, AH, AO, or A1-30 will be floodproofed; and~~

~~c. Elevation in relation to mean sea level to which any proposed utility equipment and machinery will be elevated or floodproofed.~~

~~13. Floodproofing certification prepared by a professional engineer for any existing and proposed nonresidential structures located partially or wholly within the one percent (1%) annual chance floodplain that are proposed to be floodproofed, if applicable. If floodproofing, a Floodproofing Certificate (FEMA Form 086-0-33) with supporting data, an operational plan, and an inspection and maintenance plan that include, but are not limited to, installation, exercise, and maintenance of floodproofing measures will be required prior to Certificate of Occupancy/Completion. Said floodproofing methods shall meet the criteria in subsection 17.88.060B of this article.~~

~~14. Foundation Plan prepared by a licensed engineer. The Foundation Plan shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:~~

~~a. The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation, or on columns/posts/piers/piles/shear walls); and~~

~~b. Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Article V, Section A.8.b. when solid foundation perimeter walls are used in Zones A, AE, AH, AO, and A1-30.~~

~~158. Copy of conditional letter of map revision amendment based on fill (CLOMRA-F) application for any proposed fill in the floodplain on a single lot or parcel. A CLOMRA-F approval shall be obtained from FEMA prior to issuance of a floodplain development permit and a LOMR-F based on surveyed as-built conditions shall be submitted to FEMA after construction.~~

~~16. Usage details of any enclosed areas below the lowest floor.~~

~~17. Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage.~~

~~18. Documentation for placement of recreational vehicles and/or temporary structures, when applicable, to ensure that the provisions of this ordinance are met.~~

~~199. Copies of applications sent to the U.S. Army Corps of Engineers (USACE) and Idaho Department of Water Resources (IDWR) and approvals from each agency; USACE and IDWR approvals shall be obtained prior to issuance of a stream alteration permit (stream alteration only). USACE and IDWR approvals shall be obtained prior to issuance of a stream alteration permit.~~

~~20.10. Cross section of proposed work (stream alteration only).~~

21. HEC-RAS computer model input files (stream alteration only).

2211. Length of stream to be worked, type of work to be done, type of equipment to be used and starting and completion dates of work (stream alteration only).

2312. A valley cross section showing stream channel, floodway limits, elevations of adjacent land areas, intermediate regional flood (IRF), 1% annual chance and 0.2% annual chance floodplain limits, proposed development, and mean high water information and a profile showing the slope of the bottom of the channel or flow line of the stream may be required upon review of all other material submitted (stream alteration only).

2413. A no net rise certificate (“No Rise Certificate”), including supporting calculations, prepared by registered professional hydraulic engineer for any work proposed in the regulatory floodway and/or any in-stream or streambank alteration (stream alteration only).

25. Certification of no adverse impact: Development within the Special Flood Hazard Areas shall be required to certify by a registered professional engineer that the development does not adversely affect flood risks for other properties as measured by increased flood stages, increased flood velocity, increased flows, increased potential for erosion and sedimentation, or any other impact deemed important or as specified by the City of Ketchum, unless the impact is mitigated. This certification shall employ industry standards for hydraulic and hydrological analysis to determine no adverse impact and all data shall be provided in hard copy and digitally for review and corroboration by the city’s engineer or any governmental review agency acceptable to the City of Ketchum.

25. All information required by Section 17.88.060, Provisions for Flood Hazard Reduction.

D. Duties ~~and~~ Responsibilities: The Planning and Building Director, or his or her designee, is the Administrator of Title 17, Ketchum Municipal Code and is hereby appointed to responsible for administer~~ing~~ and implement~~ing~~ this article in accordance with its provisions.

1. Administrative Review and Noticing: The Administrator shall have the authority to consider and approve, approve with conditions, or deny applications for floodplain development permits and for waterways design review, as required herein.

a. For applications approved administratively the Administrator shall provide written notice of said application to owners of property within three hundred feet (300') of the external boundaries of the land being considered. Said notice shall inform adjacent property owners they may comment on the application during a period of not less than ten (10) days after mailing of the notice and prior to final action on said application.

(1) When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be used in lieu of mailed notice. Said alternate forms of notice shall be per Idaho Code 67-6512 in effect at the time of notice.

2. Commission Review and Noticing: If the Administrator determines that a project cannot be approved administratively, the Ketchum Planning and Zoning Commission shall consider and approve, approve with conditions, or deny applications for floodplain development permits as required herein, for waterways design review as required herein and for stream alterations, ~~at a duly noticed meeting.~~

a. Criteria for sending applications to the Planning and Zoning Commission includes:

(1) New development proposed within the floodway;

(2) Stream alteration projects containing riprap;

(3) Stream alteration projects including gravel extraction;

(4) ##

ba. For applications reviewed by the Planning and Zoning Commission the application shall be noticed for a public hearing in accordance with Idaho Code 67-6509.

~~The Administrator shall provide written notice of said application to owners of property within three hundred feet (300') of the external boundaries of the land being considered. When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be used in lieu of mailed notice. Said alternate forms of notice shall be per Idaho Code 67-6512 in effect at the time of notice. Said notice shall inform adjacent property owners they may comment on the application during a period of not less than ten (10) days after mailing of the notice and prior to final action on said application.~~

3. Specific duties and responsibilities of the Administrator shall include, but are not limited to:

a. Permit Review:

(1) Review of all applications for proposed construction within the City to determine whether such construction is proposed, in whole or in part, within the Floodplain Management Overlay District and/or the Waterways Design ~~Review~~ District herein.

~~(2) Review all building permit, floodplain development permit and design review applications to determine that the permit requirements of this section have been satisfied.~~

~~(23) Review all floodplain development permit applications to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334; Idaho Fish and Game, Idaho Department of Water Resources, Soil Conservation Service, Environmental Protection Agency, and U.S. Army Corps of Engineers. Such documentation shall be maintained on file with the floodplain development permit.~~

~~(34) Review all floodplain development permit applications to determine that the proposed development meets the requirements of this ordinance, and is project shall be reasonably safe from flooding, and.~~

~~(4) for projects within the floodway review applications to ensure the proposal does not cause adverse impacts or any adverse impacts are mitigated as demonstrated by a No Adverse Impact statement provided by the applicant.~~

and if the proposed development adversely affects the velocity of flow and the flood carrying capacity of the area of special flood hazard. For the purposes of this section, "adversely affects" means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will increase the water surface elevation of the base flood more than one foot (1') at any point.

~~(45) Review proposed development, whether by building permit, floodplain development permit, or waterways design review to assure that all necessary permits have been obtained from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act, as amended, or by wide area agencies, prior to issuing a development permit. Other agencies may include Idaho Fish and Game, Idaho Department of Water Resources, Soil Conservation Service, Environmental Protection Agency, and U.S. Army Corps of Engineers. Such documentation shall be maintained on file with the floodplain development permit.~~

~~(6) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, submit copies of such notifications to FEMA and assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.~~

~~(55) Prevent encroachments into floodways unless the certification and flood hazard reduction provisions contained in this title are met.~~

~~(66) Review plans to verify public utilities are constructed in accordance with the provisions of this title.~~

#### b. Inspections:

~~(1) Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the Floodplain Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Floodplain Administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.~~

~~(2) Make periodic inspections throughout the Special Flood Hazard Areas within the jurisdiction of the community. The Floodplain Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.~~

#### c. Stop-Work for Violations in Progress and Permit Revocation:

~~(1) Work with the Building Official to issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Building Official may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work. The stop-work order shall state~~

the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.

- (2) Issue stop-work orders for unpermitted development in the floodplain that does not require a building permit. Examples include grading, filling, Riparian Zone alterations and stream bank stabilization and alteration.
- (3) Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.

d. Coordination and Communication with Federal Agencies:

- (1) Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-Fs) and Letters of Map Revision (LOMRs).
- (2) Notify, in riverine situations, adjacent communities and state and federal agencies in accordance with Section 17.88.050.D.3.g.
- (3) A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator (FIA) of the changes by submitting technical or scientific data in accordance with this part. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.
- (4) Upon occurrence, notify the Federal Insurance Administrator (FIA) in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce flood plain management regulations for a particular area. In order that all ~~FHBM's and~~ FIRM's accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished flood plain management regulatory authority.
- (5) The City of Ketchum will notify the State NFIP Coordinator of the Idaho Department of Water Resources of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

eb. Use Of Other Base Flood Data:

- (1) When base flood elevation data has not been provided in accordance with subsection [17.88.040.A.3](#), "Basis For Establishing The Areas Of Special Flood Hazard", of this chapter, the Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway



data available from a Federal, State, or other source in order to administer subsections [17.88.060.B.2](#), "Residential Construction", [17.88.060.B.3](#), "Nonresidential Construction", and [17.88.060.C](#), "Floodways", of this chapter.

(2) When Base Flood Elevation (BFE) data is provided but no floodway data has been provided in accordance with the provisions of this title, require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(3) When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area (SFHA) is above the Base Flood Elevation (BFE), advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the LOMA issued by FEMA in the floodplain development permit file.

fe. Records and Information To Be Obtained and ~~And~~ Maintained:

(1) Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.

(2) Maintain a current map repository to include, but not limited to, the FIS Report, FIRM and other official flood maps, and studies adopted in accordance with the provisions of Article III, Section B of this ordinance, including any revisions thereto including Letters of Map Change, issued by FEMA. Notify the NFIP State Coordinator and FEMA of ~~Ketchum~~your community's mapping needs.

(3) Obtain and maintain actual elevation (in relation to mean sea level) of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures.

(4) Where base flood elevation data is provided through the Flood Insurance Study or required as in subsection [17.88.050.D.3.b](#) of this section, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

(5) For all new or substantially improved floodproofed structures:

(A) Verify and record the actual elevation (in relation to mean sea level); and

(B) Maintain the floodproofing certifications ~~required in subsection C7 of this section~~ as required by this ordinance.

~~(3) Maintain in perpetuity for public inspection all records pertaining to the provisions of this section.~~

(6) Maintain in perpetuity records on all permits and appeals and report all variances to Federal Insurance Administration.

gd. Alteration ~~of~~ Watercourses:



(1) Notify adjacent communities and all State agencies with jurisdiction over the special flood hazard areas identified in subsection [17.88.040A](#) of this chapter and/or with jurisdiction over the corresponding watercourse, river, stream or tributaries prior to any alteration or riprapping, or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

~~(2) Notify adjacent communities and the Idaho Department of Water Resources State Coordinator for the National Flood Insurance Program (NFIP) prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administrator (FIA).~~

~~(3) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.~~ Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

~~he.~~ Interpretation ~~Of~~ FIRM Boundaries: Make interpretations where needed as to the exact location of the boundaries of the areas of special hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in [subsection I of this section](#).

E. Criteria ~~F~~for Evaluation ~~Of~~ Applications: The criteria of floodplain development permit applications, waterways design review applications, and stream alteration permit applications shall be as follows:

1. Preservation or restoration of the inherent natural characteristics of the river and creeks and floodplain areas. Development does not alter river channel [unless approved through the streambank alteration process](#).
2. Preservation ~~, or~~ enhancement ~~, or~~ restoration of riparian vegetation and wildlife habitat, ~~if any,~~ along the stream bank and within the ~~required minimum twenty five~~ [twenty-five](#) foot (25') ~~setback or R~~riparian [Z](#)zone. [Proposal includes vegetation within the twenty-five foot \(25'\) Riparian Zone that is degraded, not natural, or which does not promote bank stability.](#)
3. No [temporary](#) construction activities, encroachment or other disturbance into the ~~twenty five~~ [twenty-five](#) foot (25') ~~R~~riparian [Z](#)zone, including encroachment of below grade structures, shall be allowed at any time without written City approval per the terms of this [title chapter](#).
4. No [permanent](#) development ~~, other than development by the City of Ketchum or development required for emergency access,~~ shall occur within the ~~twenty five~~ [twenty-five](#) foot (25') ~~R~~riparian [Z](#)zone with the exception of approved stream stabilization work [and restoration work associated with permit issued under this title or exceptions as described below.](#)

~~a. Access to a property where no other primary access is available; The Administrator may approve access to property where no other primary access is available.~~

~~a.b. Emergency access required by the Fire Department;~~

~~c. A single defined Private pathways and/or staircases shall not lead into or through the riparian zone unless deemed necessary by the Administrator for the purpose of providing access to the river channel and in order to mitigate multiple undefined social paths;~~

d. Development by the City of Ketchum-

~~4. A landscape plan and time frame shall be provided to restore any vegetation within the twenty fivetwenty five foot (25') Riparian Zone that is degraded, not natural or which does not promote bank stability.~~

5. New or replacement planting and vegetation in the Riparian Zone shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings most commonly include: red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle. However, in rare instances the distance from the top-of-bank to the mean high water mark is significant and the native vegetation appropriate for the Riparian Zone are low growing, drought resistant grasses and shrubs. Replacement planting and vegetation shall be appropriate for the specific site conditions.

6. Landscaping and driveway plans to accommodate the function of the floodplain to allow for sheet flooding. ~~Floodwater carrying capacity is not diminished by the proposal.~~ Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.

7. Floodwater carrying capacity is not diminished by the proposal.

~~87.~~ Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not negativet adverse.

~~98.~~ Building setback in excess of the minimum required along waterways is encouraged. An additional ten foot (10') building setback beyond the required twenty-five foot (25') Riparian Zone is encouraged to provide for yards, decks and patios outside the twenty five foot (25') Riparian Zone.

~~109.~~ The top of the lowest floor of a building located in, or partially within, the ~~one percent (1%) annual chance floodplainSFHA~~ shall be at or above the Flood Protection Elevation (FPE), a minimum of twenty four inches (24") above the base flood elevation of the subject property. (See section [17.88.060](#), figures 1 and 2 of this chapter.)

a. In the one percent (1%) annual chance floodplainSFHA where Base Flood Elevations (BFEs) have been determined, the FPE shall be twenty-four inches (24") above the base flood elevation for the subject property; twenty-four inches (24") or two (2) feet is the required freeboard in Ketchum city limits.

b. In the one percent (1%) annual chance floodplainSFHA where no BFE has been established, the FPE shall be at least two (2) feet above the highest adjacent grade.

~~110.~~ The backfill used around the foundation in the 1% annual chanceSFHA floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent.

a. Compensatory storage shall be required for any fill placed within the floodplain.

b. ~~An A CLOMRA~~-F shall be obtained prior to placement of any additional fill in the floodplain.

~~121.~~ All new buildings ~~located partially or wholly within the 1% annual chance floodplain~~~~SFHA~~ shall be constructed on foundations that are ~~approved~~ designed by a licensed professional engineer.

~~132.~~ Driveways shall comply with effective street standards; access for emergency vehicles has been adequately provided for by limiting flood depths in all roadways to one foot (1-ft) or less during the 1% annual chance event.

~~143.~~ Landscaping or revegetation shall conceal cuts and fills required for driveways and other elements of the development.

~~154.~~ (Stream alteration.) The proposal is shown to be a permanent solution and creates a stable situation.

~~165.~~ (Stream alteration.) No increase to the one percent (1%) annual chance flood elevation floodplain at any location in the community, based on hydrologic and hydraulic analysis performed in accordance with standard engineering practice and upstream or downstream has been certified and submitted, with supporting calculations and a No Rise Certificate, by a registered Idaho hydraulic engineer. , and a No Rise Certificate has been submitted.

17. (Stream alteration.) The project has demonstrated No Adverse Impact or has demonstrated all impacts will be mitigated.

~~1876.~~ (Stream alteration.) The recreational use of the stream including access along any and all public pedestrian/fisher's easements and the aesthetic beauty shall not be obstructed or interfered with by the proposed work.

~~1987.~~ Where development is proposed that impacts any wetland, first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with an equal-comparable amount and/or quality of new wetland area or riparian habitat improvement.

~~20198.~~ (Stream alteration.) Fish habitat shall be maintained or improved as a result of the work proposed.

~~21019.~~ (Stream alteration.) The proposed work shall not be in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.

~~2210.~~ (Stream alteration.) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.

F. Conditions: Conditions of approval may include, but not be limited to:

1. Riparian vegetation and other landscaping is maintained in perpetuity as shown on approved plans.

2. As built certification, with supporting documentation such as an as built survey of the project area and channel cross sections produced by a surveyor or engineer licensed in Idaho demonstrating that the project was constructed in accordance with the approved plans, shall be required to be submitted prior to occupancy of structure or upon completion of the proposed work (stream alteration).
  3. Other permits (i.e., Idaho Department of Water Resources and U.S. Army Corps of Engineers) shall be obtained by the applicant prior to commencement of construction.
  4. Restoration of damaged riparian vegetation within Riparian Zone shall be required prior to completion of the proposed project. A bond to assure such restoration may be required prior to commencement of such work.
- G. Terms Of Approval: The term of floodplain development permit, waterways design review or stream bank alteration approval shall be twelve (12) months from the date that findings of fact, conclusions of law and decision are signed by the Administrator or upon appeal, the date the approval is granted by the Planning and Zoning Commission, subject to changes in zoning regulations. Application must be made for a building permit (if required) with the Ketchum Building Department during the twelve (12) month term. Once a building permit (if required) has been issued, the approval shall be valid for the duration of the building permit. Unless an extension is granted as set forth below, failure to file a complete building permit application (if required) for a project in accordance with these provisions shall cause said approval to be null and void. The provisions of this section shall apply to those approvals obtained on or after September 24, 2014.

1. Permit Extension: The City may, upon written request by the holder, grant a maximum of two (2) 12-month extensions to an unexpired approval. The first twelve (12) month extension shall be reviewed by the Administrator. The second twelve (12) month extension shall be reviewed by the Planning and Zoning Commission. Whether or not an extension is warranted shall be based on the following considerations:

- a. 1. Whether there have been significant amendments to the City's Comprehensive Plan, special studies, draft or interim floodplain maps, ~~Downtown Master Plan~~ or ordinances which will apply to the subject approval;
- 2-b. Whether significant land use changes have occurred in the project vicinity which would adversely impact the project or be adversely impacted by the project; a revised No Adverse Impact statement may be required prior to granting a permit extension;
- 3-c. Whether hazardous situations have developed or have been discovered in the project area; or
- 4-d. Whether community facilities and services required for the project are now inadequate.

2. Basis for Denial of Permit Extension:

- a. If any of the foregoing considerations are found to exist with regard to the project for which an extension is sought, an extension may be granted with conditions of approval to remedy any unmet requirements, or the City may choose not to grant an extension. Otherwise the City shall approve such an extension.
- b. Said decision shall be issued in writing.

c. No extensions shall be granted for an expired floodplain development permit or waterways design review approval.

## H. Inspection Procedures:

### 1. For structures located wholly or partially in the regulatory floodplain:

~~a. Upon completion of the foundation and placement of the lowest floor, but prior to construction of exterior walls, or floodproofing by whatever construction means, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the lowest floor or floodproofed elevation, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer who is authorized to certify such information in the State, and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. A City Planner and the building inspector shall perform a site inspection to verify the conditions noted on the elevation and/or floodproofing certificates. A Building Under Construction Elevation Certificate (FEMA Form 86-0-33) is required after the lowest floor is established.~~

(1) Within seven (7) calendar days of establishment of the lowest floor elevation, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the lowest floor, in relation to mean sea level. Any work done within the seven (7) day calendar period and prior to submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the certificate data submitted.

(2) Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop-work order for the project.

~~b. The Floodplain Administrator shall review the lowest floor elevation and/or floodproofing certificates. Should these documents be found not in conformance with the requirements of this chapter, the permit holder shall immediately cease further work and shall correct any deficiencies. Failure of the permit holder to submit the surveyed elevation and/or floodproofing certificate, and failure to correct said deficiencies required hereby, shall be the cause to issue a stop work order for the project.~~

~~be. Prior to final building permit inspection and issuance of a certificate of occupancy, it shall be the duty of the permit holder to submit to the Floodplain Administrator a final construction, as built, complete FEMA elevation certification and/or as built floodproofed elevation certification per the procedures outlined in subsections H1a and H1b of this section. A planner and the building inspector shall perform a site inspection to verify the conditions noted on the elevation and/or floodproofing certificates. A final as-built Finished Construction Elevation Certificate (FEMA Form 86-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance.~~

(1) It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the lowest floor and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit

the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

(2) The Finished Construction Elevation Certificate certifier shall provide at least two (2) photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least two (2) additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" x 3". Digital photographs are acceptable.

2. For waterways ~~design~~-review projects:

a. Development associated with a Building Permit: Prior to final building permit inspection and issuance of a certificate of occupancy, planning staff shall conduct a site inspection to verify that the project was constructed per the approved waterways design review plans and that all conditions of approval have been satisfied.

b. Development not associated with a Building Permit: Planning staff shall conduct a site inspection to verify that the project was constructed in general conformance with ~~per~~ the approved waterways design review plans and that all conditions of approval have been satisfied. The site visit shall be documented with a written memo to the application file.

I. Floodplain Development Variance Procedure:

1. General:

a. The Planning and Zoning Commission as established by the City of Ketchum, hereinafter referred to as the "Commission", shall hear and decide requests for variances from the requirements of this ordinance using the public hearing procedures established in Chapter 17.148, Variances.

b. The special considerations and conditions for variances contained in this section shall apply in addition to the criteria contained in Chapter 17.148, Variances.

c. Generally, variances may be issued for:

(1) The repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure;

(2) Functionally dependent facilities, if determined to meet the definition as stated in Article II of this ordinance, provided provisions of Article IV, Section E.8.b, c, and d, have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety; or

(3) Any other type of development, provided it meets the requirements of this Section.

~~new construction and substantial improvements to be erected on a lot of one-half ( $\frac{1}{2}$ ) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided subsection 12 of this section has been fully considered. As the lot size increases beyond the one-half ( $\frac{1}{2}$ ) acre, the technical justification required for issuing the variance increases.~~

~~db.~~ Upon consideration of the factors of subsection 17.88.050.1.2 of this section and the purposes of this article, the ~~Commission~~Administrator may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ~~article~~chapter.

2. Considerations: In passing upon such applications, the ~~Administrator~~Commission shall consider all technical evaluations, and all relevant factors and standards specified in other sections herein and:
- a. The danger that materials may be swept onto other lands to the injury of others;
  - b. ~~Whether the structure is designed, constructed and placed upon the lot to minimize flood damage exposure and minimize the effect upon it~~ The danger to life and property due to flooding or erosion damage;
  - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - d. The importance of the services provided by the proposed facility to the community;
  - e. The necessity to the facility of a waterfront location as a functionally dependent facility, where applicable;
  - f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - g. The compatibility of the proposed use with existing and anticipated development;
  - h. The relationship of the proposed use to the Comprehensive Plan and Floodplain Management Program for that area;
  - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
  - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities such as sewer, gas, electrical, and water systems, and streets and bridges;  
~~and~~
  - l. Variances shall only be issued in accordance with the guidelines found at section 60.6, code of federal regulations (title 44 CFR), as set forth therein on the effective date hereof; ~~and-~~
  - m. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do



not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

3. Conditions ~~for~~ Variance:

a. Variances shall not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.

b. Variances shall only be issued prior to development permit approval.

~~Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the national register of historic places or the Idaho historic sites inventory, without regard to the procedures set forth in the remainder of this article.~~

~~c.~~ Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

~~d.~~ Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

~~e.~~ A variance shall only be issued upon:

(1) A showing of good and sufficient cause;

(2) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

(3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expenses, create nuisances, cause fraud on or victimization of the public as identified in subsection 17.88.050.1.2 of this section, or conflict with existing local laws or ordinances.

~~f.~~ Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest flood elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

~~f. Variances as interpreted in the national flood insurance program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.~~  
g. The City of Ketchum will notify the State NFIP Coordinator of the Idaho Department of Water Resources of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

~~g. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry floodproofing, where it can be determined that such~~



~~action will have low damage potential, complies with all other variance criteria, except subsection 13a of this section, and otherwise complies with subsections 17.88.060A1 and A2 of this chapter.~~

~~4. Appeals: Any person aggrieved by the decision of the Commission may appeal such decision as described in Chapter 17.144, Appeals.~~

~~a. Appeals From Planning And Zoning Administrator: An appeal from any order, requirement, decision or determination of the planning and zoning administrator made in the administration or enforcement of this article may be taken by any affected person as that term is defined by Idaho Code section 67-6521, as it may be amended from time to time, or any officer or department of the city, to the planning and zoning commission by filing a notice of appeal in writing with the office of the planning and zoning administrator of the city in the manner prescribed herein:~~

~~(1) Action Required By The Planning And Zoning Administrator: The planning and zoning administrator shall certify that all procedural requirements have been satisfied and fees paid and transmit to the commission the original of all papers constituting the record in the case, together with the order, requirement, decision or determination of the planning and zoning administrator. The planning and zoning administrator shall maintain in perpetuity the records of all appeals and report any variances to the federal insurance administration upon request.~~

~~(2) Hearing And Notice: The commission shall, following receipt of the planning and zoning administrator's certificate and the record of the case, set the matter for hearing and give notice of the date, time, place and purpose thereof and of the right to request a copy of the decision thereon, to the appellant, the planning and zoning administrator, and to any other affected person, as defined in Idaho Code section 67-6521, as that section may be amended from time to time, all in accordance with Idaho Code section 67-6501 et seq., as may be amended from time to time.~~

~~(3) Authority Of Commission: Upon hearing the appeal, the commission shall consider the record, the order, requirement, decision or determination of the planning and zoning administrator and the notice of appeal, together with oral presentation by the appellant and the planning and zoning administrator. The commission may affirm, reverse, or modify, in whole or in part, the order, requirement, decision or determination of the planning and zoning administrator.~~

~~(4) Decision By Commission: The commission shall enter a decision within thirty (30) days after the hearing on appeal, which shall include its written findings of fact and conclusions of law separately stated. The commission shall transmit a copy of the decision to the appellant and any affected person who has requested a copy in writing, as defined in Idaho Code section 67-6521, as that section may be amended from time to time.~~

~~b. Appeals From Planning And Zoning Commission: An appeal from any order, requirement, decision or determination of the commission made in the administration or enforcement of this article may be taken by any affected person, as that term is defined by Idaho Code section 67-6521, as it may be amended from time to time, or any officer or department of the city, to the city council by filing a notice of appeal in writing with the office of the planning and zoning administrator of the city in the manner prescribed herein:~~

~~(1) Action Required By The Planning And Zoning Administrator: The planning and zoning administrator shall certify that all procedural requirements have been satisfied and fees paid and transmit to the~~

~~council the original of all papers constituting the record in the case, together with the order, requirement, decision or determination of the commission. Upon written request of the appellant or any affected person, as defined in Idaho Code section 67-6521, as that section may be amended from time to time, and the advance payment of the cost thereof, a verbatim transcript of the commission proceedings shall be prepared and transmitted to the council. The planning and zoning administrator shall maintain the records of all appeals and report any variances to the federal insurance administration upon request.~~

~~(2) Hearing And Notice: The council shall, following receipt of the planning and zoning administrator's certificate and the record of the case, set the matter for hearing and give notice of the date, time, place and purpose thereof and of the right to request a copy of the decision thereon, to the appellant, the commission, and to any other affected person, as defined in Idaho Code section 67-6521, as that section may be amended from time to time, all in accordance with Idaho Code section 67-6501 et seq., as may be amended from time to time.~~

~~(3) Authority Of Council: Upon hearing the appeal, the council shall consider only matters which were previously considered by the commission as evidenced by the record, the order, requirement, decision, or determination of the commission and the notice of appeal, together with oral presentation by the appellant and the commission. The council may affirm, reverse, or modify, in whole or in part, the order, requirement, decision or determination of the commission. Furthermore, the council may remand the application to the commission for further consideration with regard to specific criteria stated by the council.~~

~~(4) Decision By Council: The council shall enter a decision within thirty (30) days after the hearing on appeal, which shall include its written findings of fact and conclusions of law separately stated. The council shall transmit a copy of the decision to the appellant and any affected person who has requested a copy in writing, as defined in Idaho Code section 67-6521, as that section may be amended from time to time.~~

~~c. Time For Filing Appeals: All appeals permitted or authorized by this article shall be taken and made in the manner and within the time limits as follows: The written notice of appeal shall be filed before five o'clock (5:00) P.M. of the fifteenth calendar day after the order, requirement, decision or determination of the planning and zoning administrator has been made or after findings of fact have been approved by the commission, whichever is applicable. The failure to physically file a notice of appeal with the planning and zoning administrator of the city within the time limits prescribed by this subsection 14c shall be jurisdictional and shall cause automatic dismissal of such appeal.~~

~~d. Fee For Appeals: A fee equal to the expense of giving notice as required by subsection 14a(2) or 14b(2) of this section, as applicable, shall be paid within two (2) days after receipt from the planning and zoning administrator of the amount thereof. In the event the fee is not paid as required, the appeal shall not be considered filed.~~

~~e. Notice Of Appeal; Form And Contents: The notice of appeal shall be in writing and in such form as shall be available from the Office of the Planning and Zoning Administrator, which shall require to be set with specificity all bases for appeal, including the particulars regarding any claimed error or abuse of discretion. (Ord. 1190, 2018; Ord. 1186, 2018; Ord. 1170, 2017; Ord. 1135, 2015)~~

## **17.88.060: PROVISIONS FOR FLOOD HAZARD REDUCTION:**

A. General Standards: In all ~~areas of Special Flood Hazard Areas~~, the following standards are required:

1. Anchoring:

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- b. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over the top or frame ties to ground anchors (reference the Federal Emergency Management Agency's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

2. Construction Materials ~~and~~ Methods:

- a. ~~All structural and nonstructural building materials utilized at or below the base flood elevation must be flood resistant. Flood damage resistant materials must be used for all building elements subject to exposure to floodwaters, including floor joists, insulation, and ductwork. If flood damage resistant materials are not used for building elements, those elements must be elevated above the base flood elevation. This requirement applies regardless of the expected or historical flood duration. All new construction, substantial improvements, and development shall be constructed with materials and utility equipment resistant to flood damage in accordance with the Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, and available from the Federal Emergency Management Agency.~~
- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- c. ~~Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding. All new and replacement electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding to the Flood Protection Elevation. These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, hot water heaters, and electric outlets/switches.~~

3. Utilities:

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and
- c. On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

#### 4. Subdivision Proposals:

a. All subdivision proposals shall be consistent with the need to minimize flood damage;

b. All proposed lots in the subdivision shall have a building site that is located above the base flood elevation. It is preferred that building sites are located on natural high ground and special flood hazards areas are reserved for open space, trails, parks, and other low-impact, non-residential uses. If fill is proposed to elevate building sites, compensatory storage must be provided in accordance with section xxxx.

~~b.c.~~ All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

d. All subdivision proposals shall include streets that are at or above the base flood elevation to allow dryland access for emergency vehicles during a flood event.

ee. All subdivision proposals shall have adequate drainage facilities provided to ensure that the post-development stormwater (of a 25-year storm) discharge volume and flow rate will not exceed the amount of runoff under pre-development conditions. Low impact development and green infrastructure techniques for stormwater management are encouraged. Drainage plans and pre- and post-development hydrology calculations shall be prepared by a civil engineer licensed in the State of Idaho;

ed. All subdivision proposals and other development proposals greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals base flood elevation data. Base flood elevation shall be developed per FEMA hydrologic and hydraulic analysis methods and prepared by a qualified engineer licensed in the State of Idaho. United States Geological Survey (USGS) datum shall be used and identified on the plat and a permanent benchmark shall be identified and shown on the plat. Per subsection 17.88.050.D.3.d.(3) of this chapter, base flood elevation data and boundaries of the base flood shall be submitted to FEMA through the Conditional Letter of Map Revision (CLOMR) if fill is proposed or Letter of Map Revision (LOMR) process;

~~d. Require that base flood elevation data be provided or generated for all subdivision and PUD proposals. Base flood elevation shall be developed per FEMA hydrologic and hydraulic analysis methods and prepared by a qualified engineer licensed in the State of Idaho. United States Geological Survey (USGS) datum shall be used and identified on the plat and a permanent bench mark shall be identified and shown on the plat; and~~

e. All requirements of the Code of Federal Regulations, 44 CFR 60.3 shall be met.

f. All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.

5. Review Of Building Permits: Where elevation data is not available either through the Flood Insurance Study or from another authoritative source (subsection 17.88.050.D.3.eb. of this chapter), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water

marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet (2') above grade in these zones may result in higher insurance rates.

6. Solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards and chemical storage facilities: New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by variance as specified in this title, in the Special Flood Hazard Area. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the Flood Protection Elevation and certified in accordance with the provisions of this title.

B. Specific Standards: In all areas of special flood hazard where base flood elevation data has been provided as set forth in subsection [17.88.040.A.3](#), "Basis For Establishing The Areas Of Special Flood Hazard", or [17.88.050.D.3.eb](#), "Use Of Other Base Flood Data", of this chapter, the following provisions are required:

1. AO Zones: All construction in AO zones shall be designed and constructed with drainage paths around structures to guide water away from structures.

2. Residential Construction:

a. New construction and substantial improvement of any residential structure in any A1-30, AE and AH zone shall have the top of the lowest floor, including basement, elevated ~~a minimum of twenty four inches (24") above the base flood elevation~~ no lower than the Flood Protection Elevation.

b. New construction and substantial improvement of any residential structure in any AO zone shall have the lowest floor, including basement, elevated to or above the highest adjacent grade at least as high as the FIRM's depth number plus twenty four inches (24").

c. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be constructed entirely of flood resistant materials at least to the Flood Protection Elevation and designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria (see figures 1, "Preferred Crawl Space Construction", and 2, "Below Grade Crawl Space Construction", of this section and FEMA Technical Bulletin 11 for further information):

(1) A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. Openings shall be placed on at least two (2) walls to permit entry and exit of floodwaters. If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;

(2) The bottom of each flood vent opening shall be no higher than one foot (1') above the ~~lowest adjacent exterior grade~~ interior or exterior adjacent grade.

- (3) ~~Openings may be equipped with screens, louvers, or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters~~Engineered flood vents are required.
- (4) Portions of the building, utilities, and machinery located below the base flood elevation shall be constructed with material resistant to flood damage.
- (5) The interior grade of a below grade crawl space (see figure 2, "Below Grade Crawl Space Construction", of this section) ~~below the base flood elevation~~ shall not be below the BFE and shall not be more than two feet (2') below the lowest adjacent exterior grade.
- (6) The height of a below grade crawl space, measured from the interior grade of the crawl space to the top of the crawl space foundation wall, shall not exceed four feet (4') at any point.
- (7) A below grade crawl space shall have an adequate drainage system that removes floodwaters from the interior area of the crawl space within a reasonable time after a flood event.
- (8) The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawlspace.

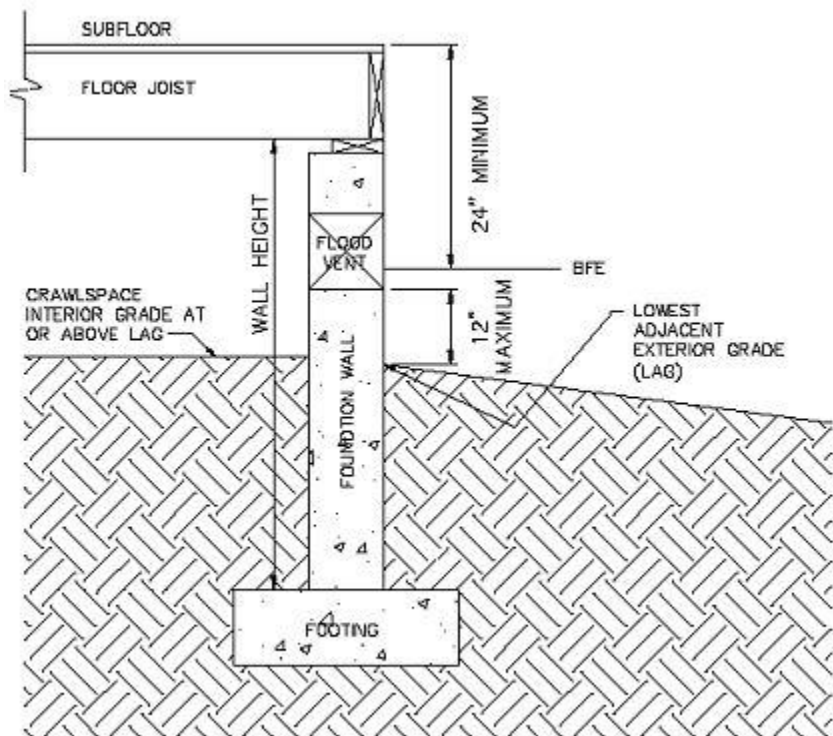
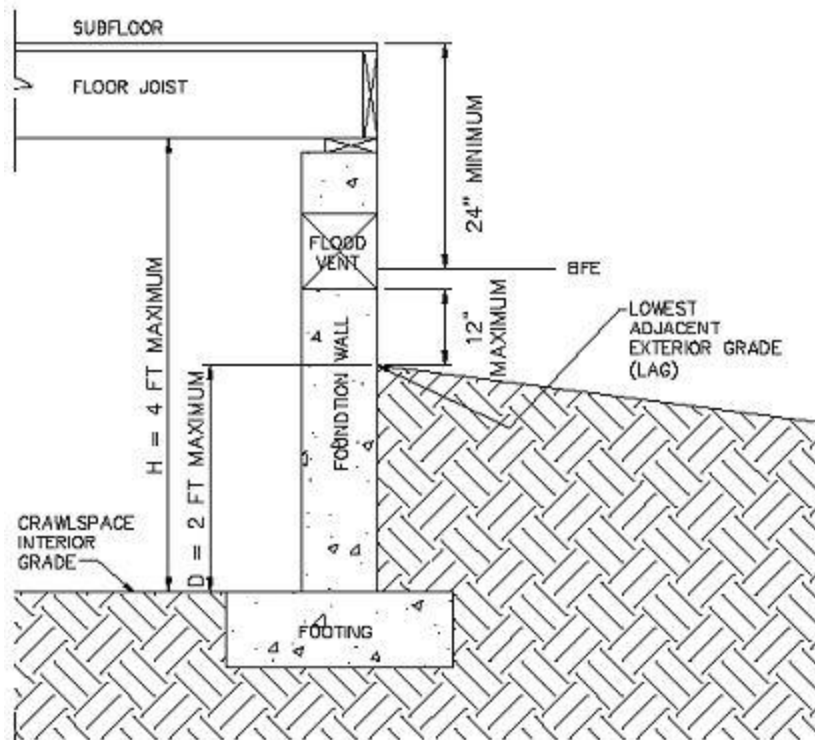


FIGURE 1  
PREFERRED CRAWL SPACE CONSTRUCTION





**FIGURE 2**  
**BELOW GRADE CRAWL SPACE CONSTRUCTION**

*Note: A below grade crawl space shall be subject to higher flood insurance rates through the NFIP.*

**3. Nonresidential Construction:**

a. New construction and substantial improvement of any commercial, industrial, nonresidential portion of a mixed use or other nonresidential structure in any A1-30, AE and AH zone shall either have the top of the floor structure of the lowest floor, including basement, elevated no lower than the Flood Protection Elevation to twenty four inches (24") above the base flood elevation or floodproofed to the Flood Protection Elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, are shall:

- (1) ~~Be floodproofed so that below the base flood level the structure is~~ W watertight with walls substantially impermeable to the passage of water;
- (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- (3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this article based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Floodplain Administrator official as set forth in subsection 17.88.050D3c(2) of this chapter, along with the operational plan and inspection and maintenance plan;

(4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subsection B2c of this section; and

(5) Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot (1') below the floodproofed level (e.g., a building constructed to the base flood level will be rated as 1 foot below that level).

b. All new construction and substantial improvement of nonresidential structures within AO zones shall:

(1) Have the lowest floor (including basement) elevated above the highest adjacent grade at least twenty four inches (24") higher than the depth number specified in feet on the FIRM; or

(2) Together with the attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in subsection B3a of this section.

4. Manufactured Homes: All manufactured homes to be placed or substantially improved within zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is twenty four inches (24") above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subsection A1b of this section.

5. Recreational Vehicles: All recreational vehicles to be placed on a site within zones A1-30, AH, and AE shall meet the requirements of subsection B4 of this section, or be placed on the site for less than one hundred eighty (180) consecutive days and be fully licensed and highway ready. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions.

6. Critical Facilities:

a. Construction of new critical facilities shall be, to the extent possible, located outside the limits of the special flood hazard area (SFHA) (100-year floodplain).

b. Construction of new critical facilities shall be permissible within the SFHA only if no feasible alternative site is available.

c. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet (3') above BFE or to the height of the 500-year flood, whichever is higher.

d. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

e. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible. ~~Critical facilities shall be constructed on properly compacted soil and shall have the lowest floor (including basement) elevated at least twenty four inches (24") above the elevation of the 0.2 percent annual chance flood. A critical facility shall have at least one access road connected to land outside the 0.2 percent annual chance floodplain that meets fire code access requirements. The top~~



~~of the road must be no lower than six inches (6") below the elevation of the 0.2 percent annual chance flood.~~

7. Temporary Non-Residential Structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:

- a. a specified time period for which the temporary use will be permitted. Time specified may not exceed six (6) months, renewable up to one (1) year;
  - b. the name, address, and phone number of the individual responsible for the removal of the temporary structure;
  - c. the time frame prior to the event at which a structure will be removed (i.e., immediately upon flood warning notification);
  - d. a copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and
  - e. designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.
- f. Temporary structures in the floodway must provide a Hydraulic and Hydrology Analysis along with a No-Rise Certification.

8. Accessory and Agricultural Structures (Appurtenant structures). When accessory structures (sheds, detached garages, etc.) used solely for parking, and storage are to be placed within a Special Flood Hazard Area, elevation or floodproofing certifications are required for all accessory structures in accordance with this title, and the following criteria shall be met:

- a. Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking, or restroom areas);
  - b. Accessory structures shall not be temperature-controlled;
  - c. Accessory structures shall be designed to have low flood damage potential;
  - d. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
  - e. Accessory structures shall be firmly anchored in accordance with the provisions of Section 17.88.060.A.1;
- f. All utility equipment and machinery, such as electrical, shall be installed in accordance with the provisions of Section 17.88.060.A.3; and

g. Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of this title.

h. Accessory structures not used solely for parking, access, and storage must be elevated per this title.

i. An accessory structure with a footprint less than 200 square feet and is a minimal investment of \$7,500 and satisfies the criteria outlined in a - g above is not required to provide the elevation certificate per this title.

9. Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:

a. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the base flood, including the effects of buoyancy (assuming the tank is empty);

b. Elevated above-ground tanks, in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse, or lateral movement during conditions of the base flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;

c. Not elevated above-ground tanks may be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

d. Tank inlets, fill openings, outlets and vents shall be:

i. At or above the flood protection elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the base flood; and

ii. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.

10. Compensatory Storage: New development shall not reduce the effective flood storage volume of the Regulatory Floodway and SFHA. A development proposal shall provide compensatory storage if grading or other activity eliminates any effective flood storage volume. Compensatory storage shall:

a. Provide equivalent volume at equivalent elevations to that being displaced. For this purpose, "equivalent elevation" means having similar relationship to ordinary high water and the best available one hundred (100) year water surface profiles;

b. Be hydraulically connected to the source of flooding; and

c. Provide compensatory storage in the same construction season as when the displacement of flood storage volume occurs and before the flood season begins.

d. The newly created storage area shall be graded and vegetated to allow fish access during flood events without creating fish stranding sites.

## Floodplain Development Permits Related to Irrigation Activities and Development

~~C. Floodways: Located within areas of special flood hazard established in subsection 17.88.040.A of this chapter are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:~~

~~1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification, with supporting calculations, by a registered professional hydraulic engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.~~

~~2. Uses within the floodway shall be restricted to those which are required by public necessity (for example, bridges, water pumps), recreational use (for example, paths), wildlife habitat improvements (for example, vegetation, nesting structures, pool/riffle improvements), and gravel extraction; provided, that the use/encroachment meets the approval of the Federal emergency Management (FEMA) and National Flood Insurance Program (NFIP) and does not jeopardize the city's participation in the NFIP, national flood insurance program.~~

~~3. New residential structures and residential substantial improvements are prohibited in the floodway.~~

~~2. If subsection C1 of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section.~~

~~53. Be certified by a registered professional engineer, except in an existing mobile home park or existing mobile home subdivision. (Ord. 1135, 2015)~~

### **17.88.070: Standards for Floodplains without Established Base Flood Elevations – Zone A**

Within the Special Flood Hazard Areas designated as Zone A (also known as Unnumbered A Zones) where no Base Flood Elevation (BFE) data has been provided by FEMA, the following provisions, in addition to the provisions of Section 17.88.060.A shall apply:

A. The BFE used in determining the Flood Protection Elevation (FPE) shall be determined based on the following criteria:

1. When Base Flood Elevation (BFE) data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in Sections 17.88.060.A and B.

2. When floodway data is available from a Federal, State, or other source, all new construction and substantial improvements within floodway areas shall also comply with the requirements of Sections 17.88.060.B. and 17.88.090.

3. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data. Such Base Flood Elevation (BFE) data shall be adopted by reference in accordance with Section 17.88.040.A.3 and utilized in implementing this ordinance. The applicant/developer shall submit an application for a Conditional Letter of Map Revision (CLOMR) prior to Preliminary Plat approval and have obtained a Letter of Map Revision (LOMR) prior to any building permits for structures being issued.

4. When Base Flood Elevation (BFE) data is not available from a Federal, State, or other source as outlined above, the lowest floor shall be elevated or floodproofed (non-residential) to two feet (2.0 ft.) above the Highest Adjacent Grade (HAG) at the building site or to the Flood Protection Elevation (FPE) whichever is higher. All other applicable provisions of Section 17.88.060.B shall also apply.

**17.88.080: Standards for Riverine Floodplains with Base Flood Elevations but without Established Floodways.**

A. Along rivers and streams where Base Flood Elevation (BFE) data is provided by FEMA or is available from another source but floodways are not identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

1. Standards of Sections 17.88.060.A and B; and
2. Until a regulatory floodway is designated, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

**17.88.090: Standards for Floodways.**

Areas designated as floodways located within the Special Flood Hazard Areas established in Article III, Section

B. The floodways are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Sections 17.88.060.A and B, shall apply to all development within such areas:

2. ~~Uses within the floodway shall be restricted to those which are required by public necessity (for example, bridges, water pumps), recreational use (for example, paths), wildlife habitat improvements (for example, vegetation, nesting structures, pool/riffle improvements), and gravel extraction; provided, that the use/encroachment meets the approval of the Federal Emergency Management (FEMA) and National Flood Insurance Program (NFIP) and does not jeopardize the city's participation in the NFIP.~~

3. New residential structures and residential substantial improvements are prohibited in the floodway.

A. ~~All No~~ encroachments, including fill, new construction, substantial improvements, residential structures, and other developments shall be prohibited, except for the following:

- a. Roads and bridges necessary to connect areas outside of the special flood hazard area;
- b. Utilities;
- c. Recreational pathways and open space;
- d. Flood control and stormwater management facilities;
- e. Boat ramps or river access;
- f. Wildlife habitat improvements;
- g. Stream restoration and bank stabilization.

B. Encroachments in the floodway are only allowed if: ~~shall be permitted unless:~~

1. It is demonstrated that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of floodplain development permit; this is a No-Rise Analysis & Certification); or

2. A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained within six months of completion of the proposed encroachment.

B. If 17.88.090.A is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.

C. ~~Manufactured homes may be permitted provided the following provisions are met:~~

~~1. the anchoring and the elevation standards of this ordinance; and~~

~~2. the encroachment standards of 17.88.090.A.~~

D. Other Development in regulated floodways:

1. Fences that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, in regulated floodways shall meet the limitations of Article V, Section E of this ordinance.

2. Retaining walls, bulkheads, sidewalks, and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance.

3. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings, and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, which encroach into regulated floodways, shall meet the limitations of Section 17.88.090 of this ordinance. The applicant/developer shall submit an application for a Letter of Map Revision (LOMR) upon completion of construction for the purpose of providing FEMA better available data.

4. Drilling water, oil, and/or gas wells including fuel storage tanks, apparatus, and any equipment at the site that encroach into regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance.

5. Docks, piers, boat ramps, marinas, moorings, decks, docking facilities, port facilities, shipbuilding, and ship repair facilities that encroach into regulated floodways shall meet the limitations of Section 17.88.090 of this ordinance

**17.88.100: Standards for Areas of Shallow Flooding (Zone AO, AH, AR/AO, or AR/AH)**

A. Areas designated as shallow flooding areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article V, Sections A and B all other applicable sections of this title, all new construction and substantial improvements shall meet the following requirements:

1. The lowest floor shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of two (2) feet, above the highest adjacent grade; or at least two (2) feet above the highest adjacent grade if no depth number is specified.

2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in chapter so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Floodproofing Certification is required in accordance with this chapter.

3. Accessory structure (appurtenant structure) (sheds, detached garages, etc.)

a. Used solely for parking, and storage:

(1) -Shall have the lowest floor elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of {insert number} feet, above the highest adjacent grade; or at least two (2) feet above the highest adjacent grade if no depth number is specified; or

(2) Shall have flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of 17.88.060.B.2.c.

b. Not used solely for parking, and storage

(1) Shall be elevated per 17.88.060.B.2 and 17.88.060.B.3.

4. Adequate drainage paths shall be provided around structures on slopes to guide floodwaters around and away from proposed structures.

5. Hazardous Velocities: Where hazardous velocities are noted on the FIRM, proper construction techniques and methods shall be used to mitigate the effects of the velocities.

**17.88.070110: ENFORCEMENT AND PENALTIES FOR VIOLATION:**

A. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ~~article~~ chapter and other applicable regulations.

B. Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$300 or imprisoned for not more than six (6) months. Each day the violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Ketchum from taking such other lawful actions as is necessary to prevent or remedy any violation.

C. The provisions of this article shall be enforced by one or more of the following methods:

1. Requirements of floodplain development permit, waterways design review and/or stream alteration permit;
2. Requirements of building permit;
3. Inspection and ordering removal of violations;
4. Criminal liability;
5. Injunction; and
6. Civil enforcement.

DB. Enforcement shall further be administered according to [chapter 17.156](#) of this title. (Ord. 1135, 2015)

**17.88.~~120080~~: Title**

**17.88.~~130090~~: Guidelines**

**17.88.~~140100~~: Procedure**

**17.88.~~150110~~: Application For Emergency Stream Bank Stabilization**

**17.88.~~160120~~: Action Upon Submittal Of Stream Bank Stabilization Application**

**17.88.~~170130~~: Site Inspection**

**17.88.~~180140~~: Basis For Denial Of An Emergency Stream Bank Stabilization Permit**

**17.88.~~190150~~: Conditions Of Emergency Stream Bank Stabilization Approval**

**17.88.~~200160~~: Enforcement**

**17.88.~~210170~~: Title**

**17.88.~~220180~~: Guidelines**

**17.88.~~230190~~: Procedure**

**17.88.~~240200~~: Application For Emergency Riparian Alteration**

**17.88.~~250210~~: Action Upon Submittal Of Emergency Riparian Alteration Application**

**17.88.~~260220~~: Site Inspection**

**17.88.~~270230~~: Basis For Denial Of An Emergency Riparian Alteration Permit**

**17.88.~~280240~~: Conditions Of Emergency Riparian Alteration Approval**

**17.88.~~290250~~: Enforcement**

- 17.88.~~300260~~: Title
- 17.88.~~310270~~: Guidelines
- 17.88.~~320280~~: Procedure
- 17.88.~~330290~~: Application
- 17.88.~~340300~~: Action Upon Submittal Of Emergency Application
- 17.88.~~350310~~: Conditions Of Emergency Application Approval

- 17.88.~~360320~~: Uses Permitted
- 17.88.~~370330~~: Use Restrictions
- 17.88.~~380340~~: Application For Temporary Flood Control Barriers
- 17.88.~~390350~~: Enforcement