



CITY OF KETCHUM, IDAHO

CITY COUNCIL

Thursday, March 12, 2026, 5:30 PM
191 5th Street West, Ketchum, Idaho 83340

AGENDA

PUBLIC PARTICIPATION INFORMATION

Public information on this meeting is posted outside City Hall.

We welcome you to watch Council Meetings via live stream.

You will find this option on our website at www.ketchumidaho.org/meetings.

If you would like to comment on a public hearing agenda item, please select the best option for your participation:

- Join us via Zoom (*please mute your device until called upon*)

Join the Webinar: <https://ketchumidaho-org.zoom.us/j/85807811182>

Webinar ID: 858 0781 1182

- Address the Council in person at City Hall.
- Submit your comments in writing at participate@ketchumidaho.org (by noon the day of the meeting)

This agenda is subject to revisions. All revisions will be underlined.

CALL TO ORDER: By Mayor Pete Prekeges

PUBLIC COMMENT:

1. In-Person/Virtual
2. Previously Submitted

ROLL CALL: Pursuant to Idaho Code Section 74-204(4), all agenda items are action items, and a vote may be taken on these items.

COMMUNICATIONS FROM MAYOR AND COUNCILORS:

CONSENT AGENDA:

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.

3. Recommendation to approve minutes of City Council, February 26, 2026 - City Clerk Trent Donat

4. Authorization and approval of the payroll register - Director of Finance Brent Davis
- [5.](#) Authorization of disbursement of funds from the City's Treasury for the payment of bills - Director of Finance Brent Davis
- [6.](#) Recommendation to approve Purchase Order and Agreement 26106 with Idaho Traffic Safety, Inc. for paint striping, including crosswalks - Superintendent of Streets Ramsy Hoehn
- [7.](#) Recommendation to approve Resolution 26-008 for the surplus of two portable solar message signs – City Clerk Trent Donat
- [8.](#) Recommendation to approve Master Services Agreement 27007 with GGLO Architecture for sidewalk and landscape enhancement initiatives - Director of Public Works Ben Whipple

PUBLIC HEARING:

- [9.](#) First reading of Ordinances 1271 [Title 1 - General Provisions], Ordinance 1272 [Title 2 - Administration and Personnel], and Ordinance 1274 [Title 4- Commissions and Boards] - City Administrator Jade Riley
- [10.](#) Recommendation to adopt Resolution 26-009 - Right-Of-Way Standards - Director of Public Works Ben Whipple

NEW BUSINESS:

- [11.](#) Recommendation to approve Warm Springs Townhomes FAR Exceedance Agreement 27005 – Director of Planning & Development Morgan Landers
- [12.](#) Briefing on Fiscal Year 2027 budget development (General Fund revenue and expenditures forecast) – Director of Finance Brent Davis
- [13.](#) Briefing regarding planned 2026 City construction projects - Director of Public Works Ben Whipple
- [14.](#) Recommendation to select RLB Architecture for design services of Water Division Building (110 River Ranch Road) – Director of Public Works Ben Whipple

ADJOURNMENT:

Dawn Hofheimer

From: Maria Brickman <maribrick77@gmail.com>
Sent: Monday, March 2, 2026 9:14 AM
To: Participate
Subject: Comment on Construction on Main Street & 2nd

Follow Up Flag: Follow up
Flag Status: Completed

To Whom It May Concern,

I am writing as a resident of Ketchum to submit public comment regarding the ongoing construction on the Trail Creek Bridge and the associated traffic redirecting onto 2nd Avenue.

Traffic Safety – 2nd Avenue South Detour Route

As a resident at 401 2nd Avenue South, I am experiencing serious and daily safety concerns as a direct result of this detour. 2nd Avenue is a residential street that was not designed to handle the volume of through-traffic now being funneled onto it. The detour consistently brings a heavy and constant stream of vehicles down 2nd Avenue, particularly during afternoon hours, and drivers are not observing the posted speed limit.

At my property, exiting the driveway has become genuinely dangerous. There is a blind spot that, combined with the increased volume of speeding traffic, creates a high risk of collision. This is not an isolated inconvenience — it is an ongoing safety hazard that residents on this street are dealing with every single day. With construction expected to continue through 2026, these conditions are not temporary — they require a real, lasting solution.

I am requesting that the City consider the following measures immediately:

- Temporary speed reduction signage or radar speed feedback signs on 2nd Avenue South
- Increased traffic enforcement during peak afternoon hours

Pedestrian Safety – Trail Creek Bridge Construction Zone

The construction site at Trail Creek Bridge also lacks adequate pedestrian safety measures. While there are some construction cones present, they provide no meaningful protection from vehicle traffic. There is no clearly defined, protected walkway for people traveling through the area on foot, during the day or at night. This is an actively used corridor and cones alone are not a sufficient barrier — pedestrians remain dangerously exposed to passing vehicles. Given the extended timeline of this project through 2026, a proper pedestrian walkway is not optional — it is a necessity.

I am requesting that the contractor and City establish and maintain a clearly marked, physically separated pedestrian walkway for the full duration of the project, with proper barriers, lighting, and signage for nighttime use.

Thank you for your attention. These are active, ongoing safety hazards affecting Ketchum residents for

the foreseeable future, and I urge the City to respond promptly.

Respectfully,
Maria Brickman
401 2nd Avenue South
Ketchum, Idaho

Dawn Hofheimer

From: Lauren O'Connor <lauren@rbc.net>
Sent: Monday, March 2, 2026 3:18 PM
To: Participate; Maria Brickman
Cc: info@sh75project.com
Subject: RE: Comment on Construction on Main Street & 2nd

Thank you for copying me on this email.

Safety is ITD's top priority during construction, and we take these comments very seriously. I will share this comment with the rest of the project team to notify them of these concerns and begin a discussion about solutions.

Thank you,

Lauren O'Connor-Zinszer

P. (208) 377-9688

Lauren@RBCI.net



From: Participate <participate@ketchumidaho.org>
Sent: Monday, March 2, 2026 2:50 PM
To: Maria Brickman <mariabrick77@gmail.com>
Cc: info@sh75project.com
Subject: RE: Comment on Construction on Main Street & 2nd

Thank you for your email, Maria,

Your public comment will go to City Council for their next meeting on 03/12/26. Also, since the Trail Creek Bridge project is an Idaho Transportation Department project, I have also copied them in on this email.

Regards,

CITY OF KETCHUM COMMUNITY ENGAGEMENT TEAM
P.O. Box 2315 | 191 Fifth St. W. | Ketchum, ID 83340
o: 208.726.3841 | f: 208.726.7812
participate@ketchumidaho.org | ketchumidaho.org

From: Maria Brickman <mariabrick77@gmail.com>
Sent: Monday, March 2, 2026 9:14 AM
To: Participate <participate@ketchumidaho.org>
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Respectfully,
Maria Brickman
401 2nd Avenue South
Ketchum, Idaho

Dawn Hofheimer

From: tom n pomeroy <tompomeroy@cox.net>
Sent: Monday, March 2, 2026 5:14 PM
To: Participate
Subject: Dark Skies vs Holiday Lighting Deadline

Monday March 2, 2026

Hi Pete & City Council,

I'm writing hoping this year the City of Ketchum can be on top of the deadline when holiday lights are suppose to be off.

I believe it's March 15 but you guys will know better.

Anyway the last number of years the lights have remained on for weeks if not longer than off date.

It would be great if you could be proactive this year. It would be really helpful to the community to announce in the newsletter the holiday lighting deadline. A press release could be written stating the value of our treasured dark skies in a very positive way to further help the ordinance work.

Then truly on the date that the lights are to be off absolutely turn off every light that the city can control. It would be an instantaneous example of an ordinance being enforced & the result immediate to enjoy. I bet it could easily have a ripple effect on private property also.

I know they have to take the lights down before the springs buds. I imagine that's the rational for not shutting off the lights on the end date. But it would be extremely easy to walk down every street & just unplug the lights & do their removal later.

I would be happy to help unplug the lights & know I could find other citizens to help preserve our dark skies!

Thanks so much.

Sincerely,

Tom Pomeroy
Ketchum, Idaho

Land Code Revisions

From Kim Maykranz <stoefflerdesigns@hotmail.com>

Date Thu 3/5/2026 8:01 AM

To Participate <participate@ketchumidaho.org>

It is perplexing to me that the town can revise and amend the code language for non conforming properties before we even know which properties, if any, will become non conforming. The comprehensive plan states that no single family homes will be deemed non conforming as a result of the new comprehensive plan and code update. I certainly hope this will be the case, but my trust level is understandably very low. Promulgating policies that will promote the construction of future expensive condos (where locals do not live) at the location of existing single-family homes where local families do live is a very poor idea. Absolutely no single family home legally constructed in Ketchum since 2014 should be deemed non conforming. Stop advancing policies that chase families out of Ketchum. If you promote policies that reduce existing single-family housing stock, you will reduce the number of families living in Ketchum. Ask yourselves which product will more likely house a family- a 2 million dollar condo or a 2 million dollar home. You may not like affluent families ideologically, but they are the ones who can afford to live in Ketchum, dine in Ketchum, shop in Ketchum, and fund the charities in Ketchum. The classrooms in the schools in the upper valley are populated by many children from affluent families.

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Public Comment To The Ketchum City Council
Re: Public Right Of Way

Dear Mayor Prekeges, Members Of The Ketchum City Council And City Staff,

The Ketchum Business Advisory Coalition (KBAC), now representing over 250 local businesses and community members, respectfully requests clarification from the City of Ketchum regarding the recently communicated right-of-way standards applicable to properties within the Commercial Category related to the frontage zone, outlined in section 6.1.1,

As written, the standards reference the need for “appropriate permits” for items placed within the public right of way. While we appreciate the City’s efforts to maintain safe, accessible, and vibrant public spaces, the current language raises several important questions for our members:

1. What specific permits are required?

Are different permits required depending on the type of item (*e.g., outdoor seating, sandwich boards, planters, merchandise displays, flower boxes, temporary tents, etc.*)?

2. What is the application process?

What department administers the permits? What documentation is required? What is the expected review timeline?

3. Are existing installations grandfathered?

For businesses that currently have items placed within the right of way, are those uses considered compliant, or must they retroactively apply for permits?

4. Are there any costs associated with obtaining a permit?

Is the city planning on assessing fees? What, if any, are the application fees, annual renewal fees and potential insurance requirements? What is the justification for charging fees? KBAC does not believe there should be any fees.

5. Do temporary placements require permits?

Are permits required for short-term or seasonal uses—for example outdoor dining during summer months, or a point-of-sale display during the World Cup—or are permits only required for permanent installations?

As we approach the summer season, many local businesses are preparing to utilize outdoor space to support economic activity, enhance pedestrian engagement, and create a welcoming commercial environment. Support from the City, as well as clear guidance, is essential to ensure that businesses can plan responsibly, remain in compliance, and avoid unintended violations.

KBAC fully supports reasonable standards that prioritize public safety, ADA accessibility, economic vitality and consistent streetscape design. However, clarity and transparency in the permitting process are critical for small businesses that operate with limited funds and administrative capacity.

We look forward to continued collaboration with the City to ensure a thriving, compliant, and vibrant commercial district for residents, visitors, and business owners alike.

Sincerely,
The Ketchum Business Advisory Coalition



**Public Comment to Idaho State Legislators
Re: Opposition to House Bill 583**

Dear Members of the Idaho Legislature,

As a coalition of over 250 local business owners and community members serving the residents and visitors of Ketchum, we write to voice our support for the Idaho Resort Cities Coalition in their opposition to House Bill 583. We also oppose this legislation.

Our small communities are different. As resort cities, we host hundreds of thousands of visitors each year who rely on us—not only for hospitality—but for safety, accountability, and responsible stewardship of our neighborhoods. House Bill 583 would significantly limit the ability of local governments to set reasonable standards related to parking, licensing, noise curfews and other operational requirements for short-term rentals. We believe this will undermine local control and create an uneven playing field for established businesses.

Every brick-and-mortar business in Ketchum is required to obtain proper licensing, meet safety codes, provide adequate parking where applicable, comply with accessibility standards, and contribute meaningfully to the local tax base. These requirements exist for good reason: They protect customers, employees, neighbors, and the broader community, while contributing financially to our often cash-strapped small towns.

Short-term rental operators are, in effect, operating lodging businesses. Like hotels, inns, and other licensed establishments, they generate revenue by hosting visitors. It is only fair and reasonable that they be held to similar standards of licensing, safety-compliance, and community contribution. Exempting this sector from local oversight creates inequity and shifts impacts onto full-time residents and compliant businesses.

The City of Ketchum has adopted straightforward, common-sense measures to promote public safety, including Life-Safety Plan Requirements and the provision of a Ketchum Map identifying Emergency Services Locations. These are not burdensome regulations; they are basic safeguards. When visitors come to Ketchum, our community, at a minimum, wants them to be safe. Ensuring that guests know evacuation routes, emergency service locations and so forth is a fundamental responsibility—not an overreach.

Local elected officials are best positioned to understand the needs, infrastructure limitations, and character of their communities. House Bill 583 would strip away that local decision-making authority and replace it with a one-size-fits-all approach that does not reflect the realities of small resort towns like ours.

We respectfully urge you to oppose House Bill 583 and to preserve the ability of local governments to enact reasonable, balanced regulations that protect public safety, ensure fairness among businesses, and maintain the integrity of our communities.

Thank you for your time and thoughtful consideration. . . We appreciate it very much.

Sincerely,
The Ketchum Business Advisory Coalition

Dawn Hofheimer

From: Margo Kane <margomariiekane@gmail.com>
Sent: Friday, March 6, 2026 9:19 AM
To: Participate
Subject: Concern of Show Filming

Follow Up Flag: Follow up
Flag Status: Completed

Hello,

I'm sure you've received communications on this from other concerned residents but I wanted to express my concern in the potential of a Taylor Sheridan show being filmed here. It would degrade the atmosphere of our lovely area and bring in unwanted Hollywood presence that ultimately comes with superficiality and other unfavorable values.

I hope you take this into consideration, thank you.

Margo Kane Ratté

772-539-2683

Submission for Public Record – Chirping From the Bench

From James Hungelmann <jim.hungelmann@gmail.com>

Date Wed 3/11/2026 7:15 AM

To Peter Prekeges <pprekeges@ketchumidaho.org>; Randy Hall <rhall@ketchumidaho.org>; Matthew McGraw <MMcGraw@ketchumidaho.org>; Spencer Cordovano <SCordovano@ketchumidaho.org>; Tripp Hutchinson <thutchinson@ketchumidaho.org>; Participate <participate@ketchumidaho.org>

Cc Matthew A. Johnson <mjohnson@whitepeterson.com>

 1 attachment (72 KB)

Chirping From the Bench.pdf;

Dear Mayor and Council Members,

Please include the essay below, “*Chirping From the Bench: On Private Outrage, Public Silence, and the Cost of Staying Seated*,” in the public record of the next City Council meeting.

The piece reflects on civic participation and the importance of citizens speaking openly in public forums.

A PDF version is attached.

Thank you.

Jim

Chirping From the Bench

On Private Outrage, Public Silence, and the Cost of Staying Seated

Walk into almost any locker room, workplace break room, or online forum and you will hear it — certainty, indignation, moral clarity, confident declarations about what should be done. The bench is loud. Too often, the ice is quiet.

Hockey offers a metaphor that is almost too precise. A player can chirp endlessly from the bench at opposing players — taunting, criticizing, projecting confidence. Yet when the door opens and skates touch the ice, the tone often changes. Eye contact is averted. Silence replaces bravado. The confrontation that sounded effortless from safety suddenly becomes complicated in motion. Society has its own version of this ritual. We have grown skilled at expressing outrage in private while remaining cautious in public, mistaking emotional release for civic participation.

This is not simple hypocrisy. Most people are sincere. They believe what they say. They feel engaged. But sincerity without visibility becomes a kind of theater — a performance that comforts the speaker while leaving the public square unchanged. The result is a widening gap between conviction and consequence. We confuse the feeling of involvement with the fact of involvement, and the distinction matters more than we like to admit.

Mark Twain once observed, “In the beginning of a change, the patriot is a scarce man, and brave, and hated and scorned. When his cause succeeds, the timid join him, for then it costs nothing to be a patriot.” His insight was less an accusation than a description of a recurring human rhythm. We often wait for safety before we lend our voice, and by waiting we quietly increase the burden borne by those who speak first.

The cost of remaining on the bench is not merely personal — it is communal. When convictions never leave private circles, the individual who steps forward appears isolated, even eccentric — standing alone in public view. An idea that may be widely shared behind closed doors looks fringe when no one visibly supports it. Silence distorts the landscape. It hands disproportionate influence to the loudest extremes while starving the middle of oxygen. Constructive engagement — the kind that refines ideas, moderates excess, and invites dialogue — never receives the reinforcement it needs to mature.

There is also a practical loss. Public participation does not simply advance causes; it improves them. When multiple voices engage openly, arguments are tested, assumptions corrected, and solutions sharpened. Disagreement becomes less tribal and more analytical. A lone critic can be dismissed as a malcontent; a visible plurality is harder to caricature and easier to hear. The difference between isolation and coalition is often nothing more dramatic than a few additional people willing to stand where they already privately agree.

But perhaps the most consequential cost is cultural and generational. When public participation declines, people do not merely grow quiet; they grow accustomed. The habit of withholding one’s voice, choosing to remain silent, slowly becomes a survival skill rather than a temporary choice. Over time this adaptation can resemble wisdom, but in excess it turns into resignation. Individuals learn not how to persuade, question, or refine ideas, but how to read the room and avoid friction.

Children watch this. They do not absorb lectures about civic responsibility nearly as much as they absorb behavioral patterns. When they observe that conviction is safest when kept private, they internalize a lesson no curriculum ever intended to teach: that comfort outranks participation, and that harmony is preserved by silence rather than dialogue. A society bound too tightly to accommodation risks drifting toward narratives with little evidentiary foundation simply because those narratives encounter little visible examination. Ignorance, in this sense, is not the absence of information — it is the absence of open testing.

Constructive dissent is therefore not hostility; it is a public service. It signals to younger observers that disagreement can be civil, that participation need not be theatrical, and that raising one’s hand is not rebellion but responsibility. Citizenship, as many of the early American thinkers suggested, carries not only the duty to obey but the duty to question.

None of this demands heroics. Stepping onto the ice is not synonymous with aggression, nor does it require ideological purity. It may be as modest as signing one’s name, attending a meeting, asking a respectful question, or speaking on the record where there is no hiding. As Benjamin Franklin and other early American thinkers often emphasized, citizenship carries not only the duty to obey laws but the responsibility to question authority. Prudence is not cowardice; risk is real, and discretion has its place. But prudence becomes paralysis when the fear of exposure outweighs the value of participation altogether.

Local civic forums — city council meetings, public hearings, and community gatherings — exist precisely so that citizens can step off the bench and onto the ice, bringing their views into the open where

they can be heard, challenged, and refined.

A healthy society is not one in which everyone shouts. It is one in which enough people are willing to be seen thinking, questioning, and contributing. The bench will always have its noise; it is part of human nature. The challenge is remembering that the game is decided on the ice. We do not lose our voice in a single moment of silence. We lose it gradually, in a thousand conversations — or chirps — that never leave the safety of the sideline.

March 12, 2026

Hello Mayor and Councilors,

Here we go again.

You are about to repeat a code change that sparked a two-year debate, months of contentious city council meetings, a one-time run-off election, a successful initiative petition and eventually the repeal of said code about how we elect our mayor and council.

2001 – 2003

At the first city council meeting in January 2001, the council passed ordinance 858 that started it all. Without a full council and waiving the required three readings, the council changed how we elect our councilmembers from the at-large system to designated seats with a 50% majority vote and runoff. The basic right to vote and elect our representatives is the most important right we have. With little to no inclusion of the people, the council cited “bullet voting” as the alleged tool that organized special interest groups use to give advantage to their candidates and sway elections. A debatable allegation. Councilors David Hutchinson and Randy Hall championed this ordinance. The mayor was Guy Coles and the other two councilors were Chris Potters and Maurice Charlat, who was blindsided by his fellow councilors who passed this ordinance in his absence.

Following the passing of Ordinance 858, the people of Ketchum showed up for three months at council meetings to protest this change. Despite overwhelming public support to return to the at-large voting system, the council thought it was worth a try and decided to keep the ordinance in place to see how it would work out at the next election. Basically, throwing spaghetti at the wall and see what sticks.

November 2001 brought a heated mayor’s race with 5 candidates, the largest mayoral slate ever. One of the crazier parts of the new ordinance was it did not include a runoff for mayor, only the council. I’m not sure why the council made that call.

In the council race, there were two candidates, Chris Potters and Rod Sievers, for newly formed seat #2 and three candidates for newly formed Seat #1: Baird Gourlay, Millie Wiggins and me. And yes, seat #1 resulted in the need for a run-off between Baird and me. Baird, who had the most votes in the general election, was ultimately elected and quoted afterwards as saying: “Pretty much the same thing occurred. It was pretty much proved that we didn’t need to have a runoff. We could have been spending our time trying to solve problems instead of campaigning” To hold a runoff is “ludicrous.” - Idaho Mountain Express December 5, 2001

The voter turnout for the November general election was 56%. The voter turnout for the December runoff was 32%.

The debate continued and in September 2002, after this” test election”, newly elected Mayor Ed Simon tried to put the question before the voters to return to the at-large system with a non-binding advisory vote. The council turned it down.

It was up to the community to get the decision before the voters. And they did, with an initiative petition that was successfully completed and presented to the council, forcing a vote of the people.

In February 2003, two years after ordinance 858 was passed, councilor Maurice Charlat made the motion to adopt ordinance 910, returning to the at-large system in which we elect our city council. Councilor Baird Gourlay seconded it, Councilmembers Chris Potters voted “yes”, and Randy Hall cast the lone “no” vote. After 2 long years of debate, the people’s voice was finally heard.

Now

At your upcoming meeting, Item 9, Title 2 of the municipal code repeats history and includes a change to require run-offs, this time in both the mayor and council elections. Just like 25 years ago, there has been very little public discussion, facts or history to support this change beyond what was given in the January 29th meeting by councilor Randy Hall, again citing “bullet voting” the need for change. The discussion was started by councilor Tripp Hutchinson who advocated for rank-choice voting which is not allowed in Idaho. At the February 26th meeting there were a couple of comments, but the focus was more about getting this section of codes done and moving on.

And it's not just the need for public input on the policy change, but the text itself has errors, flaws and is misleading.

- The date and times for regular meetings is incorrect
- The strikeouts are not on the current code but on a complete reorganization and rewrite
- The runoff text is confusing and non-functional. Re: council run-off: How can a run-off of two candidates fill two seats?
-

These are just a few things I found in a quick view of the 11 pages of Title 2. You are conducting the first reading of Titles 1,2 & 4. There are about 70 pages you need to review before giving a blanket approval of ordinance 1272. It’s your signature on the bottom line.

Summary

Code changes should not be taken lightly. A complete overhaul of our Municipal Code is extremely rare and further challenged with guidance from a very unpopular comprehensive plan. I don't think Ketchum has undertaken one since the 60's or 70's, maybe longer, maybe never.

In 2006, there was the complete overhaul of Title 17/community core with the Form Based Code which was riddled with problems. In 2015 -16 the current code to correct them was another complete overhaul of the community core that removed the design intents of the Form Base Code leaving us with the big boxes that are taking over the character of our town.

The unintended consequences of code writing need to be brought out into the daylight and debated with diverse stakeholders. Learn from the past and take the time to get it right.

The new municipal code will be the map to Ketchum's future. It will be your legacy.



Anne Corrock

Electric Chargers for EVs

From Geoff Isles <islesglass@aol.com>

Date Tue 3/10/2026 4:07 PM

To Participate <participate@ketchumidaho.org>; Peter Prekeges <pprekeges@ketchumidaho.org>

Dear Mayor Pete and City Council Members:

Our condo Association has been trying to figure out how to modernize our electric systems to put in EV charging as many owners would like to purchase EVs and Plug In Hybrids in the future. Unfortunately, we have hit roadblocks in two significant areas: Idaho Power and the State of Idaho.

First, let me explain our dilemma, and you should know, there are hundreds of of condos in Ketchum that are experiencing the same problems and lack of help from the power company and state. On the lowest level, you need a 50amp breaker in your parking area (we have a combo of garages and carports) or a 200amp service if you are installing fast chargers that everyone can use and will fill the battery in about 20-30 min. We don't have that kind of power here as the place was built in 1980, and these chargers weren't a consideration. Secondly, many states offer grants to pick up the cost for adding power, in fact the Federal government offers grants but the states have to except them for you. Idaho won't work with the Feds so no grants for us.

That leaves it up to Idaho Power to offer help to add power to Associations for these units, however, they won't. They want us to pay incredible fees to them to run in the additional power and it makes it unaffordable. No smart person would pay for that especially when the power company will make all the profit.

So where does it leave us? Well.... Two things could happen:

1- the City could step in a force Idaho Power to work with Associations and put the power in to the property and let our electricalians do the rest to the carports and garages.

2- the City should add at least 20 fast chargers to its parking lots so people can juice up quickly.

The first solution is political. But that's what a city councils are suppose to do. The second, could have been done years ago except our ex-mayor had other plans for the parking lots and had no intentions or adding expensive upgrades. But now that we have a Council that want to protect the parking lots, an upgrade to them would be prudent. You could do something similar to Hailey who got Rivian to pay for the chargers down there. This is the infrastructure equation that I complain about all the time. Ketchum is lacking infrastructure upgrades with past administrations and needs to catch up.

So what do you say? Can we join modern society somehow? It's up to you.

Geoff

Geoff Isles
islesglass@aol.com
917-626-1134

**Ketchum Business Advisory Coalition Public Comment on
2026 Construction Projects
March 8th, 2026**

The Ketchum Business Advisory Coalition (KBAC) would like to remind the City of Ketchum that as multiple construction projects move forward during the summer of 2026, maintaining clear and convenient business access and visibility must remain a top priority. Summer is a critical season for many local businesses, so ensuring that customers can easily find and access businesses during construction is essential.

We also encourage the city and contractors to maintain proactive and ongoing communication with affected businesses throughout all phases of construction. Advance notice of schedule changes, construction staging and access impacts will allow businesses to plan accordingly and communicate effectively with their customers.

We thank City staff for their efforts over the last year to increase communication and address business concerns related to construction, and we look forward to improving those practices even more during the 2026 construction season.

By prioritizing access, visibility, and consistent communication, the city and the building contractors can help ensure that necessary infrastructure improvements can move forward, while at the same time minimizing unintended negative impacts on the local business community.

Thank you,
KBAC Board of Directors

comment & questions

From susiemichael <susiemichael@cox.net>

Date Thu 3/12/2026 11:50 AM

To Participate <participate@ketchumidaho.org>

Hello,

Comments & questions on topics on agenda for 12 March city council meeting.

RE: ROW

Might be best to consult local arborist, native plant experts and other plant knowledgeable people when you compile plant lists for Ketchum. Out of town 'experts' or landscape architects are not fully familiar with what actually thrives in the WRV, especially Ketchum, but the local people know from experience which will lead to more successful and satisfying outcomes. Or perhaps leave the plant selections unpublished and have process for site specific decisions which include the local experts in the decision making process.

Page 19

5 RESIDENTIAL CATEGORY STANDARDS

5.1

diagram - dim & slope varies NON-PARKING ZONE = are between road mix PARKING ZONE & Property Line.

this is space where a plow could travel with its blade, foot traffic entering or exiting a vehicle from the PARKING ZONE will happen. The list of plants suggested are inappropriate for this setting.

Kinnikinnic, moss, phlox, small leaf pussytoes, creeping Oregon grape (there are misspellings here please correct) are delicate and cannot be repeatedly trod upon or they will die. They also require much less water than the any plant installation that will be used from property line mark toward said property and so will also likely die due to overwatering. This creates a burden for homeowners, in expenses and unfortunate appearance of dead plant material.

More appropriate plantings for this space would be hard fescue grass (*Festuca trachyphylla*), sheep fescue grass (*Festuca ovina*), plantain (*Plantago* spp), purslane (*Portulaca oleracea*), mallows (*halva* spp) for example. These are hardy, provide for pollinators, are medicinal and food sources, maintain soil health and integrity.

Grasses are appropriate and best suited for certain terrain whereas other plants are better suited for others. Grasses maybe best in this portion of the ROW. Plant knowledge is an area of general ignorance for the vast majority of the human population. I understand you wish to encourage native plants and yet offering the wrong plant for the wrong site site is not helpful. Native plants are not one singular category. Each plant has their own growing requirements; water, sun exposure, companion plantings, soil type, drainage etc. Not all native plants are drought tolerant. Not all native plants will live or thrive in a non native ecosystem, meaning any old yard.

They take longer to establish. So planting native plants willy nilly is not an accurate or appropriate use of native plants.

Also page 20

TABLE 5 reiterates this inappropriate plant list

page 28

Table 8- Street Tree Species List

Possible better choices:

Bigtooth Maple (*Acer grandidentatum*), Birch (*Betula pendula*), Linden (*Tilia coradata, t.americana*), Norway Maple (*Acer platanoides*), Silver Poplar (*populus alba*)

Maybe not best:

Oaks are very slow growing and require much more space to be happy. Ginkgos prefer more room than a side walk planting cage too. In other spaces maybe.

Maybe entertain the idea of including a percentage of green space on every lot so there is room for trees and plants besides the narrow concrete surrounded sidewalk space. Perhaps worked into code. Aesthetics, mental health & planetary health would all benefit from more green space pockets.

=====
108 Richie

A significantly larger building will be built & in lieu fee of \$2, 244,561.00 Paid @ \$550.sq ft, but no actual housing provided. I've heard you all speak of sq ft building cost above that \$550. sq ft which doesn't seem to translate to doability. We keep allowing larger more massive

builds without getting community benefit but rather community character degradation and the in lieu money return doesn't balance out that trade off. This is where code needs substantive change now.

Also has anyone considered the impact of this project on available space necessary at Warm Springs for the 2027 World Cup ? In March 2025 Richie Drive provided additional (paid)parking on this site that Mayor Bradshaw actually used when his participation time at awards occurred. He did not use public transportation as was touted as his solution to parking.

Parking all along Richie Drive helped significantly for locals to park & access the mountain. These locals are ski culture people who keep ski culture alive which is why Sun Valley Resort/Bald Mountain was developed in the first place. To hinder locals is not helpful to the thriving of out town, to ski culture. This is an example of where holistic thinking applies. This is also a historic preservation issue, historic parking availability.

With the construction, most of Richie Drive will be blocked off creating a bottleneck, hindering traffic flow due to number of construction vehicles necessary for a project of this magnitude. Will we halt construction to free up road space for parking during the World Cup? Thoughts on this now to mitigate issues we know are a potentiality would be appropriate and timely.

Planned 2026 city construction projects

WARM SPRINGS PRESERVE

The building is far less important than the plantings. The trails are less important than the plantings. The plantings need to be done to stabilize the massive destruction that has occurred with the project scope and plan. The restoration of plant materials needs to be implemented as soon as possible, if the site is ready to accommodate them, because restoration takes years of monitoring, allowing for growth and repeated plantings as this singular planting event will not suffice. That is not the nature of plant establishment. I feel based on the information as a public person I have been allowed to be privy to, that the plantings may need to be revisited again due to the vast area of disturbed soil and the plants lists that have been publicly published. This is by no means a one and done project where the plant restoration is concerned. More money will be needed to complete this project. Please limit the expenditures beyond the planting restoration so there will be monies available for this restoration. WSP was intended to be a persevere. A place honoring the wild, the ecosystems, preserving and reclaiming them and celebrating the unbuilt environments. This idea has gone awry with human manipulation and an overriding perception of control over nature. Let's get back on track. See notes above on native plants.

Are adequate numbers and species diversity realistically accounted for?

Do the 20,000+ plants include the side channel restorations or any and all other areas where planting will be/is necessary?

Who is doing the planting? Are they all plant starts or direct seedings?

Is the irrigation in place to support new plantings?

If you've not physically reclaimed/restored land before, you are at a great disadvantage because this is not a book learning exercise or a set protocol to follow. In the office plant people do not know or understand the plants or a site in the way plant people who work the earth along side the plants do. I do not mean laborers unless they actually have plant expertise. Please make sure we have experienced, knowledge people onsite.

Ordinance 1274

page 3 Of 12

4.08.030

C.1.

add to list a. - j., k. knowledge of local ecosystems & native plants

page 4 of 12

4.08.050

B. perhaps add in the word buildings/structures

page 5 of 12

E.F.G. under 4.08.030 Powers, Duties & Responsibilities

What other historic preservation organizations are there with which to collaborate or historic preservation programs existing?

Like the arts proliferation encouragement aspect of this but feel the historic preservation part is a little too weak in this version. Although I can not say the HPC did all that much to preserve any historic buildings during its time. More emphasis in the code or ordinance to not destroy historic buildings and sites. [e.g.hot](#) dog hill:(

Susie Michael Ketchum

Re: Public Comment / 680 N Leadville Ave. / Pre-application File # P25-062

From Abby Rivin <ARivin@ketchumidaho.org>

Date Wed 3/11/2026 3:54 PM

To Klev Schoening <kschoening@live.com>

Cc Brenda Moczygamba <brenda@williams-partners.com>; Participate <participate@ketchumidaho.org>

Hi Klev,

Just emailing to confirm receipt of the comment you submitted on behalf of the Leadville Plaza Condo owners. Your comment has been saved to the project record and will be included as an attachment to the staff report that is transmitted to the Planning and Zoning Commission.

Best,
Abby

ABBY RIVIN, AICP | CITY OF KETCHUM

Senior Planner

P.O. Box 2315 | 191 5th Street W | Ketchum, ID 83340

office: 208-726-7801 | direct: 208-727-5082

arivin@ketchumidaho.org | www.ketchumidaho.org

From: Klev Schoening <kschoening@live.com>

Sent: Wednesday, March 11, 2026 3:12 PM

To: Abby Rivin <ARivin@ketchumidaho.org>

Cc: Brenda Moczygamba <brenda@williams-partners.com>; Participate <participate@ketchumidaho.org>

Subject: Public Comment / 680 N Leadville Ave. / Pre-application File # P25-062

To: Abby Rivin, Senior Planner

arivin@ketchumidaho.org

City of Ketchum Planning & Building Department

P.O. Box 2315

Ketchum, ID 83340

Attn: Planning and Zoning Commission / Staff Senior Planner

RE: Public Comment & Request for Party of Record Status

Project: 680 N. Leadville Ave. (Pre-Application File #P25-062)

Dear Commissioners and Planning Staff,

I am writing to formally submit comments for the public record regarding the Pre-Application Design Review for 680 N. Leadville Ave. (File #P25-062). **I request that this letter be included in the official record AND the staff report for the public hearing scheduled for March 18, 2026.** Furthermore, please accept this as a formal request for Leadville Plaza Owners Inc. to be added to the list of Parties of Record. We look forward to receiving notification of all future hearings, staff reports, and notices of decision related to this file.

I am writing to you in my capacity as the President of the Leadville Plaza Owners Inc. Homeowners Association, a four (4) unit condominium complex located at 620 Leadville Ave N.. The Leadville Plaza Owners Inc. property is located immediately south of and directly adjacent to the proposed project site. Given this direct proximity, the proposed redevelopment will uniquely and significantly impact our building's structural integrity, safety, and operational access.

We have reviewed the preliminary project details and would like to submit the following prioritized concerns on behalf of our HOA for consideration by the Planning and Zoning Commission, staff and the applicant;

1. Geotechnical Stability and Structural Protection

Concern: The potential for earth movement during excavation poses a direct risk to the structural integrity of the adjacent building at 620 Leadville Ave. N..

Requested Action: We request that the City require a comprehensive Geotechnical Report specific to the impact on neighboring foundations. Furthermore, we request a condition of approval requiring third-party oversight, the installation of surveyed monitoring points on the 620 N. Leadville structure, and the submission of weekly geotechnical and survey reports to City Staff and neighbors during the shoring and excavation phases.

2. Pedestrian Safety and Alley Maintenance

Concern: The applicant's design proposes pedestrian use of the alley right of way located on the east side of the property. Currently, the owners of 620 N. Leadville Ave. and others maintain the opened and improved portion of this alley right-of-way which adjoins the 620 Leadville Ave property on the east side.

Requested Action: Will the applicant assume formal responsibility for the maintenance of the unopened alley right-of-way adjacent to the project located on its east side (not 7th st.) ?

3. Drainage Failure and "Lake Leadville"

Concern: The existing infiltrating right-of-way catch basin on the west side of Leadville Avenue, adjacent to the project site, has failed. This has resulted in significant standing water and seasonal ice sheets, which local residents refer to as "*Lake Leadville*", creating a hazard for both vehicles and pedestrians.

Requested Action: This redevelopment provides a window of opportunity to correct this failed infrastructure. We request that the Department of Public Works coordinate with the applicant to repair or replace the catch basin as part of the off-site improvement requirements for this project.

4. Snow Shed and Pedestrian Hazard Mitigation

Concern: Given Ketchum's climate, roof and siding design can lead to dangerous accumulations of ice and "roof-shed" onto public and private sidewalks.

Requested Action: We request specific attention be paid to siding details and roof design. The final design should include snow-retention systems or architectural features that prevent snow and ice

buildup from creating overhead hazards for pedestrians on not only the Leadville Avenue frontage but on the sidewalk that serves the north side of the Leadville Plaza Owners Inc. property

5. Verification of Building Height

Concern: The building height and massing are primary concerns for neighborhood character and light preservation.

Requested Action: To ensure the project is built strictly according to the approved plans, we request a condition requiring a certified survey of the completed building height by a licensed surveyor prior to the issuance of a Certificate of Occupancy.

6. Preservation of Public Parking Assets

Concern: It is our understanding that the applicant may seek to eliminate on-street parking in front of the proposed building.

Requested Action: This request highlights the vital importance of the existing 6th Street and Leadville Avenue public parking lot. We encourage the Commission to protect this community asset.

7. Construction Parking and Staging Plan

Concern: Given the high density of this block, the influx of construction vehicles, equipment, and subcontractor parking will impact access and vehicle ingress/egress.

Requested Action: We request that a formal Construction Parking and Staging Plan be required as a condition of the Design Review. This plan must prohibit construction-related parking in front of neighboring residential entries and specify off-site parking locations for laborers to ensure that Leadville Avenue remains functional for current residents throughout the duration of the build.

8. Mitigation of Light Pollution and Internal Light Spill

Concern: The south elevation of the proposed building—directly facing our complex—contains glazing for stairwells and elevator lobbies. Because these areas are typically illuminated 24/7 for safety, the resulting light spill will shine directly into the north-facing bedrooms of 620 Leadville Ave N. creating a nuisance.

Requested Action: We request that the applicant utilize shielded fixtures, motion-sensor activation for common area lighting, and/or fritted/opaque glass on the south-facing stairwell and elevator windows to ensure that internal light emissions do not impact the livability and sleep environments of the adjacent residential units. We believe this request is in keeping with the standards and spirit of the Ketchum “Dark Sky” ordinances.

Please note that the comments and concerns outlined in this letter are based on the preliminary plans (attached) currently available for the pre-application phase. As these are preliminary in nature, our HOA reserves the right to provide additional comments and raise further concerns once more refined, detailed, and developed plans are prepared by the applicant and made available for public review during the formal Design Review process.

Thank you for your time and for ensuring these technical and safety concerns are addressed during the Design Review process. I look forward to receiving confirmation of Leadville Plaza Owners Inc. status as a Party of Record.

Sincerely,

Klev Schoening, Pres.
Leadville Plaza Owners Inc.
P.O. Box 1130
Woodinville, WA. 98072
(206) 979-5043
kschoening@live.com

cc: Applicant C/O Brenda Moczygemba, Williams Partners Architects: brenda@williams-partners.com

COK: participate@ketchumidaho.org

holistic

From susiemichael <susiemichael@cox.net>

Date Wed 3/11/2026 8:17 PM

To Participate <participate@ketchumidaho.org>

Hello,

I'm hearing what might be a communication stumbling block which has come up in meetings lately and was an issue before this council's formation too. It revolves around the word holistic. In my opinion & understanding:

Holistic as an adjective and a concept is being bantered about, but it seems the actual meaning of this concept is not adequately understood. And thus is it being used as a politically correct term, branding influence of transparency, and not the system thinking it actually is.

1. holism as a concept = everything is connected & therefore one aspect influences another in dynamic balance. in all natural systems this is true. in any human devised system it can be true, but tends to be overlooked in the creation of said systems because it is human character to believe we are in control of our environment especially when we plan well. all natural systems are interconnected. all parts creating the whole are interconnected. Curious fact: science didn't know a cell had a wall because they blew the cell apart to see its parts & in doing so, the cell wall was destroyed. they ignored the whole in lieu of getting right into the parts. this is reductionistic thinking which often gets humans into situations that cause harm. situations that create conclusions that may not be supported by actual facts/reality.
2. The whole is greater than the sum of its parts. the whole functions as one, the parts are not better than or more important than the whole, but the whole is reliant upon all its parts. the whole contains the parts in certain order that would not exist without the whole. the synergy between all the parts of a specific whole is the where the mechanism of action plays out. it is where the whole due to the synergy & emergent qualities of the parts acting in coordination with each other make that whole greater than the simple sum of its parts.
3. we look at the parts & choose a place to start, not as piece meal but as a progression of logic, intuition, obviousness, current terrain/state, that hopefully create solutions which are informed by the natural self reorganization quality of holistic insight. Or, if the intent of using the word/concept holistic is meant to 'describe practices which account for factors that standard forms of these practices may discount,' then why do we still employ standard practices, processes, that we know haven't given us the desired results? this is where the word holistic is being spoken but the action of holistic thinking is not being employed.
4. not a methodology for a specific result but a practice to remain open to variables, POV which I am hearing push back on from staff—perhaps not the most effective way to further communication
5. Currently the approach seems to be to understand the entire scope, ultimate goal of a situation to avoid getting lost in details. Or to see the whole picture from a high level. To complete this POV we employ a holistic approach. Continue to hone our focus on how individual parts interact and influence each other within our system, rather than just the final, combined result. When we see the whole picture it helps in identifying trends and goals, while thinking holistically helps in understanding root causes and, for example, how the number of buildings and their size per lot influences human mobility through town, available parking and diversity in use of buildings or placement of turning lanes, traffic signals, number of lanes regulate rhythm and flow of traffic in actual time of our peoples.
6. doing everything at once is not a tenant of holism. a timely action can be prevention which can arrest worse damage. and can omit the need for certain other actions because they have self corrected due to the first action taken. holistic does not mean do everything at once.
7. it is about getting to the root cause, not JUST treating the symptoms. but symptoms often need immediate attention before you can move onto the next finding that leads to the root cause(s). It's about being proactive and responsive vs reactive
8. it is not about a shift on every level all at once. Usually shift happens as one 'balancing correction' takes effect, the effects are witnessed & then the next action to take is made more clear based on the terrain in its new state.
9. it is a dynamic system not a set process or fully fleshed out scenario or perfect plan covering all the bases, but rather holistic means a dynamic & regenerative process. self correcting, continuous feedback loop.
10. holistic thinking is more qualitative than quantitative — this is significant because quality of life is the goal we are aiming for with the Comp Plan & code. the goal is to keep, preserve, or restore the Ketchum vibe/character, her personality that has made it the place we know & love. do what we can now, knowing it will influence long term.

Change happens so its not that we don't want change, but we don't want destruction of of our lives which is what has been happening in the past multiple years. The faster pace of the world does not need to be supported. We can choose to chill, which is a most accurate word to describe Ketchum's personality, while being in the modern world but not choosing to drive ourselves to distraction just because the rest of the world is buying into this insanity. Keep it small town, local, chill. And work together

within our valley with all our peoples in a relational way to what actually exists here *now*. When newcomers arrive & wish to bring their *other* mindsets along- they will quickly realize we will not tolerate obliteration of wildlife connectivity, encroachment upon natural barriers- riparian, canyon slopes, ground water or excessive builds only serving personal gain or building and business ventures that only serve the highest monetary wealth etc and if they choose not to live within the chill, they can go elsewhere. Code is where this is spelled out for them. To allow & actively condone the systematic destruction of our way of life, natural environment , peace of mind in this paradise is to not respect or have gratitude for where we are & who we are.

To write clear code is essential. Substantive change is essential in new code. It must be written to serve the people, which is the whole, not be politically or financial beholden singularly, which are certain influencing parts/ factors, but focus based upon them may be out of balance, used too often without considering holistically other key parts/ factors that drive the whole. We have not been flexible or acted timely & we have many consequences of the undesirable kind before now because of this. To harp on the number of months or years it takes to write code, or on this is how the process works, really limits us, because it is not allowing flexibility or creativity. However, we also do not need to get hung up on what quality of life means to different people. When the framework represents Ketchum's core values, individuals will be able to craft their own quality of life as they wish. Lip serve has been given to the ideas of transparency & creative solutions yet those have not been allowed to flourish, yet.

If we want Ketchum to thrive in the way we want it to thrive. We need to celebrate & preserve our unique place, pace, and way of life by employing new processes, making bold code that delivers results the people of this town want. Peer resort comparison often fails to hit the mark as the influencing factors of Ketchum & the WRV are unique to here and not those other peer resorts, besides other resorts exist in a state of dysfunction so why follow their lead? No more fitting into some other place's box or formula, as has been said, Let Ketchum change you, don't change Ketchum.

The dynamics have shifted by the new conglomeration of peoples present in the governing body now. the interaction is shifting, the tone and mood is shifting. There is a perceivable quality emerging witnessed in these recent meetings. The new intention is palpable, the implementation of that intention deserves whatever necessary to make it manifest.

I would like to suggest that staff has been conditioned by past political figures & they will need time to shift gears to a different mindset if they are to align with the new governing body & the peoples of Ketchum's desires. If they choose not to make this shift, then perhaps they were not meant to be part of Ketchum's governing body network. you don't effectuate change using the same mindset & decision making criteria that placed you in the situation that you feel needs to be changed. I am hearing a good deal of fear, apprehension and strong desire to know the outcomes before moving forward. What if we moved from fear into shared action? If we want change there is always the unknown factor and we need to trust, make decisions and give it a go. We do have a definite outline of what not to do from previous governing body actions.

Saying, 'we don't know the outcome' is a silly statement all of the time because no one will never know all the outcomes to any situation no matter how many senecios one runs, studies are performed, the variables are endless, factors shift aspects constantly. Sure plan, but be flexible because the good or bad will alter that plan. Everything, everything follows cycles. that is inescapable in this human life. theses cycles will vary due to a myriad of influences. & every one of those influences is constantly shifting. When we shift our energy from reactive mobilization toward steady, proactive organizing that can sustain us for the long haul we make regenerative change.

If we actually implement holism as seems to be an underlying idea in some of the meetings and much discussion revolved around the notion albeit being incomplete in understanding, then employ it accurately and results may just be phenomenal. But it is key first to understand completely the system we say we wish to employ so everyone understands its dynamics and function. Holism is described as, 'the tendency of a whole system to creatively respond to environmental stressors a process in which parts naturally work together to bring the whole into more advanced states of balance.' This in itself indicates change, which is the only constant, yet the key point is what, how or why any change occurs or is nudged into emergence. This we do have the power to intentionally influence.

When a known stressor is addressed in a way that relieves the stress more immediately- a code written prior to subsequent code , balance is happening. This is holistic thinking. With that stressor relieved as a beginning point, we know the necessary code to follow will support that stressor we immediately addressed resulting in a code written that serves the goals of the people of Ketchum. The public's understanding of new code which was of concern in the 23 jan meeting is facilitated by the digestibility of a new balance in increments which then leads to other actions of balance and self correction. We knowingly write this code to align with further code. There is not only one way to write code to find the balance we seek and if indeed holistic thinking is employed as opposed to relying on old patterns, rigid formula already in place as the norm, we simplify allowing space for creativity and positive results will be manifest. The decision to not renew BCHA contract put some into a tailspin of thoughts, yet without changing up this one thing we know not to be the best functional path, we cannot try something else because we tie our own hands eliminating option possibilities. When you wish to ask for something, ask in a way that says I would like this or something better and results are amazing. Allowing the space for the unknown to play out can be your best ally.

While we are obliged to follow state property laws, we can be truly creative in how to circumnavigate them and play to our own advantage. Point of facts; building height, lot envelope size can be written. With smaller building envelopes space for on site parking for that building magically appears. A building moratorium to facilitate pause for digestion for the public also serves as uninterrupted focus time for code writing. Holistic practice in decision making emphasizes the importance of pace, of rhythm, of the unfolding path of possibilities.

Code needs to look beyond what humans think they need to a larger picture of how can humans fit into the surroundings of our place. This especially important with our natural environment being primary to place in desirable terms, and our main economic factor. Look to what impact on natural environment, the stories of people who make theirs life here, the aesthetic of size, positioning, mass, bulk, the effect on our resources, is it regenerative, is it resource draining, is it adaptable, how does it

impact existing natural space, open space, neighbors, wildlife, etc. A code mayn't ever be directly in your life, yet the impact the code has on my neighbors' land & their buildings, the visual impact the land I see on my daily journey, the mood of those I pass and meet as I move through town, and how these codes guide our behavior in the current era is absolutely an impact. A focus on active restoration creates a cycle of betterment rather than just maintenance. Having this at the forefront of decision making could improve communication, define direction of town while imagining ourselves into the place we wish to inhabit.

We need to look upstream to see what supports the maintenance of resilience adaptability. Not top down focus but allowing a greater amount of diverse signals that system can draw on to maintain its resilient adaptability verses a focus on extractive or reactive.

Our whole is a beautiful blend of human and non human environments and every part of any code we write or guideline proposed in the comp plan or plan we make, always comes back to every beings' quality of life.

Buckminster Fuller reminded us, *"You never change things by fighting the existing reality. To change something, build a new model that makes the existing model obsolete."*

Thanks for listening,

Susie Michael

Ketchum

Public comment regarding first reading of ordinance 1274 (Title4-Commissions and Boards)

From Melissa Ravelo <mk@melissakinteriordesign.com>

Date Wed 3/11/2026 11:02 AM

To Participate <participate@ketchumidaho.org>

Dear Mayor and Members of the City Council,

The proposed consolidation of the Historic Preservation Commission with the Arts Commission would eliminate a dedicated body focused specifically on the preservation of Ketchum's historic structures.

Ketchum's Comprehensive Plan identifies the community's character and sense of place as defining qualities of the city and a top priority. The historic structures that remain in Ketchum play an important role in shaping that character and help distinguish the city from other mountain towns. They contribute to the authenticity that attracts residents, visitors, and investment to the community.

Preserving these places also involves real economic considerations. In many cases, redevelopment offers greater market value than maintaining an older structure. If the community wishes to retain the buildings that help define Ketchum's setting, those realities must be acknowledged and addressed in a thoughtful way.

A dedicated HPC helps ensure that these issues receive consistent attention. The commission serves as an advisory body of volunteer community members who bring knowledge, perspective, and public engagement to the discussion of historic places. This type of civic participation strengthens local decision-making while requiring very little public expenditure.

Planning and Zoning plays an essential role in reviewing development proposals, but its primary responsibility is land use and zoning regulation. Historic preservation involves a different set of considerations, including local history, architectural context, and the long-term stewardship of significant buildings. Maintaining a separate HPC ensures that these perspectives remain part of the City's deliberations.

I also understand that the Mayor has expressed a desire for smaller and more efficient government, a goal many of us share. However, the HPC is composed entirely of volunteers who contribute their time and expertise to the community. Consolidation may reduce the number of commissions, but it would also remove the one body specifically focused on historic preservation and ensuring that Ketchum's historic places receive careful consideration in city decisions.

Ketchum has relatively few historic structures remaining. These buildings represent an irreplaceable part of the city's story and contribute to the distinctive environment that residents value and visitors remember.

For these reasons, I respectfully ask the Mayor and City Council to reconsider the proposed consolidation and maintain a dedicated Historic Preservation Commission.

Sincerely,
Melissa Ravelo

Melissa Klebanoff
Principal

Melissa Klebanoff Interior Design, LLC
206.909.8544
melissakinteriordesign.com

Fw: Construction of Massive Residential Project on Buss Elle Rd and Badger Lane

From Spencer Cordovano <SCordovano@ketchumidaho.org>

Date Thu 3/12/2026 12:19 PM

To Participate <participate@ketchumidaho.org>

See below

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From: Tom Monge <tom@mongeinvestments.com>

Sent: Wednesday, March 11, 2026 3:06 PM

To: Ramsy Hoehn <RHoehn@ketchumidaho.org>; Eric Adams <eadams@ketchumidaho.org>; Morgan Landers <MLanders@ketchumidaho.org>

Cc: Peter Prekeges <pprekeges@ketchumidaho.org>; Spencer Cordovano <SCordovano@ketchumidaho.org>; Tripp Hutchinson <thutchinson@ketchumidaho.org>; Matthew McGraw <MMcGraw@ketchumidaho.org>; Randy Hall <rhall@ketchumidaho.org>

Subject: Construction of Massive Residential Project on Buss Elle Rd and Badger Lane

TO ALL CONCERNED: The construction being done at the end of Badger Lane is getting out hand ... so far today alone, there have been 20 dump trucks coming and going on Buss Elle Road and Badger Lane beginning at 7AM ...

My question and concern is how much more can these two city streets (both SUB-BASE and PAVEMENT) continue to handle with this amount of INDUSTRIAL traffic coming and going all day long?? THIS IS NOT RESIDENTIAL CONSTRUCTION .. THIS IS **INDUSTRIAL TYPE CONSTRUCTION** AND WITH THE LIMITED ACCESS TO THE BUILDING SITE AND THE COMPLETE DESTRUCTION OF ALL SUROUNDING WETLANDS, THIS PROJECT SHOULD HAVE NEVER BEEN APPROVED IN THE FIRST PLACE !!!!!

WHO WILL PAY FOR THE COMPLETE REBUILDING OF THESE TWO CITY STREETS ONCE THIS PROJECT HAS BEEN COMPLETED AND OUR LOCAL ROADS DESTROYED???

Our neighborhood in West Ketchum will have its quality of life and privacy completely disrupted for the next 2-3 years all FOR one developer's "SPEC" HOUSE TO BE BUILT AND SOLD OFF TELL ME HOW THIS BENEFITS OUR CITY AND IT'S RESIDENTIAL NEIGHBORHOODS.

I have lived in this residential neighborhood for the past 48 years and I have seen many construction projects built but NOTHING COMPARES to the magnitude of what is happening at the end of Badger Lane today ... This project is a GROSS overbuilding of what was previously, a pristine residential homesite that could have been developed into a reasonable development ... opportunity lost ..

THIS PROJECT SHOULD HAVE NEVER BEEN APPROVED AND WE IN THE LOCAL NEIGHBORHOOD WILL PAY DEARLY FOR HAVING THIS CITY PLANNING AND ZONING

DEPARTMENT AND THE CITY COUNCIL ALONG WITH MAYOR BRADSHAW APPROVE
THIS INSANE DEVELOPMENT. IT SHOULD HAVE NEVER BEEN ALLOWED!!!!

ONE PISSED OFF CITIZEN ... THOMAS MONGE

Thomas R. Monge
Monge Family Trust
Monge Investments
P.O. Box 307
700 Sun Valley Road
Sun Valley, ID. 83353
Mobile – 208-720-0490
Office – 208-622-4100
Email: tom@mongeinvestments.com

A Voice for Ketchum's Oldest Buildings

From Jakub Galczynski <JGalczynski@ketchumidaho.org>

Date Thu 3/12/2026 4:26 PM

To Participate <participate@ketchumidaho.org>

03.11.2026

Mayor Pete Prekeges and the Ketchum City Council,

My roots in Ketchum may not run as deep as yours or those of the current City Council, but I value community and character enough to volunteer my time for several years. Since 2021, I've contributed well-informed guidance to the Historic Preservation Commission (HPC). Time is history's greatest threat, especially as Ketchum becomes an exponentially attractive target among U.S. mountain town developers. These landlocked mountain towns are slowly getting tapped out, and Ketchum still has much development potential within the Community Core. I'm not anti-development, but pro-responsible development. Because of that, this is not the moment to reduce the voice of the HPC. If anything, it's the time to make it work more effectively for the City Council and the community's future.

Merging the HPC with the Arts Commission feels like an uninformed move unless the City Council intends to shift focus away from historic 'buildings' over the long term. An Arts and History Commission (AHC) focuses on incorporating history into the arts, things like plaques, murals, sculptures, and other creative interpretations of local history. But that type of commission usually doesn't have the time or mandate to properly research, document, and evaluate the fate of actual historic buildings, whether existing or proposed. My understanding is that HPC's responsibilities are to be soon divided between an AHC, Planning and Zoning (P&Z), and the City Council. That division raises some practical and quality concerns. At recent P&Z and City Council meetings, HPC items ended up at the very end of already long agendas. Over the years, I've looked through many of those meeting packets, and I understand how much work both bodies already carry. I value your work and time. But are P&Z and City Council prepared to take on additional research, outside City Hall?

The HPC was created to help with this issue and to ensure that often tough property decisions are supported by proper research. I understand the concern about a non-elected commission making property decisions. One option could be to restructure the HPC more clearly as a resource and recommending body to P&Z. I'm happy to further discuss this. Regardless, I believe it's important for City Council to understand HPC's other tasks and potential in supporting a cultural shift in how we approach historic buildings. This is why I have become involved with the technical advisory group (TAG).

I don't believe Planning and Zoning Commissioners want to absorb the full research scope of HPC. It's a lot of work that I don't see happening. Aside from Commissioner Brenda Moczygemba, I'm not sure anyone currently on P&Z has a background in evaluating alterations to historic structures. P&Z Commissioners are thoughtful, but historic building preservation is a very different discipline with its own evaluation methods and ways of understanding buildings. The less subjective, the better an argument can be made to preserve a historic building.

One of HPC's strengths is that it builds local knowledge and local voices around historic properties. Even a third-party historian can only evaluate a building based on the documents provided or online archives. Being on the ground helps. It allows us to understand historic characteristics from different perspectives, in different parts of the season, and where these buildings fit within Ketchum's broader timeline of history. The HPC also considers the social and cultural significance of historic buildings, which is challenging to consider through outside research alone. Our community is an asset of information pertaining to these historic buildings. The more locally accessible HPC is, the more we learn, and the less likely we are to make care-less decisions.

City staff have the challenging job of bringing together commissioner perspectives and community input, and history often plays a role in those conversations. Better communication and cross-pollination of ideas could strengthen efforts across initiatives. Not everything can be solved during formal meetings, and I'd encourage more one-on-one dialogue to keep commissions updated on general happenings.

I want to conclude with my expressed support for prioritizing full-time community housing in Ketchum. That effort is essential and I believe it's in good hands today, regarding the Mayor and City Council. The HPC could run in parallel, even if it's not making great strides. No news from HPC, is good news. If the HPC is an obstacle, then I trust your judgment. Otherwise, I feel that both housing and historic buildings are important to maintaining the balance that defines Ketchum's character, its people and its place. If Ketchum's historic buildings deserve a strong voice, then the Historic Preservation Commission provides this platform. I appreciate your time to read my thoughts.

Jakub Galczynski
Historic Preservation Commissioner
Resident of Ketchum



CITY OF KETCHUM
MINUTES OF THE CITY COUNCIL
Thursday, February 26, 2026
191 5th Street West, Ketchum, ID

CALL TO ORDER: (00:00:19 in video)

Mayor Pete Prekeges called the Ketchum City Council meeting to order at 5:30 p.m.

ROLL CALL CITY COUNCIL:

Matthew McGraw
Randy Hall (remote)
Tripp Hutchinson
Spencer Cordovano

ALSO PRESENT:

Allison Kennedy—Senior Planner
Ben Whipple—Director of Public Works
Brent Davis—Director of Finance
Daniel Hansen—Director of Community Engagement
Jade Riley—City Administrator
Matt Johnson—City Legal Counsel
Morgan Landers—Director of Planning and Building
Robin Mattison—City Engineer (remote)
Trent Donat—City Clerk and Business Manager

Mayor Pete Prekeges moved New Business Items #12 and #13 ahead of #11 (00:01:30 in video)

PUBLIC COMMENT

Public comment opened (00:02:10 in video)

- Conner Quinn (00:02:40 in video)

Public comment closed (00:06:22 in video)

CONSENT AGENDA:

Comments and discussion by the Council (00:06:26 in video)

Spencer Cordovano requested Item #10 be pulled for a separate vote (00:06:30 in video)

Motion to approve the Consent Agenda Items #1-#9 (00:06:46 in video)

MOVER: Spencer Cordovano

SECONDER: Tripp Hutchinson

AYES: Spencer Cordovano, Matthew McGraw, Randy Hall, Tripp Hutchinson

RESULT: Motion Passes

Motion to approve Consent Agenda Item #10 (00:07:04 in video)

MOVER: Tripp Hutchinson

SECONDER: Randy Hall

ABSTAINED: Spencer Cordovano

AYES: Tripp Hutchinson, Randy Hall, Matthew McGraw

RESULT: Motion Passes

NEW BUSINESS:

12. Briefing regarding updated Public Rights-of-Way Standards
Presented by: Ben Whipple (00:07:43 in video)

Comments and discussion by the Council and staff (00:19:08 in video)

Motion to proceed with the first readings of adoption of the new Ketchum Rights-of-Way Standards at the next council meeting on March 12, 2026 (00:58:22 in video)

MOVER: Matthew McGraw

SECONDER: Randy Hall

ABSTAINED: Tripp Hutchinson

AYES: Matthew McGraw, Randy Hall, Spencer Cordovano

RESULT: Motion Passes

13. Request to approve construction scope for Town Square Renovation
Presented by: Ben Whipple (01:01:03 in video)

Comments and discussion by the Council and staff (01:10:33 in video)

Public comment opened (01:36:40 in video)

- Susie Michael (01:37:02 in video)
- Annie Kaiser (01:39:59 in video)
- Jakub Galczynski (remote) (01:41:32 in video)

Public comment closed (01:43:39 in video)

Comments and discussion by the Council and staff (01:43:40 in video)

No formal action taken by the Council (01:50:00 in video)

11. Recommendation to award RFP regarding Real Estate Services for Community Housing Units
Presented by: Jade Riley & Carissa Connelly (01:52:30 in video)

Public comment opened (01:54:03 in video)

Public comment closed (01:54:17 in video)

Comments and discussion by the Council and staff (01:54:20 in video)

Motion to award one unit contract with Joanne Wetherell and one unit contract with Deborah Hall and instruct staff to complete the financial compensation negotiations (02:11:18 in video)

MOVER: Tripp Hutchinson

SECONDER: Spencer Cordovano

AYES: Matthew McGraw, Tripp Hutchinson, Randy Hall, Spencer Cordovano

RESULT: Motion Passes

14. Current fiscal year contract with Blaine County Housing Authority
Presented by: Mayor Pete Prekeges (02:11:54 in video)

Public comment opened (02:18:26 in video)

- Ethan McKee (02:18:43 in video)
- Keith Perry (02:21:05 in video)
- Lynea Newcomer (02:25:17 in video)
- Mary Fauth (02:28:03 in video)
- Daryl Fauth (02:31:32 in video)
- Susie Michael (02:34:27 in video)
- Ethan McKee (02:36:57 in video)

Public comment closed (02:37:42 in video)

Comments and discussion by the Council and staff (02:37:45 in video)

Motion to cancel the contract with the Blaine County Housing Authority and instruct staff to work on an associated transition plan (03:38:17 in video)

MOVER: Tripp Hutchinson

SECONDER: Spencer Cordovano

AYES: Mayor Pete Prekeges, Spencer Cordovano, Tripp Hutchinson

NAYS: Matthew McGraw, Randy Hall

RESULT: Motion Passes

15. Review proposed updates to City Code (Titles 1-4)

Presented by: Jade Riley (03:25:20 in video)

Comments and discussion by the Council and staff (03:41:34 in video)

Public comment opened (03:56:56 in video)

- Jakub Galczynski (remote) (03:56:20 in video)
- Wendolyn Holland (remote) (04:01:04 in video)

Public comment closed (04:04:10 in video)

Comments and discussion by the Council and staff (04:04:15 in video)

Motion to adjourn. (04:05:08 in video)

MOVER: Spencer Cordovano

SECONDER: Tripp Hutchinson

AYES: Matthew McGraw, Tripp Hutchinson, Spencer Cordovano, Randy Hall

RESULT: Adjourned

Pete Prekeges, Mayor

ATTEST:

Trent Donat, City Clerk

Report Criteria:

Invoices with totals above \$0 included.
 Paid and unpaid invoices included.
 [Report].GL Account Number = "0110000000"- "9700000000", "9910000000"- "9911810000"
 Invoice Detail.Voided = No,Yes

Vendor Name	Invoice Number	Description	Net Invoice Amount	Purchase Order Number	GL Activity Number
GENERAL FUND					
01-2175-8000 P/R DEDUC PBL--EMP CAF FSA-MD					
NBS-National Benefit Services	CP438329	Claims paid for HRA FSA and DCAP benefit plans	2,163.82		0
01-2175-9000 P/R DEDUC PBL--EMP CAF FSA-DC					
NBS-National Benefit Services	CP438329	Claims paid for HRA FSA and DCAP benefit plans	1,067.35		0
Total :			3,231.17		
LEGISLATIVE & EXECUTIVE					
01-4110-2505 HEALTH REIMBURSEMENT ACCT(HRA)					
NBS-National Benefit Services	CP438329	Claims paid for HRA FSA and DCAP benefit plans	77.39		0
Total LEGISLATIVE & EXECUTIVE:			77.39		
ADMINISTRATIVE SERVICES					
01-4150-3100 OFFICE SUPPLIES & POSTAGE					
Gem State Paper & Supply	1156326	Paper products and cleaning supplies	74.45		0
Gem State Paper & Supply	1156326-01	Dishwashing detergent pods	73.15		0
01-4150-4200 PROFESSIONAL SERVICES					
Enourato, Lisa	126	Miscellaneous Administrative Services	4,122.50	26082	0
01-4150-4800 DUES, SUBSCRIPTIONS & MEMBERSH					
COLORADO ASSOCIATION OF S	2242	Annual membership dues	800.00		0
01-4150-5200 UTILITIES					
Idaho Power	2203990334 02	2203990334 131 E River St, 296 N 1st Ave Light Center	84.58		0
Idaho Power	2206570869 02	2206570869 171 E River St	15.80		0
Idaho Power	2224128120 02	2224128120 191 5th St W	966.92		0
Idaho Power	2260077785 02	2260077785 180 E 1st St Whse	219.24		0

Vendor Name	Invoice Number	Description	Net Invoice Amount	Purchase Order Number	GL Activity Number
Total ADMINISTRATIVE SERVICES:			6,356.64		
CITY CLERK					
01-4152-2505 HEALTH REIMBURSEMENT ACCT(HRA)					
NBS-National Benefit Services	CP438329	Claims paid for HRA FSA and DCAP benefit plans	922.50		0
01-4152-5100 TELEPHONE & COMMUNICATIONS					
Century Link	333450155 021	Monthly telecommunications services and fees for a business line - Ore Wagon Museum	86.44		0
01-4152-5110 COMPUTER NETWORK					
ClearMindGraphics	7554	Website security and maintenance updates for Warm Springs Preserve	225.00		0
Total CITY CLERK:			1,233.94		
COMMUNITY ENGAGEMENT					
01-4154-2505 HEALTH REIMBURSEMENT ACCT(HRA)					
NBS-National Benefit Services	CP438329	Claims paid for HRA FSA and DCAP benefit plans	62.89		0
01-4154-4200 PROFESSIONAL SERVICES					
FD Ventures	2026-05	Year Contract for Community Engagement/Event Support	3,333.34	26024	0
Total COMMUNITY ENGAGEMENT:			3,396.23		
FINANCE					
01-4156-2505 HEALTH REIMBURSEMENT ACCT(HRA)					
NBS-National Benefit Services	CP438329	Claims paid for HRA FSA and DCAP benefit plans	873.93		0
Total FINANCE:			873.93		
LEGAL					
01-4160-4200 PROFESSIONAL SERVICES					
White Peterson Law Firm	172388	Legal services for city administration water rights and zoning matters	17,500.00		0

Vendor Name	Invoice Number	Description	Net Invoice Amount	Purchase Order Number	GL Activity Number
Total LEGAL:			17,500.00		
PLANNING & BUILDING					
01-4170-2505 HEALTH REIMBURSEMENT ACCT(HRA)					
NBS-National Benefit Services	CP438329	Claims paid for HRA FSA and DCAP benefit plans	650.00		0
01-4170-4200 PROFESSIONAL SERVICES					
S & C Associates LLC	3778	Professional engineering and consulting services for various CIP and development projects	565.00		0
S & C Associates LLC	3778	Professional engineering and consulting services for various CIP and development projects	1,007.50		0
Goebel Partners, LLC	1040	Phase 3 Updates - Ketchum Land Development Code	11,417.50	25143	0
01-4170-4400 ADVERTISING & LEGAL PUBLICATIO					
Copy Center LLC	4078	Public notice postcards and postage for various mailer projects	285.72		0
Total PLANNING & BUILDING:			13,925.72		
NON-DEPARTMENTAL					
01-4193-9930 GENERAL FUND OP. CONTINGENCY					
Apex Integrated Security Solutions, I	00045599	Labor and badge reader replacement for east entry reader failure	714.00		0
HDR Engineering, Inc.	1200802915	Stop Sign Study	5,226.00	25121	0
III-A	02012026	IIIA Cobra Payment (HRA)	2,722.00		0
III-A	03012026	IIIA Cobra Payment (HRA)	2,722.00		0
III-A	04012026	IIIA Cobra Payment (HRA)	2,722.00		0
Total NON-DEPARTMENTAL:			14,106.00		
FACILITY MAINTENANCE					
01-4194-2505 HEALTH REIMBURSEMENT ACCT(HRA)					
NBS-National Benefit Services	CP438329	Claims paid for HRA FSA and DCAP benefit plans	221.88		0
01-4194-4200 PROFESSIONAL SERVICES					
Arbor Care	21005	Tree pruning cleanup and debris disposal for two Spruce trees	1,553.44		0

Vendor Name	Invoice Number	Description	Net Invoice Amount	Purchase Order Number	GL Activity Number
01-4194-5200 UTILITIES					
Clear Creek Disposal	0001886788	Monthly service and rental for front load and portable restrooms	343.33		0
Clear Creek Disposal	0001886789	Portable restroom service and rental for Atkinsons Park	383.00		0
Idaho Power	2201272487 02	2201272487 480 E 4th St Rest	117.11		0
Idaho Power	2203313446 02	2203313446 900 N 3rd Ave Rest	26.34		0
Idaho Power	2203538992 02	2203538992 480 E 4th St Event	94.30		0
Idaho Power	2206452274 02	2206452274 571 5th St Spkr	26.43		0
Idaho Power	2206452274 02	2206452274 900 N 3rd Ave Pmp	52.91		0
Idaho Power	2208579470 02	2208579470 215 Lewis St Compactor	411.56		0
Idaho Power	2208794558 02	2208794558 EV Charger	95.15		0
01-4194-5900 REPAIR & MAINTENANCE-BUILDINGS					
SCHINDLER ELEVATOR	4607391437	Elevator preventive maintenance services from March to May 2026	1,294.89		0
SCHINDLER ELEVATOR	4626269142	Elevator repair services	1,533.05		0
01-4194-5910 REPAIR & MAINT-491 SV ROAD					
Cintas	4260088499	Rental and cleaning of Xtrac and scraper floor mats	46.84		0
Cintas	4260835868	Rental and cleaning services for various floor mats	46.84		0
Clear Creek Disposal	0001886790	Monthly waste disposal, recycling services and container rentals	1,084.39		0
Clear Creek Land Co. LLC	0000053373	Monthly mobile storage unit rent for March 2026	231.00		0
Idaho Power	2202522062 02	2202522062 491 E Sun Valley Rd	616.17		0
01-4194-6000 REPAIR & MAINT-AUTOMOTIVE EQUI					
WINDOW WELDER	179190	Replacement of back window and adhesive for Ford F150	487.83		0
01-4194-6100 REPAIR & MAINT--MACHINERY & EQ					
Clearwater Power Equipment	90438	Mower parts and servicing	493.61		4310044
01-4194-6950 MAINTENANCE					
A.C. Houston Lumber Co	2602-981607	Masking paper and paint supplies	12.77		0
A.C. Houston Lumber Co	2602-981762	Polyester brushes	7.87		0
A.C. Houston Lumber Co	2602-983049	R Pack	9.99		0
Total FACILITY MAINTENANCE:			9,190.70		
POLICE					
01-4210-3610 PARKING OPS PROCESSING FEES					
Data Ticket Inc	189568	Citation processing January 2026	1,167.32		0

Vendor Name	Invoice Number	Description	Net Invoice Amount	Purchase Order Number	GL Activity Number
01-4210-4200 PROFESSIONAL SERVICES					
Blaine County Emergency Comm	KDPSS26	Public Safety System servers implementation and CAD/RMS maintenance	27,677.70		0
DIXON RESOURCES UNLIMITED	5053	Parking Data Reports and Analysis	5,000.00		0
Marky's Super Tow	47715	Towing and mileage services for vehicle relocation	848.00		0
01-4210-5100 TELEPHONE & COMMUNICATIONS					
Century Link	333466365 021	Monthly telecommunication services including local exchange and long distance charges - KPD Fax Line	194.46		0
Total POLICE:			<u>34,887.48</u>		
STREET					
01-4310-2505 HEALTH REIMBURSEMENT ACCT(HRA)					
NBS-National Benefit Services	CP438329	Claims paid for HRA FSA and DCAP benefit plans	476.62		0
01-4310-3200 OPERATING SUPPLIES					
A.C. Houston Lumber Co	2602-979859	Fasteners	6.18		4310040
Chateau Drug Center	3135908	Soap brush	9.49		4310047
Napa Auto Parts	252030	Shop towels	39.98		4310044
Sherwin-Williams Co	8974-7	Paint and sanding supplies for water damage repairs	33.55		4310047
WAKE UP AND LIVE, INC.	260218-09-71	Snow Plow Meal	11.01		4310037
01-4310-3500 MOTOR FUELS & LUBRICANTS					
Valley Wide Cooperative	U2510283	Gas	243.95		4310044
Valley Wide Cooperative	U2510284	Fuel	2,930.58		4310044
01-4310-3600 COMPUTER SOFTWARE					
IWORQ SYSTEMS	215426	Software management and support systems	6,000.00	26109	0
01-4310-4200 PROFESSIONAL SERVICES					
Lunceford Excavation, Inc.	19003	2025-2026 Winter Snow Hauling	12,900.00	26016	4310037
Western States Cat	IN003511429	2026 Cat D6T Tractor Rental	6,715.50	26018	4310037
01-4310-5200 UTILITIES					
Idaho Power	2204882910 02	2204882910 200 E 10th, 260 E 10th	887.41		4310047
01-4310-6000 REPAIR & MAINT--AUTOMOTIVE EQU					
Napa Auto Parts	252146	Engine oil separator and diesel sensor	382.00		4310044

Vendor Name	Invoice Number	Description	Net Invoice Amount	Purchase Order Number	GL Activity Number
01-4310-6100 REPAIR & MAINT--MACHINERY & EQ					
Clearwater Power Equipment	90172	Circuit breaker for a sander	29.09		4310044
Fastenal Company	IDJER118177	Grinding wheels and stainless steel flange hex nuts	251.71		4310044
Napa Auto Parts	251756	Breaker for sander maintenance	81.83		4310044
Western States Cat	IN003508172	O-ring and sensor for equipment repair	76.62		4310044
HIGH DESERT BOBCAT	W07003	Troubleshooting and service for Toolcat short to ground electrical issue	532.22		4310044
01-4310-6910 OTHER PURCHASED SERVICES					
Cintas	5321324602	First aid supplies, electrolyte drinks, and surface disinfection services	94.37		4310047
Norco	0046081983	Cylinder rental for various gas types during February 2026	180.60		4310044
01-4310-6920 SIGNS & SIGNALIZATION					
A.C. Houston Lumber Co	2603-983152	Nylon rope for street banners	29.98		4310040
Econo Signs LLC	10-1000900	Six surface mount assemblies for sign posts and freight	989.70		4310040
01-4310-6930 STREET LIGHTING					
Idaho Power	2200749261 02	2200749261 Misc Street Lights	341.10		4310050
Idaho Power	2201013857 02	2201013857 160 W 6th St Light	36.81		4310050
Idaho Power	2201174667 02	2201174667 6th & Main	1.92		4310050
Idaho Power	2202627564 02	2202627564 411 N Main Light	35.50		4310050
Idaho Power	2203855230 02	2203855230 291 N Walnut Ave Light	190.80		4310050
Idaho Power	2204535385 02	2204535385 420 E 4th St Lights	128.54		4310050
Idaho Power	2204882910 02	2204882910 41C Lights, Street Lights, Traffic Lights	661.46		4310050
Idaho Power	2205963446-02	2205963446 421 N Leadville Light	68.53		4310050
Idaho Power	2206773224 02	2206773224 600 E 2nd St Lights	29.83		4310050
Idaho Power	2207487501 02	2207487501 560 N 1st Ave Lights	28.69		4310050
Idaho Power	2208316659 02	2208316659 391 N 1st Ave Lights	66.83		4310050
Idaho Power	2208791562 02	2208791562 1st & Main	59.56		4310050
Idaho Power	2208932745 02	2208932745 211 N Leadville Ave Street Light	3.42		4310050
Idaho Power	2208932745 02	2208932745 211 N Leadville Ave Street Light	3.42		4310050
Roberts Electric	15100	Labor for testing solar panels and battery inspection	200.00		4310050
Commercial Tire	09 - 167221	Eighteen batteries for solar street lamps	1,709.82		4310050
01-4310-6950 MAINTENANCE & IMPROVEMENTS					
Ohio Gulch Transfer Station	00350393	Disposal of clean wood waste at transfer station	7.04		4310045
Walker Sand and Gravel	1610754	Roadbase material and environmental fees for road maintenance	278.65		4310033

Vendor Name	Invoice Number	Description	Net Invoice Amount	Purchase Order Number	GL Activity Number
Total STREET:			36,754.31		
RECREATION					
01-4510-2505 HEALTH REIMBURSEMENT ACCT(HRA)					
NBS-National Benefit Services	CP438329	Claims paid for HRA FSA and DCAP benefit plans	391.20		0
01-4510-3200 OPERATING SUPPLIES					
Atkinsons' Market	03201519	Storage bags and butter sticks	17.06		0
Chateau Drug Center	3137233	Stationery and office supplies	29.40		0
01-4510-3300 RESALE ITEMS-CONCESSION SUPPLY					
Atkinsons' Market	01875498	Oranges, apples, and bananas	22.12		0
Atkinsons' Market	03201128	Cupcakes	11.39		0
Atkinsons' Market	04124901	Pears and oranges	15.77		0
Atkinsons' Market	05049614	Apples, bananas, and oranges	14.36		0
Sysco	140A1578M	Snack bars	41.48		0
Sysco	240893938	Frozen food products including chicken, pizza, and muffins	651.42		0
01-4510-3500 MOTOR FUELS & LUBRICANTS					
Lutz Rentals	169658-1	Propane	38.98		0
01-4510-5200 UTILITIES					
Idaho Power	2206452274 02	2206452274 900 N 3rd Ave Rec	301.66		0
Total RECREATION:			1,534.84		
Total GENERAL FUND:			143,068.35		
GENERAL CAPITAL IMPROVEMENT FD					
03-3400-7220 FIRE & RESCUE IMPACT FEES					
Tidwell, Gannon	030426	Refund of Fire Impact Fees	2,092.00		0
Total :			2,092.00		
GENERAL CIP EXPENDITURES					

Vendor Name	Invoice Number	Description	Net Invoice Amount	Purchase Order Number	GL Activity Number
03-4193-7110 DOWNTOWN CORE SIDEWALK (P)					
Opal Engineering, PLLC	1429	Downtown Core Sidewalks	3,510.00	26046	0
PHILLIPS LAND SURVEYING, PL	1382	Land surveying services including topographic data collection and office drafting	1,600.00		711004
03-4193-7199 LONG-TERM PLANNING & DESIGN					
Enourato, Lisa	126	Miscellaneous CIP Work	2,592.50	26083	0
03-4193-7501 PUBLIC PARKING OPTIONS (P)					
Motorola Solutions	8282268948	LPR cameras, software hosting, and hardware installation services	20,886.84		0
03-4193-7607 SIDEWALK CURB AND GUTTER					
HDR Engineering, Inc.	1200802593	On-Call Engineering Support	1,269.00	25113	0
Total GENERAL CIP EXPENDITURES:			<u>29,858.34</u>		
FACILITY MAINT CIP EXPENDITURE					
03-4194-7135 FOREST SRV PARK RENOVATION					
Provisualization, Inc	2315	Forest Service Park Renovations	578.50	26035	0
Provisualization, Inc	2315	February consulting and CAD modeling for new community space	186.50		0
03-4194-7156 ORE WAGON R&M					
Enourato, Lisa	126	Ore Wagon R&M Project Support	42.50	26041	0
03-4194-7161 VISITOR CENTER BUIDLING R&M					
Enourato, Lisa	126	Visitor Center R&M Project Support	42.50	26042	0
03-4194-7162 TOWN SQUARE REMODEL PHASE I					
Enourato, Lisa	126	Town Square Remodel Project Support	255.00	26039	0
LANDSCAPE FORMS, LLC	0000246466	KTS Bike Racks	4,947.95	26091	0
LANDSCAPE FORMS, LLC	0000246466	KTS Bike Racks	.01		0
03-4194-7177 CITY HALL 3RD FLOOR					
ESPINOZA ASSOCIATES FLOORI	EF1467-1	City Hall Carpet – 3rd Floor	13,215.27	26107	0
Total FACILITY MAINT CIP EXPENDITURE:			<u>19,268.23</u>		

POLICE CIP EXPENDITURES

Vendor Name	Invoice Number	Description	Net Invoice Amount	Purchase Order Number	GL Activity Number
03-4210-7100 POLICE VEHICLE (NEW)					
Motorola Solutions	8282278154	Communications equipment and hardware	6,343.33		0
Total POLICE CIP EXPENDITURES:			6,343.33		
Total GENERAL CAPITAL IMPROVEMENT FD:			57,561.90		
ADDITIONAL1%-LOT FUND					
ADDITIONAL 1%-LOT					
25-4910-4220 SUN VALLEY AIR SERVICE BOARD					
Sun Valley Air Service Board	JANUARY 202	Monthly SVASB transfer for January 2026	110,607.83		0
Total ADDITIONAL 1%-LOT:			110,607.83		
Total ADDITIONAL1%-LOT FUND:			110,607.83		
COMMUNITY HOUSING					
54-2300-0000 DEPOSITS-SEC DEP LTL					
Cienfuegos, Cesar Augusto Ramriez	022326	Lift Tower Lodge #5 Security Deposit Refund	150.00		0
Total :			150.00		
COMMUNITY HOUSING EXPENSE					
54-4410-2505 HEALTH REIMBURSEMENT ACCT(HRA)					
NBS-National Benefit Services	CP438329	Claims paid for HRA FSA and DCAP benefit plans	190.40		0
54-4410-4200 PROFESSIONAL SERVICES					
AGNEW BECK CONSULTING INC	20591	Housing Affordability Support 2025-2026	4,725.00	26003	0
Rian Rooney	26	2026 Contract for Services	19,162.50	26029	0
Highfill, Jacklyn	030426	Spanish Classes - Reimbursement	160.00		0
54-4410-4250 LIFT TOWER LODGE PROFF SVCS					
Office Bright Inc	2285	Monthly office cleaning services for February	140.00		0
54-4410-4260 EVERGREEN PROF SVCS					
Lunceford Excavation, Inc.	18903	Snow removal	270.00		0

Vendor Name	Invoice Number	Description	Net Invoice Amount	Purchase Order Number	GL Activity Number
54-4410-4270 291 N 2ND PROF SVCS					
Hailey Plumbing	300433	Water line replacement at 291 2nd Ave South	1,000.00		0
54-4410-5200 LIFT TOWER LODGE UTILITIES					
Idaho Power	2208260063 02	2208260063 703 S Main St	568.10		0
Idaho Power	2226910376 02	2226910376 702 S Main St	674.27		0
54-4410-5215 EVERGREEN UTILITIES					
Clear Creek Disposal	0001886791	Monthly waste disposal and recycling services for Evergreen Apartments	223.31		0
Idaho Power	2227900418 02	2227900418 291 N 2nd Ave	865.26		0
Idaho Power	2228126898 02	2228126898 141 Bird Dr	305.54		0
Idaho Power	2228310260 02	2228310260 141 Bird Dr	238.07		0
54-4410-5900 LIFT TOWER LDG REPAIR & MAINT					
Clear Creek Disposal	0001886787	Waste removal monthly service and rent for lift tower lodge	552.44		0
Sentinel Fire & Security, Inc	121542	Monitoring services for Lift Tower Lodge March to May 2026	104.85		0
BRIAN SCHROEDER	122025	Travel expense reimbursement for mileage to Lowes Twin Falls	110.60		0
54-4410-5915 EVERGREEN REPAIR & MAINTENANCE					
HIGHLAND PLUMBING	15817	Outside faucet removal and repair with materials	1,465.00		0
Total COMMUNITY HOUSING EXPENSE:			30,755.34		
Total COMMUNITY HOUSING:			30,905.34		
WATER FUND					
WATER EXPENDITURES					
63-4340-2505 HEALTH REIMBURSEMENT ACCT(HRA)					
NBS-National Benefit Services	CP438329	Claims paid for HRA FSA and DCAP benefit plans	249.50		0
63-4340-3200 OPERATING SUPPLIES					
Chateau Drug Center	3134410	Spray paint, glue sticks, and a glue gun	42.15		0
L.L. GREEN'S HARDWARE	B497127	Splash block	16.99		0
Treasure Valley Coffee Inc	2160:11377813	Assorted beverages including grape stix, green tea, and coffee	123.08		0

Vendor Name	Invoice Number	Description	Net Invoice Amount	Purchase Order Number	GL Activity Number
63-4340-3250 LABORATORY/ANALYSIS					
Magic Valley Labs, Inc.	37760	Drinking water bacteria testing and cooler return services	132.00		0
63-4340-3400 MINOR EQUIPMENT					
Chateau Drug Center	3134952	Screwdriver ratchet	20.89		0
63-4340-3500 MOTOR FUELS & LUBRICANTS					
Valley Wide Cooperative	U2510285	Unleaded gas	320.01		0
63-4340-4300 STATE & WA DISTRICT FEES					
IDAHO DEPT. OF ENVIRONMENT	20260000444	Underground storage tank fees for multiple facilities	396.00		0
63-4340-5100 TELEPHONE & COMMUNICATIONS					
Century Link	333465565 020	333465565 Water Dept	145.15		0
Verizon Wireless	6135939411	Monthly wireless business communication services and plan charges	117.47		0
63-4340-5200 UTILITIES					
Idaho Power	2202458903 02	2202458903 110 River Ranch Rd Optc	1,006.60		0
Idaho Power	2203658592 02	2203658592 Wells and Boosters	6,671.27		0
Idaho Power	2206786259 02	2206786259 110 River Ranch Rd Admin	37.29		0
63-4340-6000 REPAIR & MAINT-AUTO EQUIP					
Warm Springs Auto Parts LLC	215088	Engine oil	8.81		0
Warm Springs Auto Parts LLC	215342	PerfectView part	18.95		0
63-4340-6100 REPAIR & MAINT-MACH & EQUIP					
A.C. Houston Lumber Co	2602-980352	Crack filler and Torx keychains	66.95		0
A.C. Houston Lumber Co	2603-983783	Masonry crack filler	43.96		0
Total WATER EXPENDITURES:			9,417.07		
WATER DEBT SERVICE EXPENDITRES					
63-4800-8700 DEBT SRVC ACCT INTEREST-2016					
Chase	0000003192	451971109001 022526	2,949.30		0
Total WATER DEBT SERVICE EXPENDITRES:			2,949.30		
Total WATER FUND:			12,366.37		

Vendor Name	Invoice Number	Description	Net Invoice Amount	Purchase Order Number	GL Activity Number
WATER CAPITAL IMPROVEMENT FUND					
WATER CIP EXPENDITURES					
64-4340-7809 S. KETCHUM WATER LINE PROJ. A					
Opal Engineering, PLLC	1428	S 75 WATER MAINLINE RELOCATION DESIGN	218.75	25044	0
64-4340-7811 TRAIL CREEK HWY 75 MAINLINE					
Opal Engineering, PLLC	1428	Contract engineering services for sewer and water main relocation projects - South Ketchum ITD Improvements	1,215.00		0
Total WATER CIP EXPENDITURES:			1,433.75		
Total WATER CAPITAL IMPROVEMENT FUND:			1,433.75		
WASTEWATER FUND					
WASTEWATER EXPENDITURES					
65-4350-2505 HEALTH REIMBURSEMENT ACCT(HRA)					
NBS-National Benefit Services	CP438329	Claims paid for HRA FSA and DCAP benefit plans	249.72		0
65-4350-3200 OPERATING SUPPLIES					
A.C. Houston Lumber Co	2602-982951	Utility straps	18.98		0
D & B Supply	7862	Work pants	194.97		0
Sherwin-Williams Co	2.56032E+13	Extension pole	35.18		0
65-4350-5100 TELEPHONE & COMMUNICATIONS					
Century Link	333803119 021	Monthly communication services and local exchange charges	85.19		0
65-4350-5200 UTILITIES					
Idaho Power	2202703357 02	2202703357 1001 Chief Joseph Ct	84.56		0
Idaho Power	2206786259 02	2206786259 110 River Ranch Rd Admin	37.28		0
65-4350-6000 REPAIR & MAINT-AUTO EQUIP					
Napa Auto Parts	252607	Miniature light bulb packs	11.98		0
65-4350-6100 REPAIR & MAINT-MACH & EQUIP					
Sherwin-Williams Co	8.96482E+13	Paint supplies	62.14		0
65-4350-6900 COLLECTION SYSTEM SERVICES/CHA					
A.C. Houston Lumber Co	2602-980695	Frost breaker gloves and pink spray paint	21.98		0
Chateau Drug Center	3137085	Workwear	79.78		0

Vendor Name	Invoice Number	Description	Net Invoice Amount	Purchase Order Number	GL Activity Number
Total WASTEWATER EXPENDITURES:			881.76		
Total WASTEWATER FUND:			881.76		
WASTEWATER CAPITAL IMPROVE FND					
WASTEWATER CIP EXPENDITURES					
67-4350-7813 CAPITAL IMP PLAN(NO SHARING)					
Opal Engineering, PLLC	1428	Contract engineering services for sewer and water main relocation projects - Skiway Prospector Bldg	1,181.25		0
67-4350-7814 AERATION BASINS - ANOXIC AND M					
RSCI	PAYAPP12	AERATION UPGRADES CONSTRUCTION	51,815.91	26110	0
67-4350-7815 AERATION BASINS BLOWERS & ELEC					
RSCI	PAYAPP12	AERATION UPGRADES CONSTRUCTION	216,241.60	24073	0
67-4350-7818 ROTARY DRUM THICK & DEWATERING					
ENGINEERED STRUCTURES, INC	PAYAPP8	Dewatering Improvements Project Construction	34,432.08	25119	0
Total WASTEWATER CIP EXPENDITURES:			303,670.84		
Total WASTEWATER CAPITAL IMPROVE FND:			303,670.84		
PARKS/REC DEV TRUST FUND					
PARKS/REC TRUST EXPENDITURES					
93-4900-7950 WARM SPRINGS PRESR-RESTORATION					
Enourato, Lisa	126	Warm Springs Preserve Restoration - Project Support	382.50	26044	0
Studio Superbloom, LLC	WSP-052	WSP - Construction Phase Support	1,275.82	25131	0
NORTH FORK NATIVE PLANTS	3858	WSP PLANTINGS DIRECT PURCHASE	1,971.44	25071	0
NORTH FORK NATIVE PLANTS	3858	WSP PLANTINGS DIRECT PURCHASE	5,174.06	25071	100
NORTH FORK NATIVE PLANTS	3860	WSP PLANTINGS DIRECT PURCHASE	7,188.14	25071	101
NORTH FORK NATIVE PLANTS	3860	WSP PLANTINGS DIRECT PURCHASE	18,865.27	25071	100
Total PARKS/REC TRUST EXPENDITURES:			34,857.23		
Total PARKS/REC DEV TRUST FUND:			34,857.23		
Grand Totals:			695,353.37		

<u>Vendor Name</u>	<u>Invoice Number</u>	<u>Description</u>	<u>Net Invoice Amount</u>	<u>Purchase Order Number</u>	<u>GL Activity Number</u>
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Report Criteria:

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

[Report].GL Account Number = "0110000000"- "9700000000", "9910000000"- "9911810000"

Invoice Detail.Voided = No, Yes



City of Ketchum

PROCUREMENT MEMO

Meeting Date: March 12, 2026 Staff Member/Dept: Ramsy Hoehn/Street Department

Agenda Item: Recommendation to approve Purchase Order #26106

Recommended Motion:

I move to approve Purchase order #26106 for a not to exceed amount of \$83,109.88 with Idaho Traffic Safety Inc for paint striping, including crosswalks.

Summary of Procurement Process:

Table with 2 columns: Bidder, Bid Price. Rows include Idaho Traffic Safety Inc. (\$83,109.88) and Road Traffic Systems Inc. (\$93,489.56).

Table with 3 columns: Low Bid Contractor, Bid Price, Budget Account/Number. Row includes Idaho Traffic Safety Inc. (\$83,109.88, 01-4310-6950-40).

Background (if necessary):

- The City of Ketchum Street Department applies paint to City streets each spring as part of its normal state of good repair work. The work consists of repainting the existing street markings including crosswalks, bike path indicators, yellow and red curbs, turn arrows and handicap stencils.
The work typically starts at the end of April, and additional markings are added after chip seal.
Paint striping and crosswalk stenciling is included in the Streets Department budget and the Purchase Order is within the budgeted amount.
Due to staffing and equipment requirements involved in the paint striping and crosswalk stenciling work, the City of Ketchum has historically contracted out the work.

Sustainability Impact:

Water based paints are utilized.

Attachments:

- Purchase Order #26106
Award Letter
Idaho Traffic Safety Bid



CITY OF KETCHUM

PO BOX 2315 * 191 5TH ST. * KETCHUM, ID 83340
 Administration 208-726-3841 (fax) 208-726-8234

PURCHASE ORDER

BUDGETED ITEM? Yes No

PURCHASE ORDER - NUMBER: 26106

To: 2495 IDAHO TRAFFIC SAFETY INC 3400 E SUNNYSIDE RD IDAHO FALLS ID 83406-7723	Ship to: CITY OF KETCHUM PO BOX 2315 KETCHUM ID 83340
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P. O. Date	Created By	Requested By	Department	Req Number	Terms
02/23/2026	CCHING	CCHING			

Quantity	Description	Unit Price	Total
1.00	2026 Paint Striping 01-4310-6950	83,109.88	83,109.88
SHIPPING & HANDLING			0.00
TOTAL PO AMOUNT			83,109.88

 Authorized Signature



CITY OF KETCHUM

Trent Donat | City Clerk & Business Manager
direct: 208.806.7010 | office: 208.726.3841
tdonat@ketchumidaho.org
P.O. Box 2315, 191 5th Street West, Ketchum, ID 83340
ketchumidaho.org

February 20, 2026

Dear Bidder,

Notice of Intent to Award Contract: 2026 KETCHUM STREETS STRIPING & PAINTING

Thank you for your response to the above-referenced **Paint Striping Project for the City of Ketchum**.

This letter is to notify you that the City has reviewed all bids and are recommending the bid be awarded to the lowest responsive bidder, **Idaho Traffic Safety**.

This bid award will be presented at the March 12, 2026, City Council meeting for approval.

Thank you for your interest in meeting the needs of the City of Ketchum. Your participation in the process is appreciated.

Sincerely,

Trent Donat
City Clerk & Business Manager
City of Ketchum
tdonat@ketchumidaho.org
208.726.3841



MAYOR Pete Prekeges | **COUNCIL** Spencer Cordovano Randy Hall Tripp Hutchinson Mathew McGraw

SMALL TOWN. BIG LIFE.



Idaho Traffic Safety

3400 E Sunnyside Rd

Idaho Falls, ID 83406

208-522-4470

QUOTATION

Quote Date	Quote ID
2/10/2026	26000008

Valid Through: 3/12/2026

CITY OF KETCHUM

TRENT DONAT

P.O. BOX 2315

KETCHUM, ID 83340

Phone: 208-806-7010

Job Location:

CITY OF KETCHUM

KETCHUM

Quote Created By: DUSTIN SMITH

Email: TDONAT@KETCHUMIDAHO.ORG

Item Description	Price	UOM	Qty/Day	Days	Total Qty.	Total
Chip Seal						
4" YELLOW LINE, Parking Striping	\$0.25	PER LIN. FT	16654	1	16654	\$4,163.50
4" YELLOW LINE, DOUBLE	\$0.15	PER LIN. FT	3970	1	3970	\$595.50
6" FOG LINE	\$0.27	PER LIN. FT	1811	1	1811	\$488.97
White on Green	\$20.00	EACH	18	1	18	\$360.00
BIKE STENCIL	\$25.00	EACH	12	1	12	\$300.00
HC WHITE ON BLUE	\$45.00	EACH	2	1	2	\$90.00
TURN ARROW	\$20.00	EACH	24	1	24	\$480.00
SPEED BUMP CHEVRONS	\$55.00	EACH	2	1	2	\$110.00
12" TRANSVERSE	\$90.00	EACH	31	1	31	\$2,790.00
24" Straight bars, Approx. 8' x 65'	\$180.00	EACH	8	1	8	\$1,440.00
STOP BARS	\$55.00	EACH	28	1	28	\$1,540.00
MOBILIZATION	\$1,500.00	LUMP SUM	1	1	1	\$1,500.00
Items Before May 20th						
CROSSWALK - STENCIL	\$600.00	EACH	24	1	24	\$14,400.00
24" Straight Bars, Approx. 8' W x 65' L	\$180.00	EACH	30	1	30	\$5,400.00
CROSSWALK - 12" TRANSVERSE STYLE	\$90.00	EACH	126	1	126	\$11,340.00
DO NOT BLOCK 48" H LETTERS	\$50.00	EACH	8	1	8	\$400.00
CROSSWALK W/ DIAGONAL CROSSING	\$90.00	EACH	2	1	2	\$180.00
CENTER LANE STRIPING SUN VALLEY RD MAIN TO SPRUCE	\$0.15	PER LIN. FT	1100	1	1100	\$165.00
TURN ARROW	\$20.00	EACH	0	1	0	\$0.00
WHITE TURN LANE	\$0.25	PER LIN. FT	100	1	100	\$25.00
5 BAR TRIANGLE RD	\$25.00	EACH	16	1	16	\$400.00
5 BAR TRIANGLE BIKE PATH	\$20.00	EACH	27	1	27	\$540.00
BIKE SYMBOL - SMALL	\$25.00	EACH	0	1	0	\$0.00
LARGE X - ING FOR ROADWAY	\$25.00	EACH	19	1	19	\$475.00
6" WHITE LINE	\$0.27	PER LIN. FT	13569	1	13569	\$3,663.63
CAUTION STENCIL - BIKE PATH	\$20.00	EACH	37	1	37	\$740.00
SMALL SPEED LIMIT - BIKE PATH	\$35.00	EACH	55	1	55	\$1,925.00

Initials _____ Page 1 of 3

Quote For: CITY OF KETCHUM - Quote ID: 26000008 (cont.)

STOP AHEAD	\$45.00	EACH	2	1	2	\$90.00
Items By June 1st						
YELLOW CURB	\$1.50	PER LIN. FT	200	1	200	\$300.00
RED CURB	\$1.85	PER LIN. FT	0	1	0	\$0.00
CENTER LANE STRIPING	\$0.15	PER LIN. FT	65146	1	65146	\$9,771.90
4" WHITE LINE EDGE	\$0.18	PER LIN. FT	9516	1	9516	\$1,712.88
STOP BARS - 24" X 12'	\$25.00	EACH	168	1	168	\$4,200.00
"STOP" SYMBOL 48"	\$25.00	EACH	10	1	10	\$250.00
PARKING LOT STRIPING 4" YELLOW	\$0.25	PER LIN. FT	10646	1	10646	\$2,661.50
HANDICAP STRIPING	\$45.00	EACH	38	1	38	\$1,710.00
TURN ARROW - ONLY	\$20.00	EACH	0	1	0	\$0.00
COMBINATION ARROWS	\$25.00	EACH	34	1	34	\$850.00
SPEED BUMP CHEVRONS	\$55.00	EACH	6	1	6	\$330.00
STRIPING YIELD - SMALL	\$45.00	EACH	2	1	2	\$90.00
8" WHITE FOG LINE	\$0.32	PER LIN. FT	850	1	850	\$272.00
SHARROWS - WHITE ON GREEN	\$20.00	EACH	68	1	68	\$1,360.00
SPEED BUMP PAINT	\$50.00	EACH	8	1	8	\$400.00
YIELD STENCIL	\$50.00	EACH	2	1	2	\$100.00
HAND / TRUCK MOBILIZATION	\$5,500.00	LUMP SUM	1	1	1	\$5,500.00

Note: The * indicates taxable items.

Public Works No# PWC-C12558-AA-4
Date to Do Business 1/1/80

LABOR	\$83,109.88
SUBTOTAL	\$83,109.88
QUOTE TOTAL	\$83,109.88

- Included:**
- All Prices are per application, if for example the bike path is required to be painted in May and then again after any chip seal that would be counted as 2 applications. With each item being billed as shown on each line item. This may include any paving projects that happen between paintings.
 - There will be an added Mobilization Fee of \$1,500.00 / request for any added trips not part of the original contract. Or if another contractor wipes out what we have painted and we must make a special trip to replace any striping not part of another contract.
 - This Price does not include ADA requirements.
 - All Scheduling requires a minimum of 48 - Hour Business Day notice.
 - a. Unless items are special order.
 - The Suggested subtotal price is NOT the final bill price.
 - a. If there is a discrepancy between the Unit Price and the extended Price. The Unit Price is always correct.

Quote For: CITY OF KETCHUM - Quote ID: 26000008 (cont.)

- Included:
 - Pavement Markings.
 - a. The price does not include painting of pipe bollards.
 - b. Price includes layout, striping, hatching, HC symbols, stencil work, and crosswalks.
 - c. Painting between September 30th and April 30th voids all paint warranty & incurs a cold weather painting fee of \$500.00.
 - d. We do not paint and/or lay thermoplastic on wet/dirty surfaces. Please insure dry/clean surface.
 - f. For truck painting: We will not paint when temperatures are below 40 degrees as it causes damage to our paint truck. Hand striping cannot be performed if the temperature is 35 or below.
 - g. Due to material shortages, paint for both the hand striping crew and the paint truck are in limited supply and applying paint to a new project may be delayed for those reasons.
 - h. Additional mob fees will be charged if job site is not ready for paint when requested by contractor.
 - Questions or Comments:
 - Dustin Smith (TCDS & TCS)
 Bid Estimator / Project Manager
 dsmith@idahotrafficsafety.com
 O: (208) 522-4470
 M: (208) 201-1904
 - Luke Mecham
 Striping, Sweeping, & Thermoplastic Super
 (208) 716-2924
 luke@idahotrafficsafety.com

Accepted By:

_____ 2/10/2026
 DUSTIN SMITH Date
 Idaho Traffic Safety

 Signature Date

 Print Name

 Title

 Company



City of Ketchum

CITY COUNCIL MEETING AGENDA MEMO

Meeting Date:	March 12, 2026	Staff Member/Dept:	Ramsy Hoehn/Streets Trent Donat/Clerk
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Agenda Item:	Recommendation to approve surplus Resolution 26-008 for surplus of two portable solar message signs
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Recommended Motion:

I move to approve Resolution 26-008 for the surplus of two portable solar message signs.

- 2008 National Signal Inc. trailer-mounted Sunray 390-full matrix portable variable message sign (Vin# 1N9MD14198S272769)
- 2008 National Signal Inc. trailer-mounted Sunray 390-full matrix portable message sign (Vin# 1N9MD14178S272768)

Reasons for Recommendation:

- Council approved two new solar battery message signs in December 2025
- The sign frameworks are beginning to rust, and electronics are outdated, which has had an impact on street operations

Sustainability Impact:

None OR state impact here: Auctioned for use by next party.

Financial Impact:

None OR Adequate funds exist in account:	None
--	------

Attachments:

1. Resolution 26-008

CITY OF KETCHUM

RESOLUTION 26-008

A RESOLUTION OF THE CITY COUNCIL DECLARING SURPLUS OF TWO PORTABLE SOLAR MESSAGE SIGNS.

WHEREAS, the City of Ketchum will dispose of two 2008 National Signal Inc. Sunray 390-Full Matrix Portable Variable Message Signs as the City Clerk deems necessary.

Now **THEREFORE, BE IT RESOLVED** by the City Council of the City of Ketchum that:

The City Council authorizes the City Clerk to dispose of the two signboards below:

- 2008 National Signal Inc. trailer-mounted Sunray 390-full matrix portable variable message sign (Vin# 1N9MD14198S272769)
- 2008 National Signal Inc. trailer-mounted Sunray 390-full matrix portable message sign (Vin# 1N9MD14178S272768)

PASSED BY THE CITY COUNCIL of the City of Ketchum, effective this 12th day of March 2026.

APPROVED:

Signed: _____
Pete Prekeges, Mayor

ATTEST:

By _____
Trent Donat, City Clerk



City of Ketchum

CITY COUNCIL MEETING AGENDA MEMO

Meeting Date: Staff Member/Dept:

Agenda Item:

Recommended Motion:

Reasons for Recommendation:

- The Master Services Agreement with GGLO will provide architectural, urban design, and related professional services to the City on an as-needed basis, and formalize an existing working relationship with GGLO, which has supported the City over the past several years on street, sidewalk, public art, and history-related projects.
- Agreement establishes a contracting framework only and requires no financial obligation. Individual Task Orders will be issued and approved for specific projects as needed.
- City maintains similar professional service agreements with firms such as Jacobs Engineering and Lunceford Excavation.
- Exclusivity is not granted to GGLO by way of this agreement. The City may continue to contract with other firms, though GGLO may be utilized for projects that intersect with transportation and streetscape improvements due to their familiarity with the City's standards.

Sustainability Impact:

Financial Impact:

<input type="text" value="None OR Adequate funds exist in account:"/>	<input type="text" value="None"/>
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Attachments:

<input type="text" value="1. Agreement #27007"/>	<input type="text"/>
--	----------------------



City of Ketchum

**MASTER SERVICES AGREEMENT #27007
WITH GGLO ARCHITECTURE, INTERIOR DESIGN, LANDSCAPE ARCHITECTURE,
PLANNING AND URBAN DESIGN, LLC
FOR PROFESSIONAL SERVICES REQUIRED FOR SIDEWALK & LANDSCAPE
ENHANCEMENT INITIATIVES**

This Master Services Agreement (“Agreement”) is made and entered effective on the ___ day of ___ 2025, by and between the City of Ketchum, an Idaho municipal corporation (“City”), and GGLO Architecture, Interior Design, Landscape Architecture, Planning and Urban Design, LLC. (“Contractor”).

FINDINGS

- A. The City is a municipal corporation duly organized and existing under the laws of the State of Idaho.
- B. The City is empowered to enter into contracts and take such steps as are reasonably necessary to maintain the peace, good government and welfare of the City. Idaho Code §50-301 *et seq.*
- C. Contractor independently provides certain professional services which may be beneficial and of use for the general welfare of the City.
- D. The City finds that it is economical and efficient and that it is in the best interests of the City to enter into a Master Services Agreement with Contractor for certain services as set forth herein (“Services”).

NOW, THEREFORE, the Parties enter into this Agreement according to the following terms and conditions:

- 1. **Description of Services.** Contractor will perform work to design, oversee and manage various landscape and miscellaneous project improvements, including art and history installations over fiscal year 2026. Contractor will work closely with the City Public Works Director, Project Manager and Engineers throughout the project. All services will be authorized upon assignment by written Task Orders issued by the Contractor and approved by the City.
- 2. **Payment for Services.** Contractor will be compensated for Services as performed and authorized by written Task Orders. Invoices will be specific to each Task Order. Invoices for payment will be submitted monthly and payment made by City upon City review and approval within approximately thirty days.
- 3. **Term.** The term of this Agreement shall be through the duration and conclusion of the Services, not to exceed one year from the date of this Agreement. This term may be renewed or extended upon further written agreement between the parties.
- 4. **Independent Contractor.** Contractor performs the Services hereunder solely and exclusively as an independent contractor. Contractor is not an employee, servant, agent, partner, or joint venture of the City. The City will determine the projects or Services to be done by Contractor, but Contractor will

determine the legal means by which it accomplishes the work specified by the City. This Agreement shall not be construed to create or establish any employer-employee relationship between the City and Contractor or make Contractor eligible for any City employment benefits. Contractor is solely responsible for all withholding and payment of all applicable federal, state, and local income or payroll taxes of any kind.

5. **Performance and Warranty.** Contractor will provide its own tools and equipment as needed to perform the Services. Contractor warrants that all equipment used to perform this Agreement will function safely, properly, and efficiently. Contractor warrants that all services will be timely and performed in a safe, professional, and workmanlike manner.
6. **Indemnification.** Contractor releases, holds harmless, and agrees to indemnify City from and against all claims, suits, damages (including, without limitation, damages to persons and property including deaths, and all tax responsibilities), costs, losses, and expenses, in any manner related to or arising from the acts or omissions of Contractor, its managers, members, directors, officers, shareholders, agents, and employees.
7. **Limits of Liability.** Except for Contractor’s confidentiality and indemnity obligations, respectively, and except for actions or claims arising from gross negligence or intentional or willful misconduct, Contractor’s total liability to City shall not exceed the greater of (i) the total Contractor compensation value for the subtask of the project or (ii) the amount of recoverable insurance, regardless of whether any action or claim is based upon contract, warranty, tort (including negligence) or strict liability.
8. **Licensing.** Contractor represents that Contractor possesses the requisite skill, knowledge, and experience necessary to perform the Services. Contractor represents it has or agrees to obtain and maintain all necessary registrations, licenses, and insurance as may be required by the State of Idaho for the performance of the Services under this Agreement.
9. **Insurance.** Contractor is not covered by the City’s liability insurance policy. Contractor shall carry and maintain liability insurance in the following minimum amounts:

General liability	\$1,000,000.00 per occurrence; \$2,000,000.00 aggregate.
Personal Auto Liability	\$500,000.00 per accident with \$2,000,000 umbrella policy.
Professional Liability	\$1,000,000.00 per occurrence; \$2,000,000.00 aggregate.
Worker’s Compensation	As required by the State of Idaho, and not less than \$1,000,000.00.

Proof of said insurance shall be provided to City. Each policy of insurance required shall provide for no less than thirty-day advance notice to City prior to cancellation. In addition, the City shall be named an “Additional Insured” by all contractors and subcontractors.

10. **Notice.** All notices under this Agreement shall be in writing and addressed as follows:

CITY:

CONTRACTOR:

City of Ketchum
P.O. Box 2315
Ketchum, ID 83340

GGLO Architecture
113 South 5th
Boise, ID 83702

11. **Compliance with Laws/Public Records.** Contractor, its managers, members, directors, officers, shareholders, agents, and employees shall comply with all federal, state and local laws, rules, and ordinances. This Agreement does not relieve Contractor of any obligation or responsibility imposed upon Contractor by law. Without limitation, Contractor hereby acknowledges that all writings and documents, including without limitation email, containing information relating to the conduct or administration of the public's business prepared by Contractor for City regardless of physical form or characteristics may be public records pursuant to the Idaho Public Records Act. Contractor further acknowledges that, subject to certain limitations, the public may examine and take a copy of all such public writings and records. Accordingly, Contractor shall maintain such writings and records in such a manner that they may readily identified, retrieved and made available for such inspection and copying. Should Contractor wish to claim an exemption to disclosure on any record, Contractor shall identify such in advance and assume all costs of defense on any associated legal action to defend such claimed exemption from disclosure.
12. **Non-Assignment.** Contractor hereby acknowledges that City has agreed to enter this Agreement based in part on Contractor's unique skills and reputation for professional work. Accordingly, Contractor may not assign, subcontract, or transfer in any manner this Agreement or any of Contractor's right, title or interest in or to this Agreement without the prior written consent of City.
13. **Amendments.** This Agreement may only be changed, modified, or amended in writing executed by all parties.
14. **Non-Waiver.** The failure of either party to exercise any of its rights under this Agreement at any time does not constitute a breach of this Agreement and shall not be deemed to be a waiver of such rights or a waiver of any subsequent breach.
15. **Headings.** The headings in the Agreement are inserted for convenience and identification only and are in no way intended to describe, interpret, define, or limit the scope, extent, or intent of this Agreement or any provision hereof.
16. **Attorney Fees and Costs.** In the event that either party hereto is required to retain the services of an attorney to enforce any of its rights hereunder, the non-prevailing party shall pay to the prevailing party all reasonable costs and attorney fees incurred in such enforcement, whether or not litigation is commenced and including reasonable costs and attorney fees on appeal.
17. **Governing Law.** This Agreement shall be governed by the laws of the State of Idaho. Venue shall be in the Fifth Judicial District, Blaine County, Idaho.
18. **Entire Agreement.** This Agreement contains the entire Agreement between the parties respecting the matters herein set forth and supersedes any and all prior Agreements between the parties hereto respecting such matter.

19. **Severability.** If any part of this Agreement is held to be invalid or unenforceable, such part shall be considered as stricken and the rest of this Agreement shall continue in full force and effect and so as to preserve the agreement and intent to the fullest possible extent.
20. **Execution and Signatures.** This Agreement may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
21. **Authority.** The parties executing this Agreement warrant, state, acknowledge, and affirm that they have the authority to sign the same and to bind themselves to the terms contained herein.

IN WITNESS WHEREOF, the Parties execute this Agreement.

CITY OF KETCHUM

MARK SINDELL, CONTRACTOR

Pete Prekeges, Mayor

Mark Sindell, Principal

ATTEST:

Trent Donat
City Clerk



City of Ketchum

CITY COUNCIL MEETING AGENDA MEMO

Meeting Date: Staff Member/Dept:

Agenda Item:

Recommended Motion:

- Option 1:
Move to approve the first reading by title only of Ordinance 1271, 1272, and Ordinance 1274 – Titles 1, 2 and 4 of Ketchum Municipal code.
- Option 2:
Move to approve the first reading by title only of Ordinance 1271, 1272, and Ordinance 1274 – Titles 1, 2 and 4 of Ketchum Municipal code with the following changes:

Reasons for Recommendation:

- The city has completed the reorganization of the land-use sections (12, 15-17) of city code. This project seeks to update the remaining non-land-use titles to reflect current operational realities and best practices
- During the January 26th meeting, the City Council received an initial briefing and requested staff to evaluate the following topics for consideration into Title 2:
 - Ranked-choice voting
 - Because it was defeated via state-wide ballot, ranked-choice voting was not implemented at any level in Idaho.
 - Run-off elections
 - Staff has added provisions which would create runoff elections for Mayor and City Council seats should candidates not receive 50% plus one.
 - Designated Council seats
 - Ketchum could implement designated seat election criteria, however the seats would not correspond to specific geographic zones in the city, unless it was established by ordinance to provide for districts and the election of council by districts. Therefore, designated seat elections would just be specific toward the incumbent or other candidates running for that specific seat. Staff has NOT added this provision to the draft code.
- During the February 26th meeting, Council discussed but did not confirm the following edits:
 - Title 2
 - Keep the Code of Ethics? *(as presented)*
 - Title 4
 - Combine the Arts Commission (KAC) And Historic Preservation Commission (HPC) into one 'Arts and Historical Preservation Commission'. The previous land-use duties would transfer from the current Historic Preservation Commission to the Planning and Zoning Commission. *(as presented)*

- Staff is proposing moving Ketchum Traffic Authority from Title 10 to Title 4. *(not currently presented)*
- During the February 26th meeting, Council opted to hold making changes to Title 3 to accompany the planned review of Local Option Tax (LOT) funding options.

Sustainability Impact:

None.

Financial Impact:

None OR Adequate funds exist in account:	None.
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Attachments:

- | |
|---|
| 1. Ordinance 1271 – Title 1 |
| 2. Ordinance 1272 – Title 2 |
| 3. Ordinance 1274 – Title 4 |
| 4. Titles 1-4 (side by side comparison) |

**CITY OF KETCHUM
ORDINANCE 1271**

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, ADOPTING GENERAL UPDATES AND REVISIONS TO KETCHUM CITY CODE TITLE 1 – GENERAL PROVISIONS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals:

- A. Pursuant to Title 50, Chapter 9 of Idaho Code the City is authorized to enact ordinances for the governance of the city and to organize such by codification.
- B. The City is conducting a general review to update, streamline, remove unnecessary or inapplicable language, clarify, and modernize existing City Code.
- C. The City desires to update Title 1 as indicated on Exhibit A to this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Blaine County, Idaho:

SECTION 1: That the Ketchum City Code, Title 1, is amended to read as identified on the attached Exhibit A.

SECTION 2: REPEALER. All previous ordinances, resolutions, orders, or parts thereof, that are in conflict herewith are hereby repealed.

SECTION 3: SAVINGS AND SEVERABILITY. 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 4: 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 of Ketchum, Idaho this ____ day of _____ 2026.

APPROVED BY THE MAYOR of Ketchum, Idaho this ____ day of _____ 2026.

Pete Prekeges, Mayor

ATTEST:

Trent Donat, City Clerk

**CITY OF KETCHUM
ORDINANCE 1272**

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, ADOPTING GENERAL UPDATES AND REVISIONS TO KETCHUM CITY CODE TITLE 2 – ADMINISTRATION AND PERSONNEL; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals:

- A. Pursuant to Title 50, Chapter 9 of Idaho Code the City is authorized to enact ordinances for the governance of the city and to organize such by codification.
- B. The City is conducting a general review to update, streamline, remove unnecessary or inapplicable language, clarify, and modernize existing City Code.
- C. The City desires to update Title 2 as indicated on Exhibit A to this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Blaine County, Idaho:

SECTION 1: That the Ketchum City Code, Title 2, is amended to read as identified on the attached Exhibit A.

SECTION 2: REPEALER. All previous ordinances, resolutions, orders, or parts thereof, that are in conflict herewith are hereby repealed.

SECTION 3: SAVINGS AND SEVERABILITY. 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 4: 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 of Ketchum, Idaho this ____ day of _____ 2026.

APPROVED BY THE MAYOR of Ketchum, Idaho this ____ day of _____ 2026.

Pete Prekeges, Mayor

ATTEST:

Trent Donat, City Clerk

**CITY OF KETCHUM
ORDINANCE 1274**

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, ADOPTING GENERAL UPDATES AND REVISIONS TO KETCHUM CITY CODE TITLE 4 – COMMISSIONS AND BOARDS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals:

- A. Pursuant to Title 50, Chapter 9 of Idaho Code the City is authorized to enact ordinances for the governance of the city and to organize such by codification.
- B. The City is conducting a general review to update, streamline, remove unnecessary or inapplicable language, clarify, and modernize existing City Code.
- C. The City desires to update Title 4 as indicated on Exhibit A to this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Blaine County, Idaho:

SECTION 1: That the Ketchum City Code, Title 4, is amended to read as identified on the attached Exhibit A:

SECTION 2: REPEALER. All previous ordinances, resolutions, orders, or parts thereof, that are in conflict herewith are hereby repealed.

SECTION 3: SAVINGS AND SEVERABILITY. 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 4: 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 of Ketchum, Idaho this ____ day of _____ 2026.

APPROVED BY THE MAYOR of Ketchum, Idaho this ____ day of _____ 2026.

Pete Prekeges, Mayor

ATTEST:

Trent Donat, City Clerk

TITLE 1 GENERAL PROVISIONS

CHAPTER 1.04 GENERAL CODE PROVISIONS

1.04.010 Definitions.

The following words and phrases, whenever used in the ordinances of the City, shall be construed as defined in this section unless, from the context, a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

Alley: A minor improved or unimproved public way providing secondary and/or service access to the back or the side of a property otherwise abutting a street.

City: The City of Ketchum, the area within the territorial limits of the City, and such territory outside the City over which the City has jurisdiction or control by virtue of any constitutional or statutory provision.

Council: The City Council of the City of Ketchum. "All its members" or "all Council Members" means the total number of Council Members holding office.

County: The County of Blaine.

Law: Denotes applicable federal law, the constitution and statutes of the State of Idaho, the ordinances of the City, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.

May: Is permissive.

Month: A calendar month.

Must and shall: Are each mandatory.

Oath: Includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases, the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

Owner: Applied to a building or land, means and includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole or a part of such building or land.

Person: Means and includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

Personal property: Means and includes money, goods, chattels, things in action and evidences of debt.

Preceding and following: Next before and next after, respectively.

Property: Means and includes real and personal property.

Real property: Means and includes lands, tenements and hereditaments.

Sidewalk: That portion of a street or private property developed with a hard surface walkway for the use of pedestrians.

TITLE 1 GENERAL PROVISIONS

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Owner: Applied to a building or land, means and includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole or a part of such building or land.

Person: Means and includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

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Property: Means and includes real and personal property.

Real property: Means and includes lands, tenements and hereditaments.

Sidewalk: That portion of a street or private property developed with a hard surface walkway for the use of pedestrians.

State: The State of Idaho.

Street: A public or private right-of-way, which provides vehicular or pedestrian access to more than four dwelling units. "Street" also includes the terms "highway", "boulevard", "parkway", "thoroughfare", "road", "avenue", "lane", "place" and all such terms except "driveway".

Tenant and occupant: Applied to a building or land, mean and include any person who occupies the whole or a part of such building or land, whether alone or with others.

Written: Means and includes printed, typewritten, mimeographed, multigraphed, or otherwise reproduced in permanent visible form.

Year: A calendar year.

(Ord. 778 § 1, 1999)

1.04.020 Interpretation of language.

All words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

(Ord. 778 § 2, 1999)

1.04.030 Grammatical interpretation.

The following grammatical rules shall apply in the ordinances of the City unless it is apparent from the context that a different construction is intended:

- A. *Gender.* Each gender includes the masculine, feminine and neuter genders.
- B. *Singular and plural.* The singular number includes the plural, and the plural includes the singular.
- C. *Tenses.* Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable.

(Ord. 778 § 3, 1999)

1.04.040 Acts by agents.

When an act is required by an ordinance, the same being such that it may be done as well by an agent as by the principal, such requirement shall be construed to include all such acts performed by an authorized agent.

(Ord. 778 § 4, 1999)

1.04.050 Prohibited acts include causing and permitting.

Whenever in the ordinances of the City any act or omission is made unlawful, it shall include causing, allowing, permitting, aiding, abetting, suffering or concealing the fact of such act or omission.

(Ord. 778 § 5, 1999)

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(Ord. 778 § 5, 1999)

1.04.060 Computation of time.

Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, unless the last day is Saturday, Sunday or a legal holiday, in which case, the period runs until the end of the next day which is neither Saturday, Sunday nor legal holiday.

(Ord. 778 § 6, 1999)

1.04.070 Construction.

The provisions of the ordinances of the City, and all proceedings under them, are to be construed with a view to effect their objects and to promote justice.

(Ord. 778 § 7, 1999)

1.04.080 Repeal shall not revive any ordinances.

The repeal of an ordinance shall not repeal the repealing clause of an ordinance or revive any ordinance.

(Ord. 778 § 8, 1999)

1.04.090 Saving and severability clause.

It is declared to be the legislative intent that the provisions and parts of this code shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this code 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 code.

(Ord. 778 § 9, 1999)

CHAPTER 1.08 CORPORATE SEAL

1.08.010 Description of corporate seal.

The corporate seal of the City of Ketchum, Idaho, shall be circular in form approximately two inches in diameter, more or less, with an inner and outer circle, the inner circle to be approximately one-fourth-inch less in diameter than the outer circle. The seal shall bear in the space between the inner and outer circles substantially the following: "City of Ketchum, Blaine County, Idaho", and upon the space within the inner circle the word "Seal".

(Ord. 22 § 1, 1956; Ord. 781 § 1, 1999)

1.08.020 Adoption.

The corporate seal, the impression of which is described in section 1.08.010 of this chapter, is adopted and declared to be the official seal of the City of Ketchum, Blaine County, Idaho.

(Ord. 22 § 2, 1956; 2000 Code)

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CHAPTER 1.12 ORDINANCES

1.12.010 Presentation of ordinance.

All ordinances of a general or permanent nature shall be typewritten or printed and presented at a regular or at a special meeting of the City Council by a member, at the call for which provision for presentation of such ordinance is made.

(Ord. 21 § 1, 1956; 2000 Code)

1.12.020 Rules for reading ordinances; subjects.

Every such ordinance shall be fully and distinctly read on three different days, unless three-fourths of the City Council shall dispense with the rule. An ordinance shall contain no subject which shall not be clearly expressed in its title, and no ordinance or section of such ordinance shall be revised or amended unless the new ordinance or section so revised or amended shall be repealed.

(Ord. 21 § 2, 1956; 2000 Code)

1.12.030 Recording vote.

On the passage or adoption of every ordinance of a general or permanent nature, the yeas and nays shall be called and recorded, and to pass or adopt the same, a concurrence of a majority of the whole number of members of the City Council shall be required.

(Ord. 21 § 3, 1956; 2000 Code)

1.12.040 Signing ordinance.

When any such ordinance is passed, it shall be signed by the Mayor and by the City Clerk, and the date of its adoption or passage by the City Council shall be necessary to pass the same.

(Ord. 21 § 4, 1956; 2000 Code)

1.12.050 Time of taking effect.

Ordinances making the annual tax levy and appropriations shall take effect immediately upon their passage. Ordinances granting franchises of any kind shall take effect not less than 30 days after their passage and approval. All other ordinances enacted by the City Council shall take effect upon their passage, approval and publication; provided, however, that the ordinance may fix a later date on which it may take effect, in which event, it shall take effect at such later date. Ordinances adopted by the electors of the City shall take effect at the date fixed in such ordinance, or if no such time is designated, at the date of adoption.

(Ord. 21 § 5, 1956; 2000 Code)

CHAPTER 1.12 ORDINANCES

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~~(Ord. 21 § 5, 1956; 2000 Code)~~

Commented [LE1]: Delete chapter. Governed by Idaho code.

1.12.060 Publication.

Each ordinance shall be published by being inserted in one issue of an official newspaper. Publication must be made within three weeks from the date of signing the ordinance.

(Ord. 21 § 6, 1956)

1.12.070 Permanent record of ordinances.

It shall be the duty of the City Clerk to safely keep the original ordinances as passed and adopted, and to copy the same in a book provided for that purpose, and to attach to each a certificate over the seal of the City that the same is a true and correct copy of the original ordinance as passed.

(Ord. 21 § 7, 1956)

1.12.080 Special ordinances and resolutions.

All ordinances of a special or limited nature and all resolutions in the nature of ordinances and orders to enter into contracts shall be presented in writing to the City Council by a member. Such orders, resolutions or ordinances may be disposed of on one reading, or otherwise as the City Council may determine. On the final passage of any such ordinance, resolution or order, the yeas and nays shall be called and recorded, and the concurrence of a majority of the whole number of the City Council shall be necessary to pass the same.

(Ord. 21 § 8, 1956; 2000 Code)

1.12.090 Rules on special ordinances and resolutions.

Ordinances of a special or limited nature, resolutions and orders to enter into contracts shall be entered in full upon the minutes of the proceedings of the City Council but, unless otherwise directed by the City Council, shall not be entered in the book of ordinances, and shall not be published unless so required by the City Council or unless publication is required by law.

(Ord. 21 § 9, 1956; 2000 Code)

1.12.100 Consent calendar.

- A. When the Mayor determines that any item of business requires action by the Council, but is of a routine and noncontroversial nature, (s)he may cause such item to be presented at a regular meeting of the Council as part of a consent calendar.
- B. The consent calendar shall be introduced by a motion: "To approve the consent calendar", and shall be considered by the Council as a single item.
- C. There shall be no debate or discussion by any member of the Council regarding any item on the consent calendar, beyond asking questions for simple clarification.
- D. On objection by any member of the Council to inclusion of any item on the consent calendar, that item shall be removed from the consent calendar. Such objection may be recorded at any time prior to the taking of a vote on the motion to approve the consent calendar. All such items shall be considered individually, in the order in which they were objected to, immediately following consideration of the consent calendar.

~~**1.12.060 Publication.**~~

~~Each ordinance shall be published by being inserted in one issue of an official newspaper. Publication must be made within three weeks from the date of signing the ordinance.~~

~~(Ord. 21 § 6, 1956)~~

~~**1.12.070 Permanent record of ordinances.**~~

~~It shall be the duty of the City Clerk to safely keep the original ordinances as passed and adopted, and to copy the same in a book provided for that purpose, and to attach to each a certificate over the seal of the City that the same is a true and correct copy of the original ordinance as passed.~~

~~(Ord. 21 § 7, 1956)~~

~~**1.12.080 Special ordinances and resolutions.**~~

~~All ordinances of a special or limited nature and all resolutions in the nature of ordinances and orders to enter into contracts shall be presented in writing to the City Council by a member. Such orders, resolutions or ordinances may be disposed of on one reading, or otherwise as the City Council may determine. On the final passage of any such ordinance, resolution or order, the yeas and nays shall be called and recorded, and the concurrence of a majority of the whole number of the City Council shall be necessary to pass the same.~~

~~(Ord. 21 § 8, 1956; 2000 Code)~~

~~**1.12.090 Rules on special ordinances and resolutions.**~~

~~Ordinances of a special or limited nature, resolutions and orders to enter into contracts shall be entered in full upon the minutes of the proceedings of the City Council but, unless otherwise directed by the City Council, shall not be entered in the book of ordinances, and shall not be published unless so required by the City Council or unless publication is required by law.~~

~~(Ord. 21 § 9, 1956; 2000 Code)~~

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- E. Approval of the motion to approve the consent calendar shall be fully equivalent to approval, adoption or enactment of each motion, resolution, ordinance, or other item of business thereon, exactly as if each had been acted upon individually. Approval of the motion must be by roll call vote.
 - F. The City Clerk shall record in the Council minutes each item passed under the consent calendar individually and in full or, if possible, separately.
- (Ord. 592 §§ 1, 2, 3, 4, 5, 6, 1992)

CHAPTER 1.20 OFFICIAL NEWSPAPER

1.20.010 Designated.

- A. This chapter is adopted to designate the official newspaper for the City of Ketchum, Idaho, as required by Idaho Code section 50-213.
 - B. The "Idaho Mountain Express", as a newspaper which meets the requirements of Idaho Code section 60-106 et seq., shall be and the same is designated as the official newspaper for the City of Ketchum, Idaho.
- (Ord. 475 §§ 1, 2, 1988)

CHAPTER 1.24 PRECINCTS

1.24.010 Designated.

The City has designated one election precinct for the purpose of election of City officials and all general and special elections, the election precinct being the same as the City limits of the City.

(Ord. 620 § 1, 1993)

CHAPTER 1.28 COMPREHENSIVE PLAN

1.28.010 Comprehensive plan and land use map adopted.

- A. That certain comprehensive plan and land use map for the City of Ketchum, Idaho, entitled "the Ketchum comprehensive plan" dated April 8, 1983, is adopted.
 - B. Adoption of the comprehensive plan and land use map is done by reference, in the manner authorized by Idaho Code sections 67-6509 and 50-901. At least three copies of the plan and map are on file with the office of the Ketchum City Clerk in the Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho, and are available for public inspection.
- (Ord. 372 §§ 1, 2, 1983)

CHAPTER 1.32 RIGHT OF ENTRY

~~E. Approval of the motion to approve the consent calendar shall be fully equivalent to approval, adoption or enactment of each motion, resolution, ordinance, or other item of business thereon, exactly as if each had been acted upon individually. Approval of the motion must be by roll call vote.~~

~~F. The City Clerk shall record in the Council minutes each item passed under the consent calendar individually and in full or, if possible, separately.~~

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- ~~(Ord. 372 §§ 1, 2, 1983)~~

CHAPTER 1.32 RIGHT OF ENTRY

1.32.010 Entry to any building or premises.

Whenever any officer or employee of the City is authorized to enter any building or premises for the purpose of making an inspection to enforce any ordinance, the officer or employee may enter such building or premises at all reasonable times to inspect the same pursuant to section 1.32.020 of this chapter, except in emergency situations, or when consent of the person having charge or control of such building or premises has been otherwise obtained.

(Ord. 780 § 1, 1999)

1.32.020 Presentation of proper credentials.

If the building or premises to be inspected is occupied, the authorized officer or employee shall first present proper credentials and demand entry. If such building or premises is unoccupied, the officer or employee shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and demand entry. If consent to such entry is not given, the authorized officer or employee shall have recourse to every remedy provided by law to secure entry.

(Ord. 780 § 2, 1999)

1.32.030 Controlling over other ordinances.

This chapter shall be controlling over any other ordinance or part of an ordinance on the same subject, whether heretofore or hereafter adopted, unless such ordinance or part of an ordinance provides differently by an express reference to this chapter. Notwithstanding any other ordinance of the City, it shall not be a violation of this chapter to refuse or fail to consent to an entry for inspection.

(Ord. 780 § 3, 1999)

CHAPTER 1.36 GENERAL PENALTY

1.36.010 General penalty.

Any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the City shall be guilty of an infraction unless the violation is made a misdemeanor by ordinance.

(Ord. 779 § 1, 1999)

1.36.020 Misdemeanor penalty and fine.

Except in cases where a different punishment is prescribed by section 1.36.030 of this chapter or any ordinance of the City, any person convicted of a misdemeanor for violation of an ordinance of the City is punishable by a fine of not more than \$300.00 or by imprisonment not to exceed six months, or by both such fine and imprisonment.

(Ord. 779 § 2, 1999)

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(Ord. 779 § 1, 1999)

1.36.020 Penalties, Fines and Fees Misdemeanor penalty and fine.

Unless otherwise specified in this code, all penalties, fines, and administrative fees shall be established by resolution of the City Council. The current schedule of such fees and penalties is contained in the City's adopted fee resolution, as amended from time to time. ~~Except in cases where a different punishment is prescribed by section 1.36.030 of this chapter or any ordinance of the City, any person convicted of a misdemeanor for violation of an ordinance of the City is punishable by a fine of not more than \$300.00 or by imprisonment not to exceed six months, or by both such fine and imprisonment.~~

~~(Ord. 779 § 2, 1999)~~

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1.36.030. Fines within federal mandated program.

In the event the City is participating in a federally mandated program wherein penalties or enforcement remedies are required by the terms of participation in the program, the City may enforce such requirements by ordinance to include a criminal or civil monetary penalty not to exceed \$1,000.00, or imprisonment for criminal offenses not to exceed six months. The City may include both a fine and imprisonment for such criminal offenses.

(Ord. 779 § 3, 1999)

1.36.040 Infraction penalty and fine.

Any person convicted of an infraction for violation of an ordinance of the City is punishable by a penalty of not more than \$100.00.

(Ord. 779 § 4, 1999)

1.36.050 Separate offense.

Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the ordinances of the City is committed, continued or permitted by any such person, and such person shall be punishable accordingly.

(Ord. 779 § 5, 1999)

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TITLE 2 ADMINISTRATION AND PERSONNEL

CHAPTER 2.01 MAYOR AND CITY COUNCIL

2.01.010 Mayor.

The Mayor, as the City's Chief Executive Officer, shall:

1. Provide leadership in implementing the City's mission, ensuring the faithful execution of laws, ordinances, and policies, and advancing community values and quality of life.
2. Recommend policies, programs, and legislation to the City Council, and exercise any statutory or charter authority, including the power to approve or veto ordinances as provided by law.
3. Represent the City in intergovernmental, community, and public affairs, and serve as the primary spokesperson for City government.
4. And as other specific duties as outlined in State law.

2.01.020 City Council.

The City Council, consisting of 4 members in non-designated seat, as the legislative body of the City, shall:

1. Establish policies, adopt ordinances and resolutions, approve the annual budget, and provide for the prudent use of City resources to advance the community's values and quality of life.
2. Represent the interests of residents by setting strategic goals, reviewing and evaluating City programs and services, and ensuring accountability in municipal operations.
3. Act collectively to direct the City's affairs, working with the Mayor and staff to implement policies and programs in compliance with applicable laws.
4. And as other specific duties as outlined in State law.

2.01.030 City Council Meetings.

1. *Parliamentary Procedures*: City Council meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised, as a guide for orderly procedure, except where superseded by state law, City code, or adopted Council rules, following the basic principles:
 - a. Agenda Items – Eash meeting shall have the following components:
 - 1) Consent calendar
 - 2) Public hearings
 - 3) New business
 - 4) Executive session

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- b. **Orderly Conduct** – Only one person speaks at a time; remarks are addressed to the presiding officer.
 - c. **Motions** – A proposal for Council action; requires a second before debate.
 - d. **Debate** – Members may discuss the motion, with the presiding officer ensuring fair opportunity for all to speak.
 - e. **Voting** – Actions are decided by majority vote unless otherwise required by law.
 - f. **Records** – All actions taken are recorded in the official minutes.
2. **Quorum:** Pursuant to Idaho Code § 50-705, a quorum shall consist of a majority of the duly elected members of the Council; the minimum number of City Council members who must be present to conduct official business. No ordinance, resolution, or motion shall be passed without the concurrence of at least a majority of the full Council. No action may be taken without a quorum present, except to adjourn or recess a meeting. **Regular Meetings:** The regular meetings of the City Council of the City of Ketchum, Idaho, shall be held on the first and third Mondays of each month at the hour of 4:00 p.m. in Ketchum City Hall. Council shall adopt an resolution annually designating meeting dates and times, which will be posted on the city website
- (Ord. 739 § 1, 1999; Ord. 870 § 1, 2001)
4. **Special Meetings:** Special meetings of the City Council may be called at any time by the Mayor alone or by a majority of members of the Council. The call for all special meetings shall state the object and purposes of such meetings, and no other business shall be transacted at such meetings.

2.01.070 Reconsideration and Appeals.

- 1. Reconsideration
 - a. Any applicant or affected person seeking judicial review of the City Council's final decision must first file a written request for reconsideration with the City Council within fourteen (14) days of the decision, specifying the deficiencies in the decision for which reconsideration is sought.
 - b. The Council may reconsider only on one or more of the following grounds:
 - 1) Clerical error,
 - 2) Fraud or mistake,
 - 3) New evidence or changed circumstances,
 - 4) Procedural error,
 - 5) A tie vote in the initial decision, or
 - 6) Violation of substantive law.

- b. **Orderly Conduct** – Only one person speaks at a time; remarks are addressed to the presiding officer.
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3. **Regular Meetings:** The regular meetings of the City Council of the City of Ketchum, Idaho, shall be held on the first and third Mondays of each month at the hour of 4:00 p.m. in Ketchum City Hall, commencing on January 7, 2019. Council shall adopt an resolution annually designating meeting dates and times, which will be posted on the city website
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 (Ord. 2148, 1956, 2000 Code)

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 (Ord. 2149, 1956, 2000 Code)

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- c. At its next regular meeting, the Council shall consider whether to grant reconsideration. If granted, a hearing limited to the specified deficiencies shall be scheduled and conducted in accordance with public notice requirements.
- d. Within sixty (60) days following receipt of the request, the Council shall issue a written decision to affirm, reverse, or modify, in whole or in part, the original decision. If the Council does not act within that time, the reconsideration request is deemed denied.

2. Appeal

- a. If the Council issues a final decision – either initially or following reconsideration – an affected person may seek judicial review in the district court, as provided by Chapter 52, Title 67, Idaho Code, within twenty-eight (28) days after all local remedies have been exhausted.
- b. Upon receipt of a judicial review petition, the City shall prepare and provide the administrative record in accordance with Idaho law.
- c. Any actions or determinations not expressly listed in this section as appealable to the City Council shall be subject to the reconsideration or appeal procedures outlined within the corresponding chapters of this code.

2.01.080 Compensation.

In accordance with Idaho Code title 50, compensation for the Mayor and City Council members shall be fixed by ordinance at least seventy-five (75) days prior to any general City election. Annual salaries are effective January 1 of the following year.

Commencing January 1, 2008, the compensation of the Mayor and of the members of the City Council shall be as follows:

- 1. The Mayor shall receive a monthly salary in the sum of \$3,000.00. Furthermore, beginning January 1, 2009, and continuing each January thereafter, the Mayor shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. The Mayor shall also receive health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. The Mayor shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by the Mayor, a monthly payment shall be made compensating the Mayor for benefits in an amount not to exceed the value of the benefits; and
- 2. Each member of the Council shall receive a monthly salary in the sum of \$1,666.67. Furthermore, beginning January 1, 2009, and continuing each January thereafter, each member of the Council shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by a member of the Council, a monthly payment shall be made compensating such member of the Council for benefits in an amount not to exceed the value of the benefits.
- 3. No other compensation shall be afforded to the Mayor or Council Members.

(Ord. 1023 § 1, 2007)

2.01.070 Reconsideration and Appeals.

1. Reconsideration

a. Any applicant or affected person seeking judicial review of the City Council's final decision must first file a written request for reconsideration with the City Council within fourteen (14) days of the decision, specifying the deficiencies in the decision for which reconsideration is sought.

b. The Council may reconsider only on one or more of the following grounds:

- 1) Clerical error.
- 2) Fraud or mistake.
- 3) New evidence or changed circumstances.
- 4) Procedural error.
- 5) A tie vote in the initial decision, or
- 6) Violation of substantive law.

c. At its next regular meeting, the Council shall consider whether to grant reconsideration. If granted, a hearing limited to the specified deficiencies shall be scheduled and conducted in accordance with public notice requirements.

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2.01.090 Elections.

1. Run-Off Elections for Mayor
 - a. **Majority Vote Required.** A majority of the voters cast for the office of Mayor shall be required for election.
 - b. **Run-Off Election.** If no candidate receives a majority of the votes cast at a general election, a run-off election shall be held between the two (2) candidates receiving the highest number of votes.
 - c. **Tie for Second Place.** In the event of a tie between candidates receiving the second and third highest number of votes, the candidate to oppose the candidate receiving the highest number of votes in the run-off election shall be determined by the toss of a coin.
 - d. **Conduct of Election.** The run-off election shall be conducted in the same manner as a general election and shall be held within thirty (30) days following the general election.
 - e. **Notice and Polling Places.** The City Clerk shall publish the first notice of the run-off election in the official newspaper not less than twenty (20) days prior to the election. The City Clerk shall designate the polling places before **publication** of the notice.
 - f. **Recount; Cancellation of Run-Off.** The results of the general election shall be subject to change as a result of a recount. If, following a recount that becomes final at least twenty-four (24) hours prior to the scheduled run-off election, a candidate is determined to have received a majority of the votes cast, the City Council may cancel the run-off election.

2. Run-Off Elections for City Council
 - a. **Majority Vote Required.** A majority of the voters cast for the office of City Council member shall be required for election.
 - b. **Run-Off Election.** If no candidate for a City Council seat receives a majority of the votes cast at a general election, a run-off election shall be held between the two (2) candidates receiving the highest number of votes.
 - c. **Tie for Second Place.** In the event of a tie between candidates receiving the second and third highest number of votes, the candidate to oppose the candidate receiving the highest number of votes in the run-off election shall be determined by the toss of a coin.
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 - f. **Recount; Cancellation of Run-Off.** The results of the general election shall be subject to change as a result of a recount. If, following a recount that becomes final at least twenty-four (24) hours prior to the scheduled run-off election, a candidate is determined to have received a majority of the votes cast, the City Council may cancel the run-off election.

health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. The Mayor shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by the Mayor, a monthly payment shall be made compensating the Mayor for benefits in an amount not to exceed the value of the benefits; and

2. Each member of the Council shall receive a monthly salary in the sum of \$1,666.67. Furthermore, beginning January 1, 2009, and continuing each January thereafter, each member of the Council shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by a member of the Council, a monthly payment shall be made compensating such member of the Council for benefits in an amount not to exceed the value of the benefits.

3. No other compensation shall be afforded to the Mayor or Council Members.

(Ord. 1023 § 1, 2007)

2.01.090 Elections.

1. Run-Off Elections for Mayor

- a. **Majority Vote Required.** A majority of the voters cast for the office of Mayor shall be required for election.
- b. **Run-Off Election.** If no candidate receives a majority of the votes cast at a general election, a run-off election shall be held between the two (2) candidates receiving the highest number of votes.
- c. **Tie for Second Place.** In the event of a tie between candidates receiving the second and third highest number of votes, the candidate to oppose the candidate receiving the highest number of votes in the run-off election shall be determined by the toss of a coin.
- d. **Conduct of Election.** The run-off election shall be conducted in the same manner as a general election and shall be held within thirty (30) days following the general election.
- e. **Notice and Polling Places.** The City Clerk shall publish the first notice of the run-off election in the official newspaper not less than twenty (20) days prior to the election. The City Clerk shall designate the polling places before **publication** of the notice.
- f. **Recount; Cancellation of Run-Off.** The results of the general election shall be subject to change as a result of a recount. If, following a recount that becomes final at least twenty-four (24) hours prior to the scheduled run-off election, a candidate is determined to have received a majority of the votes cast, the City Council may cancel the run-off election.

2. Run-Off Elections for City Council

- a. **Majority Vote Required.** A majority of the voters cast for the office of City Council member shall be required for election.

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CHAPTER 2.02 APPOINTED OFFICERS

2.02.010 Appointment of Officers.

The Mayor, with the consent of the Council, shall appoint the City Administrator, City Clerk, City Treasurer and City Attorney. Appointed officers may be removed from office either by the mayor and two council members, or only by three members of council.

2.02.020 Officer Duties.

1. City Administrator
 - a. Oversee day-to-day city operations consistent with Council policies and the Mayor's direction,
 - b. Supervise department heads and support effective interdepartmental coordination,
 - c. Assist in preparing the annual budget and advise on financial and operational matters,
 - d. Provide administrative support to the City Council, including attendance at meetings and preparation of reports,
 - e. Act as point of contact for residents, businesses, other governmental agencies, and the community, and
 - f. Perform additional duties as assigned by the Mayor or City Council.
2. City Clerk
 - a. Keep the official records of the City, including ordinances, resolutions, minutes, and contracts,
 - b. Maintain the City seal and attest official documents,
 - c. Administer oaths of office when required by law,
 - d. Act as custodian of public records and manage requests under Idaho Law,
 - e. Issue licenses and permits as authorized by ordinance, and
 - f. Perform such other duties as may be required by law, ordinance, or direction of the Mayor and Council.
3. City Treasurer
 - a. Collect, receive and safely keep all city funds,
 - b. Deposit city funds in approved depositories,
 - c. Keep accurate records of all receipts and disbursements,
 - d. Disburse funds only upon proper authorization and warrant,
 - e. Provide regular financial reports to the Mayor and Council,
 - f. Assist with budget preparation and monitoring of city finances, and
 - g. Perform other duties as prescribed by law or directed by the Mayor and Council.
4. City Attorney
 - a. Act as legal advisor to the Mayor, Council, and city departments,

- b. **Run-Off Election.** If no candidate for a City Council seat receives a majority of the votes cast at a general election, a run-off election shall be held between the two (2) candidates receiving the highest number of votes.
- c. **Tie for Second Place.** In the event of a tie between candidates receiving the second and third highest number of votes, the candidate to oppose the candidate receiving the highest number of votes in the run-off election shall be determined by the toss of a coin.
- d. **Conduct of Election.** The run-off election shall be conducted in the same manner as a general election and shall be held within thirty (30) days following the general election.
- e. **Notice and Polling Places.** The City Clerk shall publish the first notice of the run-off election in the official newspaper not less than twenty (20) days prior to the election. The City Clerk shall designate the polling places before publication of the notice.
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 - d. Provide administrative support to the City Council, including attendance at meetings and preparation of reports,
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- b. Draft ordinances, resolutions, contracts, and other legal documents,
- c. Represent the City in civil proceedings and prosecute ordinance violations as directed,
- d. Provide legal opinions and guidance to the Mayor, Council, and staff,
- e. Attend Council meetings when requested by the Mayor or Council, and
- f. Perform such other duties as may be required by law, ordinance, or direction of the Mayor and Council.

CHAPTER 2.03 DEPARTMENTS

2.03.010 Establishment of Departments.

The City Council may, by ordinance or resolution, create, consolidate, or dissolve departments as necessary for the efficient administration of City affairs. The administrative service of the City shall be organized into the following departments:

- 1. Administration
- 2. Community Engagement
- 3. City Clerk
- 4. Finance
- 5. Housing
- 6. Planning & Building
- 7. Police
- 8. Public Works
 - a. Facilities Division
 - b. Streets Division
 - c. Wastewater Division
 - d. Water Division
- 9. Recreation

2.03.020 Department Heads.

Each department shall be directed by a department head who shall be appointed by the City Administrator in consultation with the mayor, except appointed officers requiring City Council confirmation. Department heads shall be responsible for the administration and operation of their departments, including:

- 1. Implementing City policies and ordinances within their areas of responsibility,
- 2. Managing staff, budgets, and resources assigned to the department,
- 3. Advising the Mayor and Council on departmental matters,
- 4. Coordinating with other departments, boards, and commissions to further the City's goals, and

- d. Act as custodian of public records and manage requests under Idaho Law,
- e. Issue licenses and permits as authorized by ordinance, and
- f. Perform such other duties as may be required by law, ordinance, or direction of the Mayor and Council,
- 3. City Treasurer
 - a. Collect, receive and safely keep all city funds,
 - b. Deposit city funds in approved depositories,
 - c. Keep accurate records of all receipts and disbursements,
 - d. Disburse funds only upon proper authorization and warrant,
 - e. Provide regular financial reports to the Mayor and Council,
 - f. Assist with budget preparation and monitoring of city finances, and
 - g. Perform other duties as prescribed by law or directed by the Mayor and Council.
- 4. City Attorney
 - a. Act as legal advisor to the Mayor, Council, and city departments,
 - b. Draft ordinances, resolutions, contracts, and other legal documents,
 - c. Represent the City in civil proceedings and prosecute ordinance violations as directed,
 - d. Provide legal opinions and guidance to the Mayor, Council, and staff,
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5. Performing other duties as may be assigned by the Mayor or City Administrator.

CHAPTER 2.04 CODE OF ETHICS

2.04.010 Purpose.

The purpose of this chapter is to promote public confidence in the integrity of city government by establishing clear ethical standards for city officials, employees, and contractors. These standards are intended to supplement, not replace, the requirements of Idaho Code Title 74, Chapter 4, "Ethics in Government."

2.04.020 Applicability.

This chapter applies to all elected and appointed city officials, members of boards and commissions, city employees, and contractors acting on behalf of the City of Ketchum.

2.04.030 Conflicts of Interest.

1. Prohibited Conduct. No city official, employee, or contractor shall engage in any action, decision, or vote that may result in a direct or indirect financial benefit to themselves, their household members, or any business with which they are associated, when such benefit conflicts with the proper discharge of their official duties.
2. Disclosure Required. Any person covered by this chapter who has a potential conflict of interest shall disclose the nature of the conflict prior to participating in any discussion, decision, or action on the matter.
3. Recusal. Upon disclosure, the official or employee shall abstain from participation in the decision-making process when the conflict exists, unless otherwise permitted by Idaho Code.
4. Use of Position. No person shall use their position or city resources for personal gain, private advantage, or to benefit another in a manner inconsistent with public duties.

2.04.040 Gifts and Favors.

No city official, employee, or contractor shall solicit or accept any gift, favor, service, or item of value that could reasonably be perceived to influence, or appear to influence, the impartial performance of official duties. Acceptance of items of nominal value, such as promotional items, light refreshments, or awards of recognition customarily given in the ordinary course of civic or professional relationships, is permitted. Any gift or benefit received in connection with city service shall not exceed fifty dollars (\$50.00).

7. Police
8. Public Works
 - a. Facilities Division
 - b. Streets Division
 - c. Wastewater Division
 - d. Water Division
9. Recreation

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Each department shall be directed by a department head who shall be appointed by the City Administrator in consultation with the mayor, except appointed officers requiring City Council confirmation. Department heads shall be responsible for the administration and operation of their departments, including:

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2. Managing staff, budgets, and resources assigned to the department,
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TITLE 2 - ADMINISTRATION AND PERSONNEL
CHAPTER 2.04 CITY COUNCIL MEETINGS

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CHAPTER 2.04 CITY COUNCIL MEETINGS

2.04.010 Regular meetings.

The regular meetings of the City Council of the City of Ketchum, Idaho, shall be held on the first and third Mondays of each month at the hour of 5:30 p.m. in the City Hall of the City, to commence June 18, 2001.
(Ord. 730 § 1, 1999; Ord. 870 § 1, 2003)

2.04.020 Special meetings.

Special meetings of the City Council may be called at any time by the mayor alone or by two members of the Council.
(Ord. 730 § 2, 1999)

2.04.030 Notice for call of special meetings.

The call for all special meetings shall state the object and purposes of such meetings, and no other business shall be transacted at such meetings.
(Ord. 730 § 3, 1999)

CHAPTER 2.12 OATH OF OFFICE

2.12.010 Oath of office.

Each officer and employee of the City shall take and subscribe before some person authorized to administer oaths an oath substantially in the following form:

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I do solemnly swear that I will support the Constitution of the United States of America and the Constitution and the Laws of the State of Idaho; that I will faithfully and impartially discharge the duties of the office of (or the position of) the City of Ketchum, Idaho according to the best of my ability. So help me God.

[Ord. 23 § 1, 1956, 2000 Code]

2-12-020 Take oath and filing same before performance of duties.

The oath must be taken and subscribed by each officer and employee before he or she shall enter upon the performance of his or her duties, and the oath, after it is taken and subscribed, shall be filed with the City Clerk and kept as an official record of the City of Ketchum, Idaho.

[Ord. 23 § 2, 1956, 2000 Code]

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CHAPTER 2-16 BONDS

2-16-010 Bonds for officers and employees.

Before entering upon the performance of his or her duties, any employee of the city may be required by the City Council to enter into, execute and file with the City Clerk a good and sufficient bond signed also by a surety or sureties approved by the City Council and conditioned for the faithful and honest performance of the duties of the office or position he or she wants, and the delivery to the City of such money or property as shall come into his or her keeping, which bond shall be in such sum as may be fixed by the City Council and shall be made payable to the City of Ketchum, Idaho; provided, however, that an increase in the amount of any such bond may be required at any time by the City Council.

[Ord. 23 § 3, 1956]

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CHAPTER 2-20 OFFICERS' SALARIES

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2-20-010 Mayor and Council; compensation.

Commencing January 1, 2008, the compensation of the Mayor and of the members of the City Council shall be as follows:

- A. The Mayor shall receive a monthly salary in the sum of \$3,000.00. Furthermore, beginning January 1, 2009, and continuing each January thereafter, the Mayor shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. The Mayor shall also receive health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. The Mayor shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 50-1322. If such benefits are declined by the Mayor, a monthly payment shall be made compensating the Mayor for benefits in an amount not to exceed the value of the benefits; and
- B. Each member of the Council shall receive a monthly salary in the sum of \$1,666.67. Furthermore, beginning January 1, 2009, and continuing each January thereafter, each member of the Council shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive health benefits, dental benefits,

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vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by a member of the Council, a monthly payment shall be made compensating such member of the Council for benefits in an amount not to exceed the value of the benefits.

C. No other compensation shall be afforded to the Mayor or Council Members.

{Ord. 1023 § 1, 2007}

CHAPTER 2.24. PEACE OFFICER TRAINING

Commented [LE14]: Delete. Not relevant.

2.24.010 Peace officer training.

A. The City of Ketchum, Idaho, declares that it desires to qualify to receive aid for police training from the Law Enforcement Planning Commission under Idaho Code section 19-5110; and

B. Pursuant to Idaho Code section 19-5109, the City, while receiving aid from the Law Enforcement Planning Commission pursuant to such section, will adhere to the standards for employment and training established by the Idaho Peace Officer Standards and Training Advisory Council.

{Ord. 170 §§ 1, 2, 1974; Ord. 784 §§ 1, 2, 1999}

CHAPTER 2.28. ELECTIONS

Commented [LE15]: Delete. Governed by County.

2.28.010 Polling places.

The polls for all general and special elections shall be opened from 8:00 a.m. and remain open until all registered electors of that precinct have voted or until 8:00 p.m., whichever comes first.

{Ord. 590 § 1, 1992}

TITLE 3 REVENUE AND FINANCE

CHAPTER 3.04 LOCAL IMPROVEMENT GUARANTEE FUND

3.04.010 Special fund created.

There is created in the City of Ketchum, County of Blaine, State of Idaho, a special fund known and designated as local improvement guarantee fund of the City of Ketchum, Idaho.

(Ord. 157 § 1, 1970)

3.04.020 Purpose.

The fund is created for the purpose of guaranteeing to the extent of the fund the payment of bonds or warrants, or both, and interest, hereafter issued in connection with any local improvement district in the City for the payment of improvements in the City.

(Ord. 157 § 2, 1970)

3.04.030 Annual levy.

In order to provide money for the fund and for the use and purposes of the fund, the Mayor and Council of the City shall levy an annual tax not to exceed two-hundredths percent per year of the market value for assessment purposes on all of the taxable property in the City; provided, however, that the City may reduce the amount of the levy if the City appropriates from other proper sources, as may be determined by the City, a sum approximately equal in amount to the sum which it is estimated will be not collected but would have been collected except for the reduction of the levy; and provided further, that the total sum so levied and/or appropriated in any year shall not be more than sufficient to pay the outstanding warrants on the fund and to establish a balance in the fund, which combined levy and appropriations in any one year shall not exceed five percent of the outstanding obligations guaranteed by the fund; and provided further, that the City shall not levy any tax as provided in this section when the amount of monies in the local improvement guarantee fund equals ten percent of the total outstanding obligations to be guaranteed. The tax levies authorized in this section and collected shall be additional to and, if need be, in excess of, any and all statutory and charter limitations.

(Ord. 157 § 3, 1970; Ord. 783 § 1, 1999)

3.04.040 Method of payment.

Hereafter, when any bond, warrant or coupon drawn against local improvement fund is presented to the City for payment, and there is not a sufficient amount in the local improvement fund against which to draw to pay the same, unless otherwise requested by the holder, payment therefor shall be made by warrant drawn against the local improvement guarantee fund. Such warrants, when presented to the City Treasurer for payment, if not paid, shall be registered and shall draw interest at a rate not to exceed six percent per annum as may be fixed by the

TITLE 3 REVENUE AND FINANCE ADMINISTRATION OF LOCAL OPTION TAX

CHAPTER 3.04 LOCAL IMPROVEMENT GUARANTEE FUND

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City Council. Neither the holder nor the owner of any bond or warrant hereafter issued in any local improvement district shall have any claim therefor except for the payment from the special assessment made for the improvement for which the bond or warrant was issued and except against the local improvement guarantee fund provided by this chapter. The City shall not be liable to any holder or owner of the bond or warrant for any loss to the guarantee fund occurring in the lawful operation of the fund by the City.

(Ord. 157 § 4, 1970)

3.04.050 Subrogation of City.

Whenever there shall be paid out of the local improvement guarantee fund any sum on account of principal or interest of a local improvement bond or warrant, the City, as trustee for the fund, shall be subrogated to all of the rights of the holders or owners of the bonds or interest coupons or warrants so paid, and the policies or the assessment underlying the same, and all become part of the guarantee fund. There shall be paid into the guarantee fund any surplus remaining in any local improvement fund after the payment of all outstanding bonds or warrants payable out of such local improvement fund. Bonds or warrants guaranteed by such fund shall have no preference except in the order of presentation for payment.

(Ord. 157 § 5, 1970)

3.04.060 Delinquency certificates; redeeming property.

Hereafter, all monies derived from the assignment of delinquency certificates, redemption, sale of property under foreclosure for delinquent local improvement assessments or from the rent or sale of property, title to which has been obtained by the City pursuant to Idaho Code chapter 17 of title 50, and all other laws amendatory and supplemental thereto, shall be paid into the local improvement guarantee fund, and all delinquency certificates issued and such property acquired shall be held by the City for the benefit of such guarantee fund. Money from the guarantee fund may be used to redeem property subject to local improvement assessments from general tax delinquencies, underlying bonds or warrants guaranteed by the fund, or to purchase such property at county tax sales, or otherwise, from the county for the purpose of protecting the guarantee fund. After so acquiring title to real property, the City may lease or sell and convey the same for such price and on such terms as may be determined by the Council, and any provisions of law, charter or ordinance to the contrary notwithstanding, and all proceeds shall belong to and be paid into the guarantee fund; provided, however, that in any event the City purchases such property at a tax sale, or otherwise, it shall not be sold for a lesser sum than the City paid.

(Ord. 157 § 6, 1970)

3.04.070 Fund shortfalls.

Whenever there is not a sufficient amount of cash in such local improvement guarantee fund at any time to pay any and all warrants, together with interest, drawn against such fund, the City Council may replenish such local improvement guarantee fund by transferring or appropriating to it monies from the general fund of the City or other available sources, as may be determined by such Council, subject, however, to the limitations prescribed in this chapter. Warrants drawing interest as provided in this chapter may be issued against such local improvement guarantee fund to meet any financial liability against it, but at the time of making its next annual tax levy, the City shall provide for the levy of a sum sufficient with other resources of the guarantee fund to pay warrants so issued and outstanding, the tax for this purpose not to exceed one mill in any one year.

(Ord. 157 § 7, 1970)

~~City Council. Neither the holder nor the owner of any bond or warrant hereafter issued in any local improvement district shall have any claim therefor except for the payment from the special assessment made for the improvement for which the bond or warrant was issued and except against the local improvement guarantee fund provided by this chapter. The City shall not be liable to any holder or owner of the bond or warrant for any loss to the guarantee fund occurring in the lawful operation of the fund by the City.~~

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~~(Ord. 157 § 5, 1970)~~

~~3.04.060 Delinquency certificates; redeeming property.~~

~~Hereafter, all monies derived from the assignment of delinquency certificates, redemption, sale of property under foreclosure for delinquent local improvement assessments or from the rent or sale of property, title to which has been obtained by the City pursuant to Idaho Code chapter 17 of title 50, and all other laws amendatory and supplemental thereto, shall be paid into the local improvement guarantee fund, and all delinquency certificates issued and such property acquired shall be held by the City for the benefit of such guarantee fund. Money from the guarantee fund may be used to redeem property subject to local improvement assessments from general tax delinquencies, underlying bonds or warrants guaranteed by the fund, or to purchase such property at county tax sales, or otherwise, from the county for the purpose of protecting the guarantee fund. After so acquiring title to real property, the City may lease or sell and convey the same for such price and on such terms as may be determined by the Council, and any provisions of law, charter or ordinance to the contrary notwithstanding, and all proceeds shall belong to and be paid into the guarantee fund; provided, however, that in any event the City purchases such property at a tax sale, or otherwise, it shall not be sold for a lesser sum than the City paid.~~

~~(Ord. 157 § 6, 1970)~~

~~3.04.070 Fund shortfalls.~~

~~Whenever there is not a sufficient amount of cash in such local improvement guarantee fund at any time to pay any and all warrants, together with interest, drawn against such fund, the City Council may replenish such local improvement guarantee fund by transferring or appropriating to it monies from the general fund of the City or other available sources, as may be determined by such Council, subject, however, to the limitations prescribed in this chapter. Warrants drawing interest as provided in this chapter may be issued against such local improvement guarantee fund to meet any financial liability against it, but at the time of making its next annual tax levy, the City shall provide for the levy of a sum sufficient with other resources of the guarantee fund to pay warrants so issued and outstanding, the tax for this purpose not to exceed one mill in any one year.~~

~~(Ord. 157 § 7, 1970)~~

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3.04.080 Claims against City.

The holder or owner of any local improvement bond or warrant issued hereafter shall have no claim against the City, except to the extent of the funds created and received by assessments against the property within any local improvement district and to the extent of his or her pro rata share of the local improvement guarantee fund, authorized and issued under the provisions of this chapter.

(Ord. 157 § 8, 1970)

3.04.090 Excess funds.

If at any time the local improvement guarantee fund exceeds, in amount of monies held, ten percent of the total outstanding obligations guaranteed, then the City Council may, by ordinance, authorize the Treasurer or appropriate official of the City to return and pay such excess or any part to the general fund of the City, to return and pay such excess or any designated part all or any part of local improvement district bonds of the municipality then issued and outstanding or to be issued. The passage of such ordinance shall require the affirmative vote of at least three-fourths of the full Council.

(Ord. 157 § 9, 1970)

3.04.100 Termination of local improvement guarantee funds.

At such time, and not before, when all bonds and coupons of all local improvement districts in the City shall have been paid in full, the Mayor and Council may provide by ordinance that the amounts and all property rights in such local improvement guarantee fund shall revert to the general fund of the City of Ketchum, Idaho, and such local improvement guarantee fund shall terminate and be nonexistent.

(Ord. 157 § 10, 1970)

3.04.110 Bonds irrevocable.

After the bonds of any local improvement district for the City of Ketchum, Idaho, have been issued, this chapter shall constitute a contract by the City and holder or holders of such bonds and shall be and remain irrevocable until such bonds and the interest accruing shall have been fully paid, satisfied and discharged.

(Ord. 157 § 11, 1970)

CHAPTER 3.08 SALE OF UNCLAIMED PROPERTY

3.08.010 Unclaimed property.

- A. *Deposit with Police Department; time constraints.* All lost or abandoned property found upon property belonging to the City shall be deposited with and transferred to the custodial possession of the Police Department. Further, any property that has been abandoned or impounded, which has come into possession or custody of the City Police Department or taken into its custody by legal process which, after due process, remains unclaimed, shall become the property of the City for a period of six months. Upon the expiration of six months, such property shall be subject to sale by the Police Department in accordance with the procedures set forth in this chapter.

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- B. *Exceptions.* Bicycles need only be unclaimed or unredeemed by the owner for a minimum time of 90 days, and personal property with a fair market value of less than \$25.00 need only be unclaimed or unredeemed by the owner for a minimum time of 30 days before sale by the City Police Department.

(Ord. 818 § 1, 1999)

3.08.020 Notice of sale.

Before the sale of property which is subject to this chapter, notice must be given by posting a similar notice in three public places in the City where the sale is to take place for not less than five nor more than ten days before the date and time set for the sale or by publishing a copy at least one week, and not more than two consecutive weeks, in a newspaper published in the county. In the cases of perishable property or real property, the notice requirements pursuant to Idaho Code section 11-302 shall be followed. Whenever the City Police Department has knowledge of the name and address of the owner, a copy of the notice of sale shall be mailed to such owner, with postage prepaid, at least five days prior to the sale.

(Ord. 818 § 2, 1999)

3.08.030 Sale.

All sales of property under this chapter must be made at auction, to the highest bidder, between the hours of 9:00 a.m. and 5:00 p.m. When the sale is of personal property capable of manual delivery, it must be within view of those who attend the sale. In the case of real property, the procedures pursuant to Idaho Code section 11-304 shall be followed. Neither the officer holding the auction nor his or her deputy can become a purchaser or be interested in any purchase at such sale.

(Ord. 818 § 3, 1999)

3.08.040 Disposition of funds from sale.

The proceeds of such sale shall be applied first to all costs assessed or incurred against the personal property so sold including any storage charges as keepers' fee and expenses of sale incurred by the City Police Department. The balance of such proceeds, if any, shall be kept by the City Police Department in a separate fund for a period of one year from the date of sale. Any person claiming title to or ownership of such proceeds by reason of ownership shall make written application to the City Police Department. Upon satisfactory proof of such title or ownership furnished within one year, such proceeds shall be delivered to the claimant. If no claim is made before the expiration of one year from the receipt of the proceeds, the same shall be paid by the City Police Department to the City Clerk who shall credit the same to the general fund, and no claim for such proceeds shall be considered.

(Ord. 818 § 4, 1999)

3.08.050 Disposal of firearms.

Any firearms that shall come into possession of the City under this chapter and held for a minimum time period of six months shall be disposed of by any of the following methods:

- A. Unusable or unsafe weapons may be scrapped by melting or other method of destruction.
- B. Sale to an authorized firearm dealer by sealed or open bids.
- C. Converted to public agency ownership for official law enforcement purposes.

~~B. *Exceptions.* Bicycles need only be unclaimed or unredeemed by the owner for a minimum time of 90 days, and personal property with a fair market value of less than \$25.00 need only be unclaimed or unredeemed by the owner for a minimum time of 30 days before sale by the City Police Department.~~

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(Ord. 818 § 5, 1999)

3.08.060 Public use of abandoned or unclaimed property.

Any property which is the subject of this chapter that has been held by the City for a minimum time period of six months may be put to a public use, rather than sold at public auction, provided:

- A. An actual or appraised value is determined for each item.
- B. Prior to such public use, the City Council must, by resolution, describe the property to be subject to public use, and specifically authorize the utilization of such property for such public use.
- C. Procedures and records are maintained as to location, use and final disposition of each item.

(Ord. 818 § 6, 1999)

CHAPTER 3.12 NONPROPERTY TAXES

3.12.010 Findings.

The City Council of the City finds that the City has a population not in excess of 10,000 according to the most recent census and is a City that derives the major portion of its economic well being from people catering to recreational needs and meeting needs of people traveling to the destination City for an extended period of time; that the City has a significant economic dependence upon visitors and travelers passing through or staying in the community and the City; and that the visitors and travelers require services of the City which place an undue burden upon the taxpayers of the City.

(Ord. 712 § 1, 1997)

3.12.020 Definitions.

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings given in this section:

Hotel-motel: Means and includes any business including hotels, motels, condominiums, tourist homes, and any other business which in the regular course of business rents or leases for occupancy temporary lodging to individuals with or without meals, except where residence is maintained continuously under terms of a lease or similar agreement for a period in excess of 30 days.

In the City of Ketchum: Within the municipal boundaries of the City of Ketchum, Blaine County, Idaho.

Liquor by the drink: Means and includes:

- A. Alcohol: The product of distillation of any fermented liquor, rectified either once or more often, whatever may be the origin, or synthetic ethyl alcohol.
- B. Spirits: Any beverage which contains alcohol obtained by distillation mixed with drinkable water and other substances in solution, including, among other things, brandy, rum, gin, and whiskey.
- C. Wine: Any alcohol beverage obtained by the fermentation of the natural sugar content of fruits (grapes, apples, etc.) or other agricultural products containing sugar (honey, milk, etc.).
- D. Beer: Any alcohol beverage obtained from the fermentation of sugar, barley, hops, malt, yeast and similar ingredients.

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- E. Other: Any liquid or solid, patented or not, containing alcohol, spirits, or wine and susceptible of being consumed by a human being, for beverage purposes.

Person: Means and includes any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, trustee, syndicate, cooperative, assignee, or any other group or combination acting as a unit.

Purchase: Means and includes any transfer, rental, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for a consideration. A transaction whereby the possession of property is transferred but the seller retains the title as security for the payment of the price is a purchase. A transfer for a consideration of any publication or of tangible personal property which has been produced, fabricated or printed to the special order of the customer is also a purchase.

Retail sale or sale at retail: A sale of tangible personal property for any purpose other than resale of that property in the regular course of business, or lease or rental of that property in the regular course of business, where such rental or lease is taxable under Idaho Code section 63-3612(h).

- A. All persons engaged in constructing, altering, repairing or improving real estate, which includes construction of prefabricated buildings as defined in Idaho Code section 63-3606A, are consumers of the material used by them; all sales to or use by such persons of tangible personal property are taxable whether or not such persons intend resale of the improved property.
- B. The delivery in this state of tangible personal property by an owner or former owner or by a factor, or agent of such owner, former owner or factor, if the delivery is to a consumer or person for redelivery to a consumer, pursuant to a retail sale made by a retailer not engaged in business in this state, is a retail sale in this state by the person making the delivery. He or she shall include the retail selling price of the property in his or her total sales subject to tax under this chapter.
- C. For the purposes of this chapter as enacted, the sale or purchase of a prefabricated building is deemed a sale or purchase of real property and not a sale or purchase of tangible personal property.

Retailer: Means and includes:

- A. Every seller who makes any retail sale or sales of tangible personal property and every person engaged in the business of making retail sales at auction of tangible personal property owned by the person or others.
- B. Every person engaged in the business of making sales for storage, use, or other consumption or in the business of making sales at auction of tangible personal property owned by the person or others for storage, use, or other consumption.
- C. Every person making more than two retail sales of tangible personal property during any 12-month period, including sales made in the capacity of assignee for the benefit of creditors, or receiver or trustee in bankruptcy, or every person making fewer sales who holds himself or herself out as engaging in the business of selling such tangible personal property at retail.
- D. When the City **Clerk** determines that it is necessary for the efficient administration of this chapter to regard any salespeople, representatives, peddlers or canvassers as agents of the dealers, distributors, supervisors or employers under whom they operate or from whom they obtain the tangible personal property sold by them, irrespective of whether they are making sales on their own behalf or on behalf of such dealers, distributors, supervisors or employers, the City Clerk may so regard them and may regard the dealers, distributors, supervisors or employers as retailers for the purpose of this chapter.
- E. Persons conducting both contracting and retailing activities. Such persons must keep separate accounts for the retail portion of their business and pay tax in the usual fashion on this portion.

- E. Other: Any liquid or solid, patented or not, containing alcohol, spirits, or wine and susceptible of being consumed by a human being, for beverage purposes.

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- C. Every person making more than two retail sales of tangible personal property during any 12-month period, including sales made in the capacity of assignee for the benefit of creditors, or receiver or trustee in bankruptcy, or every person making fewer sales who holds himself or herself out as engaging in the business of selling such tangible personal property at retail.
- D. When the City **Clerk/Treasurer** determines that it is necessary for the efficient administration of this chapter to regard any salespeople, representatives, peddlers or canvassers as agents of the dealers, distributors, supervisors or employers under whom they operate or from whom they obtain the tangible personal property sold by them, irrespective of whether they are making sales on their own behalf or on behalf of such dealers, distributors, supervisors or employers, the City **Clerk/Treasurer** may so regard them and may regard the dealers, distributors, supervisors or employers as retailers for the purpose of this chapter.
- E. Persons conducting both contracting and retailing activities. Such persons must keep separate accounts for the retail portion of their business and pay tax in the usual fashion on this portion.

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Room occupancy charge: Means and includes the total amount charged for the rental use or temporary occupancy of a room or living unit, valued in money, whether paid in money or otherwise, without any deduction.

Sale:

- A. Means and includes any transfer of title, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for a consideration and shall include any transfer of possession through incorporation or any other artifice found by the state tax commission to be in lieu of, or equivalent to, a transfer of title, an exchange or barter.
- B. Sale also includes:
 - 1. Producing, fabricating, processing, printing or imprinting of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the producing, fabricating, processing, printing or imprinting;
 - 2. Furnishing, preparing or serving for a consideration food, meals or drinks;
 - 3. A transaction where the possession of property is transferred but the seller retains the title as security for the payment of the price;
 - 4. A transfer for a consideration of the title or possession of tangible personal property which has been produced, fabricated or printed to the special order of the customer, or of any publication;
 - 5. Admission charges;
 - 6. Receipts from the use of or the privilege of using tangible personal property or other facilities for recreational purposes;
 - 7. Providing hotel, motel, condominium, tourist home or trailer court accommodations and services, except where residence is maintained continuously under the terms of a lease or similar agreement for a period in excess of 30 days.

Sale of liquor by the drink: Means and includes the sale at retail of liquor by the drink for consumption on the premises, and includes any transfer of money, title, exchange, barter or credit, conditional or otherwise, in any manner or by any means whatsoever as consideration.

Sales price:

- A. Means and includes the total amount for which tangible personal property, including services agreed to be rendered as a part of the sale, is sold, rented or leased, valued in money, whether paid in money or otherwise, without any deduction on account of any of the following:
 - 1. The cost of the property sold. However, in accordance with such rules and regulations as the state tax commission may prescribe, a deduction may be taken if the retailer has purchased property for some purpose other than resale or rental, has reimbursed his or her vendor for tax which the vendor is required to pay to the state or has paid the use tax with respect to the property, and has resold or rented the property prior to making any use of the property other than retention, demonstration or display while holding it for sale in the regular course of business. If such a deduction is taken by the retailer, no refund or credit will be allowed to his or her vendor with respect to the sale of the property.
 - 2. The cost of materials used, labor or service cost, losses, or any other expense.
 - 3. The cost of transportation of the property prior to its sale.
- B. The term "sales price" does not include any of the following:
 - 1. Discounts allowed and taken on sales, but only to the extent that such discounts represent price adjustments as opposed to cash discounts offered only as an inducement for prompt payment.

Room occupancy charge: Means and includes the total amount charged for the rental use or temporary occupancy of a room or living unit, valued in money, whether paid in money or otherwise, without any deduction.

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2. Any sums allowed on merchandise accepted in part payment of other merchandise.
3. The amount charged for property returned by customers when the amount charged therefor is refunded either in cash or credit; but this exclusion shall not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned.
4. The amount charged for labor or services rendered in installing or applying the property sold; provided, that the amount is stated separately, and such separate statement is not used as a means of avoiding imposition of this tax upon the actual sales price of the tangible personal property.
5. The amount of any tax (not including, however, any manufacturers' or importers' excise tax) imposed by the United States upon or with respect to retail sales whether imposed upon the retailer or the consumer.
6. The amount charged for finance charges, carrying charges, service charges, time-price differential, or interest on deferred payment sales, provided such charges are not used as a means of avoiding imposition of this tax upon the actual sales price of the tangible personal property.
7. Charges for transportation of tangible personal property after sale.

Sales tax act: The Idaho Sales Tax Act, Idaho Code section 63-3601 et seq., including subsequent amendments, which is adopted by reference.

Seller: Every person making sales at retail or retail sales to a buyer or consumer, whether as agent, broker or principal.

Tangible personal property: Personal property which may be seen, weighed, measured, felt or touched, or which is in any other manner perceptible to the senses.

Taxpayer: Any person subject to or liable for any taxes imposed by this chapter.

(Ord. 712 § 2, 1997)

3.12.030 Imposition and rate of certain nonproperty sales taxes.

The City imposes and shall collect certain nonproperty taxes, as follows:

- A. A municipal sales tax is imposed upon each sale at retail within the City of Ketchum, Idaho, at the rate of two percent of the sales price of all property subject to taxation under Idaho Code section 63-3601 et seq., Idaho Sales Tax Act, including subsequent amendments, except on the sale of "groceries" (defined in this section) and motor vehicles which are titled by the Idaho Department of Motor Vehicles. For the purpose of this chapter, "groceries" means any edible food or foodstuffs intended for human consumption, except:
 - (1) Alcoholic beverages;
 - (2) Tobacco; and
 - (3) Any food product which is prepared and sold for consumption at any "eating place" as defined in Idaho Code section 39-1702; or
 - (4) Any sandwiches and foods prepared and sold by retailer for immediate human consumption; or
 - (5) Any food product sold through a vending machine if the sales price is more than \$0.15;

2. Any sums allowed on merchandise accepted in part payment of other merchandise.
3. The amount charged for property returned by customers when the amount charged therefor is refunded either in cash or credit; but this exclusion shall not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned.
4. The amount charged for labor or services rendered in installing or applying the property sold; provided, that the amount is stated separately, and such separate statement is not used as a means of avoiding imposition of this tax upon the actual sales price of the tangible personal property.
5. The amount of any tax (not including, however, any manufacturers' or importers' excise tax) imposed by the United States upon or with respect to retail sales whether imposed upon the retailer or the consumer.
6. The amount charged for finance charges, carrying charges, service charges, time-price differential, or interest on deferred payment sales, provided such charges are not used as a means of avoiding imposition of this tax upon the actual sales price of the tangible personal property.
7. Charges for transportation of tangible personal property after sale.

Sales tax act: The Idaho Sales Tax Act, Idaho Code section 63-3601 et seq., including subsequent amendments, which is adopted by reference.

Seller: Every person making sales at retail or retail sales to a buyer or consumer, whether as agent, broker or principal.

Tangible personal property: Personal property which may be seen, weighed, measured, felt or touched, or which is in any other manner perceptible to the senses.

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- B. An additional one percent hotel-motel room occupancy sales tax on receipts from all short term rental (30 days or less) charges for hotel rooms, motel rooms, condominium units, tourist homes and the like;
- C. An additional one percent liquor by the drink sales tax on all sales at retail of liquor by the drink including liquor, beer, wine and all other alcoholic beverages, for consumption on the premises;
- D. When the sales price involves a fraction of a dollar, such nonproperty taxes shall be collected on that fractional portion of the price by adding the tax based upon a bracket system. The bracket system for the collection of the two percent nonproperty tax shall be as set forth in exhibit A¹, attached to the ordinance codified herein and made a part of this section by reference. The bracket system for the collection of the three percent nonproperty tax shall be as set forth in exhibit B², attached to the ordinance codified herein and made a part of this section. The retailer shall calculate the tax upon the entire amount of purchases of the consumer made at a particular time subject to this chapter, and not separately upon each item purchased. The retailer may retain any amount collected under such bracket system which is in excess of the amount of tax for which he or she is liable to the City during the period as compensation for the work of collecting such tax;
- E. All monies collected and/or retained under the provisions of this chapter shall be held in trust for the City and for payment to the City Clerk in the manner and at the times provided in this chapter.

(Ord. 1108, 2013)

3.12.040 Duration of taxes.

The nonproperty sales taxes authorized and collected under this chapter are hereby imposed for a duration of 15 years from the effective date hereof, which provides for the collection of local option taxes through December 31, 2027.

The duration for the imposition and collection to raise the current rates an additional one percent for five years from the effective date of January 1, 2019.

(Ord. 1108, 2013; Ord. 1166, 2017)

3.12.050 Purposes for which the revenues derived from nonproperty taxes shall be used.

The nonproperty tax revenue derived from and collected under this chapter shall be used for the following purposes:

- A. Municipal transportation.
- B. Open space acquisition and recreation.
- C. Capital improvements: roads, water, sewer, parking, Ore Wagon Museum.
- D. Emergency services: police, fire, ambulance.
- E. City promotion, visitor information and special events.
- F. Property tax relief.
- G. Direct costs to collect and enforce the tax.

¹Editor's note(s)—Exhibits may be inspected at the Ketchum City Clerk's Office.

²Editor's note(s)—Exhibits may be inspected at the Ketchum City Clerk's Office.

- B. An additional one percent hotel-motel room occupancy sales tax on receipts from all short term rental (30 days or less) charges for hotel rooms, motel rooms, condominium units, tourist homes and the like;
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Commented [LE4]: City does not hold these funds in trust

H. Maintaining and increasing air service to Friedman Memorial Airport.
(Ord. 1108, 2013)

3.12.060 Creation of a property tax relief fund.

There is created in the Office of the City Clerk a fund to be designated as the municipal property tax relief fund. All monies collected under this chapter, and not otherwise budgeted by the City Council, shall be placed by the City Clerk into the municipal property tax relief fund. All monies collected and placed into the fund shall be used to replace City property taxes in the ensuing fiscal year.

(Ord. 1108, 2013)

3.12.070 Authorization for City Clerk to administer, regulate and collect nonproperty taxes.

The City Clerk of the City is authorized and empowered to administer, regulate and collect payment of all nonproperty taxes adopted and imposed by this chapter. The Clerk shall have all of the powers set forth in this chapter, together with those additional powers necessary and proper to carry out the provisions of this chapter.

(Ord. 712 § 7, 1997)

3.12.080 Permits required and issuance of permits.

- A. Every person desiring to engage in or conduct business of retail sales, and/or renting a hotel-motel room, and/or selling liquor by the drink within the City shall file with the City Clerk an application for a municipal nonproperty sales tax permit for each place of business. A separate permit is required for each place of business within the City. Every application for a permit shall be made upon a form prescribed by the City Clerk and shall set forth the name under which the applicant transacts or intends to transact business, the location of the business or places of businesses, and such other information as the City may require. The application shall be signed by the owner, if he or she is a natural person; or in the case of an association or partnership, by a member or partner; in the case of a corporation, by an executive officer or other person authorized by the corporation to sign the application.
- B. Upon filing an application meeting the requirements set out in subsection A of this section, the City Clerk shall issue to each applicant a permit for each place of business. A permit shall not be assignable, and shall be valid only for the person in whose name it is issued and for the transaction of business at the place designated. It shall at all times be conspicuously displayed at the location for which it was issued. Issuance of a permit may be subject to additional requirements as set forth in this chapter.
- C. On the face of the permit shall be fixed a municipal nonproperty tax number which shall be used by the applicant as an identifying number on all filing, payment and correspondence with regard to the nonproperty tax imposed under this chapter.

(Ord. 712 § 8, 1997)

3.12.090 Method for payment of taxes.

- A. The taxes imposed by this chapter shall be computed and paid for each calendar month. Such taxes are due and payable to the City Clerk on or before the twentieth day of the succeeding month. The amount of tax paid shall be computed on all sales subject to taxation under this chapter. Each person required to hold a municipal nonproperty sales tax permit and number shall file a municipal nonproperty sales tax return and a

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H. Maintaining and increasing air service to Friedman Memorial Airport.
(Ord. 1108, 2013)

3.12.060 Creation of a property tax relief fund.

There is created in the Office of the City Clerk-Treasurer a fund to be designated as the municipal property tax relief fund. All monies collected under this chapter, and not otherwise budgeted by the City Council, shall be placed by the City Clerk-Treasurer into the municipal property tax relief fund. All monies collected and placed into the fund shall be used to replace City property taxes in the ensuing fiscal year.

(Ord. 1108, 2013)

3.12.070 Authorization for City Clerk-Treasurer to administer, regulate and collect nonproperty taxes.

The City Clerk-Treasurer of the City is authorized and empowered to administer, regulate and collect payment of all nonproperty taxes adopted and imposed by this chapter. The Clerk-Treasurer shall have all of the powers set forth in this chapter, together with those additional powers necessary and proper to carry out the provisions of this chapter.

(Ord. 712 § 7, 1997)

3.12.080 Permits required and issuance of permits.

- A. Every person desiring to engage in or conduct business of retail sales, and/or renting a hotel-motel room, and/or selling liquor by the drink within the City shall file with the City Clerk-Treasurer an application for a municipal nonproperty sales tax permit for each place of business. A separate permit is required for each place of business within the City. Every application for a permit shall be made upon a form prescribed by the City Clerk-Treasurer and shall set forth the name under which the applicant transacts or intends to transact business, the location of the business or places of businesses, and such other information as the City may require. The application shall be signed by the owner, if he or she is a natural person; or in the case of an association or partnership, by a member or partner; in the case of a corporation, by an executive officer or other person authorized by the corporation to sign the application.
- B. Upon filing an application meeting the requirements set out in subsection A of this section, the City Clerk-Treasurer shall issue to each applicant a permit for each place of business. A permit shall not be assignable, and shall be valid only for the person in whose name it is issued and for the transaction of business at the place designated. It shall at all times be conspicuously displayed at the location for which it was issued. Issuance of a permit may be subject to additional requirements as set forth in this chapter.
- C. On the face of the permit shall be fixed a municipal nonproperty tax number which shall be used by the applicant as an identifying number on all filing, payment and correspondence with regard to the nonproperty tax imposed under this chapter.

(Ord. 712 § 8, 1997)

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copy of his or her Idaho State Sales Tax return for the month at the same time taxes are paid to the City Clerk, unless such person has been permitted in writing by the Idaho State Tax Commission to file quarterly sales or use tax returns. Persons who have been permitted to file other than monthly returns shall notify the City Clerk in writing, and the City Clerk may require reporting of state tax returns over some other period.

- B. The first payment of taxes under this chapter shall be due and payable together on February 20, 1998, for that period beginning January 1, 1998, and ending January 31, 1998. Thereafter, all payments shall be made monthly.
- C. A municipal nonproperty sales tax return shall be filed each and every month by every person engaging in sales subject to taxation under this chapter regardless of whether or not any tax is due. Returns shall be signed by the person required to file the return or by a duly authorized agent.
- D. A valid sales tax exemption certificate issued by the Idaho State Tax Commission upon filing a copy with the City Clerk shall have the same effect to exempt the sale from the taxes imposed under this chapter as in the Idaho Sales Tax Act.

(Ord. 712 § 9, 1997)

3.12.100 Audits; deficiency determinations.

- A. The City Clerk may order an audit of any taxpayer under this chapter for the purpose of ascertaining the correctness or completeness of any return or payment.
- B. If any error or omission is discovered in such audits or in any other way, the City Clerk may compute and determine the amount of tax due upon the basis of facts obtained from such information within the Clerk's possession and assert a deficiency. One or more deficiency determinations may be made for the amount due for one or for more than one period. In making such a determination, the City Clerk may offset overpayments against amounts due. Further, such determinations shall be made for the period or periods in respect to which the person fails to make a return and shall be based upon any information which is in the City Clerk's possession.
- C. The City Clerk shall give written notice of said clerk's determination and the amount of deficiency, including interest, at the rate of 12 percent per annum from the date due, to the person from whom such deficiency amount is due. Such notice may be given personally or mailed to the person at the address furnished to the City Clerk in the nonproperty tax permit application.

(Ord. 712 § 10, 1997)

3.12.110 Redetermination of deficiency.

- A. Any person against whom a deficiency determination is made under this chapter, or any person directly interested, may petition in writing for a redetermination within 30 days after service upon the person of notice of deficiency. If the petition for redetermination is not filed within the 30-day period, the determination becomes final at the expiration of the period.
- B. If a petition for redetermination is filed within the 30-day period, the City Clerk shall reconsider the determination and, if the person so requests in the petition, grant the person an oral hearing and give such person ten days' notice of the time and place of the hearing personally or by mail addressed to the person at the address furnished to the City Clerk in such person's application for a nonproperty tax permit.

(Ord. 712 § 11, 1997)

of tax paid shall be computed on all sales subject to taxation under this chapter. Each person required to hold a municipal nonproperty sales tax permit and number shall file a municipal nonproperty sales tax return and a copy of his or her Idaho State Sales Tax return for the month at the same time taxes are paid to the City Clerk-Treasurer unless such person has been permitted in writing by the Idaho State Tax Commission to file quarterly sales or use tax returns. Persons who have been permitted to file other than monthly returns shall notify the City Clerk-Treasurer in writing, and the City Clerk-Treasurer may require reporting of state tax returns over some other period.

- B. The first payment of taxes under this chapter shall be due and payable together on February 20, 1998, for that period beginning January 1, 1998, and ending January 31, 1998. Thereafter, all payments shall be made monthly.
- C. A municipal nonproperty sales tax return shall be filed each and every month by every person engaging in sales subject to taxation under this chapter regardless of whether or not any tax is due. Returns shall be signed by the person required to file the return or by a duly authorized agent.
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- C. The City Clerk-Treasurer shall give written notice of said clerk's-Treasurer's determination and the amount of deficiency, including interest, at the rate of 12 percent per annum from the date due, to the person from whom such deficiency amount is due. Such notice may be given personally or mailed to the person at the address furnished to the City Clerk-Treasurer in the nonproperty tax permit application.

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- B. If a petition for redetermination is filed within the 30-day period, the City Clerk-Treasurer shall reconsider the determination and, if the person so requests in the petition, grant the person an oral hearing and give such person ten days' notice of the time and place of the hearing personally or by mail addressed to the person at the address furnished to the City Clerk-Treasurer in such person's application for a nonproperty tax permit.

3.12.120 Appeals; interest on deficiency.

- A. When a redetermination is made, the City Clerk shall give notice to the taxpayer against whom the redetermination is made. Within 30 days of the date upon which such notice of redetermination is mailed or served, the taxpayer may file an appeal with the City Council or may file a complaint with the district court for review of the City Clerk's redetermination. There shall be no right of review to the City Council nor to the district court on the determination of taxes due made by the City Clerk unless a redetermination has been timely filed. No assessment of a deficiency in respect to the tax imposed by this chapter or proceeding to collect for its collection shall be made, begun or prosecuted until such notice has been mailed to the taxpayer and expiration of such 30-day period after notice of redetermination, nor if a protest is filed until a decision on the protest becomes final. If the taxpayer does not protest to the City Council or file an action in district court within the time prescribed in this section, the deficiency shall be assessed and shall become due and payable upon notice and demand from the City Clerk.
- B. Interest upon any deficiency shall be assessed at the same time as the deficiency and shall become due and payable upon notice and demand from the City Clerk and shall be collected as part of the tax at the rate of 12 percent per annum from the date prescribed for payment of the tax.

(Ord. 712 § 12, 1997)

3.12.130 Collections and enforcement.

As soon as practical after monthly municipal nonproperty sales tax return and payment is filed, the City Clerk shall examine the same and determine the correct amount of the tax. For the purpose of ascertaining the correctness of any payment determining the amount of tax due where none has been made, determining liability of any person for any tax payable under this chapter, or the liability at law or in equity of any person in respect to any tax provided by this chapter or collecting any such liability, the City Clerk, or duly authorized deputy, is authorized: a) to examine the books, papers, records, or other data which may be relevant or material to the inquiry; b) to summon the person liable for the tax or any officer, agent or employee of such person, or any person having possession, custody or care of books of accounting containing entries relating to the business of the person liable for the tax, to appear before the City Clerk, or deputy, at a time and place named in the Clerk's summons to produce such books, papers, records or other data and/or give such testimony under oath as may be relevant or material to such inquiry.

(Ord. 712 § 13, 1997)

3.12.140 Refunds; limitations and interest.

- A. If the City Clerk determines that any amount due under this chapter has been paid more than once or has been erroneously or illegally collected or computed, the City Clerk shall set forth that fact in the Clerk's records, and the excess amount paid or collected may be credited on any amount due or payable to the City Clerk for nonproperty taxes from that person, and any balance refunded to the person by whom it was paid or to his or her successors, administrators or executors.
- B. No such credit or refund shall be allowed or made after one year from the time the payment was made unless, before the expiration of such period, a claim is filed by the taxpayer.
- C. Interest shall be allowed on the amount of such credits or refunds at the rate of 12 percent per annum from the date which such tax was paid.
- D. Appeal from the City Clerk's decision denying in part or in whole a claim for refund shall be made in accordance with the laws of the state with regard to claims against municipalities.

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(Ord. 712 § 11, 1997)

3.12.120 Appeals; interest on deficiency.

- A. When a redetermination is made, the City Clerk-Treasurer shall give notice to the taxpayer against whom the redetermination is made. Within 30 days of the date upon which such notice of redetermination is mailed or served, the taxpayer may file an appeal with the City Council or may file a complaint with the district court for review of the City Clerk's-Treasurer's redetermination. There shall be no right of review to the City Council nor to the district court on the determination of taxes due made by the City Clerk-Treasurer unless a redetermination has been timely filed. No assessment of a deficiency in respect to the tax imposed by this chapter or proceeding to collect for its collection shall be made, begun or prosecuted until such notice has been mailed to the taxpayer and expiration of such 30-day period after notice of redetermination, nor if a protest is filed until a decision on the protest becomes final. If the taxpayer does not protest to the City Council or file an action in district court within the time prescribed in this section, the deficiency shall be assessed and shall become due and payable upon notice and demand from the City Clerk-Treasurer.
- B. Interest upon any deficiency shall be assessed at the same time as the deficiency and shall become due and payable upon notice and demand from the City Clerk-Treasurer and shall be collected as part of the tax at the rate of 12 percent per annum from the date prescribed for payment of the tax.

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(Ord. 712 § 13, 1997)

3.12.140 Refunds; limitations and interest.

- A. If the City Clerk-Treasurer determines that any amount due under this chapter has been paid more than once or has been erroneously or illegally collected or computed, the City Clerk-Treasurer shall set forth that fact in the Clerk's-Treasurer's records, and the excess amount paid or collected may be credited on any amount due or payable to the City Clerk-Treasurer for nonproperty taxes from that person, and any balance refunded to the person by whom it was paid or to his or her successors, administrators or executors.
- B. No such credit or refund shall be allowed or made after one year from the time the payment was made unless, before the expiration of such period, a claim is filed by the taxpayer.
- C. Interest shall be allowed on the amount of such credits or refunds at the rate of 12 percent per annum from the date which such tax was paid.

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(Ord. 712 § 14, 1997)

3.12.150 Responsibility for payment of taxes.

Every person with a duty to account for or pay over any tax imposed by this chapter on behalf of a corporation, as an officer employee of the corporation, or on behalf of a partnership, as a member employee of the partnership, shall be personally liable for payment of such tax, plus penalties and interest.

(Ord. 712 § 15, 1997)

3.12.160 Period of limitation upon assessment and collection.

- A. The amount of taxes imposed under this chapter shall be assessed within three years of the time the return upon which the tax asserted to be due was or should have been filed, whichever is later; provided, however, if a deficiency determination or assessment has been made within the prescribed time, such tax may be collected within a period of six years after assessment. The running of limitations provided by this section shall be suspended for the period during which the City Clerk is prohibited from making the assessment or from collecting or proceeding in court due to a petition for redetermination or an appeal therefrom, and for 30 days thereafter.
- B. In the case of taxes due during the lifetime of a decedent, the tax shall be assessed, and any proceeding in court without assessment for the collection of such tax shall be begun, within six months after written request therefor (filed after the return is made) by the executor, administrator, or other fiduciary representing the estate of such decedent unless the assessment is stayed by a petition for redetermination or any appeal therefrom.
- C. In the case of a false or fraudulent return with intent to evade tax, or of a failure to file a return, the tax may be assessed, or a proceeding in court for collection of such tax may be begun without assessment, at any time within three years after the date of the discovery of the facts constituting the fraud.

(Ord. 712 § 16, 1997)

3.12.170 Successors' liability.

- A. If a vendor liable for any amount of tax under this chapter sells out his or her business or stocks and goods, the vendee shall make an inquiry to the City Clerk and withhold from the purchase price any amount of tax that may be due under this chapter until such time as the vendor produces receipt stating that no amount is due.
- B. If the purchaser of business or stock of goods fails to withhold from the purchase price as above required, he or she is personally liable for the payment of the amount required to be withheld by him or her.

(Ord. 712 § 17, 1997)

3.12.180 General administration by City Clerk.

- A. The City Clerk shall enforce the provisions of this chapter and may prescribe, adopt and enforce rules and regulations relating to its administration and enforcement. The City Clerk may employ qualified auditors for examination of taxpayers' books and records, and shall also employ such accountants, investigators, assistants, clerks, and other personnel as are necessary for the efficient administration of this chapter and

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- D. Appeal from the City Clerk's **Treasurer** decision denying in part or in whole a claim for refund shall be made in accordance with the laws of the state with regard to claims against municipalities.

(Ord. 712 § 14, 1997)

3.12.150 Responsibility for payment of taxes.

Every person with a duty to account for or pay over any tax imposed by this chapter on behalf of a corporation, as an officer employee of the corporation, or on behalf of a partnership, as a member employee of the partnership, shall be personally liable for payment of such tax, plus penalties and interest.

(Ord. 712 § 15, 1997)

3.12.160 Period of limitation upon assessment and collection.

- A. The amount of taxes imposed under this chapter shall be assessed within three years of the time the return upon which the tax asserted to be due was or should have been filed, whichever is later; provided, however, if a deficiency determination or assessment has been made within the prescribed time, such tax may be collected within a period of six years after assessment. The running of limitations provided by this section shall be suspended for the period during which the City Clerk **Treasurer** is prohibited from making the assessment or from collecting or proceeding in court due to a petition for redetermination or an appeal therefrom, and for 30 days thereafter.
- B. In the case of taxes due during the lifetime of a decedent, the tax shall be assessed, and any proceeding in court without assessment for the collection of such tax shall be begun, within six months after written request therefor (filed after the return is made) by the executor, administrator, or other fiduciary representing the estate of such decedent unless the assessment is stayed by a petition for redetermination or any appeal therefrom.
- C. In the case of a false or fraudulent return with intent to evade tax, or of a failure to file a return, the tax may be assessed, or a proceeding in court for collection of such tax may be begun without assessment, at any time within three years after the date of the discovery of the facts constituting the fraud.

(Ord. 712 § 16, 1997)

3.12.170 Successors' liability.

- A. If a vendor liable for any amount of tax under this chapter sells out his or her business or stocks and goods, the vendee shall make an inquiry to the City Clerk **Treasurer** and withhold from the purchase price any amount of tax that may be due under this chapter until such time as the vendor produces receipt stating that no amount is due.
- B. If the purchaser of business or stock of goods fails to withhold from the purchase price as above required, he or she is personally liable for the payment of the amount required to be withheld by him or her.

(Ord. 712 § 17, 1997)

3.12.180 General administration by City Clerk **Treasurer**.

- A. The City Clerk **Treasurer** shall enforce the provisions of this chapter and may prescribe, adopt and enforce rules and regulations relating to its administration and enforcement. The City Clerk **Treasurer** may employ qualified auditors for examination of taxpayers' books and records, and shall also employ such accountants,

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may delegate authority to its representatives to conduct hearings or perform other duties imposed by this chapter.

- B. Taxpayers in the City shall keep such records, receipts, invoices, and other pertinent papers as the City Clerk may require. Each such taxpayer who files tax payments required under this chapter shall keep all such records for not less than four years after making such payments unless the City Clerk in writing authorizes their destruction.
- C. The City Clerk, or any person authorized in writing by the Clerk, may examine the books, papers, records and equipment of any taxpayer or any person liable for any tax, and may investigate the character of the business of the person in order to verify the accuracy of any return made, or if no return is made by the person, to ascertain and determine the amount required to be paid. Any taxpayer whose pertinent records are kept outside of the City must bring the records to the City for examination by the City Clerk upon request of the latter or, by agreement with the City Clerk, permit an auditor designated by the City Clerk to visit the place where the records are kept, and there audit such records.

(Ord. 712 § 18, 1997)

3.12.190 Penalties.

- A. Any person who violates any provision of this chapter shall be guilty of a misdemeanor, punishable by up to one year in the county jail, and/or a \$300.00 fine, or both. Furthermore, each month in which a person fails to report, or intentionally fails to accurately compute, or intentionally fails to accurately disclose the total amount of sales or rentals or the amount of tax to be paid, as imposed under this chapter, shall be considered a separate offense.
- B. Any person who violates any provision of this chapter shall have his or her municipal nonproperty sales tax permit and tax number revoked. The City Clerk shall send written notice of revocation of such permit and tax number to the permit holder by mailing the same by certified mail to the address given on the permit application. The permit holder shall have ten days from the date such notice is mailed to file a written request of appeal with the City Council, challenging such revocation. If no appeal is timely made, such revocation becomes final. Whenever a person subject to this chapter has had such permit and tax number revoked, the City Clerk shall not reissue such permit nor issue a new permit to such person until such person places with the City Clerk a bond or other sufficient security in the amount equal to three times the actual, determined or estimated average monthly amount of tax payable by such person pursuant to this chapter.
- C. The City Clerk, whenever it is deemed necessary to ensure compliance with this chapter, may require any person subject to this chapter to place with it such security as it may determine. The amount of such security shall not be greater than three times the estimated average monthly amount payable by such person pursuant to this chapter. The amount of the security may be increased or decreased by the City Clerk at any time, subject to the limitations set forth above.
- D. Any person who violates any provision of this chapter shall have all municipal nonproperty sales tax permits, municipal beer license(s) and wine license(s), and retail liquor by the drink license(s) revoked.
- E. Any amount of tax due under this chapter for which a person fails to report or accurately compute shall become a lien upon the property of such taxpayer on the date that the same becomes due, and the City may seek to enforce such lien and collect all taxes and interest due, together with the reasonable costs of collection, including attorney fees, in a court of competent jurisdiction.
- F. For the purposes of proper administration of this chapter, and to prevent evasion of such nonproperty sales taxes, the burden of proving that a sale or rental is not a sale under this chapter is upon the person who makes the sale or rental in question.

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investigators, assistants, clerks, and other personnel as are necessary for the efficient administration of this chapter and may delegate authority to its representatives to conduct hearings or perform other duties imposed by this chapter.

- B. Taxpayers in the City shall keep such records, receipts, invoices, and other pertinent papers as the City Clerk Treasurer may require. Each such taxpayer who files tax payments required under this chapter shall keep all such records for not less than four years after making such payments unless the City Clerk Treasurer in writing authorizes their destruction.
- C. The City Clerk Treasurer, or any person authorized in writing by the Clerk Treasurer, may examine the books, papers, records and equipment of any taxpayer or any person liable for any tax, and may investigate the character of the business of the person in order to verify the accuracy of any return made, or if no return is made by the person, to ascertain and determine the amount required to be paid. Any taxpayer whose pertinent records are kept outside of the City must bring the records to the City for examination by the Clerk Treasurer upon request of the latter or, by agreement with the City Clerk Treasurer, permit an auditor designated by the City Clerk Treasurer to visit the place where the records are kept, and there audit such records.

(Ord. 712 § 18, 1997)

3.12.190 Penalties.

- A. Any person who violates any provision of this chapter shall be guilty of a misdemeanor, punishable by up to one year in the county jail, and/or a \$300.00 fine, or both. Furthermore, each month in which a person fails to report, or intentionally fails to accurately compute, or intentionally fails to accurately disclose the total amount of sales or rentals or the amount of tax to be paid, as imposed under this chapter, shall be considered a separate offense.
- B. Any person who violates any provision of this chapter shall have his or her municipal nonproperty sales tax permit and tax number revoked. The City Clerk Treasurer shall send written notice of revocation of such permit and tax number to the permit holder by mailing the same by certified mail to the address given on the permit application. The permit holder shall have ten days from the date such notice is mailed to file a written request of appeal with the City Council, challenging such revocation. If no appeal is timely made, such revocation becomes final. Whenever a person subject to this chapter has had such permit and tax number revoked, the City Clerk Treasurer shall not reissue such permit nor issue a new permit to such person until such person places with the City Clerk Treasurer a bond or other sufficient security in the amount equal to three times the actual, determined or estimated average monthly amount of tax payable by such person pursuant to this chapter.
- C. The City Clerk Treasurer, whenever it is deemed necessary to ensure compliance with this chapter, may require any person subject to this chapter to place with it such security as it may determine. The amount of such security shall not be greater than three times the estimated average monthly amount payable by such person pursuant to this chapter. The amount of the security may be increased or decreased by the City Clerk Treasurer at any time, subject to the limitations set forth above.
- D. Any person who violates any provision of this chapter shall have all municipal nonproperty sales tax permits, municipal beer license(s) and wine license(s), and retail liquor by the drink license(s) revoked.
- E. Any amount of tax due under this chapter for which a person fails to report or accurately compute shall become a lien upon the property of such taxpayer on the date that the same becomes due, and the City may seek to enforce such lien and collect all taxes and interest due, together with the reasonable costs of collection, including attorney fees, in a court of competent jurisdiction.

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(Ord. 712 § 19, 1997)

3.12.200 Penalty charges.

- A. Any person who is required to collect and pay over any tax imposed by this chapter and fails or refuses to pay over to the City the same when due, in accordance with section 3.12.090 of this chapter, shall be liable and pay a penalty charge **equal** to five percent of the tax not paid, or a minimum of \$10.00, whichever is greater. The City **Clerk** shall assess and collect such fee at the time any delinquent tax payment is tendered. The permit holder shall have ten days from the date payment is made to file a written appeal with the City Council challenging such penalty determination. If no appeal is timely made as provided in this chapter, such penalty determination shall be final.
- B. Any person who is required to collect, truthfully account for, and pay over any tax imposed by this chapter and who willfully fails to collect such a tax or truthfully account for or pay over such a tax, or willfully attempts in any manner to evade or defeat such a tax or payment shall, in addition to other penalties provided by law, be liable to a penalty equal to the amount of the tax evaded, or not collected, or not accounted for or paid over. The City **Clerk** shall determine and assess such penalties, and the same shall become due and payable upon notice and demand from the City **Clerk**. The City **Clerk** shall send written notice of such penalty charge to the permit holder by mailing the same by certified mail to the address given on the permit application. The permit holder shall have ten days from the date such notice is mailed to file a written request of appeal with the City Council challenging such penalty charge determination. If no appeal is timely made as provided in this chapter, such penalty charge determination shall be final.

(Ord. 712 § 20, 1997)

3.12.210 Exemptions.

All transactions by the state, otherwise subject to imposition of such taxes, are exempt from the provisions of this chapter.

(Ord. 712 § 21, 1997)

3.12.220 Confidentiality of information.

- A. No City **Clerk** of the City of Ketchum, Blaine County, Idaho, nor any duly authorized deputy City **Clerk**, agent or employee shall divulge or make known to any persons, in any manner, any information whatsoever submitted or obtained, directly or indirectly, pursuant to this chapter, or to permit any nonproperty tax return or information supplied with regard to such return, or any copy, or any paper or book so obtained, to be seen or examined by any person except as provided by law; provided, that in any action or proceeding brought for the collection, remission, cancellation or refund of the whole or any part of a tax imposed under this chapter, or for enforcing the penalties prescribed for making false or fraudulent returns, any and all information contained in or provided with such returns may be made accessible to the elected and appointed officials, officers and representatives of the City charged with enforcing or defending the same. All such returns, information, statements and correspondence relating to such returns may be produced into evidence in any action, civil or criminal, directly pertaining to such returns or the tax imposed on the basis of such returns.
- B. The Ketchum City Council, under such rules and provisions as it may prescribe, may permit, notwithstanding the provisions of this chapter as to secrecy, the commissioner of internal revenue of the United States or his or her delegate or the proper officer of any state imposing a tax to inspect the nonproperty tax returns or

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- F. For the purposes of proper administration of this chapter, and to prevent evasion of such nonproperty sales taxes, the burden of proving that a sale or rental is not a sale under this chapter is upon the person who makes the sale or rental in question.

(Ord. 712 § 19, 1997)

3.12.200 Penalty charges.

- A. Any person who is required to collect and pay over any tax imposed by this chapter and fails or refuses to pay over to the City the same when due, in accordance with section 3.12.090 of this chapter, shall be liable and pay a penalty charge **as provided in the City's adopted fee resolution, as amended from time to time, equal to five percent of the tax not paid, or a minimum of \$10.00, whichever is greater**. The City **Clerk/Treasurer** shall assess and collect such fee at the time any delinquent tax payment is tendered. The permit holder shall have ten days from the date payment is made to file a written appeal with the City Council challenging such penalty determination. If no appeal is timely made as provided in this chapter, such penalty determination shall be final.
- B. Any person who is required to collect, truthfully account for, and pay over any tax imposed by this chapter and who willfully fails to collect such a tax or truthfully account for or pay over such a tax, or willfully attempts in any manner to evade or defeat such a tax or payment shall, in addition to other penalties provided by law, be liable to a penalty equal to the amount of the tax evaded, or not collected, or not accounted for or paid over. The City **Clerk/Treasurer** shall determine and assess such penalties, and the same shall become due and payable upon notice and demand from the City **Clerk/Treasurer**. The City **Clerk/Treasurer** shall send written notice of such penalty charge to the permit holder by mailing the same by certified mail to the address given on the permit application. The permit holder shall have ten days from the date such notice is mailed to file a written request of appeal with the City Council challenging such penalty charge determination. If no appeal is timely made as provided in this chapter, such penalty charge determination shall be final.

(Ord. 712 § 20, 1997)

3.12.210 Exemptions.

All transactions by the state, otherwise subject to imposition of such taxes, are exempt from the provisions of this chapter.

(Ord. 712 § 21, 1997)

3.12.220 Confidentiality of information.

- A. No City **Clerk/Treasurer** of the City of Ketchum, Blaine County, Idaho, nor any duly authorized deputy City **Clerk/Treasurer**, agent or employee shall divulge or make known to any persons, in any manner, any information whatsoever submitted or obtained, directly or indirectly, pursuant to this chapter, or to permit any nonproperty tax return or information supplied with regard to such return, or any copy, or any paper or book so obtained, to be seen or examined by any person except as provided by law; provided, that in any action or proceeding brought for the collection, remission, cancellation or refund of the whole or any part of a tax imposed under this chapter, or for enforcing the penalties prescribed for making false or fraudulent returns, any and all information contained in or provided with such returns may be made accessible to the elected and appointed officials, officers and representatives of the City charged with enforcing or defending the same. All such returns, information, statements and correspondence relating to such returns may be

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information provided or obtained in connection with such returns, or may furnish to such officer, or his or her authorized agent, copies or an abstract.

- C. Nothing in this chapter shall prohibit a taxpayer, or authorized representative upon proper identification, from inspecting and copying his or her own nonproperty tax returns and information supplied with such returns.

(Ord. 712 § 22, 1997)

CHAPTER 3.15 WASTEWATER REVENUE BOND

3.15.010 Definitions.

As used in this chapter, the following definitions shall apply unless a different meaning clearly appears from the context:

Acquisition or acquire includes the opening, laying out, establishment, purchase, construction, securing, installation, reconstruction, lease, gift, or grant from the Federal government, the State of Idaho, or any public body therein or any person, the condemnation, transfer, option to purchase, other contract, or other acquirement, or any combination thereof.

Adjusted net revenues means the net revenues, adjusted for purposes of section 3.15.140.C.2 as provided in section 3.15.140.E.

Annual debt service means in any fiscal year the amount of principal and interest required to be paid in that fiscal year on all outstanding bonds, adjusted as follows:

- A. Interest which is to be paid from proceeds of bonds shall be subtracted;
- B. Bonds which are subject to scheduled, noncontingent redemption/prepayment or tender shall be deemed to mature on the dates and in the amounts which are subject to mandatory redemption/prepayment or tender, and only the amount scheduled to be outstanding on the final maturity date shall be treated as maturing on that date;
- C. Interest subsidies shall be subtracted from the interest due on interest subsidy bonds as provided in section 3.15.150;
- D. Bonds which are subject to contingent redemption/prepayment or tender shall be treated as maturing on their stated maturity dates; and
- E. Each balloon payment shall be assumed to be paid according to its balloon debt service requirement.

Balloon debt service requirement means the committed debt service requirement for a balloon payment or, if the City has not entered into a firm commitment to sell bonds or other obligations to refund that balloon payment, the estimated debt service requirement for that balloon payment.

Balloon payment means any principal payment for a series of bonds which comprises more than 25 percent of the original principal amount of that series, but only if that principal payment is designated as a balloon payment in the closing documents for the series.

Base period means the alternative selected by the City from the following two options: (a) any 12 consecutive months selected by the City or qualified consultant out of the most recent 18 months preceding the delivery of a Series of parity bonds; or (b) the most recently completed fiscal year for which audited financial statements are available.

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produced into evidence in any action, civil or criminal, directly pertaining to such returns or the tax imposed on the basis of such returns.

- B. The Ketchum City Council, under such rules and provisions as it may prescribe, may permit, notwithstanding the provisions of this chapter as to secrecy, the commissioner of internal revenue of the United States or his or her delegate or the proper officer of any state imposing a tax to inspect the nonproperty tax returns or information provided or obtained in connection with such returns, or may furnish to such officer, or his or her authorized agent, copies or an abstract.
- C. Nothing in this chapter shall prohibit a taxpayer, or authorized representative upon proper identification, from inspecting and copying his or her own nonproperty tax returns and information supplied with such returns.

(Ord. 712 § 22, 1997)

CHAPTER 3.15 WASTEWATER REVENUE BOND

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~~3.15.010 Definitions.~~

~~As used in this chapter, the following definitions shall apply unless a different meaning clearly appears from the context:~~

~~*Acquisition or acquire* includes the opening, laying out, establishment, purchase, construction, securing, installation, reconstruction, lease, gift, or grant from the Federal government, the State of Idaho, or any public body therein or any person, the condemnation, transfer, option to purchase, other contract, or other acquirement, or any combination thereof.~~

~~*Adjusted net revenues* means the net revenues, adjusted for purposes of section 3.15.140.C.2 as provided in section 3.15.140.E.~~

~~*Annual debt service* means in any fiscal year the amount of principal and interest required to be paid in that fiscal year on all outstanding bonds, adjusted as follows:~~

- ~~A. Interest which is to be paid from proceeds of bonds shall be subtracted;~~
- ~~B. Bonds which are subject to scheduled, noncontingent redemption/prepayment or tender shall be deemed to mature on the dates and in the amounts which are subject to mandatory redemption/prepayment or tender, and only the amount scheduled to be outstanding on the final maturity date shall be treated as maturing on that date;~~
- ~~C. Interest subsidies shall be subtracted from the interest due on interest subsidy bonds as provided in section 3.15.150;~~
- ~~D. Bonds which are subject to contingent redemption/prepayment or tender shall be treated as maturing on their stated maturity dates; and~~
- ~~E. Each balloon payment shall be assumed to be paid according to its balloon debt service requirement.~~

~~*Balloon debt service requirement* means the committed debt service requirement for a balloon payment or, if the City has not entered into a firm commitment to sell bonds or other obligations to refund that balloon payment, the estimated debt service requirement for that balloon payment.~~

~~*Balloon payment* means any principal payment for a series of bonds which comprises more than 25 percent of the original principal amount of that series, but only if that principal payment is designated as a balloon payment in the closing documents for the series.~~

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Beneficial owner means any person that has or shares the power, directly or indirectly, to make investment decisions concerning ownership of any bonds (including persons holding bonds through nominees, depositories or other intermediaries).

Bonding authority means the authority to issue revenue bonds or other obligations hereunder in the aggregate par amount of up to \$14,000,000.00, as authorized by the November 8, 2022, bond election, plus such additional authority to issue revenue bonds in excess of \$14,000,000.00, as authorized by (i) subsequent bond elections and/or (ii) judicial confirmation under Idaho Code, Title 7, Chapter 13; and pursuant to the Act.

Bond fund means the "City of Ketchum Wastewater Revenue Bond Fund," which includes a debt service account, and subaccounts thereunder, for the purpose of paying the principal of and interest due on bonds, as applicable.

Bond register means the registration records maintained by a bond registrar setting forth the names and addresses of registered owners of a series of bonds, in compliance with Section 149 of the Code.

Bond registrar means the person or qualified entity appointed by the City pursuant to section 3.15.030 hereof and a series ordinance for the purposes of registering and authenticating bonds, maintaining the related bond register, effecting transfer of ownership of the bonds, and paying interest on and principal of the bonds.

Bond or bonds means the initial bonds and parity bonds of the City authorized and issued under this chapter and any series ordinance; provided, however, "bond" or "bonds" shall not include subordinate obligations.

Bond year means each one-year period that ends on the date selected by the City. The first and last bond years may be shorter periods. If no day is selected by the City before the earlier of the final maturity date of the bonds or the date that is five years after the date of issuance of the bonds, bond years shall end on each anniversary of the date of issue and on the final maturity date of the bonds.

City means the City of Ketchum, Blaine County, Idaho, a body politic and corporate duly organized and existing under and by virtue of the Constitution and laws of the State of Idaho.

City Administrator means the City Administrator of the City or their successor in function, if any.

City Clerk or Clerk means the ex officio City Clerk of the City, or other officer of the City who is the custodian of the records of the proceedings of the City, or their successor in function, if any.

City Treasurer means the Treasurer of the City, or their successor in function, if any.

Code means the Internal Revenue Code of 1986, as amended, together with corresponding and applicable regulations and revenue rulings issued with respect thereto by the Treasury Department or the Internal Revenue Service of the United States.

Committed debt service requirement means the schedule of principal and interest payments for a series of refunding bonds or other obligations which refund a balloon payment, as shown in the series ordinance and/or other documents evidencing the City's firm commitment to sell that series. A "firm commitment to sell" means a bond purchase agreement or similar document which obligates the City to sell, and obligates a purchaser to purchase, the series of refunding bonds or other obligations, subject only to the conditions which customarily are included in such documents.

Continuing disclosure agreement shall mean, with respect to each issue of bonds authorized hereunder and subject to Rule 15c2-12, the form of continuing disclosure undertaking by the issuer dated the date of issuance and delivery of the respective bonds, as originally executed and as may be amended from time to time in accordance with the terms hereof, if required by Rule 15c2-12.

Cost of acquisition and construction or any phrase of similar import, shall mean all or any part designated by the City of the costs of a project, or interest therein, which costs, at the option of the City, may include all or any part of the incidental costs pertaining to the acquisition of the project, including, without limitations:

Base period means the alternative selected by the City from the following two options: (a) any 12 consecutive months selected by the City or qualified consultant out of the most recent 18 months preceding the delivery of a series of parity bonds; or (b) the most recently completed fiscal year for which audited financial statements are available.

Beneficial owner means any person that has or shares the power, directly or indirectly, to make investment decisions concerning ownership of any bonds (including persons holding bonds through nominees, depositories or other intermediaries).

Bonding authority means the authority to issue revenue bonds or other obligations hereunder in the aggregate par amount of up to \$14,000,000.00, as authorized by the November 8, 2022, bond election, plus such additional authority to issue revenue bonds in excess of \$14,000,000.00, as authorized by (i) subsequent bond elections and/or (ii) judicial confirmation under Idaho Code, Title 7, Chapter 13; and pursuant to the Act.

Bond fund means the "City of Ketchum Wastewater Revenue Bond Fund," which includes a debt service account, and subaccounts thereunder, for the purpose of paying the principal of and interest due on bonds, as applicable.

Bond register means the registration records maintained by a bond registrar setting forth the names and addresses of registered owners of a series of bonds, in compliance with Section 149 of the Code.

Bond registrar means the person or qualified entity appointed by the City pursuant to section 3.15.030 hereof and a series ordinance for the purposes of registering and authenticating bonds, maintaining the related bond register, effecting transfer of ownership of the bonds, and paying interest on and principal of the bonds.

Bond or bonds means the initial bonds and parity bonds of the City authorized and issued under this chapter and any series ordinance; provided, however, "bond" or "bonds" shall not include subordinate obligations.

Bond year means each one-year period that ends on the date selected by the City. The first and last bond years may be shorter periods. If no day is selected by the City before the earlier of the final maturity date of the bonds or the date that is five years after the date of issuance of the bonds, bond years shall end on each anniversary of the date of issue and on the final maturity date of the bonds.

City means the City of Ketchum, Blaine County, Idaho, a body politic and corporate duly organized and existing under and by virtue of the Constitution and laws of the State of Idaho.

City Administrator means the City Administrator of the City or their successor in function, if any.

City Clerk or Clerk means the ex officio City Clerk of the City, or other officer of the City who is the custodian of the records of the proceedings of the City, or their successor in function, if any.

City Treasurer means the Treasurer of the City, or their successor in function, if any.

Code means the Internal Revenue Code of 1986, as amended, together with corresponding and applicable regulations and revenue rulings issued with respect thereto by the Treasury Department or the Internal Revenue Service of the United States.

Committed debt service requirement means the schedule of principal and interest payments for a series of refunding bonds or other obligations which refund a balloon payment, as shown in the series ordinance and/or other documents evidencing the City's firm commitment to sell that series. A "firm commitment to sell" means a bond purchase agreement or similar document which obligates the City to sell, and obligates a purchaser to purchase, the series of refunding bonds or other obligations, subject only to the conditions which customarily are included in such documents.

Continuing disclosure agreement shall mean, with respect to each issue of bonds authorized hereunder and subject to Rule 15c2-12, the form of continuing disclosure undertaking by the issuer dated the date of issuance and delivery of the respective bonds, as originally executed and as may be amended from time to time in accordance with the terms hereof, if required by Rule 15c2-12.

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- A. Preliminary expenses advanced by the City from funds available for the use therefor, or advanced by the federal government, or from any other source, with approval of the City, or any combination thereof;
- B. The costs of making surveys, audits, preliminary plans, other plans, specifications, estimates of costs and other preliminaries;
- C. The costs of appraising, printing, estimates, advice, services of engineers, architects, financial consultants, attorneys at law, clerical help, or other agents of employees;
- D. The costs of contingencies;
- E. The costs of any discount on bonds and of any of the costs of issuance of bonds payable from original issue premium;
- F. The costs of funding and short-term financing, revenue warrants, bond anticipation notes, or other temporary loans appertaining to the project, and of the incidental expenses incurred in connection with such loans;
- G. The acquisition and construction costs of any properties, rights, easements, or other interest in properties, or any licenses, privileges, agreements and franchises; and
- H. All other expenses necessary or desirable and appertaining to the project, as estimated or otherwise ascertained by the City.

Council means the City Council of the City, as the same shall be duly and regularly constituted from time to time.

Debt service account means an account or subaccounts of that name in the bond fund out of which the principal of and interest on any bonds shall be paid.

Designated representative means the Mayor, the City Administrator or any City employee designated by them.

DTC means the Depository Trust Company of New York, as depository for the bonds, or any successor or substitute depository for the bonds.

Engineer means an independent licensed professional engineer (or firm of licensed professional engineers) selected by the City and experienced and skilled in the design, construction and operation of wastewater or sewer systems of comparable size and character to the wastewater system.

Estimated debt service requirement means the schedule of principal and interest payments for a hypothetical series of refunding bonds that refunds a balloon payment, that is prepared by City Administrator, City Treasurer, or their designee, and that meets the requirements of section 3.15.160.

Fiscal year means the year commencing October 1 and ending the following September 30, unless changed by the City.

Fitch means Fitch Ratings, Inc., its successors, and assigns, and, if such organization shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, Fitch shall be deemed to refer to any other nationally recognized securities rating agency (other than S&P or Moody's) designated by the City.

Initial bonds means the first series of revenue bonds or other obligations issued by the City under this chapter and a series ordinance.

Interest subsidy bonds means bonds for which the City is eligible to receive federal interest rate subsidies that are similar to the interest subsidies that were available for Build America Bonds.

Letter of representations means the blanket issuer letter of representations from the City to DTC authorized under section 3.15.030 of this chapter to be executed and filed with DTC.

~~*Cost of acquisition and construction* or any phrase of similar import, shall mean all or any part designated by the City of the costs of a project, or interest therein, which costs, at the option of the City, may include all or any part of the incidental costs pertaining to the acquisition of the project, including, without limitations:~~

- ~~A. Preliminary expenses advanced by the City from funds available for the use therefor, or advanced by the federal government, or from any other source, with approval of the City, or any combination thereof;~~
- ~~B. The costs of making surveys, audits, preliminary plans, other plans, specifications, estimates of costs and other preliminaries;~~
- ~~C. The costs of appraising, printing, estimates, advice, services of engineers, architects, financial consultants, attorneys at law, clerical help, or other agents of employees;~~
- ~~D. The costs of contingencies;~~
- ~~E. The costs of any discount on bonds and of any of the costs of issuance of bonds payable from original issue premium;~~
- ~~F. The costs of funding and short-term financing, revenue warrants, bond anticipation notes, or other temporary loans appertaining to the project, and of the incidental expenses incurred in connection with such loans;~~
- ~~G. The acquisition and construction costs of any properties, rights, easements, or other interest in properties, or any licenses, privileges, agreements and franchises; and~~
- ~~H. All other expenses necessary or desirable and appertaining to the project, as estimated or otherwise ascertained by the City.~~

~~*Council* means the City Council of the City, as the same shall be duly and regularly constituted from time to time.~~

~~*Debt service account* means an account or subaccounts of that name in the bond fund out of which the principal of and interest on any bonds shall be paid.~~

~~*Designated representative* means the Mayor, the City Administrator or any City employee designated by them.~~

~~*DTC* means the Depository Trust Company of New York, as depository for the bonds, or any successor or substitute depository for the bonds.~~

~~*Engineer* means an independent licensed professional engineer (or firm of licensed professional engineers) selected by the City and experienced and skilled in the design, construction and operation of wastewater or sewer systems of comparable size and character to the wastewater system.~~

~~*Estimated debt service requirement* means the schedule of principal and interest payments for a hypothetical series of refunding bonds that refunds a balloon payment, that is prepared by City Administrator, City Treasurer, or their designee, and that meets the requirements of section 3.15.160.~~

~~*Fiscal year* means the year commencing October 1 and ending the following September 30, unless changed by the City.~~

~~*Fitch* means Fitch Ratings, Inc., its successors, and assigns, and, if such organization shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, Fitch shall be deemed to refer to any other nationally recognized securities rating agency (other than S&P or Moody's) designated by the City.~~

~~*Initial bonds* means the first series of revenue bonds or other obligations issued by the City under this chapter and a series ordinance.~~

Master ordinance means this Ordinance No. 1247 adopted by the Council on March 27, 2023.

Maximum annual debt service means, at the time of calculation, the maximum amount of annual debt service that will be payable in the current fiscal year or any future fiscal year on all bonds.

Mayor means the Mayor of the City, or any presiding officer or titular head of the City, or their successor in functions, if any.

Moody's means Moody's Investors Service, Inc., its successors, and assigns, and, if such organization shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, Moody's shall be deemed to refer to any other nationally recognized securities rating agency (other than S&P and Fitch) designated by the City.

Net revenue(s) means, for any period, the Revenue of the Wastewater System after the deduction of Operation and Maintenance Expenses.

Operation and maintenance expenses means all costs incurred by the City and properly treated as expenses of operating, maintaining, and repairing the wastewater system under generally accepted accounting principles, whether paid or accrued, or of levying, collecting and otherwise administering the revenue of the wastewater system for the payment of the bonds, but shall not include any payment for debt service or deposits into a reserve account, depreciation or taxes levied or imposed by the City in lieu of taxes, or capital additions or capital replacements to the wastewater system, and the term includes (except as limited by contract or otherwise limited by law) without limiting the generality of the foregoing:

- A. Engineering, auditing, reporting, legal and other overhead expenses of the various City departments directly relating and reasonably allocable to the administration of the wastewater system;
- B. Fidelity bond and property and liability insurance premiums appertaining to the wastewater system, or a reasonably allocable share of a premium of any blanket bond or policy pertaining thereto;
- C. Payments to pension, retirement, health, and hospitalization funds and other insurance related to the operation of the wastewater system;
- D. Any taxes, assessments, excise taxes or other charges which may be lawfully imposed on the City, the wastewater system, revenues therefrom, or any privilege in connection with their operation;
- E. The reasonable charges of the fiscal or paying agent, bond registrar, commercial bank, trust bank or other depository bank appertaining to bonds or appertaining to a project, if any;
- F. Contractual services, professional services, salaries, other administrative expenses, the cost of materials, supplies, repairs and labor, appertaining to the issuance of bonds and to the wastewater system; and
- G. All other administrative, general and commercial expenses.

However, operation and maintenance expenses do not include:

- A. Any rebates or penalties paid from revenues under Section 148 of the Code;
- B. Payments of judgments or fines against the City and payments for the settlement of litigation;
- C. Depreciation and amortization of property values or losses, and other noncash expenses, including non-cash expenses related to pensions and postemployment benefits;
- D. All amounts eligible to be treated for accounting purposes as payments for capital expenditures;
- E. Interest and other debt service payments, paying agent fees, broker-dealer fees and similar charges for the maintenance of borrowings;
- F. The expenses of owning, operating or maintaining any separate utility system;

Interest subsidy bonds means bonds for which the City is eligible to receive federal interest rate subsidies that are similar to the interest subsidies that were available for Build America Bonds.

Letter of representations means the blanket issuer letter of representations from the City to DTC authorized under section 3-15.030 of this chapter to be executed and filed with DTC.

Master ordinance means this Ordinance No. 1247 adopted by the Council on March 27, 2023.

Maximum annual debt service means, at the time of calculation, the maximum amount of annual debt service that will be payable in the current fiscal year or any future fiscal year on all bonds.

Mayor means the Mayor of the City, or any presiding officer or titular head of the City, or their successor in functions, if any.

Moody's means Moody's Investors Service, Inc., its successors, and assigns, and, if such organization shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, Moody's shall be deemed to refer to any other nationally recognized securities rating agency (other than S&P and Fitch) designated by the City.

Net revenue(s) means, for any period, the Revenue of the Wastewater System after the deduction of Operation and Maintenance Expenses.

Operation and maintenance expenses means all costs incurred by the City and properly treated as expenses of operating, maintaining, and repairing the wastewater system under generally accepted accounting principles, whether paid or accrued, or of levying, collecting and otherwise administering the revenue of the wastewater system for the payment of the bonds, but shall not include any payment for debt service or deposits into a reserve account, depreciation or taxes levied or imposed by the City in lieu of taxes, or capital additions or capital replacements to the wastewater system, and the term includes (except as limited by contract or otherwise limited by law) without limiting the generality of the foregoing:

- A. Engineering, auditing, reporting, legal and other overhead expenses of the various City departments directly relating and reasonably allocable to the administration of the wastewater system;
- B. Fidelity bond and property and liability insurance premiums appertaining to the wastewater system, or a reasonably allocable share of a premium of any blanket bond or policy pertaining thereto;
- C. Payments to pension, retirement, health, and hospitalization funds and other insurance related to the operation of the wastewater system;
- D. Any taxes, assessments, excise taxes or other charges which may be lawfully imposed on the City, the wastewater system, revenues therefrom, or any privilege in connection with their operation;
- E. The reasonable charges of the fiscal or paying agent, bond registrar, commercial bank, trust bank or other depository bank appertaining to bonds or appertaining to a project, if any;
- F. Contractual services, professional services, salaries, other administrative expenses, the cost of materials, supplies, repairs and labor, appertaining to the issuance of bonds and to the wastewater system; and
- G. All other administrative, general and commercial expenses.

However, operation and maintenance expenses do not include:

- A. Any rebates or penalties paid from revenues under Section 148 of the Code;
- B. Payments of judgments or fines against the City and payments for the settlement of litigation;
- C. Depreciation and amortization of property values or losses, and other noncash expenses, including non-cash expenses related to pensions and postemployment benefits;

- G. Expenditures made from any liability insurance proceeds;
- H. Expenditures made from any casualty insurance proceeds used to pay for costs of repairing or replacing portions of the wastewater system;
- I. Expenditures made from grant funds, regardless of whether such grant funds are dedicated to a specific purpose or available for the general operation, maintenance and repair or replacement of the wastewater system;
- J. Extraordinary, non-recurring expenses of the wastewater system; or
- K. Expenditures allocable to any other funding source which does not constitute revenues of the wastewater system.

Ordinance means this chapter and, when applicable, this chapter and any series ordinance.

Outstanding, when used with reference to a bond or bonds, as of any particular date, means all bonds which have been issued, executed, authenticated and delivered by the City, except (i) bonds cancelled because of payment or redemption prior to their stated dates of maturity, and (ii) any bond (or portion thereof) for the payment or redemption of which there has been separately set aside and held funds for the payment thereof, and when used in reference to a bond or bonds issued as zero coupon or capital appreciation bonds, the assumed par amount outstanding of such bond or bonds shall be its purchase price, plus the accrued interest earned by the owner of such bond or bonds as of the date of calculation.

Owner means a registered owner of a bond.

Parity bonds means the initial bonds and any obligation that is secured by the net revenues on an equal basis with the initial bonds and issued in accordance with section 3.15.140.

Permitted investments means such investments as shall be legal investment for funds under Idaho Code, section 50-1013, or comparable statute as then in effect.

Private person means any natural person engaged in a trade or business or any trust, estate, partnership, association, company, or corporation.

Project means the undertaking or undertakings of acquiring and constructing improvements to the wastewater system.

Project fund means any fund created pursuant to section 3.15.080 hereunder or under any series ordinance and any subaccount thereunder into which shall be deposited proceeds of bonds to finance a project and costs of issuance thereof.

Qualified consultant means an independent engineer, an independent auditor, an independent financial advisor, or similar independent professional consultant of recognized standing and having experience and expertise in the area for which such person or firm is retained by the City for purposes of performing activities specified in this chapter or any series ordinance.

Qualified insurance means any municipal bond insurance policy or surety bond issued by any insurance company licensed to conduct an insurance business in any state of the United States (or by a service corporation acting on behalf of one or more such insurance companies) which insurance company or companies, as of the time of issuance of such policy or surety bond, are rated in one of the two highest rating categories by each rating agency rating such series of bonds.

Qualified letter of credit means any letter of credit issued by a financial institution for the account of the City, which institution maintains an office, agency, or branch in the United States and as of the time of issuance of such letter of credit is rated in one of the two highest rating categories by each rating agency rating such series of bonds.

- D. All amounts eligible to be treated for accounting purposes as payments for capital expenditures;
- E. Interest and other debt service payments, paying agent fees, broker-dealer fees and similar charges for the maintenance of borrowings;
- F. The expenses of owning, operating or maintaining any separate utility system;
- G. Expenditures made from any liability insurance proceeds;
- H. Expenditures made from any casualty insurance proceeds used to pay for costs of repairing or replacing portions of the wastewater system;
- I. Expenditures made from grant funds, regardless of whether such grant funds are dedicated to a specific purpose or available for the general operation, maintenance and repair or replacement of the wastewater system;
- J. Extraordinary, non-recurring expenses of the wastewater system; or
- K. Expenditures allocable to any other funding source which does not constitute revenues of the wastewater system.

Ordinance means this chapter and, when applicable, this chapter and any series ordinance.

Outstanding, when used with reference to a bond or bonds, as of any particular date, means all bonds which have been issued, executed, authenticated and delivered by the City, except (i) bonds cancelled because of payment or redemption prior to their stated dates of maturity, and (ii) any bond (or portion thereof) for the payment or redemption of which there has been separately set aside and held funds for the payment thereof, and when used in reference to a bond or bonds issued as zero coupon or capital appreciation bonds, the assumed par amount outstanding of such bond or bonds shall be its purchase price, plus the accrued interest earned by the owner of such bond or bonds as of the date of calculation.

Owner means a registered owner of a bond.

Parity bonds means the initial bonds and any obligation that is secured by the net revenues on an equal basis with the initial bonds and issued in accordance with section 3.15.140.

Permitted investments means such investments as shall be legal investment for funds under Idaho Code, section 50-1013, or comparable statute as then in effect.

Private person means any natural person engaged in a trade or business or any trust, estate, partnership, association, company, or corporation.

Project means the undertaking or undertakings of acquiring and constructing improvements to the wastewater system.

Project fund means any fund created pursuant to section 3.15.080 hereunder or under any series ordinance and any subaccount thereunder into which shall be deposited proceeds of bonds to finance a project and costs of issuance thereof.

Qualified consultant means an independent engineer, an independent auditor, an independent financial advisor, or similar independent professional consultant of recognized standing and having experience and expertise in the area for which such person or firm is retained by the City for purposes of performing activities specified in this chapter or any series ordinance.

Qualified insurance means any municipal bond insurance policy or surety bond issued by any insurance company licensed to conduct an insurance business in any state of the United States (or by a service corporation acting on behalf of one or more such insurance companies) which insurance company or companies, as of the time of issuance of such policy or surety bond, are rated in one of the two highest rating categories by each rating agency rating such series of bonds.

Rate covenant means net revenues in each fiscal year at least equal to 125 percent of the annual debt service.

Rating agency means Moody's, S&P or Fitch.

Rebate fund means the fund so designated by the Council into which all excess earnings on funds and accounts held by the City hereunder to the extent required by any tax certificate of the City shall be deposited.

Record date, unless otherwise provided in a series ordinance, mean (a) in the case of each interest payment date, the close of business on the fifteenth day preceding the interest payment date; and, if not a business day of the bond registrar, the next preceding day that is a business day of the bond registrar, and (b) in the case of redemption, if applicable, such record date as shall be specified by the bond registrar in the notice of redemption, provided that such record date shall be not less than 15 calendar days before the mailing of such notice of redemption.

Refunding bonds means bonds issued hereunder to refund prior revenue bonds of the City on parity with the parity bonds used to finance and/or refinance improvements to the wastewater system.

Registered owner or registered owners mean the person or persons whose names and addresses shall appear on the bond register maintained by the bond registrar in accordance with the terms of this chapter and a series ordinance, as the owner or owners of a specific bond or bonds, for so long as any bonds are held in book-entry form, etc shall be deemed to be the sole registered owner.

Reserve account means the debt service reserve account in the bond fund, including any and all subaccounts thereunder created upon issuance of bonds under and as required by series ordinance.

Reserve account requirement means the required amount, if any, to be deposited by the City into a reserve account upon issuance of bonds pursuant to the respective series ordinance.

Revenue fund means the fund designated the "City of Ketchum Wastewater Revenue Fund," into which all the net revenues of the wastewater system is pledged to be deposited.

Revenue of the wastewater system or revenue(s) means all earnings, revenue and moneys received by the City from or on account of the operation of the wastewater system under generally accepted accounting principles, including income from investments of money in the bond fund or from any other investment thereof, except the income from investments irrevocably pledged to the payment of any other revenue obligations of the City pursuant to a plan of retirement or refunding. Revenues shall be increased by any withdrawals from the stabilization account as provided in section 3.15.060.C.2 of this chapter and shall be reduced by any deposits to the stabilization account as provided in section 3.15.060.C.1 of this chapter. However, the term "revenue of the wastewater system" or "revenue" shall not include:

- A. The interest income or other earnings derived from the investment of any escrow fund established for the defeasance or refunding of outstanding indebtedness of the City;
- B. Any gifts, grants, donations or other amounts received by the City from any state or federal agency or other person (i) if such amounts are restricted by law or the grantor to uses inconsistent with the payment of bonds or (ii) if such amounts are reimbursements of operation and maintenance expenses;
- C. The proceeds of any borrowing;
- D. The proceeds of any liability or other insurance (excluding business interruption insurance or other insurance of like nature insuring against the loss of revenues);
- E. The proceeds of any casualty insurance which the City intends to utilize for repair or replacement of the wastewater system;
- F. The proceeds derived from the sales of assets subject to the covenants in section 3.15.120.I of this chapter;

Qualified letter of credit means any letter of credit issued by a financial institution for the account of the City, which institution maintains an office, agency, or branch in the United States and as of the time of issuance of such letter of credit is rated in one of the two highest rating categories by each rating agency rating such series of bonds:

Rate covenant means net revenues in each fiscal year at least equal to 125 percent of the annual debt service.

Rating agency means Moody's, S&P or Fitch.

Rebate fund means the fund so designated by the Council into which all excess earnings on funds and accounts held by the City hereunder to the extent required by any tax certificate of the City shall be deposited.

Record date, unless otherwise provided in a series ordinance, mean (a) in the case of each interest payment date, the close of business on the fifteenth day preceding the interest payment date; and, if not a business day of the bond registrar, the next preceding day that is a business day of the bond registrar, and (b) in the case of redemption, if applicable, such record date as shall be specified by the bond registrar in the notice of redemption, provided that such record date shall be not less than 15 calendar days before the mailing of such notice of redemption.

Refunding bonds means bonds issued hereunder to refund prior revenue bonds of the City on parity with the parity bonds used to finance and/or refinance improvements to the wastewater system.

Registered owner or registered owners mean the person or persons whose names and addresses shall appear on the bond register maintained by the bond registrar in accordance with the terms of this chapter and a series ordinance, as the owner or owners of a specific bond or bonds, for so long as any bonds are held in book-entry form, etc shall be deemed to be the sole registered owner.

Reserve account means the debt service reserve account in the bond fund, including any and all subaccounts thereunder created upon issuance of bonds under and as required by series ordinance.

Reserve account requirement means the required amount, if any, to be deposited by the City into a reserve account upon issuance of bonds pursuant to the respective series ordinance.

Revenue fund means the fund designated the "City of Ketchum Wastewater Revenue Fund," into which all the net revenues of the wastewater system is pledged to be deposited.

Revenue of the wastewater system or revenue(s) means all earnings, revenue and moneys received by the City from or on account of the operation of the wastewater system under generally accepted accounting principles, including income from investments of money in the bond fund or from any other investment thereof, except the income from investments irrevocably pledged to the payment of any other revenue obligations of the City pursuant to a plan of retirement or refunding. Revenues shall be increased by any withdrawals from the stabilization account as provided in section 3.15.060.C.2 of this chapter and shall be reduced by any deposits to the stabilization account as provided in section 3.15.060.C.1 of this chapter. However, the term "revenue of the wastewater system" or "revenue" shall not include:

- A. The interest income or other earnings derived from the investment of any escrow fund established for the defeasance or refunding of outstanding indebtedness of the City;
- B. Any gifts, grants, donations or other amounts received by the City from any state or federal agency or other person (i) if such amounts are restricted by law or the grantor to uses inconsistent with the payment of bonds or (ii) if such amounts are reimbursements of operation and maintenance expenses;
- C. The proceeds of any borrowing;
- D. The proceeds of any liability or other insurance (excluding business interruption insurance or other insurance of like nature insuring against the loss of revenues);

- G. Any income, fees, charges, receipts, profits or other amounts derived by the City from its ownership or operation of any separate utility system;
- H. Installment payments of City line and branch charges, connection fees, or local improvement district assessments that have been pledged as security for a borrowing other than a bond; or
- I. Any federal interest subsidies the City receives for interest subsidy bonds.

Rule 15c2-12 means Rule 15c2-12, as amended, promulgated by the SEC under the Securities and Exchange Act of 1934, as the same may be amended from time to time.

S&P means S&P Global Ratings, a business unit of Standard & Poor's Financial Services, LLC, its successors, and assigns, and, if such organization shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, S&P shall be deemed to refer to any other nationally recognized securities rating agency (other than Moody's and Fitch) designated by the City.

SEC means the Securities and Exchange Commission.

Separate utility system means any water supply, sewage collection or treatment, stormwater or other utility service or facilities that may be created, acquired, or constructed by the City as provided in section 3.15.110.

Series refers to all bonds authorized by a single series ordinance and delivered in exchange for payment on the same date, regardless of variations in maturity, interest rate or other provisions, unless the closing documents for the series provide otherwise.

Series Ordinance means any ordinance adopted by the City supplementing this chapter to authorize the issuance of bonds under this chapter.

Stabilization account means the stabilization account established in the revenue fund pursuant to section 3.15.060.C.

Subordinate obligations means obligations having a lien on the net revenues which is subordinate to the lien of the bonds. On the date of this Master Ordinance [from which this chapter derived], the City has no borrowings outstanding with a subordinate lien on the net revenues.

Wastewater system means the wastewater or sewer system of the City, including the assets, real and personal, tangible and intangible, and as it may later be added to, extended and improved, and shall include buildings, structures, utilities or other income producing property from the operation of or in connection with which revenues for the payment of the bonds will be derived, and the lands appertaining thereto, including, without limitation, any project(s) to be acquired with the proceeds of bonds issued hereunder.

Tax certificate means any agreement or certificate of the City which the City may execute in order to establish and assure the tax-exempt status of interest received on bonds.

Tax-exempt bonds means any bonds, the interest on which, in the opinion of bond counsel delivered at the time of issuance thereof pursuant to a series ordinance, is excludable from gross income of the owners of such bonds for federal income tax purposes.

Tax maximum means, for any series of bonds for purposes of section 3.15.150.C of this chapter, the least of: the greatest amount of principal, interest and premium, if any, required to be paid in any fiscal year on such Series; 125 percent of average amount of principal, interest and premium, if any, required to be paid on such series during all fiscal years in which such series will be outstanding, calculated as of the date of issuance of such series; or, ten percent of the proceeds of such Series, as "proceeds" is defined for purposes of Section 148(d) of the Code.

Rules of interpretation. In this chapter, unless the context otherwise requires:

- A. The terms "hereby," "hereof," "hereto," "herein," "hereunder" and any similar terms, as used in this chapter, refer to this chapter as a whole and not to any particular article, section, or subdivision;

~~E. The proceeds of any casualty insurance which the City intends to utilize for repair or replacement of the wastewater system;~~

~~F. The proceeds derived from the sales of assets subject to the covenants in section 3.15.120.I of this chapter;~~

~~G. Any income, fees, charges, receipts, profits or other amounts derived by the City from its ownership or operation of any separate utility system;~~

~~H. Installment payments of City line and branch charges, connection fees, or local improvement district assessments that have been pledged as security for a borrowing other than a bond; or~~

~~I. Any federal interest subsidies the City receives for interest subsidy bonds;~~

~~Rule 15c2-12 means Rule 15c2-12, as amended, promulgated by the SEC under the Securities and Exchange Act of 1934, as the same may be amended from time to time.~~

~~S&P means S&P Global Ratings, a business unit of Standard & Poor's Financial Services, LLC, its successors, and assigns, and, if such organization shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, S&P shall be deemed to refer to any other nationally recognized securities rating agency (other than Moody's and Fitch) designated by the City.~~

~~SEC means the Securities and Exchange Commission.~~

~~Separate utility system means any water supply, sewage collection or treatment, stormwater or other utility service or facilities that may be created, acquired, or constructed by the City as provided in section 3.15.110.~~

~~Series refers to all bonds authorized by a single series ordinance and delivered in exchange for payment on the same date, regardless of variations in maturity, interest rate or other provisions, unless the closing documents for the series provide otherwise.~~

~~Series Ordinance means any ordinance adopted by the City supplementing this chapter to authorize the issuance of bonds under this chapter.~~

~~Stabilization account means the stabilization account established in the revenue fund pursuant to section 3.15.060.C.~~

~~Subordinate obligations means obligations having a lien on the net revenues which is subordinate to the lien of the bonds. On the date of this Master Ordinance [from which this chapter derived], the City has no borrowings outstanding with a subordinate lien on the net revenues.~~

~~Wastewater system means the wastewater or sewer system of the City, including the assets, real and personal, tangible and intangible, and as it may later be added to, extended and improved, and shall include buildings, structures, utilities or other income producing property from the operation of or in connection with which revenues for the payment of the bonds will be derived, and the lands appertaining thereto, including, without limitation, any project(s) to be acquired with the proceeds of bonds issued hereunder.~~

~~Tax certificate means any agreement or certificate of the City which the City may execute in order to establish and assure the tax-exempt status of interest received on bonds.~~

~~Tax-exempt bonds means any bonds, the interest on which, in the opinion of bond counsel delivered at the time of issuance thereof pursuant to a series ordinance, is excludable from gross income of the owners of such bonds for federal income tax purposes.~~

~~Tax maximum means, for any series of bonds for purposes of section 3.15.150.C of this chapter, the least of: the greatest amount of principal, interest and premium, if any, required to be paid in any fiscal year on such Series; 125 percent of average amount of principal, interest and premium, if any, required to be paid on such series during all fiscal years in which such series will be outstanding, calculated as of the date of issuance of such series; or, ten percent of the proceeds of such Series, as "proceeds" is defined for purposes of Section 148(d) of the Code.~~

- B. Words importing the singular number shall mean and include the plural number and vice versa;
- C. Words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons;
- D. Any headings preceding the text of any sections of this chapter, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this chapter, nor shall they affect its meaning, construction or effect; and
- E. All references herein to "articles," "sections" and other subdivisions or clauses are to the corresponding articles, sections, subdivisions or clauses hereof.

(Ord. No. 1247, § 1, 3-27-2023)

3.15.020 Authorization of bonds; delegation authority.

In accordance with and subject to the terms, condition and limitations of the Act or other statutes authorizing bonds to be issued hereunder, the City is authorized to issue bonds pursuant to the terms and provisions hereof as supplemented by the terms and provisions of series ordinance(s) to provide for the specific terms and provisions thereof, including, but not limited to, the designation of each series of bonds, which designation may include the words "wastewater" or "sewer," the dated date of original issuance and delivery thereof, the registration provisions thereof, the denominations, maturity, payment and redemption provisions thereof, and requirements, if any, for a reserve account to pay debt service on the bonds. In addition, pursuant to Idaho Code, section 57-235, or comparable statute as then in effect, in the series ordinance authorizing the issuance of bonds, the City may delegate authority to the Mayor or the City Administrator to approve the final terms and provisions of the bonds upon the sale thereof, without any requirement that the members of the council meet to approve such determinations.

Bonds shall be special obligations only of the bond fund and shall be payable and secured as provided herein. The bonds do not constitute an indebtedness or general obligation of the City within the meaning of the constitutional provisions and limitations of the State of Idaho.

(Ord. No. 1247, § 2, 3-27-2023)

3.15.030 Registration.

Upon issuance of bonds hereunder, if required by a series ordinance, the City will appoint a registrar, authenticating agent, paying agent and transfer agent (collectively, the "bond registrar") for such series of bonds and the City will provide for the registration of such series of bonds pursuant to the series ordinance.

(Ord. No. 1247, § 3, 3-27-2023)

3.15.040 Redemption and purchase.

The respective redemption and purchase provisions for a series of bonds shall be set forth in the series ordinance for such series of bonds.

(Ord. No. 1247, § 4, 3-27-2023)

Rules of interpretation. In this chapter, unless the context otherwise requires:

- A. The terms "hereby," "hereof," "hereto," "herein," "hereunder" and any similar terms, as used in this chapter, refer to this chapter as a whole and not to any particular article, section, or subdivision;
- B. Words importing the singular number shall mean and include the plural number and vice versa;
- C. Words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons;
- D. Any headings preceding the text of any sections of this chapter, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this chapter, nor shall they affect its meaning, construction or effect; and
- E. All references herein to "articles," "sections" and other subdivisions or clauses are to the corresponding articles, sections, subdivisions or clauses hereof.

(Ord. No. 1247, § 1, 3-27-2023)

3.15.020 Authorization of bonds; delegation authority.

In accordance with and subject to the terms, condition and limitations of the Act or other statutes authorizing bonds to be issued hereunder, the City is authorized to issue bonds pursuant to the terms and provisions hereof as supplemented by the terms and provisions of series ordinance(s) to provide for the specific terms and provisions thereof, including, but not limited to, the designation of each series of bonds, which designation may include the words "wastewater" or "sewer," the dated date of original issuance and delivery thereof, the registration provisions thereof, the denominations, maturity, payment and redemption provisions thereof, and requirements, if any, for a reserve account to pay debt service on the bonds. In addition, pursuant to Idaho Code, section 57-235, or comparable statute as then in effect, in the series ordinance authorizing the issuance of bonds, the City may delegate authority to the Mayor or the City Administrator to approve the final terms and provisions of the bonds upon the sale thereof, without any requirement that the members of the council meet to approve such determinations.

Bonds shall be special obligations only of the bond fund and shall be payable and secured as provided herein. The bonds do not constitute an indebtedness or general obligation of the City within the meaning of the constitutional provisions and limitations of the State of Idaho.

(Ord. No. 1247, § 2, 3-27-2023)

3.15.030 Registration.

Upon issuance of bonds hereunder, if required by a series ordinance, the City will appoint a registrar, authenticating agent, paying agent and transfer agent (collectively, the "bond registrar") for such series of bonds and the City will provide for the registration of such series of bonds pursuant to the series ordinance.

(Ord. No. 1247, § 3, 3-27-2023)

3.15.040 Redemption and purchase.

The respective redemption and purchase provisions for a series of bonds shall be set forth in the series ordinance for such series of bonds.

(Ord. No. 1247, § 4, 3-27-2023)

(Supp. No. 6)

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3.15.050 Establishment of accounts and funds.

The following accounts and funds on the accounting records of the City are hereby ratified, if previously created, or created with respect to the bonds issued hereunder:

- A. Bond fund, held by the City, consisting of the debt service account and any and all reserve accounts established by a series ordinance;
- B. Revenue fund, held by the City and therein a stabilization account;
- C. Project fund and subaccounts therein established by a series ordinance; and
- D. Rebate fund, held by the City.

(Ord. No. 1247, § 5, 3-27-2023)

3.15.060 Revenue fund; priority of application of revenue; stabilization account.

A. *Revenue fund.* The City shall maintain the "City of Ketchum Wastewater Revenue Fund" (the "revenue fund") as a separate enterprise fund of the City. All revenue of the wastewater system shall be deposited in the revenue fund. Notwithstanding the foregoing, the City may maintain such separate funds and accounts in such names and under such additional designations as shall be required to comply with standard accounting practices.

B. *Priority of application of revenue of the wastewater system.* The revenue fund shall be held separate and apart from all other funds and accounts of the City, and the revenue of the wastewater system deposited in such revenue fund shall be used only for the following purposes and in the following order of priority:

First, to pay the operation and maintenance expenses of the wastewater system;

Second, to pay the interest on any bonds;

Third, to pay the principal of any bonds;

Fourth, to make all payments required to be made into any reserve account created to secure payment of debt service on any series of bonds;

Fifth, to make all payments, together with other available funds, on the day on which any rebates or penalties for bonds are due to be paid to the United States pursuant to Section 148 of the Code;

Sixth, to make all payments required to be made into any revenue bond redemption fund or revenue warrant redemption fund and debt service fund or reserve account created to pay and secure the payment of the principal of and interest on government loans and any other revenue bonds or revenue warrants of the City having a lien upon the net revenues of the wastewater system junior and inferior to the lien thereon for the payment of the principal of and interest on the bonds; and

Seventh, to retire by redemption or purchase any outstanding Bonds or subordinate revenue warrants or subordinate bonds of the City payable out of the net revenues of the wastewater system, to make necessary additions, betterments, improvements, and repairs to or extensions and replacements of the wastewater system, or for any other lawful city purposes.

The City may transfer any money from any funds or accounts of the wastewater system legally available therefor, except bond redemption funds, refunding escrow funds or defeasance funds, to meet the required payments to be made into the bond fund.

C. *Stabilization account.* The City shall create a stabilization account in the revenue fund and will maintain that account as long as bonds are outstanding. Net revenues may be transferred to the stabilization account at

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~~3.15.050 Establishment of accounts and funds.~~

~~The following accounts and funds on the accounting records of the City are hereby ratified, if previously created, or created with respect to the bonds issued hereunder:~~

- ~~A. Bond fund, held by the City, consisting of the debt service account and any and all reserve accounts established by a series ordinance;~~
- ~~B. Revenue fund, held by the City and therein a stabilization account;~~
- ~~C. Project fund and subaccounts therein established by a series ordinance; and~~
- ~~D. Rebate fund, held by the City.~~

~~(Ord. No. 1247, § 5, 3-27-2023)~~

~~3.15.060 Revenue fund; priority of application of revenue; stabilization account.~~

~~A. *Revenue fund.* The City shall maintain the "City of Ketchum Wastewater Revenue Fund" (the "revenue fund") as a separate enterprise fund of the City. All revenue of the wastewater system shall be deposited in the revenue fund. Notwithstanding the foregoing, the City may maintain such separate funds and accounts in such names and under such additional designations as shall be required to comply with standard accounting practices;~~

~~B. *Priority of application of revenue of the wastewater system.* The revenue fund shall be held separate and apart from all other funds and accounts of the City, and the revenue of the wastewater system deposited in such revenue fund shall be used only for the following purposes and in the following order of priority:~~

~~First, to pay the operation and maintenance expenses of the wastewater system;~~

~~Second, to pay the interest on any bonds;~~

~~Third, to pay the principal of any bonds;~~

~~Fourth, to make all payments required to be made into any reserve account created to secure payment of debt service on any series of bonds;~~

~~Fifth, to make all payments, together with other available funds, on the day on which any rebates or penalties for bonds are due to be paid to the United States pursuant to Section 148 of the Code;~~

~~Sixth, to make all payments required to be made into any revenue bond redemption fund or revenue warrant redemption fund and debt service fund or reserve account created to pay and secure the payment of the principal of and interest on government loans and any other revenue bonds or revenue warrants of the City having a lien upon the net revenues of the wastewater system junior and inferior to the lien thereon for the payment of the principal of and interest on the bonds; and~~

~~Seventh, to retire by redemption or purchase any outstanding Bonds or subordinate revenue warrants or subordinate bonds of the City payable out of the net revenues of the wastewater system, to make necessary additions, betterments, improvements, and repairs to or extensions and replacements of the wastewater system, or for any other lawful city purposes.~~

~~The City may transfer any money from any funds or accounts of the wastewater system legally available therefor, except bond redemption funds, refunding escrow funds or defeasance funds, to meet the required payments to be made into the bond fund.~~

~~C. *Stabilization account.* The City shall create a stabilization account in the revenue fund and will maintain that account as long as bonds are outstanding. Net revenues may be transferred to the stabilization account at~~

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the option of the City on any date. Money in the stabilization account may be withdrawn at any time and used for any purpose for which the revenues may be used.

1. Deposits to the stabilization account decrease revenues in the fiscal year for which the deposit is made.
2. Withdrawals from the stabilization account increase revenues in the fiscal year for which the withdrawal is made.
3. The City may adjust deposits to and withdrawals from the stabilization account for a fiscal year up until 180 days after the end of that fiscal year.
4. Earnings on the stabilization account shall be credited to the revenue fund.

(Ord. No. 1247, § 6, 3-27-2023)

3.15.070 Bond fund.

There is hereby created a fund known as the "City of Ketchum Wastewater Revenue Bond Fund" (the "bond fund") solely for the purpose of paying the principal of, premium, if any, and interest on the bonds. The bond fund shall consist of the following accounts: (1) debt service account and (2) debt service reserve account, including any and all subaccounts thereunder.

Said accounts are more particularly described as follows:

- A. *Debt service account.* As long as any bonds remain outstanding, the City hereby irrevocably obligates and binds itself to set aside and pay from the revenue fund into the debt service account those amounts necessary, together with such other funds as are on hand and available in the debt service account, to pay the interest or principal and interest next coming due on the bonds.
- B. *Reserve account.* The City shall maintain a debt service reserve account, including any and all subaccounts established thereunder if required pursuant to a series ordinance (the "reserve account") for the purpose of securing the payment of the principal of and interest on a series of bonds subject to a reserve account requirement, as provided in the series ordinance for such bonds. The City will covenant and agree in the series ordinance(s) for bonds, as applicable, to maintain at all times an amount in the reserve account, if applicable, equal to the reserve account requirement, except for withdrawals authorized therefrom, for so long as such bonds remain outstanding.

Alternatively, a reserve account requirement for any issue of bonds may be maintained, in whole or in part, by a qualified letter of credit or qualified insurance, as provided in the respective series ordinance. The amount payable from the qualified insurance or the qualified letter of credit shall be credited against the amounts otherwise required to be accumulated and maintained in a reserve account. In computing the amount on hand in the reserve account, qualified insurance and/or a qualified letter of credit shall be valued at the face amount thereof, and all other obligations purchased as an investment of moneys therein shall be valued at cost.

The series ordinance for each series of bonds will set out the terms and provisions for withdrawals from the reserve account, if required, in the event of insufficient amounts in the debt service account to pay the principal of, premium if any, interest on, and mandatory sinking fund installments, as applicable, on any bonds secured by such reserve account then outstanding, and the provisions for any surplus in the reserve account, if applicable.

In the event there shall be a deficiency in the debt service account to meet maturing installments of either principal, interest, or sinking fund installments on the bonds payable out of such account, such deficiency shall be made up from the reserve account(s), as applicable, by the withdrawal of moneys therefrom. Any deficiency created in a reserve account by reason of any such withdrawal shall then be made up out of revenue of the wastewater system (after making necessary provision for the payments required to be made by subparagraphs first through third of section 3.15.060.B) by paying into the applicable reserve account one-twelfth of the

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~~the option of the City on any date. Money in the stabilization account may be withdrawn at any time and used for any purpose for which the revenues may be used.~~

- ~~1. Deposits to the stabilization account decrease revenues in the fiscal year for which the deposit is made.~~
- ~~2. Withdrawals from the stabilization account increase revenues in the fiscal year for which the withdrawal is made.~~
- ~~3. The City may adjust deposits to and withdrawals from the stabilization account for a fiscal year up until 180 days after the end of that fiscal year.~~
- ~~4. Earnings on the stabilization account shall be credited to the revenue fund.~~

~~(Ord. No. 1247, § 6, 3-27-2023)~~

~~3.15.070 Bond fund.~~

~~There is hereby created a fund known as the "City of Ketchum Wastewater Revenue Bond Fund" (the "bond fund") solely for the purpose of paying the principal of, premium, if any, and interest on the bonds. The bond fund shall consist of the following accounts: (1) debt service account and (2) debt service reserve account, including any and all subaccounts thereunder.~~

~~Said accounts are more particularly described as follows:~~

- ~~A. *Debt service account.* As long as any bonds remain outstanding, the City hereby irrevocably obligates and binds itself to set aside and pay from the revenue fund into the debt service account those amounts necessary, together with such other funds as are on hand and available in the debt service account, to pay the interest or principal and interest next coming due on the bonds.~~
- ~~B. *Reserve account.* The City shall maintain a debt service reserve account, including any and all subaccounts established thereunder if required pursuant to a series ordinance (the "reserve account") for the purpose of securing the payment of the principal of and interest on a series of bonds subject to a reserve account requirement, as provided in the series ordinance for such bonds. The City will covenant and agree in the series ordinance(s) for bonds, as applicable, to maintain at all times an amount in the reserve account, if applicable, equal to the reserve account requirement, except for withdrawals authorized therefrom, for so long as such bonds remain outstanding.~~

~~Alternatively, a reserve account requirement for any issue of bonds may be maintained, in whole or in part, by a qualified letter of credit or qualified insurance, as provided in the respective series ordinance. The amount payable from the qualified insurance or the qualified letter of credit shall be credited against the amounts otherwise required to be accumulated and maintained in a reserve account. In computing the amount on hand in the reserve account, qualified insurance and/or a qualified letter of credit shall be valued at the face amount thereof, and all other obligations purchased as an investment of moneys therein shall be valued at cost.~~

~~The series ordinance for each series of bonds will set out the terms and provisions for withdrawals from the reserve account, if required, in the event of insufficient amounts in the debt service account to pay the principal of, premium if any, interest on, and mandatory sinking fund installments, as applicable, on any bonds secured by such reserve account then outstanding, and the provisions for any surplus in the reserve account, if applicable.~~

~~In the event there shall be a deficiency in the debt service account to meet maturing installments of either principal, interest, or sinking fund installments on the bonds payable out of such account, such deficiency shall be made up from the reserve account(s), as applicable, by the withdrawal of moneys therefrom. Any deficiency created in a reserve account by reason of any such withdrawal shall then be made up out of revenue of the wastewater system (after making necessary provision for the payments required to be made by subparagraphs first through third of section 3.15.060.B) by paying into the applicable reserve account one-twelfth of the~~

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deficiency on or before the first day of each of the next 12 succeeding months so that there will have been paid into the applicable reserve account an amount which, with money already on deposit therein, will equal the reserve account requirement, as applicable.

The value of money and obligations credited to any and all reserve accounts, as applicable, shall be determined by the City annually as of September 30. If the valuation shall be less than the amount required to be maintained therein, the deficiency (due to said valuation and not to a withdrawal) shall be made up from the revenue fund by paying into the applicable Reserve Account one-sixth of the deficiency on or before the first day of each of the next six succeeding months.

- [A.] *Sufficiency of revenues.* The Council hereby states and certifies that in setting aside and providing for said payments into the various accounts within the bond fund of the amounts necessary for the payment of the principal, interest, and sinking fund installments on said bonds, as applicable, the Council has taken into consideration and has due regard for operation and maintenance expenses, and the Council will set aside into said accounts within the bond fund moneys sufficient and necessary to retire said bonds (including principal, interest, and sinking fund installments), after paying all operation and maintenance expenses.
- [B.] *Pledge of net revenue; priority of lien of payments into accounts within the bond fund.* The net revenues are hereby pledged to the payment of bonds and declared to be a prior lien and first charge thereon superior to all other charges of any kind or nature whatsoever pursuant to Idaho Code, section 50-1039. The federal interest subsidies the City receives for interest subsidy bonds are also hereby pledged to the payment of the bonds and declared to be a prior lien and first charge thereon superior to all other charges of any kind or nature whatsoever pursuant to Idaho Code, section 50-1039.
- [C.] *Application and investment of moneys in accounts within the bond fund.* Moneys in the various accounts within the bond fund may be invested in permitted investments. Investments of funds in the accounts within the bond fund shall mature prior to the date on which such moneys shall be needed for required interest, principal, or sinking fund installments. Investments of funds in the reserve account shall be available to pay any deficiencies that may occur in any of the accounts within the bond fund. All interest earned and income derived by virtue of such investments shall remain in the bond fund and be used to meet the required deposits into any account therein. Subject to the other provisions of this subparagraph, moneys in the debt service account and the reserve account, as applicable, may be combined for the purpose of purchasing investments, but the records of the City shall show to which account the respective portions of any such combined investment are credited.

(Ord. No. 1247, § 7, 3-27-2023)

3.15.080 Project fund.

The City hereby creates a fund known as the "City of Ketchum Wastewater Revenue Project Fund" (the "project fund") into which shall be deposited all of the proceeds of the sale of bonds to be used for the payment of the cost of acquisition and construction of a project, including costs of issuance of bonds. Any interest earnings on moneys invested from the project fund shall be deposited into said project fund. The City's share of any liquidated damages or other moneys paid by defaulting contractors or their sureties will be deposited into said project fund to assure the completion of the project.

When the construction of the project has been completed and all costs related thereto have been paid in full, any balance remaining in the project fund will be deposited into the bond fund.

(Ord. No. 1247, § 8, 3-27-2023)

~~deficiency on or before the first day of each of the next 12 succeeding months so that there will have been paid into the applicable reserve account an amount which, with money already on deposit therein, will equal the reserve account requirement, as applicable.~~

~~The value of money and obligations credited to any and all reserve accounts, as applicable, shall be determined by the City annually as of September 30. If the valuation shall be less than the amount required to be maintained therein, the deficiency (due to said valuation and not to a withdrawal) shall be made up from the revenue fund by paying into the applicable Reserve Account one-sixth of the deficiency on or before the first day of each of the next six succeeding months.~~

~~[A.] *Sufficiency of revenues.* The Council hereby states and certifies that in setting aside and providing for said payments into the various accounts within the bond fund of the amounts necessary for the payment of the principal, interest, and sinking fund installments on said bonds, as applicable, the Council has taken into consideration and has due regard for operation and maintenance expenses, and the Council will set aside into said accounts within the bond fund moneys sufficient and necessary to retire said bonds (including principal, interest, and sinking fund installments), after paying all operation and maintenance expenses.~~

~~[B.] *Pledge of net revenue; priority of lien of payments into accounts within the bond fund.* The net revenues are hereby pledged to the payment of bonds and declared to be a prior lien and first charge thereon superior to all other charges of any kind or nature whatsoever pursuant to Idaho Code, section 50-1039. The federal interest subsidies the City receives for interest subsidy bonds are also hereby pledged to the payment of the bonds and declared to be a prior lien and first charge thereon superior to all other charges of any kind or nature whatsoever pursuant to Idaho Code, section 50-1039.~~

~~[C.] *Application and investment of moneys in accounts within the bond fund.* Moneys in the various accounts within the bond fund may be invested in permitted investments. Investments of funds in the accounts within the bond fund shall mature prior to the date on which such moneys shall be needed for required interest, principal, or sinking fund installments. Investments of funds in the reserve account shall be available to pay any deficiencies that may occur in any of the accounts within the bond fund. All interest earned and income derived by virtue of such investments shall remain in the bond fund and be used to meet the required deposits into any account therein. Subject to the other provisions of this subparagraph, moneys in the debt service account and the reserve account, as applicable, may be combined for the purpose of purchasing investments, but the records of the City shall show to which account the respective portions of any such combined investment are credited.~~

~~(Ord. No. 1247, § 7, 3-27-2023)~~

~~3.15.080 Project fund.~~

~~The City hereby creates a fund known as the "City of Ketchum Wastewater Revenue Project Fund" (the "project fund") into which shall be deposited all of the proceeds of the sale of bonds to be used for the payment of the cost of acquisition and construction of a project, including costs of issuance of bonds. Any interest earnings on moneys invested from the project fund shall be deposited into said project fund. The City's share of any liquidated damages or other moneys paid by defaulting contractors or their sureties will be deposited into said project fund to assure the completion of the project.~~

~~When the construction of the project has been completed and all costs related thereto have been paid in full, any balance remaining in the project fund will be deposited into the bond fund.~~

~~(Ord. No. 1247, § 8, 3-27-2023)~~

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3.15.090 Rebate fund; rebate requirement.

There is hereby established a rebate fund into which shall be deposited, from time to time, all excess earnings on funds and accounts held by the City hereunder to the extent required by any tax certificate of the City and said amounts shall be held in trust for the payment of arbitrage rebate in accordance with Section 148 of the Code and the tax certificate. All earnings on the rebate fund shall remain within said fund and shall be used for no other purpose unless the City provides the bond registrar with an opinion of nationally recognized bond counsel that another use will not cause interest on the respective bonds to cease to qualify for exclusion from federal income taxation under the Code.

The bond registrar may rely conclusively upon and shall be fully protected from all liability in relying upon the issuer's determinations, calculations, certifications, and written directions required by this section and the bond registrar shall have no responsibility to monitor and independently make any calculations or determination or to review the issuer's determinations, calculations, certifications, and written directions required by this section.

(Ord. No. 1247, § 9, 3-27-2023)

3.15.100 Authorization for projects.

The council hereby authorizes and directs that upon determination that it is necessary to preserve the public health, safety and welfare that certain components of the City's existing wastewater system be repaired, replaced and/or improved, that project(s) may be financed by the issuance of the bonds and/or subordinate obligations upon adoption of series ordinance(s) pursuant to and upon compliance with section 3.15.140 hereunder.

Each such series ordinance authorizing the bonds and/or subordinate obligations to finance a project shall include:

- A. The description of the project to be acquired, constructed and installed;
- B. That the City, its staff and agents shall undertake the project in accordance with maps, plans and specifications prepared by the City's Engineer or consulting engineer engaged by the City, which shall be on file in the City Clerk's office, and which may be revised prior to or in the course of actual construction, provided such changes are found necessary and desirable by the Council and that such changes do not substantially affect or alter the plans or costs of the project; and
- C. The total estimated cost of acquisition and construction of the project to be financed by the bonds and/or subordinate obligations.

(Ord. No. 1247, § 10, 3-27-2023)

3.15.110 Separate utility systems.

The City may declare property which the City owns and is part of the wastewater system (but has a value of less than ten percent of the wastewater system at the time of the declaration), and property which the City has not yet acquired but would otherwise become part of the wastewater system, to be part of a separate utility system.

The City may pay costs of acquiring, operating, and maintaining a separate utility system from net revenues, but only if there is no deficit in the debt service account or a reserve account within the bond fund. The City may issue obligations which are secured by the revenues produced by the separate utility system and may pledge the separate utility system revenues to pay those obligations. In addition, the City may issue subordinate obligations to pay for costs of a separate utility system and may pledge the revenues of the separate utility system to pay the subordinate obligations. Further, the City may pledge the revenues produced by a separate utility system to pay

~~**3.15.090 Rebate fund; rebate requirement.**~~

~~There is hereby established a rebate fund into which shall be deposited, from time to time, all excess earnings on funds and accounts held by the City hereunder to the extent required by any tax certificate of the City and said amounts shall be held in trust for the payment of arbitrage rebate in accordance with Section 148 of the Code and the tax certificate. All earnings on the rebate fund shall remain within said fund and shall be used for no other purpose unless the City provides the bond registrar with an opinion of nationally recognized bond counsel that another use will not cause interest on the respective bonds to cease to qualify for exclusion from federal income taxation under the Code.~~

~~The bond registrar may rely conclusively upon and shall be fully protected from all liability in relying upon the issuer's determinations, calculations, certifications, and written directions required by this section and the bond registrar shall have no responsibility to monitor and independently make any calculations or determination or to review the issuer's determinations, calculations, certifications, and written directions required by this section.~~

~~(Ord. No. 1247, § 9, 3-27-2023)~~

~~**3.15.100 Authorization for projects.**~~

~~The council hereby authorizes and directs that upon determination that it is necessary to preserve the public health, safety and welfare that certain components of the City's existing wastewater system be repaired, replaced and/or improved, that project(s) may be financed by the issuance of the bonds and/or subordinate obligations upon adoption of series ordinance(s) pursuant to and upon compliance with section 3.15.140 hereunder.~~

~~Each such series ordinance authorizing the bonds and/or subordinate obligations to finance a project shall include:~~

- ~~A. The description of the project to be acquired, constructed and installed;~~
- ~~B. That the City, its staff and agents shall undertake the project in accordance with maps, plans and specifications prepared by the City's Engineer or consulting engineer engaged by the City, which shall be on file in the City Clerk's office, and which may be revised prior to or in the course of actual construction, provided such changes are found necessary and desirable by the Council and that such changes do not substantially affect or alter the plans or costs of the project; and~~
- ~~C. The total estimated cost of acquisition and construction of the project to be financed by the bonds and/or subordinate obligations.~~

~~(Ord. No. 1247, § 10, 3-27-2023)~~

~~**3.15.110 Separate utility systems.**~~

~~The City may declare property which the City owns and is part of the wastewater system (but has a value of less than ten percent of the wastewater system at the time of the declaration), and property which the City has not yet acquired but would otherwise become part of the wastewater system, to be part of a separate utility system.~~

~~The City may pay costs of acquiring, operating, and maintaining a separate utility system from net revenues, but only if there is no deficit in the debt service account or a reserve account within the bond fund. The City may issue obligations which are secured by the revenues produced by the separate utility system and may pledge the separate utility system revenues to pay those obligations. In addition, the City may issue subordinate obligations to pay for costs of a separate utility system and may pledge the revenues of the separate utility system to pay the subordinate obligations. Further, the City may pledge the revenues produced by a separate utility system to pay~~

the bonds issued under this chapter by filing a written certificate of the mayor and the city administrator declaring such pledge with the city and the owner of the bonds.

Neither the revenue nor net revenue may be pledged to the payment of any obligations of a separate utility system except that the net revenue may be pledged on a basis subordinate to the lien on such revenue to the lien of the bonds.

(Ord. No. 1247, § 11, 3-27-2023)

3.15.120 Specific covenants.

For the protection and security of the bonds, the City hereby covenants and agrees to and with the registered owners of parity bonds that the City will perform the following covenants:

- A. *Rate covenant.* The City has established, may from time-to-time revise, and shall maintain and shall collect from the users of the wastewater system, rates and charges for furnishing the services and the facilities of the wastewater system to such users thereof. The City shall establish, maintain, and collect such rates and charges for service of its wastewater system for so long as any bonds are outstanding and shall maintain the rate covenant.
- B. *Acquire projects.* The City shall commence the acquisition, construction and completion of any project financed by proceeds of bonds and continue the same with all practical dispatch and in a sound and economical manner.
- C. *Operate wastewater system.* The City shall operate the wastewater system in an efficient and economical manner and prescribe, revise, and collect such charges in connection therewith so that the services, facilities, and properties of the wastewater system may be furnished at the lowest possible cost consistent with sound economy and prudent management.
- D. *Good repair.* The City shall operate, maintain, preserve, and keep the wastewater system and every part hereof in good repair, working order, and condition.
- E. *Preserve security.* The City shall preserve and protect the security of the bonds and the rights of the registered owners thereof.
- F. *Collect revenues.* The City shall collect and hold in trust the revenue of the wastewater system and other funds pledged to the payment of the bonds and apply such revenue of the wastewater system or other funds only as provided in this chapter and all series ordinances.
- G. *Service bonds.* The City shall pay and cause to be paid punctually the principal of and interest on the bonds on the date or dates, at the place or places, and in the manner that such sums are due in accordance with this chapter and all series ordinances.
- H. *Pay claims.* The City shall pay and discharge any and all lawful claims for labor, materials, and supplies which, if unpaid, might by law become a lien or charge upon the revenue of the wastewater system, or any part of said revenue of the wastewater system, or any funds in the hands of the City Treasurer or City Administrator, prior or superior to the lien of the bonds or which might impair the security of the bonds to the end that the priority and security of the bonds shall be fully preserved and protected.
- I. *Encumbrances, sales, or transfers of wastewater system.* The City shall not encumber, sell, lease, or dispose of the wastewater system or any part thereof, nor enter into any lease or agreement which would impair or impede the operation of the wastewater system or any part thereof necessary to secure adequate revenue for the payment of the principal of and interest on bonds and for the City to meet the rate covenant, nor which would otherwise impair or impede the rights of the registered owners of bonds with respect to such revenue or the operation of the wastewater system, except:

~~the bonds issued under this chapter by filing a written certificate of the mayor and the city administrator declaring such pledge with the city and the owner of the bonds.~~

~~Neither the revenue nor net revenue may be pledged to the payment of any obligations of a separate utility system except that the net revenue may be pledged on a basis subordinate to the lien on such revenue to the lien of the bonds.~~

~~(Ord. No. 1247, § 11, 3-27-2023)~~

~~3.15.120 Specific covenants.~~

~~For the protection and security of the bonds, the City hereby covenants and agrees to and with the registered owners of parity bonds that the City will perform the following covenants:~~

- ~~A. *Rate covenant.* The City has established, may from time-to-time revise, and shall maintain and shall collect from the users of the wastewater system, rates and charges for furnishing the services and the facilities of the wastewater system to such users thereof. The City shall establish, maintain, and collect such rates and charges for service of its wastewater system for so long as any bonds are outstanding and shall maintain the rate covenant.~~
- ~~B. *Acquire projects.* The City shall commence the acquisition, construction and completion of any project financed by proceeds of bonds and continue the same with all practical dispatch and in a sound and economical manner.~~
- ~~C. *Operate wastewater system.* The City shall operate the wastewater system in an efficient and economical manner and prescribe, revise, and collect such charges in connection therewith so that the services, facilities, and properties of the wastewater system may be furnished at the lowest possible cost consistent with sound economy and prudent management.~~
- ~~D. *Good repair.* The City shall operate, maintain, preserve, and keep the wastewater system and every part hereof in good repair, working order, and condition.~~
- ~~E. *Preserve security.* The City shall preserve and protect the security of the bonds and the rights of the registered owners thereof.~~
- ~~F. *Collect revenues.* The City shall collect and hold in trust the revenue of the wastewater system and other funds pledged to the payment of the bonds and apply such revenue of the wastewater system or other funds only as provided in this chapter and all series ordinances.~~
- ~~G. *Service bonds.* The City shall pay and cause to be paid punctually the principal of and interest on the bonds on the date or dates, at the place or places, and in the manner that such sums are due in accordance with this chapter and all series ordinances.~~
- ~~H. *Pay claims.* The City shall pay and discharge any and all lawful claims for labor, materials, and supplies which, if unpaid, might by law become a lien or charge upon the revenue of the wastewater system, or any part of said revenue of the wastewater system, or any funds in the hands of the City Treasurer or City Administrator, prior or superior to the lien of the bonds or which might impair the security of the bonds to the end that the priority and security of the bonds shall be fully preserved and protected.~~
- ~~I. *Encumbrances, sales, or transfers of wastewater system.* The City shall not encumber, sell, lease, or dispose of the wastewater system or any part thereof, nor enter into any lease or agreement which would impair or impede the operation of the wastewater system or any part thereof necessary to secure adequate revenue for the payment of the principal of and interest on bonds and for the City to meet the rate covenant, nor which would otherwise impair or impede the rights of the registered owners of bonds with respect to such revenue or the operation of the wastewater system, except:~~

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1. The City may dispose of all or substantially all the wastewater system, if the City pays all outstanding bonds or defeases all outstanding bonds pursuant to section 3.15.190; or
2. The City in its discretion may carry out a sale, transfer, or disposition (each, as used in this clause, a "transfer") if the facilities or property transferred are not material to the operation of the wastewater system, or shall have become unserviceable, inadequate, obsolete, or unfit to be used in the operation of the wastewater system or are no longer necessary, material or useful to the operation of the wastewater system; or
3. The City in its discretion may carry out such a transfer if the aggregate depreciated cost value of the facilities or property being transferred in any one fiscal year comprises no more than ten percent of the total assets of the wastewater system, so long as there has been filed with the City a certificate of the City Treasurer or City Administrator, or a Qualified Consultant stating that such disposition will not impair the ability of the City to comply with the rate covenant; or
4. The City in its discretion may carry out such a transfer if the City receives from the transferee an amount equal to the greater of the following:
 - a. An amount which will be in the same proportion to the net amount of outstanding bonds (less the amount of cash and investments in the bond fund and accounts therein) that the revenue of the wastewater system from the portion of the wastewater system sold or disposed of for the preceding year bear to the total revenue for that period; or
 - b. An amount which will in the same proportion to the net amount of outstanding bonds (less the amount of cash and investments in the bond fund and accounts therein) that the net revenue from the portion of the wastewater system sold or disposed of for the preceding year bears to the total net revenue for such period; or
 - c. An amount equal to the fair market value of the portion of the wastewater system transferred. As used herein, "fair market value" means the most probable price that a property should bring in competitive and open market under all condition's requisite to a fair sale, the willing buyer and willing seller each acting prudently and knowledgeably and assuming that the price is not affected by coercion or undue stimulus.

The proceeds of any transfer under this subparagraph (i) shall be used, first, to promptly redeem (or shall be irrevocably set aside for the redemption of) outstanding bonds, and, if any proceeds remain, second, to provide for part of the cost of additions to and betterments and extension of the wastewater system.

- J. **Insurance.** The City shall self-insure or procure and keep in force insurance upon all buildings and structures of the wastewater system and the machinery and equipment therein, which are usually insured by entities operating like property, in good and responsible insurance companies. The amount of the insurance shall be such as may be required to adequately protect the City and the registered owners of any bonds from loss due to any casualty, and in the event of any such loss, the proceeds shall be used to repair or restore the wastewater system or for the payment of bonds.
- K. **Fidelity bonds.** The City shall procure suitable fidelity bonds covering all its officers and other employees charged with the operation of the wastewater system and the collection and disbursement of revenue of the wastewater system.
- L. **Engineers.** The City shall employ consulting engineers of acknowledged reputation, skill, and experience in the improvement and operation of the wastewater system for any unusual or extraordinary items of maintenance, repair, extensions, or betterments as shall be required from time to time. All reports, estimates, and recommendations of such consulting engineers shall be filed with the Clerk and furnished to the registered owners of any bonds upon request.

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- ~~1. The City may dispose of all or substantially all the wastewater system, if the City pays all outstanding bonds or defeases all outstanding bonds pursuant to section 3.15.190; or~~
- ~~2. The City in its discretion may carry out a sale, transfer, or disposition (each, as used in this clause, a "transfer") if the facilities or property transferred are not material to the operation of the wastewater system, or shall have become unserviceable, inadequate, obsolete, or unfit to be used in the operation of the wastewater system or are no longer necessary, material or useful to the operation of the wastewater system; or~~
- ~~3. The City in its discretion may carry out such a transfer if the aggregate depreciated cost value of the facilities or property being transferred in any one fiscal year comprises no more than ten percent of the total assets of the wastewater system, so long as there has been filed with the City a certificate of the City Treasurer or City Administrator, or a Qualified Consultant stating that such disposition will not impair the ability of the City to comply with the rate covenant; or~~
- ~~4. The City in its discretion may carry out such a transfer if the City receives from the transferee an amount equal to the greater of the following:

 - ~~a. An amount which will be in the same proportion to the net amount of outstanding bonds (less the amount of cash and investments in the bond fund and accounts therein) that the revenue of the wastewater system from the portion of the wastewater system sold or disposed of for the preceding year bear to the total revenue for that period; or~~
 - ~~b. An amount which will in the same proportion to the net amount of outstanding bonds (less the amount of cash and investments in the bond fund and accounts therein) that the net revenue from the portion of the wastewater system sold or disposed of for the preceding year bears to the total net revenue for such period; or~~
 - ~~c. An amount equal to the fair market value of the portion of the wastewater system transferred. As used herein, "fair market value" means the most probable price that a property should bring in competitive and open market under all condition's requisite to a fair sale, the willing buyer and willing seller each acting prudently and knowledgeably and assuming that the price is not affected by coercion or undue stimulus.~~

The proceeds of any transfer under this subparagraph (i) shall be used, first, to promptly redeem (or shall be irrevocably set aside for the redemption of) outstanding bonds, and, if any proceeds remain, second, to provide for part of the cost of additions to and betterments and extension of the wastewater system.~~
- ~~J. **Insurance.** The City shall self-insure or procure and keep in force insurance upon all buildings and structures of the wastewater system and the machinery and equipment therein, which are usually insured by entities operating like property, in good and responsible insurance companies. The amount of the insurance shall be such as may be required to adequately protect the City and the registered owners of any bonds from loss due to any casualty, and in the event of any such loss, the proceeds shall be used to repair or restore the wastewater system or for the payment of bonds.~~
- ~~K. **Fidelity bonds.** The City shall procure suitable fidelity bonds covering all its officers and other employees charged with the operation of the wastewater system and the collection and disbursement of revenue of the wastewater system.~~
- ~~L. **Engineers.** The City shall employ consulting engineers of acknowledged reputation, skill, and experience in the improvement and operation of the wastewater system for any unusual or extraordinary items of maintenance, repair, extensions, or betterments as shall be required from time to time. All reports, estimates, and recommendations of such consulting engineers shall be filed with the Clerk and furnished to the registered owners of any bonds upon request.~~

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- M. *Accounts.* The City shall keep proper and separate accounts and records in which complete and separate entries shall be made of all transactions relating to the wastewater system, and it will furnish complete operating and income statements upon request.
- N. *Delinquencies.* The City shall not enter into any new agreements or arrangements or make any new offers to provide wastewater system products or services at a discount from published rate schedules or provide free wastewater system products or services except: (i) for City-owned facilities, (ii) in case of emergencies, (iii) where the City exchanges services with other water systems, or (iv) where in the reasonable judgment of the City such action does not materially reduce the revenues received by the City.

(Ord. No. 1247, § 12, 3-27-2023)

3.15.130 Tax covenants.

- A. *General.* The City covenants with the owners of tax-exempt bonds that, notwithstanding any other provision of this chapter or any other instrument, it will take no action which would adversely affect the tax-exempt status of tax-exempt bonds issued hereunder under sections 103 or 148 of the Code pertaining to the exclusion of interest on the tax-exempt bonds from gross income for federal income tax purposes. The foregoing covenant shall extend throughout the term of the tax-exempt bonds. The City will execute a tax certificate dated the date of issuance and closing of tax-exempt bonds hereunder with respect to such federal tax matters.
- B. *Arbitrage covenant.* Covenant to maintain tax exemption.
1. The Mayor and/or City Administrator and other appropriate officials of the City each are hereby authorized and directed to execute from time to time such tax certificates as shall be necessary to establish that the tax-exempt bonds are not "arbitrage bonds" within the meaning of section 148 of the Code and the regulations promulgated or proposed thereunder, as the same presently exist or may from time to time hereafter be amended, supplemented or revised, and to establish that interest on the tax-exempt bonds is not and will not become includable in gross income under the Code and applicable regulations. The City covenants and certifies to and for the benefit of the bondholders that no use will be made of the proceeds of the issue and sale of the tax-exempt bonds, or any funds or accounts of the City which may be deemed to be proceeds of the tax-exempt bonds, pursuant to section 148 of the Code and applicable regulations (proposed or promulgated,) which use, if it had been reasonably expected on the date of issuance of the tax-exempt bonds, would have caused the tax-exempt bonds to be classified as "arbitrage bonds" within the meaning of section 148 of the Code. Pursuant to this covenant, the City obligates itself to comply throughout the term of the tax-exempt bonds with the requirements of section 148 of the Code and the regulations proposed or promulgated thereunder.
 2. The City further covenants and agrees to and for the benefit of the Bondholders that the City (i) will not take any action that would cause interest on the tax-exempt bonds to be or to become ineligible for the exclusion from gross income of the bondholders as provided in section 103 of the Code, (ii) will not omit to take or cause to be taken, in timely manner, any action which would cause interest on the tax-exempt bonds to be or to become ineligible for the exclusion from gross income of the bondholders as provided in section 103 of the Code, and (iii) without limiting the generality of the foregoing, (a) will not take any action which would cause the tax-exempt bonds to be a "private activity bond" within the meaning of section 141 of the Code or to fail to meet any applicable requirement of section 149 of the Code and (b) will not omit to take or cause to be taken, in timely manner, an action which would cause the tax-exempt bonds to be a "private activity bond" or to fail to meet any applicable requirement of section 149 of the Code. The Mayor and/or the City Administrator, or such other appropriate officials of the City each are hereby authorized and directed to execute from time to time such tax certificate as

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~~M. *Accounts.* The City shall keep proper and separate accounts and records in which complete and separate entries shall be made of all transactions relating to the wastewater system, and it will furnish complete operating and income statements upon request.~~

~~N. *Delinquencies.* The City shall not enter into any new agreements or arrangements or make any new offers to provide wastewater system products or services at a discount from published rate schedules or provide free wastewater system products or services except: (i) for City-owned facilities, (ii) in case of emergencies, (iii) where the City exchanges services with other water systems, or (iv) where in the reasonable judgment of the City such action does not materially reduce the revenues received by the City.~~

~~(Ord. No. 1247, § 12, 3-27-2023)~~

~~**3.15.130 Tax covenants.**~~

~~A. *General.* The City covenants with the owners of tax-exempt bonds that, notwithstanding any other provision of this chapter or any other instrument, it will take no action which would adversely affect the tax-exempt status of tax-exempt bonds issued hereunder under sections 103 or 148 of the Code pertaining to the exclusion of interest on the tax-exempt bonds from gross income for federal income tax purposes. The foregoing covenant shall extend throughout the term of the tax-exempt bonds. The City will execute a tax certificate dated the date of issuance and closing of tax-exempt bonds hereunder with respect to such federal tax matters.~~

~~B. *Arbitrage covenant.* Covenant to maintain tax exemption.~~

~~1. The Mayor and/or City Administrator and other appropriate officials of the City each are hereby authorized and directed to execute from time to time such tax certificates as shall be necessary to establish that the tax-exempt bonds are not "arbitrage bonds" within the meaning of section 148 of the Code and the regulations promulgated or proposed thereunder, as the same presently exist or may from time to time hereafter be amended, supplemented or revised, and to establish that interest on the tax-exempt bonds is not and will not become includable in gross income under the Code and applicable regulations. The City covenants and certifies to and for the benefit of the bondholders that no use will be made of the proceeds of the issue and sale of the tax-exempt bonds, or any funds or accounts of the City which may be deemed to be proceeds of the tax-exempt bonds, pursuant to section 148 of the Code and applicable regulations (proposed or promulgated,) which use, if it had been reasonably expected on the date of issuance of the tax-exempt bonds, would have caused the tax-exempt bonds to be classified as "arbitrage bonds" within the meaning of section 148 of the Code. Pursuant to this covenant, the City obligates itself to comply throughout the term of the tax-exempt bonds with the requirements of section 148 of the Code and the regulations proposed or promulgated thereunder.~~

~~2. The City further covenants and agrees to and for the benefit of the Bondholders that the City (i) will not take any action that would cause interest on the tax-exempt bonds to be or to become ineligible for the exclusion from gross income of the bondholders as provided in section 103 of the Code, (ii) will not omit to take or cause to be taken, in timely manner, any action which would cause interest on the tax-exempt bonds to be or to become ineligible for the exclusion from gross income of the bondholders as provided in section 103 of the Code, and (iii) without limiting the generality of the foregoing, (a) will not take any action which would cause the tax-exempt bonds to be a "private activity bond" within the meaning of section 141 of the Code or to fail to meet any applicable requirement of section 149 of the Code and (b) will not omit to take or cause to be taken, in timely manner, an action which would cause the tax-exempt bonds to be a "private activity bond" or to fail to meet any applicable requirement of section 149 of the Code. The Mayor and/or the City Administrator, or such other appropriate officials of the City each are hereby authorized and directed to execute from time to time such tax certificate as~~

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shall be necessary to establish that the tax-exempt bonds are not and will not become "private activity bonds," that all applicable requirements of section 149 of the Code are and will be met, and that the covenant of the City contained in this section 13.15.130.B.2 will be complied with.

3. The City covenants and certifies to and for the benefit of the bondholders that: (i) the City will at all times comply with the provisions of any tax certificate; (ii) the City will at all times comply with the rebate requirements contained in section 148(f) of the Code, to the extent applicable; and (iii) no bonds or other evidences of indebtedness of the City have been or will be issued, sold or delivered within a period beginning 15 days prior to the sale of a series of tax-exempt bonds and ending 15 days following the date of delivery of and payment for a series of tax-exempt bonds.

The city hereby covenants to adopt, make, execute and enter into (and to take such actions, if any, as may be necessary to enable it to do so) any resolution or tax certificate necessary to comply with any changes in law or regulations in order to preserve the exclusion of interest on the tax-exempt bonds from gross income of the bondholders thereof for purposes of the federal income tax to the extent that it may lawfully do so. The City further covenants to (a) impose such limitations on the investment or use of moneys or investment related to the tax-exempt bonds, (b) make such payments to the United States Treasury, (c) maintain such records, (d) perform such calculations and (e) perform such other acts as may be necessary to preserve the exclusion of interest on the tax-exempt bonds from gross income of the bondholders thereof for purposes of the federal income tax and which it lawfully may do.

Pursuant to these covenants, the City obligates itself to comply with the requirements of section 103 of the Code and the regulations proposed or promulgated thereunder throughout the term of the issue of the tax-exempt bonds.

- C. **Modification of tax covenants.** The covenants of this section are specified solely to assure the continued exemption from regular income taxation of the interest on the tax-exempt bonds. To that end, the provisions of this section may be modified or eliminated without any requirement for formal amendment thereof upon receipt of an opinion of the City's bond counsel that such modification or elimination will not adversely affect the tax exemption of interest on any tax-exempt bonds.

(Ord. No. 1247, § 13, 3-27-2023)

3.15.140 Issuance of parity bonds.

The City may issue parity bonds to provide funds for any purpose relating to the wastewater system, but only if:

- A. No event of default under this chapter or any series ordinance has occurred and is continuing;
- B. At the time of the issuance of the parity bonds there is no deficiency in the debt service account and all required deposits to all subaccounts in the reserve account have been made;
- C. There shall have been filed with the City either:
 1. A certificate of the City Administrator or the City Treasurer stating that Net Revenues (adjusted as provided in Section 3.15.140.D) for the base period were not less than 125 percent of maximum annual debt service on all then outstanding bonds, calculated as of the date the parity bonds are issued and with the proposed parity bonds treated as outstanding; or
 2. A certificate or opinion of a qualified consultant:
 - a. Stating the amount of the adjusted net revenues for each of the five fiscal years after the last fiscal year for which interest on the parity bonds is, or is expected to be, capitalized, or,

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shall be necessary to establish that the tax-exempt bonds are not and will not become "private activity bonds," that all applicable requirements of section 149 of the Code are and will be met, and that the covenant of the City contained in this section 13.15.130.B.2 will be complied with.

3. The City covenants and certifies to and for the benefit of the bondholders that: (i) the City will at all times comply with the provisions of any tax certificate; (ii) the City will at all times comply with the rebate requirements contained in section 148(f) of the Code, to the extent applicable; and (iii) no bonds or other evidences of indebtedness of the City have been or will be issued, sold or delivered within a period beginning 15 days prior to the sale of a series of tax-exempt bonds and ending 15 days following the date of delivery of and payment for a series of tax-exempt bonds.

The city hereby covenants to adopt, make, execute and enter into (and to take such actions, if any, as may be necessary to enable it to do so) any resolution or tax certificate necessary to comply with any changes in law or regulations in order to preserve the exclusion of interest on the tax-exempt bonds from gross income of the bondholders thereof for purposes of the federal income tax to the extent that it may lawfully do so. The City further covenants to (a) impose such limitations on the investment or use of moneys or investment related to the tax-exempt bonds, (b) make such payments to the United States Treasury, (c) maintain such records, (d) perform such calculations and (e) perform such other acts as may be necessary to preserve the exclusion of interest on the tax-exempt bonds from gross income of the bondholders thereof for purposes of the federal income tax and which it lawfully may do.

Pursuant to these covenants, the City obligates itself to comply with the requirements of section 103 of the Code and the regulations proposed or promulgated thereunder throughout the term of the issue of the tax-exempt bonds.

- C. **Modification of tax covenants.** The covenants of this section are specified solely to assure the continued exemption from regular income taxation of the interest on the tax-exempt bonds. To that end, the provisions of this section may be modified or eliminated without any requirement for formal amendment thereof upon receipt of an opinion of the City's bond counsel that such modification or elimination will not adversely affect the tax exemption of interest on any tax-exempt bonds.

(Ord. No. 1247, § 13, 3-27-2023)

3.15.140 Issuance of parity bonds.

The City may issue parity bonds to provide funds for any purpose relating to the wastewater system, but only if:

- A. No event of default under this chapter or any series ordinance has occurred and is continuing;
- B. At the time of the issuance of the parity bonds there is no deficiency in the debt service account and all required deposits to all subaccounts in the reserve account have been made;
- C. There shall have been filed with the City either:
 1. A certificate of the City Administrator or the City Treasurer stating that Net Revenues (adjusted as provided in Section 3.15.140.D) for the base period were not less than 125 percent of maximum annual debt service on all then outstanding bonds, calculated as of the date the parity bonds are issued and with the proposed parity bonds treated as outstanding; or
 2. A certificate or opinion of a qualified consultant:
 - a. Stating the amount of the adjusted net revenues for each of the five fiscal years after the last fiscal year for which interest on the parity bonds is, or is expected to be, capitalized, or,

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if interest will not be capitalized, for each of the five fiscal years after the proposed parity bonds are issued; and

- b. Concluding the respective amounts of adjusted net revenues in each of the first four fiscal years described in section 3.15.140.C.2.a are at least equal to 125 percent of the annual bond debt service for each of those respective fiscal years on all outstanding bonds, with the proposed parity bonds treated as outstanding; and
 - c. Concluding the amount of adjusted net revenues in the fifth fiscal year described in section 3.15.140.C.2.a is at least equal to 125 percent of the maximum annual debt service, calculated for the period beginning with that fifth fiscal year on all then outstanding bonds, with the proposed parity bonds treated as outstanding.
- D. The City may adjust net revenues for purposes of section 3.15.140.C.1 by adding any net revenues the City Administrator or the City Treasurer calculates the City would have had during the base period because of increases in Wastewater system rates, fees and charges which have been adopted by the City and are in effect on or before the date the parity bonds are issued. The City shall adjust net revenues for the base period by eliminating the effect of any withdrawals from or deposits to the stabilization account.
- E. The qualified consultant shall calculate adjusted net revenues for purposes of section 3.15.140.C.2 as provided in this section 3.15.140.E:
- 1. The City shall provide the qualified consultant with the following information:
 - a. The base period, the net revenues for the base period and the amounts of any withdrawals from or deposits to the stabilization account for fiscal years that are included in the base period;
 - b. Information regarding any wastewater system utility properties that are being acquired with parity bonds and that have an earnings record;
 - c. Any changes in rates and charges which have been adopted by the City since the beginning of the base period and the dates on which they are scheduled to take effect;
 - d. Any changes in customers since the beginning of the base period; and
 - e. A description of any extensions or additions to the wastewater system that were in the process of construction at the beginning of the base period or commenced construction after the beginning of the base period, the expected date of completion of those extensions or additions, the estimated operating and capital costs of those extensions or additions, and any other changes to the revenues or operation and maintenance expenses that the City reasonably expects to result from the completion and operation of those extensions or additions.
 - 2. Using the information provided by the City pursuant to section 3.15.140.E.1 and any additional information the qualified consultant determines is necessary, the qualified consultant shall adjust the net revenues for the base period to eliminate the effect of any withdrawals from or deposits to the stabilization account in the manner described in section 3.15.140.D and may adjust the net revenues for the base period:
 - a. To reflect any changes that the qualified consultant projects will result from the acquisition of wastewater system utility properties that are being financed with the parity bonds and that have an earnings record;
 - b. To reflect any changes in rates and charges which have been adopted by the City and which are scheduled to take effect during the period described in section 3.15.140.C.2.a, or which

~~if interest will not be capitalized, for each of the five fiscal years after the proposed parity bonds are issued; and~~

- ~~b. Concluding the respective amounts of adjusted net revenues in each of the first four fiscal years described in section 3.15.140.C.2.a are at least equal to 125 percent of the annual bond debt service for each of those respective fiscal years on all outstanding bonds, with the proposed parity bonds treated as outstanding; and~~
 - ~~c. Concluding the amount of adjusted net revenues in the fifth fiscal year described in section 3.15.140.C.2.a is at least equal to 125 percent of the maximum annual debt service, calculated for the period beginning with that fifth fiscal year on all then outstanding bonds, with the proposed parity bonds treated as outstanding;~~
- ~~D. The City may adjust net revenues for purposes of section 3.15.140.C.1 by adding any net revenues the City Administrator or the City Treasurer calculates the City would have had during the base period because of increases in Wastewater system rates, fees and charges which have been adopted by the City and are in effect on or before the date the parity bonds are issued. The City shall adjust net revenues for the base period by eliminating the effect of any withdrawals from or deposits to the stabilization account.~~
- ~~E. The qualified consultant shall calculate adjusted net revenues for purposes of section 3.15.140.C.2 as provided in this section 3.15.140.E:~~
- ~~1. The City shall provide the qualified consultant with the following information:~~
 - ~~a. The base period, the net revenues for the base period and the amounts of any withdrawals from or deposits to the stabilization account for fiscal years that are included in the base period;~~
 - ~~b. Information regarding any wastewater system utility properties that are being acquired with parity bonds and that have an earnings record;~~
 - ~~c. Any changes in rates and charges which have been adopted by the City since the beginning of the base period and the dates on which they are scheduled to take effect;~~
 - ~~d. Any changes in customers since the beginning of the base period; and~~
 - ~~e. A description of any extensions or additions to the wastewater system that were in the process of construction at the beginning of the base period or commenced construction after the beginning of the base period, the expected date of completion of those extensions or additions, the estimated operating and capital costs of those extensions or additions, and any other changes to the revenues or operation and maintenance expenses that the City reasonably expects to result from the completion and operation of those extensions or additions.~~
 - ~~2. Using the information provided by the City pursuant to section 3.15.140.E.1 and any additional information the qualified consultant determines is necessary, the qualified consultant shall adjust the net revenues for the base period to eliminate the effect of any withdrawals from or deposits to the stabilization account in the manner described in section 3.15.140.D and may adjust the net revenues for the base period:~~
 - ~~a. To reflect any changes that the qualified consultant projects will result from the acquisition of wastewater system utility properties that are being financed with the parity bonds and that have an earnings record;~~
 - ~~b. To reflect any changes in rates and charges which have been adopted by the City and which are scheduled to take effect during the period described in section 3.15.140.C.2.a, or which~~

increase rates and charges for inflation at a level which the qualified consultant determines is reasonable;

- c. To reflect any changes in customers of the wastewater system that occurred after the beginning of the base period and prior to the date of the qualified consultant's certificate; and
- d. To reflect any changes to net revenues not included in the preceding paragraphs that are projected to result from the completion and operation of additions and extensions to the wastewater system that were under construction at the beginning of the base period or commenced construction after the beginning of the base period.

- F. The City may issue refunding bonds to refund outstanding bonds without complying with section 3.15.140.A through E above if the refunded bonds are legally defeased on the date of delivery of the refunding bonds and if the annual bond debt service on the refunding bonds does not exceed the annual bond debt service on the refunded bonds in any fiscal year by more than five percent.
- G. Bonds shall be treated as "legally defeased" for purposes of section 3.15.140.F if they are defeased as provided in section 3.15.190.
- H. All parity bonds issued in accordance with this Section 3.15.140 shall have a lien on the net revenues which is equal to the lien of all other outstanding bonds.

(Ord. No. 1247, § 14, 3-27-2023)

3.15.150 Interest subsidy bonds.

The amounts assumed to be paid on interest subsidy bonds shall be calculated as follows:

- A. When calculating annual debt service for the rate covenant in section 3.15.120.A, the City shall subtract from interest to be paid on interest subsidy bonds the federal interest subsidies on interest subsidy bonds that the city reasonably expects, at the beginning of the fiscal year, to receive during that fiscal year.
- B. When calculating annual debt service and maximum annual debt service for the tests for issuing parity bonds in section 3.15.140, the City shall subtract from the scheduled payments of interest on interest subsidy bonds the amount of federal interest subsidies that the City reasonably expects, at the time the parity bonds are issued, to receive.
- C. When calculating the amount of principal, interest and premium, if any, required to be paid in any fiscal year on a series of interest subsidy bonds to determine the tax maximum for interest subsidy bonds that are secured by a subaccount in the bond reserve account, the City shall subtract from the scheduled payments of interest on interest subsidy bonds the federal interest subsidies that the City reasonably expects, at the time the series of interest subsidy bonds is issued, to be paid to the City for the series of interest subsidy bonds. The City shall not be required to increase the amount the City is required to hold in a subaccount in the bond reserve account if federal interest subsidies are not paid when or in the amounts expected. However, if the City reduces the amount it holds in a subaccount of the bond reserve account because bonds secured by that subaccount have been paid, the City must take into account its reasonable expectations of the amount of federal interest subsidies it expects to receive at the time of reduction in determining the amount that the City must retain in a subaccount of the bond reserve account.

(Ord. No. 1247, § 15, 3-27-2023)

increase rates and charges for inflation at a level which the qualified consultant determines is reasonable;

- ~~e. To reflect any changes in customers of the wastewater system that occurred after the beginning of the base period and prior to the date of the qualified consultant's certificate; and~~
- ~~d. To reflect any changes to net revenues not included in the preceding paragraphs that are projected to result from the completion and operation of additions and extensions to the wastewater system that were under construction at the beginning of the base period or commenced construction after the beginning of the base period.~~

~~F. The City may issue refunding bonds to refund outstanding bonds without complying with section 3.15.140.A through E above if the refunded bonds are legally defeased on the date of delivery of the refunding bonds and if the annual bond debt service on the refunding bonds does not exceed the annual bond debt service on the refunded bonds in any fiscal year by more than five percent.~~

~~G. Bonds shall be treated as "legally defeased" for purposes of section 3.15.140.F if they are defeased as provided in section 3.15.190.~~

~~H. All parity bonds issued in accordance with this Section 3.15.140 shall have a lien on the net revenues which is equal to the lien of all other outstanding bonds.~~

(Ord. No. 1247, § 14, 3-27-2023)

~~3.15.150 Interest subsidy bonds.~~

~~The amounts assumed to be paid on interest subsidy bonds shall be calculated as follows:~~

~~A. When calculating annual debt service for the rate covenant in section 3.15.120.A, the City shall subtract from interest to be paid on interest subsidy bonds the federal interest subsidies on interest subsidy bonds that the city reasonably expects, at the beginning of the fiscal year, to receive during that fiscal year.~~

~~B. When calculating annual debt service and maximum annual debt service for the tests for issuing parity bonds in section 3.15.140, the City shall subtract from the scheduled payments of interest on interest subsidy bonds the amount of federal interest subsidies that the City reasonably expects, at the time the parity bonds are issued, to receive.~~

~~C. When calculating the amount of principal, interest and premium, if any, required to be paid in any fiscal year on a series of interest subsidy bonds to determine the tax maximum for interest subsidy bonds that are secured by a subaccount in the bond reserve account, the City shall subtract from the scheduled payments of interest on interest subsidy bonds the federal interest subsidies that the City reasonably expects, at the time the series of interest subsidy bonds is issued, to be paid to the City for the series of interest subsidy bonds. The City shall not be required to increase the amount the City is required to hold in a subaccount in the bond reserve account if federal interest subsidies are not paid when or in the amounts expected. However, if the City reduces the amount it holds in a subaccount of the bond reserve account because bonds secured by that subaccount have been paid, the City must take into account its reasonable expectations of the amount of federal interest subsidies it expects to receive at the time of reduction in determining the amount that the City must retain in a subaccount of the bond reserve account.~~

(Ord. No. 1247, § 15, 3-27-2023)

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3.15.160 Estimated debt service requirements for balloon payments.

The estimated debt service requirement for balloon payments shall be calculated in accordance with this section 3.15.160.

- A. *For the rate covenants.* For each balloon payment that is outstanding on August 1 of any fiscal year, the City Administrator, City Treasurer, or their designee shall prepare a schedule of principal and interest payments for a hypothetical series of refunding bonds that refunds that balloon payment in accordance with section 3.15.160.D. The City Administrator, City Treasurer, or their designee, shall prepare that schedule as of that first day of August, and that schedule shall be used to determine compliance with the rate covenant in section 3.15.120.A for the following fiscal year.
- B. *For parity bonds.* Whenever a balloon payment will be outstanding on the date a series of parity bonds is issued, the City Administrator, City Treasurer, or their designee, shall prepare a schedule of principal and interest payments for a hypothetical series of refunding bonds that refunds each outstanding balloon payment in accordance with section 3.15.160.D. The City Administrator, City Treasurer, or their designee shall prepare that schedule as of the date the parity bonds are sold, and that schedule shall be used to determine compliance with the tests for parity bonds in section 3.15.140.
- C. *For the reserve account requirement.* If a reserve account requirement applies to a series of bonds, whenever such series of bonds contains a balloon payment, the City Administrator, City Treasurer, or their designee shall prepare a schedule of principal and interest payments for a hypothetical series of refunding bonds that refunds each balloon payment in that series in accordance with section 3.15.160.D. The City Administrator, City Treasurer, or their designee shall prepare that schedule as of the date the series is sold, and that schedule shall be used to determine the reserve requirement as long as that series is outstanding.
- D. Each hypothetical series of refunding bonds shall be assumed to be paid in equal annual installments of principal and interest that are sufficient to amortize the principal amount of the balloon payment over the term selected by the City Administrator, City Treasurer, or their designee; however, the City Administrator, City Treasurer, or their designee shall not select a term that exceeds the lesser of: 30 years from the date the balloon payment is originally scheduled to be paid; or, the City's estimate of the remaining weighted average useful life (expressed in years and rounded to the next highest integer) of the assets which are financed with the balloon payment. The annual installments shall be assumed to be due on the anniversaries of the date the balloon payment is originally scheduled to be paid, with the first installment due on the first anniversary of the date the balloon payment is scheduled to be paid. Each installment shall be assumed to bear interest at a rate that is estimated by the City from the bond buyer revenue bond index (or if the bond buyer revenue bond index is not available, a reasonably comparable index selected by the City) for a revenue bond with a term determined as described above. When the City prepares a schedule described in section 3.15.160.A, section 3.15.160.B, or section 3.15.160.C, the City shall use the index that is available to the City on the date the City is required to prepare that schedule.

(Ord. No. 1247, § 16, 3-27-2023)

3.15.170 Form of bonds.

The bonds issued hereunder shall be in substantially the form provided in each series ordinance for such bonds.

(Ord. No. 1247, § 17, 3-27-2023)

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~~3.15.160 Estimated debt service requirements for balloon payments.~~

~~The estimated debt service requirement for balloon payments shall be calculated in accordance with this section 3.15.160.~~

- ~~A. *For the rate covenants.* For each balloon payment that is outstanding on August 1 of any fiscal year, the City Administrator, City Treasurer, or their designee shall prepare a schedule of principal and interest payments for a hypothetical series of refunding bonds that refunds that balloon payment in accordance with section 3.15.160.D. The City Administrator, City Treasurer, or their designee, shall prepare that schedule as of that first day of August, and that schedule shall be used to determine compliance with the rate covenant in section 3.15.120.A for the following fiscal year.~~
- ~~B. *For parity bonds.* Whenever a balloon payment will be outstanding on the date a series of parity bonds is issued, the City Administrator, City Treasurer, or their designee, shall prepare a schedule of principal and interest payments for a hypothetical series of refunding bonds that refunds each outstanding balloon payment in accordance with section 3.15.160.D. The City Administrator, City Treasurer, or their designee shall prepare that schedule as of the date the parity bonds are sold, and that schedule shall be used to determine compliance with the tests for parity bonds in section 3.15.140.~~
- ~~C. *For the reserve account requirement.* If a reserve account requirement applies to a series of bonds, whenever such series of bonds contains a balloon payment, the City Administrator, City Treasurer, or their designee shall prepare a schedule of principal and interest payments for a hypothetical series of refunding bonds that refunds each balloon payment in that series in accordance with section 3.15.160.D. The City Administrator, City Treasurer, or their designee shall prepare that schedule as of the date the series is sold, and that schedule shall be used to determine the reserve requirement as long as that series is outstanding.~~
- ~~D. Each hypothetical series of refunding bonds shall be assumed to be paid in equal annual installments of principal and interest that are sufficient to amortize the principal amount of the balloon payment over the term selected by the City Administrator, City Treasurer, or their designee; however, the City Administrator, City Treasurer, or their designee shall not select a term that exceeds the lesser of: 30 years from the date the balloon payment is originally scheduled to be paid; or, the City's estimate of the remaining weighted average useful life (expressed in years and rounded to the next highest integer) of the assets which are financed with the balloon payment. The annual installments shall be assumed to be due on the anniversaries of the date the balloon payment is originally scheduled to be paid, with the first installment due on the first anniversary of the date the balloon payment is scheduled to be paid. Each installment shall be assumed to bear interest at a rate that is estimated by the City from the bond buyer revenue bond index (or if the bond buyer revenue bond index is not available, a reasonably comparable index selected by the City) for a revenue bond with a term determined as described above. When the City prepares a schedule described in section 3.15.160.A, section 3.15.160.B, or section 3.15.160.C, the City shall use the index that is available to the City on the date the City is required to prepare that schedule.~~

~~(Ord. No. 1247, § 16, 3-27-2023)~~

~~3.15.170 Form of bonds.~~

~~The bonds issued hereunder shall be in substantially the form provided in each series ordinance for such bonds.~~

~~(Ord. No. 1247, § 17, 3-27-2023)~~

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3.15.180 Execution of bonds.

The bonds shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and the City Treasurer, with both signatures attested by the manual or facsimile signature of the Clerk.

Only such bonds as shall bear thereon a certificate of authentication in the forms set forth in the respective series ordinances, manually executed by the bond registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this chapter. Such certificate of authentication shall be conclusive evidence that the bonds so authenticated have been duly executed, authenticated, and delivered hereunder and are entitled to the benefits of this chapter.

In case either of the officers who shall have executed the bonds shall cease to be an officer or officers of the City before the bonds so signed shall have been authenticated or delivered by the bond registrar pursuant to the series ordinance, or issued by the City, such bonds shall be valid nevertheless and may be issued by the City with the same effect as though the persons who had executed such bonds had not ceased to be such officers.

(Ord. No. 1247, § 18, 3-27-2023)

3.15.190 Defeasance.

In the event that money and/or "governmental obligations" (as now or hereinafter defined in Idaho Code, section 57-504 or comparable statute then in effect) maturing at such time or times and bearing interest to be earned thereon in amounts sufficient to redeem and retire any bonds payable out of the bond fund in accordance with their terms are irrevocably deposited with an escrow agent to effect such redemption and retirement, then no further payments need be made into the bond fund for the payment of the principal of and interest on such bonds and the owner of such bonds shall cease to be entitled to any lien, benefit or security of this chapter except the right to receive the funds so set aside and pledged, and such bonds shall be deemed not to be outstanding hereunder. prior to such bonds being deemed defeased, the City shall file with the escrow agent (i) a certificate from an independent, certified public accountant to the effect that the money and the principal and interest to be received from the government obligations are calculated to be sufficient, without further reinvestment, to pay the defeased bonds when due; and (ii) an opinion of nationally recognized bond counsel that the proposed defeasance will not cause interest on any defeased tax-exempt bonds to be includable in gross income under the Code.

The City will cause the bond registrar appointed for the bonds being defeased to provide notice of defeasance of bonds to registered owners of bonds being defeased and to each party entitled to receive notice under this chapter.

(Ord. No. 1247, § 19, 3-27-2023)

3.15.200 Lost or destroyed bonds.

In case any bonds shall be lost, stolen or destroyed, the Bond registrar for such lost, stolen or destroyed bonds may authenticate and deliver a new bond or bonds of like amount, date and tenor to the owner thereof upon the owner's paying the expenses and charges of such bond registrar and the City in connection therewith and upon his filing with such bond registrar and the city evidence satisfactory to both that such bond or bonds were actually lost, stolen or destroyed and of their ownership thereof, and upon furnishing such bond registrar and the City with indemnity to their satisfaction.

(Ord. No. 1247, § 20, 3-27-2023)

(Supp. No. 6)

~~3.15.180 Execution of bonds.~~

~~The bonds shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and the City Treasurer, with both signatures attested by the manual or facsimile signature of the Clerk.~~

~~Only such bonds as shall bear thereon a certificate of authentication in the forms set forth in the respective series ordinances, manually executed by the bond registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this chapter. Such certificate of authentication shall be conclusive evidence that the bonds so authenticated have been duly executed, authenticated, and delivered hereunder and are entitled to the benefits of this chapter.~~

~~In case either of the officers who shall have executed the bonds shall cease to be an officer or officers of the City before the bonds so signed shall have been authenticated or delivered by the bond registrar pursuant to the series ordinance, or issued by the City, such bonds shall be valid nevertheless and may be issued by the City with the same effect as though the persons who had executed such bonds had not ceased to be such officers.~~

~~(Ord. No. 1247, § 18, 3-27-2023)~~

~~3.15.190 Defeasance.~~

~~In the event that money and/or "governmental obligations" (as now or hereinafter defined in Idaho Code, section 57-504 or comparable statute then in effect) maturing at such time or times and bearing interest to be earned thereon in amounts sufficient to redeem and retire any bonds payable out of the bond fund in accordance with their terms are irrevocably deposited with an escrow agent to effect such redemption and retirement, then no further payments need be made into the bond fund for the payment of the principal of and interest on such bonds and the owner of such bonds shall cease to be entitled to any lien, benefit or security of this chapter except the right to receive the funds so set aside and pledged, and such bonds shall be deemed not to be outstanding hereunder. prior to such bonds being deemed defeased, the City shall file with the escrow agent (i) a certificate from an independent, certified public accountant to the effect that the money and the principal and interest to be received from the government obligations are calculated to be sufficient, without further reinvestment, to pay the defeased bonds when due; and (ii) an opinion of nationally recognized bond counsel that the proposed defeasance will not cause interest on any defeased tax-exempt bonds to be includable in gross income under the Code.~~

~~The City will cause the bond registrar appointed for the bonds being defeased to provide notice of defeasance of bonds to registered owners of bonds being defeased and to each party entitled to receive notice under this chapter.~~

~~(Ord. No. 1247, § 19, 3-27-2023)~~

~~3.15.200 Lost or destroyed bonds.~~

~~In case any bonds shall be lost, stolen or destroyed, the Bond registrar for such lost, stolen or destroyed bonds may authenticate and deliver a new bond or bonds of like amount, date and tenor to the owner thereof upon the owner's paying the expenses and charges of such bond registrar and the City in connection therewith and upon his filing with such bond registrar and the city evidence satisfactory to both that such bond or bonds were actually lost, stolen or destroyed and of their ownership thereof, and upon furnishing such bond registrar and the City with indemnity to their satisfaction.~~

~~(Ord. No. 1247, § 20, 3-27-2023)~~

(Supp. No. 6)

3.15.210 Events of default.

Each of the following events is hereby declared to be an "event of default" under this chapter:

- A. *Non-payment of principal, premium or reserve deposit.* Payment of the principal of the bonds, or any required reserve account deposit, is not made when the same becomes due and payable;
- B. *Non-payment of interest.* Payment of any installment of interest on the bonds is not made when the same becomes due and payable.
- C. *Incapable to perform.* The City for any reason is, or is rendered to be, incapable of fulfilling its obligations hereunder.
- D. *Non-performance of duties.* The City shall have failed to carry out and to perform all acts and things lawfully required to be carried out or to be performed by it under any contract relating to the revenues, to the wastewater system, or to all or any combination thereof, or otherwise, including, without limitation, this chapter, and such failure shall continue for 60 days after receipt of notice from the registered owners of at least a majority in principal amount of the bonds, then outstanding.
- E. *Failure to reconstruct.* The City discontinues or unreasonably delays or fails to carry out with reasonable dispatch the reconstruction of any revenue-producing part of the wastewater system which is destroyed or damaged and is not promptly repaired or replaced (whether such failure to repair is due to impracticability of such repair or replacement, is due to a lack of monies therefor, or for other reasons).
- F. *Appointment of receiver.* An order or decree is entered by a court of competent jurisdiction, with the consent or acquiescence of the City appointing a receiver or receivers for the wastewater system or for the revenues and any other monies subject to the lien to secure the payment of the bonds, or both such wastewater system and such monies, or if any order or decree having been entered without the consent or acquiescence of the City, is not vacated or discharged or stayed on appeal within 60 days after entry.
- G. *Default of any provisions.* The City makes any default in the due and punctual performance of any other of the representations, covenants, conditions, agreements and other provisions contained in the bonds authorized or referred to in this chapter on its part to be performed, and if such default continues for 60 days after written notice, specifying such default and requiring the same to be remedied, is given to the City by the registered owners of at least a majority in principal amount of the bonds then outstanding.
- H. *Remedies.* If an event of default occurs, any registered owner may exercise any remedy available at law or in equity including mandamus, where applicable. However, the bonds shall not be subject to acceleration.

(Ord. No. 1247, § 21, 3-27-2023)

3.15.220 Application of funds and moneys in event of default.

The City covenants that if an event of default shall happen and shall not have been remedied, the City, upon written demand of the registered owners of at least a majority of the principal amount of the bonds then outstanding, shall pay over or cause to be paid over to a commercial bank or other financial institution with a reported capital and surplus in excess of \$50,000,000.00 appointed by such registered owners as trustee for the benefit of the registered owners (the "trustee"), (i) forthwith, all moneys, securities and funds then held by the City in any fund under this chapter, and (ii) all net revenues as promptly as practicable after receipt thereof.

~~3.15.210 Events of default.~~

~~Each of the following events is hereby declared to be an "event of default" under this chapter:~~

- ~~A. *Non-payment of principal, premium or reserve deposit.* Payment of the principal of the bonds, or any required reserve account deposit, is not made when the same becomes due and payable;~~
- ~~B. *Non-payment of interest.* Payment of any installment of interest on the bonds is not made when the same becomes due and payable.~~
- ~~C. *Incapable to perform.* The City for any reason is, or is rendered to be, incapable of fulfilling its obligations hereunder.~~
- ~~D. *Non-performance of duties.* The City shall have failed to carry out and to perform all acts and things lawfully required to be carried out or to be performed by it under any contract relating to the revenues, to the wastewater system, or to all or any combination thereof, or otherwise, including, without limitation, this chapter, and such failure shall continue for 60 days after receipt of notice from the registered owners of at least a majority in principal amount of the bonds, then outstanding.~~
- ~~E. *Failure to reconstruct.* The City discontinues or unreasonably delays or fails to carry out with reasonable dispatch the reconstruction of any revenue-producing part of the wastewater system which is destroyed or damaged and is not promptly repaired or replaced (whether such failure to repair is due to impracticability of such repair or replacement, is due to a lack of monies therefor, or for other reasons).~~
- ~~F. *Appointment of receiver.* An order or decree is entered by a court of competent jurisdiction, with the consent or acquiescence of the City appointing a receiver or receivers for the wastewater system or for the revenues and any other monies subject to the lien to secure the payment of the bonds, or both such wastewater system and such monies, or if any order or decree having been entered without the consent or acquiescence of the City, is not vacated or discharged or stayed on appeal within 60 days after entry.~~
- ~~G. *Default of any provisions.* The City makes any default in the due and punctual performance of any other of the representations, covenants, conditions, agreements and other provisions contained in the bonds authorized or referred to in this chapter on its part to be performed, and if such default continues for 60 days after written notice, specifying such default and requiring the same to be remedied, is given to the City by the registered owners of at least a majority in principal amount of the bonds then outstanding.~~
- ~~H. *Remedies.* If an event of default occurs, any registered owner may exercise any remedy available at law or in equity including mandamus, where applicable. However, the bonds shall not be subject to acceleration.~~

~~(Ord. No. 1247, § 21, 3-27-2023)~~

~~3.15.220 Application of funds and moneys in event of default.~~

~~The City covenants that if an event of default shall happen and shall not have been remedied, the City, upon written demand of the registered owners of at least a majority of the principal amount of the bonds then outstanding, shall pay over or cause to be paid over to a commercial bank or other financial institution with a reported capital and surplus in excess of \$50,000,000.00 appointed by such registered owners as trustee for the benefit of the registered owners (the "trustee"), (i) forthwith, all moneys, securities and funds then held by the City in any fund under this chapter, and (ii) all net revenues as promptly as practicable after receipt thereof.~~

During the continuance of an event of default, the trustee shall apply all moneys, securities, funds and net revenues received by the trustee pursuant to any right given or action taken under the provisions of this chapter and any series ordinance as follows and in the following order:

- A. *Compensation and expenses of trustee.* To the payment of the reasonable and proper compensation, charges, expenses and liabilities of the trustee;
- B. *Operating costs.* To the payment of the amounts required for reasonable and necessary operation and maintenance expenses as necessary, in the judgment of the trustee, to prevent deterioration of the wastewater system or loss of net revenues therefrom. For this purpose, the books or records and accounts of the City relating to the wastewater system shall at all times be subject to the inspection of the trustee and its representatives and agents during the continuance of such event of default;
- C. *Principal or redemption price and interest.* To the payment of the interest and principal or redemption price then due on bonds as follows:
 - 1. *First.* To the payment to the persons entitled thereto of all installments of interest then due in the order of the maturity of such installments, together with accrued and unpaid interest of the bonds therefor called for redemption, and if the amount available shall not be sufficient to pay in full any installment or installments maturing on the same date, then to the payment thereof ratably, according to the amounts due thereon, to the persons entitled thereto, without any discrimination or preference; and
 - 2. *Second.* To the payment of the persons entitled thereto of the unpaid principal or redemption price of the bonds which shall have become due, whether at maturity or by call for redemption, in the order of their due dates, and, if the amount available shall not be sufficient to pay in full all the bonds due on any date, then to the payment thereof ratably, according to the amounts of principal or redemption due on such date, to the persons entitled thereto, without any discrimination or preference.
 - 3. If and whenever all overdue installments of interest on the bonds, together with the reasonably and proper charges, expenses and liabilities of the trustee, and all other sums payable by the city under this chapter, including the principal and redemption price of and accrued unpaid interest on the bonds then payable by declaration or otherwise, shall either be paid by the trustee for the account of the city, or provision satisfactory to the trustee shall be made for such payment, and all events of default under the ordinance shall be made good or secured to the satisfaction of the trustee or provision deemed by the trustee to be adequate shall be made therefor, the city shall be restored to its former positions and rights under this chapter. No such restoration of the City in its former positions and rights shall extend to or affect any subsequent events of default under this chapter or impair any right consequent thereon.

(Ord. No. 1247, § 22, 3-27-2023)

3.15.230 Amendments.

- A. The City from time to time and at any time may pass an ordinance or ordinances supplemental hereto, which ordinance or ordinances thereafter shall become a part of this chapter, for any one or more or all of the following purposes:
 - 1. To add to the covenants and agreements of the City in this chapter, other covenants and agreements thereafter to be observed, which shall not adversely affect the interests of the registered owners of the outstanding parity bonds issued hereunder, or to surrender any right or power herein reserved.

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~~During the continuance of an event of default, the trustee shall apply all moneys, securities, funds and net revenues received by the trustee pursuant to any right given or action taken under the provisions of this chapter and any series ordinance as follows and in the following order:~~

~~A. *Compensation and expenses of trustee.* To the payment of the reasonable and proper compensation, charges, expenses and liabilities of the trustee;~~

~~B. *Operating costs.* To the payment of the amounts required for reasonable and necessary operation and maintenance expenses as necessary, in the judgment of the trustee, to prevent deterioration of the wastewater system or loss of net revenues therefrom. For this purpose, the books or records and accounts of the City relating to the wastewater system shall at all times be subject to the inspection of the trustee and its representatives and agents during the continuance of such event of default;~~

~~C. *Principal or redemption price and interest.* To the payment of the interest and principal or redemption price then due on bonds as follows:~~

~~1. *First.* To the payment to the persons entitled thereto of all installments of interest then due in the order of the maturity of such installments, together with accrued and unpaid interest of the bonds therefor called for redemption, and if the amount available shall not be sufficient to pay in full any installment or installments maturing on the same date, then to the payment thereof ratably, according to the amounts due thereon, to the persons entitled thereto, without any discrimination or preference; and~~

~~2. *Second.* To the payment of the persons entitled thereto of the unpaid principal or redemption price of the bonds which shall have become due, whether at maturity or by call for redemption, in the order of their due dates, and, if the amount available shall not be sufficient to pay in full all the bonds due on any date, then to the payment thereof ratably, according to the amounts of principal or redemption due on such date, to the persons entitled thereto, without any discrimination or preference.~~

~~3. If and whenever all overdue installments of interest on the bonds, together with the reasonably and proper charges, expenses and liabilities of the trustee, and all other sums payable by the city under this chapter, including the principal and redemption price of and accrued unpaid interest on the bonds then payable by declaration or otherwise, shall either be paid by the trustee for the account of the city, or provision satisfactory to the trustee shall be made for such payment, and all events of default under the ordinance shall be made good or secured to the satisfaction of the trustee or provision deemed by the trustee to be adequate shall be made therefor, the city shall be restored to its former positions and rights under this chapter. No such restoration of the City in its former positions and rights shall extend to or affect any subsequent events of default under this chapter or impair any right consequent thereon.~~

~~(Ord. No. 1247, § 22, 3-27-2023)~~

~~3.15.230 Amendments.~~

~~A. The City from time to time and at any time may pass an ordinance or ordinances supplemental hereto, which ordinance or ordinances thereafter shall become a part of this chapter, for any one or more or all of the following purposes:~~

~~1. To add to the covenants and agreements of the City in this chapter, other covenants and agreements thereafter to be observed, which shall not adversely affect the interests of the registered owners of the outstanding parity bonds issued hereunder, or to surrender any right or power herein reserved.~~

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2. To make such provisions for the purpose of curing any ambiguities or of curing, correcting, or supplementing any defective provision contained in this chapter, or any series ordinance authorizing bonds in regard to matters or questions arising under such ordinances as the council may deem necessary or desirable and not inconsistent with such ordinances and which shall not adversely affect, in any material respect, the interest of the registered owners of the outstanding bonds.

Any such series ordinance may be adopted without the consent of the owners of any bonds at any time outstanding, notwithstanding any of the provisions of subsection (b) of this section.

- B. With the consent of the owners of not less than 51 percent in aggregate principal amount of the bonds at the time outstanding, the council may pass an ordinance or ordinances supplemental hereto for the purpose of adding any provisions to or changing in any manner or eliminating any of the provisions of this chapter or of any series ordinance; provided, however, that no such series ordinance shall:

1. Extend the fixed maturity of any bonds, or reduce the rate of interest thereon, or extend the time of payment of interest from their due date, or reduce the amount of the principal thereof, or reduce any premium payable on the redemption thereof, without the consent of the registered owner of each bond so affected; or
2. Reduce the aforesaid percentage of bond owners required to approve any such series ordinance, without the consent of the owners of all the bonds then outstanding.

It shall not be necessary for the consent of bond owners under this subsection (b) to approve the particular form of any proposed series ordinance, but it shall be sufficient if such consent shall approve the substance thereof.

- C. Upon the adoption of any series ordinance pursuant to the provisions of this section, this chapter shall be deemed to be modified and amended in accordance therewith, and the respective rights, duties and obligations of the city under this chapter and all owners of bonds outstanding hereunder shall thereafter be determined, exercised and enforced thereunder, subject in all respects to such modifications and amendments, and all terms and conditions of any such series ordinance shall be deemed to be part of the terms and conditions of this chapter for any and all purposes.

- D. Bonds executed and delivered after the execution of any series ordinance passed pursuant to the provisions of this section may have a notation as to any matter provided for in such series ordinance, and if such series ordinance shall so provide, new bonds so modified as to conform, in the opinion of the council, to any modification of this chapter contained in any such series ordinance, may be prepared and delivered without cost to the owners of any affected bonds then outstanding, upon surrender for cancellation of such bonds in equal aggregate principal amounts.

- E. Exclusion of Bonds Owned by City. Bonds owned or held by or for the account of the City shall not be deemed outstanding for the purpose of any vote or consent or other action or any calculation of outstanding bonds in this chapter provided for and shall not be entitled to vote or consent or take any other action in this chapter provided for.

- F. Bonds held by securities repositories. For so long as the bonds are held in book entry only form, communications with the owners shall be made with the securities depository who is the "registered owner" of the bonds and communications with (and obtaining consents from) beneficial owners shall be made in accordance with the operational procedures of the securities depository that is the "registered owner" of the bonds.

(Ord. No. 1247, § 23, 3-27-2023)

(Supp. No. 6)

~~2. To make such provisions for the purpose of curing any ambiguities or of curing, correcting, or supplementing any defective provision contained in this chapter, or any series ordinance authorizing bonds in regard to matters or questions arising under such ordinances as the council may deem necessary or desirable and not inconsistent with such ordinances and which shall not adversely affect, in any material respect, the interest of the registered owners of the outstanding bonds.~~

~~Any such series ordinance may be adopted without the consent of the owners of any bonds at any time outstanding, notwithstanding any of the provisions of subsection (b) of this section.~~

~~8. With the consent of the owners of not less than 51 percent in aggregate principal amount of the bonds at the time outstanding, the council may pass an ordinance or ordinances supplemental hereto for the purpose of adding any provisions to or changing in any manner or eliminating any of the provisions of this chapter or of any series ordinance; provided, however, that no such series ordinance shall:~~

~~1. Extend the fixed maturity of any bonds, or reduce the rate of interest thereon, or extend the time of payment of interest from their due date, or reduce the amount of the principal thereof, or reduce any premium payable on the redemption thereof, without the consent of the registered owner of each bond so affected; or~~

~~2. Reduce the aforesaid percentage of bond owners required to approve any such series ordinance, without the consent of the owners of all the bonds then outstanding.~~

~~It shall not be necessary for the consent of bond owners under this subsection (b) to approve the particular form of any proposed series ordinance, but it shall be sufficient if such consent shall approve the substance thereof.~~

~~C. Upon the adoption of any series ordinance pursuant to the provisions of this section, this chapter shall be deemed to be modified and amended in accordance therewith, and the respective rights, duties and obligations of the city under this chapter and all owners of bonds outstanding hereunder shall thereafter be determined, exercised and enforced thereunder, subject in all respects to such modifications and amendments, and all terms and conditions of any such series ordinance shall be deemed to be part of the terms and conditions of this chapter for any and all purposes.~~

~~D. Bonds executed and delivered after the execution of any series ordinance passed pursuant to the provisions of this section may have a notation as to any matter provided for in such series ordinance, and if such series ordinance shall so provide, new bonds so modified as to conform, in the opinion of the council, to any modification of this chapter contained in any such series ordinance, may be prepared and delivered without cost to the owners of any affected bonds then outstanding, upon surrender for cancellation of such bonds in equal aggregate principal amounts.~~

~~E. Exclusion of Bonds Owned by City. Bonds owned or held by or for the account of the City shall not be deemed outstanding for the purpose of any vote or consent or other action or any calculation of outstanding bonds in this chapter provided for and shall not be entitled to vote or consent or take any other action in this chapter provided for.~~

~~F. Bonds held by securities repositories. For so long as the bonds are held in book entry only form, communications with the owners shall be made with the securities depository who is the "registered owner" of the bonds and communications with (and obtaining consents from) beneficial owners shall be made in accordance with the operational procedures of the securities depository that is the "registered owner" of the bonds.~~

~~(Ord. No. 1247, § 23, 3-27-2023)~~

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TITLE 4 COMMISSIONS AND BOARDS

CHAPTER 4.04 COMMUNITY HOUSING COMMISSION

4.04.010 Definitions.

As used in this chapter, the following words shall be interpreted and defined in accordance with the provisions set forth in this section:

City: The City of Ketchum, Idaho.

Commission: The City of Ketchum Community Housing Commission.

Council: The City Council of the City of Ketchum.

Members: The members of the City of Ketchum Community Housing Commission.

(Ord. 684 § 1, 1996)

4.04.020 Creation of the Commission.

There is created a Community Housing Commission for the City of Ketchum, Idaho, pursuant to Idaho Code section 50-210.

- A. The Commission shall consist of seven members, each of whom shall be appointed by the Mayor and confirmed by the majority vote of the City Council.
- B. Each member shall reside in Blaine County, Idaho. At least four members of the Commission shall be residents of the City of Ketchum, Idaho, and not more than three members of the Commission may reside outside the City limits.
- C. The seven Commission members who are first appointed shall be designated to serve the following terms: two members shall be designated for terms of one year, two members shall be designated for terms of two years, and three members shall be designated for terms of three years. After appointment of the first Commission members in staggered terms, the terms of office shall be for three years. All vacancies, including those occurring from expiration of terms, shall be filled in the same manner as used for the original appointment. The terms of office shall be staggered so that no more than three vacancies occur within one year. All vacancies shall be filled for the unexpired term.
- D. No Commission member may be an officer or employee of the City.
- E. A Commission member shall hold office until his or her successor has been appointed and confirmed by the Council.
- F. Commission members may be removed by a majority vote of the City Council. Commission members shall be selected without respect to political affiliation, and shall serve with compensation at the discretion of the Council.

TITLE 4 COMMISSIONS AND BOARDS

CHAPTER 4.04 COMMUNITY HOUSING COMMISSION

4.04.010 Definitions.

As used in this chapter, the following words shall be interpreted and defined in accordance with the provisions set forth in this section:

City: The City of Ketchum, Idaho.

Commission: The City of Ketchum Community Housing Commission.

Council: The City Council of the City of Ketchum.

Members: The members of the City of Ketchum Community Housing Commission.

(Ord. 684 § 1, 1996)

4.04.020 Creation of the Commission.

There is created a Community Housing Commission for the City of Ketchum, Idaho, pursuant to Idaho Code section 50-210.

- A. ~~The Commission shall consist of seven members, each of whom shall be appointed by the Mayor and confirmed by the majority vote of the City Council.~~
- B. ~~Each member shall reside in Blaine County, Idaho. At least four members of the Commission shall be residents of the City of Ketchum, Idaho, and not more than three members of the Commission may reside outside the City limits.~~
- C. ~~The seven Commission members who are first appointed shall be designated to serve the following terms: two members shall be designated for terms of one year, two members shall be designated for terms of two years, and three members shall be designated for terms of three years. After appointment of the first Commission members in staggered terms, the terms of office shall be for three years. All vacancies, including those occurring from expiration of terms, shall be filled in the same manner as used for the original appointment. The terms of office shall be staggered so that no more than three vacancies occur within one year. All vacancies shall be filled for the unexpired term.~~
- D. ~~No Commission member may be an officer or employee of the City.~~
- E. ~~A Commission member shall hold office until his or her successor has been appointed and confirmed by the Council.~~
- F. ~~Commission members may be removed by a majority vote of the City Council. Commission members shall be selected without respect to political affiliation, and shall serve with compensation at the discretion of the Council.~~

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- G. All Commission members shall be subject to and comply with the terms of the State of Idaho conflict of interest and ethics in government laws.

(Ord. 684 § 2, 1996; Ord. 686 § 1, 1996; Ord. 689 § 1, 1996; Ord. 704 § 1, 1997)

4.04.030 Rules, organization and meetings.

- A. The Commission shall elect its own chairperson and create and fill such other offices, subcommittees, advisory committees and neighborhood groups as it may determine necessary for the proper conduct of the affairs and business of the Commission.
- B. Meetings of the Commission shall be held when duly called by the chairperson by written or oral notice. At least one regular meeting shall be held each month for not less than nine months in a year. Additional meetings shall be scheduled as necessary.
- C. All members shall have voting rights, and a majority of voting members shall constitute a quorum. All meetings and work sessions at which there is a quorum shall be open to the public and shall comply with the state of Idaho open meeting laws.
- D. Written rules or bylaws consistent with this chapter and the laws of the State of Idaho shall be adopted for the transaction of business of the Commission.
- E. Written records of meetings, hearings, resolutions, findings, studies, recommendations and actions of the Commission shall be maintained and available to the public during regular business hours at Ketchum City Hall.

(Ord. 684 § 3, 1996)

4.04.040 Duties of the Commission.

The Commission shall hold public meetings, hearings, or work sessions, or use other means to obtain input regarding solutions to affordable housing issues within the City and countywide as those issues affect the City. The Commission has been established to make specific recommendations to the City Council on ways to make long term housing available for full time working City residents who cannot afford current housing costs. Specifically, the Commission will:

- A. Assess housing needs of the community;
- B. Make recommendations on a structure for meeting housing needs;
- C. Identify land appropriate for acquisition that is suitable to be developed as housing;
- D. Recommend a process to develop such properties for housing;
- E. Recommend a process to administrate such housing once developed; and
- F. Propose criteria and a selection process for potential buyers or renters of these housing projects.

(Ord. 684 § 4, 1996)

4.04.050 Employees and expenditures.

Any expenditures of the Commission shall be within the amounts appropriated and authorized by the Council prior to such expenditure. Paid staff positions may be created only at the discretion of the Council and shall be filled in accordance with regular City hiring procedures.

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- ~~G. All Commission members shall be subject to and comply with the terms of the State of Idaho conflict of interest and ethics in government laws.~~

~~(Ord. 684 § 2, 1996; Ord. 686 § 1, 1996; Ord. 689 § 1, 1996; Ord. 704 § 1, 1997)~~

~~4.04.030 Rules, organization and meetings.~~

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- ~~B. Meetings of the Commission shall be held when duly called by the chairperson by written or oral notice. At least one regular meeting shall be held each month for not less than nine months in a year. Additional meetings shall be scheduled as necessary.~~
- ~~C. All members shall have voting rights, and a majority of voting members shall constitute a quorum. All meetings and work sessions at which there is a quorum shall be open to the public and shall comply with the state of Idaho open meeting laws.~~

- ~~D. Written rules or bylaws consistent with this chapter and the laws of the State of Idaho shall be adopted for the transaction of business of the Commission.~~

- ~~E. Written records of meetings, hearings, resolutions, findings, studies, recommendations and actions of the Commission shall be maintained and available to the public during regular business hours at Ketchum City Hall.~~

~~(Ord. 684 § 3, 1996)~~

~~4.04.040 Duties of the Commission.~~

~~The Commission shall hold public meetings, hearings, or work sessions, or use other means to obtain input regarding solutions to affordable housing issues within the City and countywide as those issues affect the City. The Commission has been established to make specific recommendations to the City Council on ways to make long term housing available for full time working City residents who cannot afford current housing costs. Specifically, the Commission will:~~

- ~~A. Assess housing needs of the community;~~
- ~~B. Make recommendations on a structure for meeting housing needs;~~
- ~~C. Identify land appropriate for acquisition that is suitable to be developed as housing;~~
- ~~D. Recommend a process to develop such properties for housing;~~
- ~~E. Recommend a process to administrate such housing once developed; and~~
- ~~F. Propose criteria and a selection process for potential buyers or renters of these housing projects.~~

~~(Ord. 684 § 4, 1996)~~

~~4.04.050 Employees and expenditures.~~

~~Any expenditures of the Commission shall be within the amounts appropriated and authorized by the Council prior to such expenditure. Paid staff positions may be created only at the discretion of the Council and shall be filled in accordance with regular City hiring procedures.~~

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(Ord. 684 § 5, 1996)

CHAPTER 4.08 HISTORICAL PRESERVATION COMMISSION

4.08.010 Purpose.

The purpose of this chapter is to define the composition, duties, and responsibilities of the City of Ketchum Historic Preservation Commission.

(Ord. 511 § 1, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.020 Definitions.

The following words and phrases, when used in this chapter, shall have, unless the context clearly indicates otherwise, the following meanings:

City means The City of Ketchum, Idaho.

Historic building/site list means the list of buildings and sites deemed to be historically significant as adopted by resolution by the HPC.

Historic preservation means the research, documentation, protection, restoration and rehabilitation of buildings, structures, objects, districts, areas and sites significant in the history, architecture, archaeology or culture of this state, its communities or the nation.

Historic property means any building, structure, area or site that is significant in the history, architecture, archaeology or culture of this community, the state, or the nation.

HPC means the Historic Preservation Commission of the City of Ketchum, Idaho.

(Ord. 511 § 2, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.030 Created; appointments.

- A. There is created an HPC which shall consist of five members comprised of a maximum of three and a minimum of one member of the Planning and Zoning Commission and a maximum of four and a minimum of two members of the community who shall be appointed by the Mayor with the advice and consent of the Council.
- B. All members of the HPC shall have a demonstrated interest, competence or knowledge in history or historic preservation. The Council shall endeavor to appoint community members with professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, law, or other historic preservation related disciplines.
- C. Initial appointments to the HPC shall be made as follows: two two-year terms, and three three-year terms. All subsequent appointments shall be made for three-year terms. HPC members may be reappointed to serve additional terms. Vacancies shall be filled in the same manner as original appointments, and the appointee shall serve for the remainder of the unexpired term.
- D. The members of the HPC may be reimbursed by the City for expenses incurred in connection with their duties and for meetings, subject to a resolution adopted by the City Council.

(Ord. 511 § 3, 1989; Ord. 512 § 1, 1989; Ord. 978 § 1, 2006; Ord. No. 1231, § 1, 1-3-2022)

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(Supp. No. 6)

(Ord. 684 § 5, 1996)

CHAPTER 4.08 ARTS AND HISTORY COMMISSION

4.08.010 Purpose.

The purpose of this chapter is to establish the Arts and History Commission of the City of Ketchum to recognize the value of arts, culture, and historic preservation in enhancing the quality of life, economic vitality, and cultural heritage of the community. The Commission is created to promote and enhance the arts, culture, and historic heritage within the City; to encourage public understanding and appreciation of Ketchum's cultural and historic heritage; to support a vibrant environment for artistic and cultural activity; and to preserve and strengthen the community's distinctive identity and sense of place.

4.08.020 Created; advisory to council.

An Arts and History Commission is created, hereinafter referred to as the Commission, which shall be advisory to the Mayor and City Council. Any land use authority or decision-making related to historic structures, historic sites, or associated property shall reside with the Planning and Zoning Commission.

4.08.030 Composition; appointments; terms.

A. The Commission shall consist of seven (7) members.

B. Members shall be appointed by the Mayor with the advice and consent of the Council.

C. The membership should, to the greatest extent practicable, include:

1. Persons with demonstrated interest, competence, or knowledge in one or more of the following:
 - a. History
 - b. Historic preservation
 - c. Archaeology
 - d. Cultural arts
 - e. Visual, performing, or literary arts
 - f. Arts administration or curation
 - g. Museum studies
 - h. Landscape architecture
 - i. Real estate or law as related to preservation or the arts
 - j. Other related disciplines.

D. Initial appointments shall be for staggered terms. Thereafter, terms shall be three (3) years.

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4.08.040 Organization, officers, rules, meetings.

- A. The HPC shall have the power to make whatever rules are necessary for the execution of its duties as set forth in this chapter. Rules of procedure and bylaws adopted by the HPC shall be available for public inspection.
- B. The HPC shall elect officers from among the HPC members. The chairperson shall preside at meetings of the HPC. The vice chairperson shall, in the absence of the chairperson, perform the duties of the chairperson.
- C. All meetings of the HPC shall be open to the public and follow the requirements of Idaho's open meeting laws. The HPC shall keep minutes and other appropriate written records of its resolutions, proceedings and actions.
- D. The HPC may recommend to the Council, within the limits of its funding, the employment of or the contracting with other parties for the services of technical experts or other persons as it deems necessary to carry on the functions of the HPC.

(Ord. 511 § 4, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.050 Powers, duties and responsibilities.

The HPC shall be advisory to the Council and shall be authorized to:

- A. Conduct a survey of local historic properties;
- B. Recommend the acquisition of fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequests or donation;
- C. Recommend methods and procedures necessary to preserve, restore, maintain and operate historic properties under the ownership or control of the City;
- D. Recommend the lease, sale, other transfer or disposition of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property;
- E. Contract, with the approval of the Council, with the state or federal government, or any agency of either, or with any other organization;
- F. Cooperate with the federal, state and local governments in the pursuance of the objectives of historic preservation;
- G. Make recommendations in the planning processes undertaken by the county, the City, the state or the federal government and the agencies of these entities;
- H. Recommend ordinances and otherwise provide information for the purposes of historic preservation in the City;
- I. Promote and conduct an educational and interpretive program on historic preservation and historic properties in the City;
- J. HPC members, employees or agents of the HPC may enter private property, buildings or structures in the performance of their official duties only with the express consent of the owner or occupant;
- K. Review nominations of properties to the National Register of Historic Places for properties within the City's jurisdiction;
- L. Establish and maintain the Historic Building/Site list;
- M. Review and make decisions on Demolition and Alteration applications.

TITLE 4 - COMMISSIONS AND BOARDS
CHAPTER 4.08 HISTORICAL PRESERVATION COMMISSION

E. Members shall be limited to a total of two terms, which may be served consecutively, unless otherwise approved by resolution of the City Council.

F. Vacancies shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

G. Members may be reimbursed for expenses as approved by resolution of the City Council.

4.08.040 Organization, officers, meetings, rules.

A. The Commission shall elect a chair and vice-chair annually from among its members at the first regular meeting of each calendar year.

B. All meetings shall be open to the public and conducted in accordance with Idaho open meeting laws.

C. The Commission shall keep minutes and other appropriate records.

D. The Commission may recommend to the Council, within budgetary limits, the use of technical experts or consultants.

E. The Mayor shall designate one City staff member to the Commission. Staff shall provide administrative support, assist with agenda preparation and reports, coordinate with other City departments, and serve as a point of communication between the Commission, the Mayor, and the City Council. Additional staff or consultants may assist as necessary. Staff member shall not be a voting member of the Commission. The Commission shall not exercise administrative or supervisory authority over City staff, and all staff direction and supervision shall remain with the City Administrator or designee.

4.08.050 Powers, duties, and responsibilities.

A. Encourage and support of the arts in their broad and continually evolving forms, including, without limitation, the visual, performing, and literary arts.

B. Preserve and interpret the history and heritage of the Ketchum community, including the identity, customs, traditions, and cultural practices that define the community and are transmitted to future generations.

(Ord. 511 § 5, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.060 Special restrictions.

Under the provisions of Idaho Code section 57-4612, the City of Ketchum, Idaho, may provide by ordinances, special conditions or restrictions for the protection, enhancement and preservation of historic properties.

(Ord. 511 § 6, 1989; Ord. No. 1231, § 1, 1-3-2022)

CHAPTER 4.12 PLANNING AND ZONING COMMISSION

4.12.010 Definitions.

As used in this chapter, the following definitions shall apply:

Appointive members: All members appointed to the Commission by the Mayor and confirmed by a majority vote of the City Council, pursuant to Idaho Code section 67-6504.

Commission: The City of Ketchum Planning and Zoning Commission created by this chapter.

Governing board: The Mayor and City Council of the City of Ketchum, Idaho.

(Ord. 1130, 2015)

4.12.020 Creation of the Commission.

A Planning and Zoning Commission for the City of Ketchum, Idaho, is hereby created pursuant to Idaho Code section 67-6504. The appointment of members, filling vacancies, residency, length of service and removal for cause shall conform to requirements contained in Idaho Code section 67-6504(a) as may be amended from time to time, unless more restrictive requirements are established in bylaws of the Commission adopted by resolution of the City Council.

(Ord. 1130, 2015)

4.12.030 Establish number of members.

The number of members to be appointed to the Commission shall be five, pursuant to Idaho Code section 67-6504(a) that provides for not less than three members and not more than 12 members.

(Ord. 1130, 2015)

4.12.040 Establish term of office.

The term of office shall be three years, pursuant to Idaho Code section 67-6504(a) that provides for not less than three years and not more than six years.

(Ord. 1130, 2015)

**TITLE 4 - COMMISSIONS AND BOARDS
CHAPTER 4.08 HISTORICAL PRESERVATION COMMISSION**

C. Advise the City on the selection, placement, and maintenance of public art and historic installations, and encourage the incorporation of artistic and historic features into public and private development where appropriate.

D. Support and promote opportunities for residents, organizations, and artists to participate in arts and cultural activities, advance arts education, and increase public awareness of the arts and the community's history and heritage.

E. Facilitate communication and provide information and assistance to arts, cultural, and historic preservation organizations to encourage collaboration, program development, and access to funding and other resources.

F. Advise the Mayor and City Council on matters related to arts, culture, and historic preservation, and review and make recommendations on related projects, grants, and funding.

G. Encourage and support the development of arts and historic preservation programs and activities, and seek financial support for such programs, subject to approval by the City Council.

4.08.070 Public art.

A. The Commission shall coordinate with relevant City departments on the selection, installation, maintenance, and conservation of public art.

B. Public art may be located on publicly owned property or on publicly accessible private property, subject to a written agreement.

C. The Commission shall recommend public art guidelines for adoption by the Council.

D. Nothing herein shall preclude the funding of public art through grants, donations, urban renewal funds, percent-for-art programs, or other lawful sources.

4.08.080 Source of funds.

Funds to support the Commission may include, but are not limited to, general funds, percent-for-art funds, Ketchum Urban Renewal Agency funds, Local Option Tax funds, grants, donations, funding from other organizations and agencies, and other lawful sources for arts and historic preservation activities.

4.08.090 Reports.

The Commission shall make reports and recommendations to the Mayor and City Council as requested.

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4.12.050 Compliance with Idaho Code.

The bylaws of the Planning and Zoning Commission setting forth organization, rules, records, meetings, expenditures, and staff shall comply with Idaho Code section 67-6504, as may be amended from time to time. (Ord. 1130, 2015)

CHAPTER 4.16 ARTS COMMISSION

4.16.010 Purpose.

It is the purpose of this chapter and the policy of the City to recognize the value of art in public places, in order to beautify public areas, to enhance the quality of life for Ketchum citizens, to attract tourism, to enhance art education and celebration of cultural heritage, and to provide incentives to businesses to locate within the City, thus expanding Ketchum's economic base. (Ord. 1168, 2017)

4.16.020 Definitions.

In construing the provisions of this chapter, the following definitions shall apply:

Public art: Art in any media (temporary, long term, visual, performing, time based, etc.) that has been planned and executed with the intention of being staged in the physical public domain, usually outside and accessible to all. (Ord. 1168, 2017)

4.16.030 General requirements.

- A. Public art may be an integral part of a structure, attached to a structure or detached from a structure within or outside of it. Public art may also be located on any publicly owned property or on publicly accessible private property upon formal written agreement with the private entity.
B. Any public art chosen shall be located in a public place with public accessibility and impact, and further shall comply with any addition to any guidelines established by Council upon recommendation of the Ketchum Arts Commission.
C. Nothing contained herein shall preclude funding City public art by matching monies, donations, or other means. (Ord. 1168, 2017)

4.16.040 Administrative responsibilities.

- A. The City designates the Ketchum Arts Commission, to be responsible for the location and selection of all public art in the City. The Ketchum Arts Commission shall make recommendations and shall seek input and advice from relevant City departments prior to installation. It shall also advise relevant City departments regarding the maintenance, repair, or other conservation of public art.

CHAPTER 4.08 HISTORICAL PRESERVATION COMMISSION

4.08.010 Purpose.

The purpose of this chapter is to define the composition, duties, and responsibilities of the City of Ketchum Historic Preservation Commission. (Ord. 511 § 1, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.020 Definitions.

The following words and phrases, when used in this chapter, shall have, unless the context clearly indicates otherwise, the following meanings:

City means The City of Ketchum, Idaho.

Historic building/site list means the list of buildings and sites deemed to be historically significant as adopted by resolution by the HPC.

Historic preservation means the research, documentation, protection, restoration and rehabilitation of buildings, structures, objects, districts, areas and sites significant in the history, architecture, archaeology or culture of this state, its communities or the nation.

Historic property means any building, structure, area or site that is significant in the history, architecture, archaeology or culture of this community, the state, or the nation.

HPC means the Historic Preservation Commission of the City of Ketchum, Idaho. (Ord. 511 § 2, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.030 Created; appointments.

- A. There is created an HPC which shall consist of five members comprised of a maximum of three and a minimum of one member of the Planning and Zoning Commission and a maximum of four and a minimum of two members of the community who shall be appointed by the Mayor with the advice and consent of the Council.
B. All members of the HPC shall have a demonstrated interest, competence or knowledge in history or historic preservation. The Council shall endeavor to appoint community members with professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, law, or other historic preservation related disciplines.
C. Initial appointments to the HPC shall be made as follows: two two-year terms, and three three-year terms. All subsequent appointments shall be made for three-year terms. HPC members may be reappointed to serve additional terms. Vacancies shall be filled in the same manner as original appointments, and the appointee shall serve for the remainder of the unexpired term.
D. The members of the HPC may be reimbursed by the City for expenses incurred in connection with their duties and for meetings, subject to a resolution adopted by the City Council. (Ord. 511 § 3, 1989; Ord. 512 § 1, 1989; Ord. 978 § 1, 2006; Ord. No. 1231, § 1, 1-3-2022)

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- B. Public art selected shall be consistent with the City's comprehensive plan, zoning and subdivision ordinances, and land uses contemplated therein.
- C. The Ketchum Arts Commission shall work with the City regarding the public art selected for installation in coordination with projects contained in the capital improvement program and selection of artists for public art projects.
- D. The Ketchum Arts Commission shall make reports from time to time as requested by the Mayor and/or the Council.

(Ord. 1168, 2017)

4.16.050 Source of funds.

Funds to support the Arts Commission may include, but are not limited to, general funds, percent for arts funds, Ketchum Urban Renewal Agency funds, grants, donations, and funding from other organizations and agencies.

(Ord. 1168, 2017)

4.16.060 Establishment, composition and terms.

The Commission shall consist of no more than nine members who shall receive no salary. The Mayor and Commission Chair will work together to discuss new members for appointment. Members shall be appointed by the Mayor and confirmed by the City Council, and any member may, in a like manner, be removed.

- A. The Commission shall adopt bylaws for the management and operation of meetings.
- B. In addition to the nine members, the executive director of the Ketchum Community Development Corporation (KCDC) will serve as a nonvoting member of the Commission.
- C. The term of office for each of the members shall be three years. Two consecutive three-year terms shall be the maximum allowable for a member and shall constitute a full term. Upon completion of a full term, reappointment will be allowable after a one year waiting period.

(Ord. 1168, 2017)

4.16.070 Duties and responsibilities.

The duties and responsibilities of the Commission shall be as follows:

- A. Stimulate awareness and appreciation of the importance of the arts in the broadest possible manner including, but not limited to, the review and incorporation of public art with existing and new construction (both public and private), support of visual, performing and literary arts (individuals, organizations, businesses), and both a general promotion of the arts and arts education.
- B. Encourage the preservation and growth of the City's art resources, foster the development of a receptive climate for the arts, and promote opportunities for Ketchum residents to participate in artistic activities.
- C. Provide information, encouragement, and general assistance to Ketchum's cultural organizations and artists.
- D. Promote the development of Ketchum artists, institutions and community organizations sponsoring arts activities.

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~~4.08.040 Organization, officers, rules, meetings.~~

- ~~A. The HPC shall have the power to make whatever rules are necessary for the execution of its duties as set forth in this chapter. Rules of procedure and bylaws adopted by the HPC shall be available for public inspection.~~
- ~~B. The HPC shall elect officers from among the HPC members. The chairperson shall preside at meetings of the HPC. The vice chairperson shall, in the absence of the chairperson, perform the duties of the chairperson.~~
- ~~C. All meetings of the HPC shall be open to the public and follow the requirements of Idaho's open meeting laws. The HPC shall keep minutes and other appropriate written records of its resolutions, proceedings and actions.~~
- ~~D. The HPC may recommend to the Council, within the limits of its funding, the employment of or the contracting with other parties for the services of technical experts or other persons as it deems necessary to carry on the functions of the HPC.~~

~~{Ord. 511 § 4, 1989; Ord. No. 1231, § 1, 1-3-2022}~~

~~4.08.050 Powers, duties and responsibilities.~~

~~The HPC shall be advisory to the Council and shall be authorized to:~~

- ~~A. Conduct a survey of local historic properties;~~
- ~~B. Recommend the acquisition of fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequests or donation;~~
- ~~C. Recommend methods and procedures necessary to preserve, restore, maintain and operate historic properties under the ownership or control of the City;~~
- ~~D. Recommend the lease, sale, other transfer or disposition of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property;~~
- ~~E. Contract, with the approval of the Council, with the state or federal government, or any agency of either, or with any other organization;~~
- ~~F. Cooperate with the federal, state and local governments in the pursuance of the objectives of historic preservation;~~
- ~~G. Make recommendations in the planning processes undertaken by the county, the City, the state or the federal government and the agencies of these entities;~~
- ~~H. Recommend ordinances and otherwise provide information for the purposes of historic preservation in the City;~~
- ~~I. Promote and conduct an educational and interpretive program on historic preservation and historic properties in the City;~~
- ~~J. HPC members, employees or agents of the HPC may enter private property, buildings or structures in the performance of their official duties only with the express consent of the owner or occupant;~~
- ~~K. Review nominations of properties to the National Register of Historic Places for properties within the City's jurisdiction;~~
- ~~L. Establish and maintain the Historic Building/Site list;~~
- ~~M. Review and make decisions on Demolition and Alteration applications.~~

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- E. Assess the needs of the arts and of the people of Ketchum and make such information available to the Mayor and City Council and all interested agencies and persons.
- F. Review and provide recommendations and advice to the Mayor and City Council on all proposed arts related projects, events, grants, general disbursement of funds or provision of services to artists, nonprofit or for profit arts institutions or organizations.
- G. Encourage and provide direction to coordinate, partner or benefit from the arts activities or opportunities provided by other governmental agencies.
- H. Seek and encourage financial support, including grants, loans and guarantees for Ketchum Arts Commission projects subject to approval by the City Council and Mayor.

(Ord. 1168, 2017)

{Ord. 511 § 5, 1989; Ord. No. 1231, § 1, 1-3-2022}

~~4.08.060 Special restrictions.~~

~~Under the provisions of Idaho Code section 67-461257-4612, the City of Ketchum, Idaho, may provide by ordinances, special conditions or restrictions for the protection, enhancement and preservation of historic properties;~~

{Ord. 511 § 6, 1989; Ord. No. 1231, § 1, 1-3-2022}

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CHAPTER 4.12 PLANNING AND ZONING COMMISSION

4.12.010 Purpose.

The purpose of this chapter is to establish the Planning and Zoning Commission of the City of Ketchum in accordance with Idaho Code Title 67, Chapter 65, and to define its composition, duties, and responsibilities. The Commission is created to promote the orderly development of the City, to implement the goals and policies of the Comprehensive Plan; to review and make recommendations on land use, zoning, and subdivision matters; and to advise the Mayor and City Council on issues affecting the growth, development, and general welfare of the community.

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~~4.12.010 Definitions.~~

~~As used in this chapter, the following definitions shall apply:
 Appointive members: All members appointed to the Commission by the Mayor and confirmed by a majority vote of the City Council, pursuant to Idaho Code section 67-6504.
 Commission: The City of Ketchum Planning and Zoning Commission created by this chapter.
 Governing board: The Mayor and City Council of the City of Ketchum, Idaho.
 (Ord. 1130, 2015)~~

4.12.020 Creation of the Commission.

A Planning and Zoning Commission for the City of Ketchum, Idaho, is hereby created pursuant to Idaho Code section 67-6504. The appointment of members, filling vacancies, residency, length of service and removal for cause shall conform to requirements contained in Idaho Code section 67-6504(a) as may be amended from time to time, unless more restrictive requirements are established in bylaws of the Commission adopted by resolution of the City Council.
 (Ord. 1130, 2015)

4.12.030 Establish number of members.

The number of members to be appointed to the Commission shall be five, pursuant to Idaho Code section 67-6504(a) that provides for not less than three members and not more than 12 members.

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(Ord. 1130, 2015)

4.12.040 Establish term of office.

The term of ~~office commissioner~~ shall be three years, pursuant to Idaho Code section 67-6504(a) that provides for not less than three years and not more than six years.

(Ord. 1130, 2015)

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4.12.050 Compliance with Idaho Code.

The bylaws of the Planning and Zoning Commission setting forth organization, rules, records, meetings, expenditures, and staff shall comply with Idaho Code section 67-6504, as may be amended from time to time. ~~1.~~

(Ord. 1130, 2015)

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CHAPTER 4.16 ARTS COMMISSION

4.16.010 Purpose.

It is the purpose of this chapter and the policy of the City to recognize the value of art in public places, in order to beautify public areas, to enhance the quality of life for Ketchum citizens, to attract tourism, to enhance art education and celebration of cultural heritage, and to provide incentives to businesses to locate within the City, thus expanding Ketchum's economic base.

(Ord. 1168, 2017)

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4.16.020 Definitions.

In construing the provisions of this chapter, the following definitions shall apply:

Public art: Art in any media (temporary, long term, visual, performing, time-based, etc.) that has been planned and executed with the intention of being staged in the physical public domain, usually outside and accessible to all.

(Ord. 1168, 2017)

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4.16.030 General requirements.

A. Public art may be an integral part of a structure, attached to a structure or detached from a structure within or outside of it. Public art may also be located on any publicly owned property or on publicly accessible private property upon formal written agreement with the private entity.

B. Any public art chosen shall be located in a public place with public accessibility and impact, and further shall comply with any addition to any guidelines established by Council upon recommendation of the Ketchum Arts Commission.

C. Nothing contained herein shall preclude funding City public art by matching monies, donations, or other means.

(Ord. 1168, 2017)

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(Supp. No. 6)

4.16.040 Administrative responsibilities.

- A. The City designates the Ketchum Arts Commission, to be responsible for the location and selection of all public art in the City. The Ketchum Arts Commission shall will make recommendations and shall seek input and advice from relevant City departments prior to public art installation. It shall The Ketchum Arts Commission will also advise relevant City departments regarding the maintenance, repair, brand other conservation of public art.
 - B. Public art selected shall be consistent with the City's comprehensive plan, zoning and subdivision ordinances, and land uses contemplated therein.
 - C. The Ketchum Arts Commission shall will work with the City regarding the public art selected for installation in coordination with projects contained in the capital improvement program and selection of artists for public art projects.
 - D. The Ketchum Arts Commission shall make reports from time to time as requested by the Mayor and/or the Council.
- (Ord. 1168, 2017)

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4.16.050 Source of funds.

Funds to support the Arts Commission may include, but are not limited to, general funds, percent for arts funds, Ketchum Urban Renewal Agency funds, grants, donations, and funding from other organizations and agencies.

(Ord. 1168, 2017)

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4.16.060 Establishment, composition and terms.

- A. The Commission will shall consist of no more than nine members who shall receive no salary. The Mayor and Commission Chair will work together to discuss new members for appointment. Members shall be appointed by the Mayor and confirmed by the City Council, and any member may, in a like manner, be removed.
 - A. The Commission shall adopt bylaws for the management and operation of meetings.
 - B. In addition to the nine members, the executive director of the Ketchum Community Development Corporation (KCDC) will serve as a nonvoting member of the Commission.
 - C. The term of office for each of the members shall be three years. Two consecutive three-year terms shall be the maximum allowable for a member and shall constitute a full term. Upon completion of a full term, reappointment will be allowable after a one year waiting period.
- (Ord. 1168, 2017)

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4.16.070 Duties and responsibilities.

- A. The duties and responsibilities of the Arts Commission shall be as follows:
 - A. Stimulate awareness and appreciation of the importance of the arts in the broadest possible manner including, but not limited to, the review and incorporation of public art with existing and new construction (both public and private); support of visual, performing and literary arts (individuals, organizations, businesses); and both a general promotion of the arts and arts education.

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- B. Encourage the preservation and growth of the City's art resources, foster the development of a receptive climate for the arts, and promote opportunities for Ketchum residents to participate in artistic activities.
- C. Provide information, encouragement, and general assistance to Ketchum's cultural organizations and artists.
- D. Promote the development of Ketchum artists, institutions and community organizations sponsoring arts activities.
- E. Assess the needs of the arts and of the people of Ketchum and make such information available to the Mayor and City Council and all interested agencies and persons.
- F. Review and provide recommendations and advice to the Mayor and City Council on all proposed arts related projects, events, grants, general disbursement of funds or provision of services to artists, nonprofit or for profit arts institutions or organizations.
- G. Encourage and provide direction to coordinate, partner or benefit from the arts activities or opportunities provided by other governmental agencies.
- H. Seek and encourage financial support, including grants, loans and guarantees for Ketchum Arts Commission projects subject to approval by the City Council and Mayor.

(Ord. 1168, 2017)

CHAPTER 4.30 URBAN RENEWAL AGENCY

4.30.010 Purpose.

The purpose of this chapter is to establish the Ketchum Urban Renewal Agency (KURA), an independent agency formed by the City of Ketchum in 2006, to focus on downtown revitalization, community housing, and public and private investments. The KURA operates under its own budget, bylaws, and Board of Commissioners, implementing projects identified in the Ketchum Urban Renewal Plan adopted by the City Council. Ketchum Urban Renewal Agency.

4.30.020 Establishment and Composition.

The Ketchum Urban Renewal Agency is established as an independent agency of the City of Ketchum. The Agency shall be governed by a Board of Commissioners consisting of seven members: two members of the Ketchum City Council and five additional members from the community. The members shall be appointed by the Mayor and confirmed by the City Council. Ketchum Urban Renewal Agency.

4.30.030 Powers and Duties.

The KURA shall have the authority to:

1. Implement the projects identified in the Ketchum Urban Renewal Plan.
2. Utilize tax increment financing to fund urban renewal projects.

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3. Acquire, improve, and dispose of property within the Revenue Allocation Area.
4. Enter into contracts and agreements necessary to carry out urban renewal projects.
5. Issue bonds or other obligations to finance urban renewal activities.
6. Perform all other activities authorized under Idaho Code Title 50, Chapter 20.

4.30.040 Administrative Responsibilities.

The City designates the Ketchum Urban Renewal Agency as responsible for the administration and implementation of urban renewal projects within the City. The KURA shall coordinate with relevant City departments and officials to ensure alignment with the City's comprehensive plan and zoning ordinances.

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4.30.050 Funding Sources.

The KURA may utilize various funding sources to support its activities, including but not limited to:

1. Tax increment financing derived from the Revenue Allocation Area.
2. Grants and loans from federal, state, or local agencies.
3. Private investments and partnerships.
4. Donations and other contributions.

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4.30.060 Reporting and Oversight.

The KURA shall provide annual reports to the City Council detailing its activities, financial status, and progress on urban renewal projects. The City Council shall have oversight authority to ensure that the KURA's activities align with the City's goals and objectives.

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**CITY OF KETCHUM
ORDINANCE 1271**

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, ADOPTING GENERAL UPDATES AND REVISIONS TO KETCHUM CITY CODE TITLE 1 – GENERAL PROVISIONS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals:

- A. Pursuant to Title 50, Chapter 9 of Idaho Code the City is authorized to enact ordinances for the governance of the city and to organize such by codification.
- B. The City is conducting a general review to update, streamline, remove unnecessary or inapplicable language, clarify, and modernize existing City Code.
- C. The City desires to update Title 1 as indicated on Exhibit A to this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Blaine County, Idaho:

SECTION 1: That the Ketchum City Code, Title 1, is amended to read as identified on the attached Exhibit A.

SECTION 2: REPEALER. All previous ordinances, resolutions, orders, or parts thereof, that are in conflict herewith are hereby repealed.

SECTION 3: SAVINGS AND SEVERABILITY. 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 4: 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 of Ketchum, Idaho this ____ day of _____ 2026.

APPROVED BY THE MAYOR of Ketchum, Idaho this ____ day of _____ 2026.

Pete Prekeges, Mayor

ATTEST:

Trent Donat, City Clerk

TITLE 1 GENERAL PROVISIONS

CHAPTER 1.04 GENERAL CODE PROVISIONS

1.04.010 Definitions.

The following words and phrases, whenever used in the ordinances of the City, shall be construed as defined in this section unless, from the context, a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

Alley: A minor improved or unimproved public way providing secondary and/or service access to the back or the side of a property otherwise abutting a street.

City: The City of Ketchum, the area within the territorial limits of the City, and such territory outside the City over which the City has jurisdiction or control by virtue of any constitutional or statutory provision.

Council: The City Council of the City of Ketchum. "All its members" or "all Council Members" means the total number of Council Members holding office.

County: The County of Blaine.

Law: Denotes applicable federal law, the constitution and statutes of the State of Idaho, the ordinances of the City, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.

May: Is permissive.

Month: A calendar month.

Must and shall: Are each mandatory.

Oath: Includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases, the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

Owner: Applied to a building or land, means and includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole or a part of such building or land.

Person: Means and includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

Personal property: Means and includes money, goods, chattels, things in action and evidences of debt.

Preceding and following: Next before and next after, respectively.

Property: Means and includes real and personal property.

Real property: Means and includes lands, tenements and hereditaments.

Sidewalk: That portion of a street or private property developed with a hard surface walkway for the use of pedestrians.

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Owner: Applied to a building or land, means and includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole or a part of such building or land.

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Sidewalk: That portion of a street or private property developed with a hard surface walkway for the use of pedestrians.

State: The State of Idaho.

Street: A public or private right-of-way, which provides vehicular or pedestrian access to more than four dwelling units. "Street" also includes the terms "highway", "boulevard", "parkway", "thoroughfare", "road", "avenue", "lane", "place" and all such terms except "driveway".

Tenant and occupant: Applied to a building or land, mean and include any person who occupies the whole or a part of such building or land, whether alone or with others.

Written: Means and includes printed, typewritten, mimeographed, multigraphed, or otherwise reproduced in permanent visible form.

Year: A calendar year.

(Ord. 778 § 1, 1999)

1.04.020 Interpretation of language.

All words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

(Ord. 778 § 2, 1999)

1.04.030 Grammatical interpretation.

The following grammatical rules shall apply in the ordinances of the City unless it is apparent from the context that a different construction is intended:

- A. *Gender.* Each gender includes the masculine, feminine and neuter genders.
- B. *Singular and plural.* The singular number includes the plural, and the plural includes the singular.
- C. *Tenses.* Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable.

(Ord. 778 § 3, 1999)

1.04.040 Acts by agents.

When an act is required by an ordinance, the same being such that it may be done as well by an agent as by the principal, such requirement shall be construed to include all such acts performed by an authorized agent.

(Ord. 778 § 4, 1999)

1.04.050 Prohibited acts include causing and permitting.

Whenever in the ordinances of the City any act or omission is made unlawful, it shall include causing, allowing, permitting, aiding, abetting, suffering or concealing the fact of such act or omission.

(Ord. 778 § 5, 1999)

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1.04.060 Computation of time.

Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, unless the last day is Saturday, Sunday or a legal holiday, in which case, the period runs until the end of the next day which is neither Saturday, Sunday nor legal holiday.

(Ord. 778 § 6, 1999)

1.04.070 Construction.

The provisions of the ordinances of the City, and all proceedings under them, are to be construed with a view to effect their objects and to promote justice.

(Ord. 778 § 7, 1999)

1.04.080 Repeal shall not revive any ordinances.

The repeal of an ordinance shall not repeal the repealing clause of an ordinance or revive any ordinance.

(Ord. 778 § 8, 1999)

1.04.090 Saving and severability clause.

It is declared to be the legislative intent that the provisions and parts of this code shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this code 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 code.

(Ord. 778 § 9, 1999)

CHAPTER 1.08 CORPORATE SEAL

1.08.010 Description of corporate seal.

The corporate seal of the City of Ketchum, Idaho, shall be circular in form approximately two inches in diameter, more or less, with an inner and outer circle, the inner circle to be approximately one-fourth-inch less in diameter than the outer circle. The seal shall bear in the space between the inner and outer circles substantially the following: "City of Ketchum, Blaine County, Idaho", and upon the space within the inner circle the word "Seal".

(Ord. 22 § 1, 1956; Ord. 781 § 1, 1999)

1.08.020 Adoption.

The corporate seal, the impression of which is described in section 1.08.010 of this chapter, is adopted and declared to be the official seal of the City of Ketchum, Blaine County, Idaho.

(Ord. 22 § 2, 1956; 2000 Code)

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CHAPTER 1.12 ORDINANCES

1.12.010 Presentation of ordinance.

All ordinances of a general or permanent nature shall be typewritten or printed and presented at a regular or at a special meeting of the City Council by a member, at the call for which provision for presentation of such ordinance is made.

(Ord. 21 § 1, 1956; 2000 Code)

1.12.020 Rules for reading ordinances; subjects.

Every such ordinance shall be fully and distinctly read on three different days, unless three-fourths of the City Council shall dispense with the rule. An ordinance shall contain no subject which shall not be clearly expressed in its title, and no ordinance or section of such ordinance shall be revised or amended unless the new ordinance or section so revised or amended shall be repealed.

(Ord. 21 § 2, 1956; 2000 Code)

1.12.030 Recording vote.

On the passage or adoption of every ordinance of a general or permanent nature, the yeas and nays shall be called and recorded, and to pass or adopt the same, a concurrence of a majority of the whole number of members of the City Council shall be required.

(Ord. 21 § 3, 1956; 2000 Code)

1.12.040 Signing ordinance.

When any such ordinance is passed, it shall be signed by the Mayor and by the City Clerk, and the date of its adoption or passage by the City Council shall be necessary to pass the same.

(Ord. 21 § 4, 1956; 2000 Code)

1.12.050 Time of taking effect.

Ordinances making the annual tax levy and appropriations shall take effect immediately upon their passage. Ordinances granting franchises of any kind shall take effect not less than 30 days after their passage and approval. All other ordinances enacted by the City Council shall take effect upon their passage, approval and publication; provided, however, that the ordinance may fix a later date on which it may take effect, in which event, it shall take effect at such later date. Ordinances adopted by the electors of the City shall take effect at the date fixed in such ordinance, or if no such time is designated, at the date of adoption.

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~~(Ord. 21 § 5, 1956; 2000 Code)~~

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1.12.060 Publication.

Each ordinance shall be published by being inserted in one issue of an official newspaper. Publication must be made within three weeks from the date of signing the ordinance.

(Ord. 21 § 6, 1956)

1.12.070 Permanent record of ordinances.

It shall be the duty of the City Clerk to safely keep the original ordinances as passed and adopted, and to copy the same in a book provided for that purpose, and to attach to each a certificate over the seal of the City that the same is a true and correct copy of the original ordinance as passed.

(Ord. 21 § 7, 1956)

1.12.080 Special ordinances and resolutions.

All ordinances of a special or limited nature and all resolutions in the nature of ordinances and orders to enter into contracts shall be presented in writing to the City Council by a member. Such orders, resolutions or ordinances may be disposed of on one reading, or otherwise as the City Council may determine. On the final passage of any such ordinance, resolution or order, the yeas and nays shall be called and recorded, and the concurrence of a majority of the whole number of the City Council shall be necessary to pass the same.

(Ord. 21 § 8, 1956; 2000 Code)

1.12.090 Rules on special ordinances and resolutions.

Ordinances of a special or limited nature, resolutions and orders to enter into contracts shall be entered in full upon the minutes of the proceedings of the City Council but, unless otherwise directed by the City Council, shall not be entered in the book of ordinances, and shall not be published unless so required by the City Council or unless publication is required by law.

(Ord. 21 § 9, 1956; 2000 Code)

1.12.100 Consent calendar.

- A. When the Mayor determines that any item of business requires action by the Council, but is of a routine and noncontroversial nature, (s)he may cause such item to be presented at a regular meeting of the Council as part of a consent calendar.
- B. The consent calendar shall be introduced by a motion: "To approve the consent calendar", and shall be considered by the Council as a single item.
- C. There shall be no debate or discussion by any member of the Council regarding any item on the consent calendar, beyond asking questions for simple clarification.
- D. On objection by any member of the Council to inclusion of any item on the consent calendar, that item shall be removed from the consent calendar. Such objection may be recorded at any time prior to the taking of a vote on the motion to approve the consent calendar. All such items shall be considered individually, in the order in which they were objected to, immediately following consideration of the consent calendar.

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- ~~C. There shall be no debate or discussion by any member of the Council regarding any item on the consent calendar, beyond asking questions for simple clarification.~~
- ~~D. On objection by any member of the Council to inclusion of any item on the consent calendar, that item shall be removed from the consent calendar. Such objection may be recorded at any time prior to the taking of a vote on the motion to approve the consent calendar. All such items shall be considered individually, in the order in which they were objected to, immediately following consideration of the consent calendar.~~

- E. Approval of the motion to approve the consent calendar shall be fully equivalent to approval, adoption or enactment of each motion, resolution, ordinance, or other item of business thereon, exactly as if each had been acted upon individually. Approval of the motion must be by roll call vote.
- F. The City Clerk shall record in the Council minutes each item passed under the consent calendar individually and in full or, if possible, separately.

(Ord. 592 §§ 1, 2, 3, 4, 5, 6, 1992)

CHAPTER 1.20 OFFICIAL NEWSPAPER

1.20.010 Designated.

- A. This chapter is adopted to designate the official newspaper for the City of Ketchum, Idaho, as required by Idaho Code section 50-213.
- B. The "Idaho Mountain Express", as a newspaper which meets the requirements of Idaho Code section 60-106 et seq., shall be and the same is designated as the official newspaper for the City of Ketchum, Idaho.

(Ord. 475 §§ 1, 2, 1988)

CHAPTER 1.24 PRECINCTS

1.24.010 Designated.

The City has designated one election precinct for the purpose of election of City officials and all general and special elections, the election precinct being the same as the City limits of the City.

(Ord. 620 § 1, 1993)

CHAPTER 1.28 COMPREHENSIVE PLAN

1.28.010 Comprehensive plan and land use map adopted.

- A. That certain comprehensive plan and land use map for the City of Ketchum, Idaho, entitled "the Ketchum comprehensive plan" dated April 8, 1983, is adopted.
- B. Adoption of the comprehensive plan and land use map is done by reference, in the manner authorized by Idaho Code sections 67-6509 and 50-901. At least three copies of the plan and map are on file with the office of the Ketchum City Clerk in the Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho, and are available for public inspection.

(Ord. 372 §§ 1, 2, 1983)

CHAPTER 1.32 RIGHT OF ENTRY

(Supp. No. 6)

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~~E. Approval of the motion to approve the consent calendar shall be fully equivalent to approval, adoption or enactment of each motion, resolution, ordinance, or other item of business thereon, exactly as if each had been acted upon individually. Approval of the motion must be by roll call vote.~~

~~F. The City Clerk shall record in the Council minutes each item passed under the consent calendar individually and in full or, if possible, separately.~~

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~~(Ord. 372 §§ 1, 2, 1983)~~

CHAPTER 1.32 RIGHT OF ENTRY

(Supp. No. 6)

Created: 2025-01-07 14:18:14 [EST]

1.32.010 Entry to any building or premises.

Whenever any officer or employee of the City is authorized to enter any building or premises for the purpose of making an inspection to enforce any ordinance, the officer or employee may enter such building or premises at all reasonable times to inspect the same pursuant to section 1.32.020 of this chapter, except in emergency situations, or when consent of the person having charge or control of such building or premises has been otherwise obtained.

(Ord. 780 § 1, 1999)

1.32.020 Presentation of proper credentials.

If the building or premises to be inspected is occupied, the authorized officer or employee shall first present proper credentials and demand entry. If such building or premises is unoccupied, the officer or employee shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and demand entry. If consent to such entry is not given, the authorized officer or employee shall have recourse to every remedy provided by law to secure entry.

(Ord. 780 § 2, 1999)

1.32.030 Controlling over other ordinances.

This chapter shall be controlling over any other ordinance or part of an ordinance on the same subject, whether heretofore or hereafter adopted, unless such ordinance or part of an ordinance provides differently by an express reference to this chapter. Notwithstanding any other ordinance of the City, it shall not be a violation of this chapter to refuse or fail to consent to an entry for inspection.

(Ord. 780 § 3, 1999)

CHAPTER 1.36 GENERAL PENALTY

1.36.010 General penalty.

Any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the City shall be guilty of an infraction unless the violation is made a misdemeanor by ordinance.

(Ord. 779 § 1, 1999)

1.36.020 Misdemeanor penalty and fine.

Except in cases where a different punishment is prescribed by section 1.36.030 of this chapter or any ordinance of the City, any person convicted of a misdemeanor for violation of an ordinance of the City is punishable by a fine of not more than \$300.00 or by imprisonment not to exceed six months, or by both such fine and imprisonment.

(Ord. 779 § 2, 1999)

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(Ord. 779 § 1, 1999)

1.36.020 Penalties, Fines and Fees Misdemeanor penalty and fine.

Unless otherwise specified in this code, all penalties, fines, and administrative fees shall be established by resolution of the City Council. The current schedule of such fees and penalties is contained in the City's adopted fee resolution, as amended from time to time. ~~Except in cases where a different punishment is prescribed by section 1.36.030 of this chapter or any ordinance of the City, any person convicted of a misdemeanor for violation of an ordinance of the City is punishable by a fine of not more than \$300.00 or by imprisonment not to exceed six months, or by both such fine and imprisonment.~~

~~(Ord. 779 § 2, 1999)~~

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1.36.030. Fines within federal mandated program.

In the event the City is participating in a federally mandated program wherein penalties or enforcement remedies are required by the terms of participation in the program, the City may enforce such requirements by ordinance to include a criminal or civil monetary penalty not to exceed \$1,000.00, or imprisonment for criminal offenses not to exceed six months. The City may include both a fine and imprisonment for such criminal offenses.

(Ord. 779 § 3, 1999)

1.36.040 Infraction penalty and fine.

Any person convicted of an infraction for violation of an ordinance of the City is punishable by a penalty of not more than \$100.00.

(Ord. 779 § 4, 1999)

1.36.050 Separate offense.

Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the ordinances of the City is committed, continued or permitted by any such person, and such person shall be punishable accordingly.

(Ord. 779 § 5, 1999)

~~1.36.030. Fines within federal mandated program.~~

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~~(Ord. 779 § 5, 1999)~~

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**CITY OF KETCHUM
ORDINANCE 1272**

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, ADOPTING GENERAL UPDATES AND REVISIONS TO KETCHUM CITY CODE TITLE 2 – ADMINISTRATION AND PERSONNEL; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals:

- A. Pursuant to Title 50, Chapter 9 of Idaho Code the City is authorized to enact ordinances for the governance of the city and to organize such by codification.
- B. The City is conducting a general review to update, streamline, remove unnecessary or inapplicable language, clarify, and modernize existing City Code.
- C. The City desires to update Title 2 as indicated on Exhibit A to this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Blaine County, Idaho:

SECTION 1: That the Ketchum City Code, Title 2, is amended to read as identified on the attached Exhibit A.

SECTION 2: REPEALER. All previous ordinances, resolutions, orders, or parts thereof, that are in conflict herewith are hereby repealed.

SECTION 3: SAVINGS AND SEVERABILITY. 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 4: 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 of Ketchum, Idaho this ____ day of _____ 2026.

APPROVED BY THE MAYOR of Ketchum, Idaho this ____ day of _____ 2026.

Pete Prekeges, Mayor

ATTEST:

Trent Donat, City Clerk

TITLE 2 ADMINISTRATION AND PERSONNEL

CHAPTER 2.01 MAYOR AND CITY COUNCIL

2.01.010 Mayor.

The Mayor, as the City's Chief Executive Officer, shall:

1. Provide leadership in implementing the City's mission, ensuring the faithful execution of laws, ordinances, and policies, and advancing community values and quality of life.
2. Recommend policies, programs, and legislation to the City Council, and exercise any statutory or charter authority, including the power to approve or veto ordinances as provided by law.
3. Represent the City in intergovernmental, community, and public affairs, and serve as the primary spokesperson for City government.
4. And as other specific duties as outlined in State law.

2.01.020 City Council.

The City Council, consisting of 4 members in non-designated seat, as the legislative body of the City, shall:

1. Establish policies, adopt ordinances and resolutions, approve the annual budget, and provide for the prudent use of City resources to advance the community's values and quality of life.
2. Represent the interests of residents by setting strategic goals, reviewing and evaluating City programs and services, and ensuring accountability in municipal operations.
3. Act collectively to direct the City's affairs, working with the Mayor and staff to implement policies and programs in compliance with applicable laws.
4. And as other specific duties as outlined in State law.

2.01.030 City Council Meetings.

1. *Parliamentary Procedures*: City Council meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised, as a guide for orderly procedure, except where superseded by state law, City code, or adopted Council rules, following the basic principles:
 - a. Agenda Items – Eash meeting shall have the following components:
 - 1) Consent calendar
 - 2) Public hearings
 - 3) New business
 - 4) Executive session

TITLE 2 ADMINISTRATION AND PERSONNEL

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- b. **Orderly Conduct** – Only one person speaks at a time; remarks are addressed to the presiding officer.
 - c. **Motions** – A proposal for Council action; requires a second before debate.
 - d. **Debate** – Members may discuss the motion, with the presiding officer ensuring fair opportunity for all to speak.
 - e. **Voting** – Actions are decided by majority vote unless otherwise required by law.
 - f. **Records** – All actions taken are recorded in the official minutes.
2. **Quorum:** Pursuant to Idaho Code § 50-705, a quorum shall consist of a majority of the duly elected members of the Council; the minimum number of City Council members who must be present to conduct official business. No ordinance, resolution, or motion shall be passed without the concurrence of at least a majority of the full Council. No action may be taken without a quorum present, except to adjourn or recess a meeting. **Regular Meetings:** The regular meetings of the City Council of the City of Ketchum, Idaho, shall be held on the first and third Mondays of each month at the hour of 4:00 p.m. in Ketchum City Hall. Council shall adopt an resolution annually designating meeting dates and times, which will be posted on the city website
- (Ord. 739 § 1, 1999; Ord. 870 § 1, 2001)
4. **Special Meetings:** Special meetings of the City Council may be called at any time by the Mayor alone or by a majority of members of the Council. The call for all special meetings shall state the object and purposes of such meetings, and no other business shall be transacted at such meetings.

2.01.070 Reconsideration and Appeals.

- 1. Reconsideration
 - a. Any applicant or affected person seeking judicial review of the City Council's final decision must first file a written request for reconsideration with the City Council within fourteen (14) days of the decision, specifying the deficiencies in the decision for which reconsideration is sought.
 - b. The Council may reconsider only on one or more of the following grounds:
 - 1) Clerical error,
 - 2) Fraud or mistake,
 - 3) New evidence or changed circumstances,
 - 4) Procedural error,
 - 5) A tie vote in the initial decision, or
 - 6) Violation of substantive law.

- b. **Orderly Conduct** – Only one person speaks at a time; remarks are addressed to the presiding officer.
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3. **Regular Meetings:** The regular meetings of the City Council of the City of Ketchum, Idaho, shall be held on the first and third Mondays of each month at the hour of 4:00 p.m. in Ketchum City Hall, commencing on January 7, 2019. Council shall adopt an resolution annually designating meeting dates and times, which will be posted on the city website
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4. **Special Meetings:** Special meetings of the City Council may be called at any time by the Mayor alone or by a majority of members of the Council. The call for all special meetings shall state the object and purposes of such meetings, and no other business shall be transacted at such meetings.

2.01.040 Special ordinances and resolutions.

All ordinances of a special or limited nature and all resolutions in the nature of ordinances and orders to enter into contracts shall be presented in writing to the City Council by a member. Such orders, resolutions or ordinances may be disposed of on one reading, or otherwise as the City Council may determine. On the final passage of any such ordinance, resolution or order, the yeas and nays shall be called and recorded, and the concurrence of a majority of the whole number of the City Council shall be necessary to pass the same.

(Ord. 2148, 1956, 2000 Code)

2.01.050 Rules on special ordinances and resolutions.

Ordinances of a special or limited nature, resolutions and orders to enter into contracts shall be entered in full upon the minutes of the proceedings of the City Council but, unless otherwise directed by the City Council, shall not be entered in the book of ordinances, and shall not be published unless so required by the City Council or unless publication is required by law.

(Ord. 2149, 1956, 2000 Code)

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- c. At its next regular meeting, the Council shall consider whether to grant reconsideration. If granted, a hearing limited to the specified deficiencies shall be scheduled and conducted in accordance with public notice requirements.
- d. Within sixty (60) days following receipt of the request, the Council shall issue a written decision to affirm, reverse, or modify, in whole or in part, the original decision. If the Council does not act within that time, the reconsideration request is deemed denied.

2. Appeal

- a. If the Council issues a final decision – either initially or following reconsideration – an affected person may seek judicial review in the district court, as provided by Chapter 52, Title 67, Idaho Code, within twenty-eight (28) days after all local remedies have been exhausted.
- b. Upon receipt of a judicial review petition, the City shall prepare and provide the administrative record in accordance with Idaho law.
- c. Any actions or determinations not expressly listed in this section as appealable to the City Council shall be subject to the reconsideration or appeal procedures outlined within the corresponding chapters of this code.

2.01.080 Compensation.

In accordance with Idaho Code title 50, compensation for the Mayor and City Council members shall be fixed by ordinance at least seventy-five (75) days prior to any general City election. Annual salaries are effective January 1 of the following year.

Commencing January 1, 2008, the compensation of the Mayor and of the members of the City Council shall be as follows:

- 1. The Mayor shall receive a monthly salary in the sum of \$3,000.00. Furthermore, beginning January 1, 2009, and continuing each January thereafter, the Mayor shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. The Mayor shall also receive health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. The Mayor shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by the Mayor, a monthly payment shall be made compensating the Mayor for benefits in an amount not to exceed the value of the benefits; and
- 2. Each member of the Council shall receive a monthly salary in the sum of \$1,666.67. Furthermore, beginning January 1, 2009, and continuing each January thereafter, each member of the Council shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by a member of the Council, a monthly payment shall be made compensating such member of the Council for benefits in an amount not to exceed the value of the benefits.
- 3. No other compensation shall be afforded to the Mayor or Council Members.

(Ord. 1023 § 1, 2007)

2.01.070 Reconsideration and Appeals.

1. Reconsideration

- a. Any applicant or affected person seeking judicial review of the City Council's final decision must first file a written request for reconsideration with the City Council within fourteen (14) days of the decision, specifying the deficiencies in the decision for which reconsideration is sought.
- b. The Council may reconsider only on one or more of the following grounds:
 - 1) Clerical error.
 - 2) Fraud or mistake.
 - 3) New evidence or changed circumstances.
 - 4) Procedural error.
 - 5) A tie vote in the initial decision, or
 - 6) Violation of substantive law.
- c. At its next regular meeting, the Council shall consider whether to grant reconsideration. If granted, a hearing limited to the specified deficiencies shall be scheduled and conducted in accordance with public notice requirements.
- d. Within sixty (60) days following receipt of the request, the Council shall issue a written decision to affirm, reverse, or modify, in whole or in part, the original decision. If the Council does not act within that time, the reconsideration request is deemed denied.

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2.01.090 Elections.

1. Run-Off Elections for Mayor
 - a. **Majority Vote Required.** A majority of the voters cast for the office of Mayor shall be required for election.
 - b. **Run-Off Election.** If no candidate receives a majority of the votes cast at a general election, a run-off election shall be held between the two (2) candidates receiving the highest number of votes.
 - c. **Tie for Second Place.** In the event of a tie between candidates receiving the second and third highest number of votes, the candidate to oppose the candidate receiving the highest number of votes in the run-off election shall be determined by the toss of a coin.
 - d. **Conduct of Election.** The run-off election shall be conducted in the same manner as a general election and shall be held within thirty (30) days following the general election.
 - e. **Notice and Polling Places.** The City Clerk shall publish the first notice of the run-off election in the official newspaper not less than twenty (20) days prior to the election. The City Clerk shall designate the polling places before **publication** of the notice.
 - f. **Recount; Cancellation of Run-Off.** The results of the general election shall be subject to change as a result of a recount. If, following a recount that becomes final at least twenty-four (24) hours prior to the scheduled run-off election, a candidate is determined to have received a majority of the votes cast, the City Council may cancel the run-off election.
2. Run-Off Elections for City Council
 - a. **Majority Vote Required.** A majority of the voters cast for the office of City Council member shall be required for election.
 - b. **Run-Off Election.** If no candidate for a City Council seat receives a majority of the votes cast at a general election, a run-off election shall be held between the two (2) candidates receiving the highest number of votes.
 - c. **Tie for Second Place.** In the event of a tie between candidates receiving the second and third highest number of votes, the candidate to oppose the candidate receiving the highest number of votes in the run-off election shall be determined by the toss of a coin.
 - d. **Conduct of Election.** The run-off election shall be conducted in the same manner as a general election and shall be held within thirty (30) days following the general election.
 - e. **Notice and Polling Places.** The City Clerk shall publish the first notice of the run-off election in the official newspaper not less than twenty (20) days prior to the election. The City Clerk shall designate the polling places before publication of the notice.
 - f. **Recount; Cancellation of Run-Off.** The results of the general election shall be subject to change as a result of a recount. If, following a recount that becomes final at least twenty-four (24) hours prior to the scheduled run-off election, a candidate is determined to have received a majority of the votes cast, the City Council may cancel the run-off election.

health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. The Mayor shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by the Mayor, a monthly payment shall be made compensating the Mayor for benefits in an amount not to exceed the value of the benefits; and

2. Each member of the Council shall receive a monthly salary in the sum of \$1,666.67. Furthermore, beginning January 1, 2009, and continuing each January thereafter, each member of the Council shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by a member of the Council, a monthly payment shall be made compensating such member of the Council for benefits in an amount not to exceed the value of the benefits.

3. No other compensation shall be afforded to the Mayor or Council Members.

(Ord. 1023 § 1, 2007)

2.01.090 Elections.

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- a. **Majority Vote Required.** A majority of the voters cast for the office of Mayor shall be required for election.
- b. **Run-Off Election.** If no candidate receives a majority of the votes cast at a general election, a run-off election shall be held between the two (2) candidates receiving the highest number of votes.
- c. **Tie for Second Place.** In the event of a tie between candidates receiving the second and third highest number of votes, the candidate to oppose the candidate receiving the highest number of votes in the run-off election shall be determined by the toss of a coin.
- d. **Conduct of Election.** The run-off election shall be conducted in the same manner as a general election and shall be held within thirty (30) days following the general election.
- e. **Notice and Polling Places.** The City Clerk shall publish the first notice of the run-off election in the official newspaper not less than twenty (20) days prior to the election. The City Clerk shall designate the polling places before **publication** of the notice.
- f. **Recount; Cancellation of Run-Off.** The results of the general election shall be subject to change as a result of a recount. If, following a recount that becomes final at least twenty-four (24) hours prior to the scheduled run-off election, a candidate is determined to have received a majority of the votes cast, the City Council may cancel the run-off election.

2. Run-Off Elections for City Council

- a. **Majority Vote Required.** A majority of the voters cast for the office of City Council member shall be required for election.

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CHAPTER 2.02 APPOINTED OFFICERS

2.02.010 Appointment of Officers.

The Mayor, with the consent of the Council, shall appoint the City Administrator, City Clerk, City Treasurer and City Attorney. Appointed officers may be removed from office either by the mayor and two council members, or only by three members of council.

2.02.020 Officer Duties.

1. City Administrator
 - a. Oversee day-to-day city operations consistent with Council policies and the Mayor's direction,
 - b. Supervise department heads and support effective interdepartmental coordination,
 - c. Assist in preparing the annual budget and advise on financial and operational matters,
 - d. Provide administrative support to the City Council, including attendance at meetings and preparation of reports,
 - e. Act as point of contact for residents, businesses, other governmental agencies, and the community, and
 - f. Perform additional duties as assigned by the Mayor or City Council.
2. City Clerk
 - a. Keep the official records of the City, including ordinances, resolutions, minutes, and contracts,
 - b. Maintain the City seal and attest official documents,
 - c. Administer oaths of office when required by law,
 - d. Act as custodian of public records and manage requests under Idaho Law,
 - e. Issue licenses and permits as authorized by ordinance, and
 - f. Perform such other duties as may be required by law, ordinance, or direction of the Mayor and Council.
3. City Treasurer
 - a. Collect, receive and safely keep all city funds,
 - b. Deposit city funds in approved depositories,
 - c. Keep accurate records of all receipts and disbursements,
 - d. Disburse funds only upon proper authorization and warrant,
 - e. Provide regular financial reports to the Mayor and Council,
 - f. Assist with budget preparation and monitoring of city finances, and
 - g. Perform other duties as prescribed by law or directed by the Mayor and Council.
4. City Attorney
 - a. Act as legal advisor to the Mayor, Council, and city departments,

- b. Run-Off Election. If no candidate for a City Council seat receives a majority of the votes cast at a general election, a run-off election shall be held between the two (2) candidates receiving the highest number of votes.
- c. Tie for Second Place. In the event of a tie between candidates receiving the second and third highest number of votes, the candidate to oppose the candidate receiving the highest number of votes in the run-off election shall be determined by the toss of a coin.
- d. Conduct of Election. The run-off election shall be conducted in the same manner as a general election and shall be held within thirty (30) days following the general election.
- e. Notice and Polling Places. The City Clerk shall publish the first notice of the run-off election in the official newspaper not less than twenty (20) days prior to the election. The City Clerk shall designate the polling places before publication of the notice.
- f. Recount; Cancellation of Run-Off. The results of the general election shall be subject to change as a result of a recount. If, following a recount that becomes final at least twenty-four (24) hours prior to the scheduled run-off election, a candidate is determined to have received a majority of the votes cast, the City Council may cancel the run-off election.

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 - a. Oversee day-to-day city operations consistent with Council policies and the Mayor's direction,
 - b. Supervise department heads and support effective interdepartmental coordination,
 - c. Assist in preparing the annual budget and advise on financial and operational matters,
 - d. Provide administrative support to the City Council, including attendance at meetings and preparation of reports,
 - e. Act as point of contact for residents, businesses, other governmental agencies, and the community, and
 - f. Perform additional duties as assigned by the Mayor or City Council.
2. City Clerk
 - a. Keep the official records of the City, including ordinances, resolutions, minutes, and contracts,
 - b. Maintain the City seal and attest official documents,
 - c. Administer oaths of office when required by law,

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- b. Draft ordinances, resolutions, contracts, and other legal documents,
- c. Represent the City in civil proceedings and prosecute ordinance violations as directed,
- d. Provide legal opinions and guidance to the Mayor, Council, and staff,
- e. Attend Council meetings when requested by the Mayor or Council, and
- f. Perform such other duties as may be required by law, ordinance, or direction of the Mayor and Council.

CHAPTER 2.03 DEPARTMENTS

2.03.010 Establishment of Departments.

The City Council may, by ordinance or resolution, create, consolidate, or dissolve departments as necessary for the efficient administration of City affairs. The administrative service of the City shall be organized into the following departments:

1. Administration
2. Community Engagement
3. City Clerk
4. Finance
5. Housing
6. Planning & Building
7. Police
8. Public Works
 - a. Facilities Division
 - b. Streets Division
 - c. Wastewater Division
 - d. Water Division
9. Recreation

2.03.020 Department Heads.

Each department shall be directed by a department head who shall be appointed by the City Administrator in consultation with the mayor, except appointed officers requiring City Council confirmation. Department heads shall be responsible for the administration and operation of their departments, including:

1. Implementing City policies and ordinances within their areas of responsibility,
2. Managing staff, budgets, and resources assigned to the department,
3. Advising the Mayor and Council on departmental matters,
4. Coordinating with other departments, boards, and commissions to further the City's goals, and

- d. Act as custodian of public records and manage requests under Idaho Law,
- e. Issue licenses and permits as authorized by ordinance, and
- f. Perform such other duties as may be required by law, ordinance, or direction of the Mayor and Council,
- 3. City Treasurer
 - a. Collect, receive and safely keep all city funds,
 - b. Deposit city funds in approved depositories,
 - c. Keep accurate records of all receipts and disbursements,
 - d. Disburse funds only upon proper authorization and warrant,
 - e. Provide regular financial reports to the Mayor and Council,
 - f. Assist with budget preparation and monitoring of city finances, and
 - g. Perform other duties as prescribed by law or directed by the Mayor and Council.
- 4. City Attorney
 - a. Act as legal advisor to the Mayor, Council, and city departments,
 - b. Draft ordinances, resolutions, contracts, and other legal documents,
 - c. Represent the City in civil proceedings and prosecute ordinance violations as directed,
 - d. Provide legal opinions and guidance to the Mayor, Council, and staff,
 - e. Attend Council meetings when requested by the Mayor or Council, and
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5. Performing other duties as may be assigned by the Mayor or City Administrator.

CHAPTER 2.04 CODE OF ETHICS

2.04.010 Purpose.

The purpose of this chapter is to promote public confidence in the integrity of city government by establishing clear ethical standards for city officials, employees, and contractors. These standards are intended to supplement, not replace, the requirements of Idaho Code Title 74, Chapter 4, "Ethics in Government."

2.04.020 Applicability.

This chapter applies to all elected and appointed city officials, members of boards and commissions, city employees, and contractors acting on behalf of the City of Ketchum.

2.04.030 Conflicts of Interest.

1. **Prohibited Conduct.** No city official, employee, or contractor shall engage in any action, decision, or vote that may result in a direct or indirect financial benefit to themselves, their household members, or any business with which they are associated, when such benefit conflicts with the proper discharge of their official duties.
2. **Disclosure Required.** Any person covered by this chapter who has a potential conflict of interest shall disclose the nature of the conflict prior to participating in any discussion, decision, or action on the matter.
3. **Recusal.** Upon disclosure, the official or employee shall abstain from participation in the decision-making process when the conflict exists, unless otherwise permitted by Idaho Code.
4. **Use of Position.** No person shall use their position or city resources for personal gain, private advantage, or to benefit another in a manner inconsistent with public duties.

2.04.040 Gifts and Favors.

No city official, employee, or contractor shall solicit or accept any gift, favor, service, or item of value that could reasonably be perceived to influence, or appear to influence, the impartial performance of official duties. Acceptance of items of nominal value, such as promotional items, light refreshments, or awards of recognition customarily given in the ordinary course of civic or professional relationships, is permitted. Any gift or benefit received in connection with city service shall not exceed fifty dollars (\$50.00).

7. Police
8. Public Works
 - a. Facilities Division
 - b. Streets Division
 - c. Wastewater Division
 - d. Water Division
9. Recreation

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TITLE 2 - ADMINISTRATION AND PERSONNEL
CHAPTER 2.04 CITY COUNCIL MEETINGS

3. ~~Recusal. Upon disclosure, the official or employee shall abstain from participation in the decision-making process when the conflict exists, unless otherwise permitted by Idaho Code.~~

4. ~~Use of Position. No person shall use their position or city resources for personal gain, private advantage, or to benefit another in a manner inconsistent with public duties.~~

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CHAPTER 2.04 CITY COUNCIL MEETINGS

2.04.010 Regular meetings.

The regular meetings of the City Council of the City of Ketchum, Idaho, shall be held on the first and third Mondays of each month at the hour of 5:30 p.m. in the City Hall of the City, to commence June 18, 2001.
(Ord. 730 § 1, 1999; Ord. 870 § 1, 2003)

2.04.020 Special meetings.

Special meetings of the City Council may be called at any time by the mayor alone or by two members of the Council.
(Ord. 730 § 2, 1999)

2.04.030 Notice for call of special meetings.

The call for all special meetings shall state the object and purposes of such meetings, and no other business shall be transacted at such meetings.
(Ord. 730 § 3, 1999)

CHAPTER 2.12 OATH OF OFFICE

2.12.010 Oath of office.

Each officer and employee of the City shall take and subscribe before some person authorized to administer oaths an oath substantially in the following form:

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I do solemnly swear that I will support the Constitution of the United States of America and the Constitution and the Laws of the State of Idaho; that I will faithfully and impartially discharge the duties of the office of (or the position of) the City of Ketchum, Idaho according to the best of my ability. So help me God.

[Ord. 23 § 1, 1956, 2000 Code]

2-12-020 Take oath and filing same before performance of duties.

The oath must be taken and subscribed by each officer and employee before he or she shall enter upon the performance of his or her duties, and the oath, after it is taken and subscribed, shall be filed with the City Clerk and kept as an official record of the City of Ketchum, Idaho.

[Ord. 23 § 2, 1956, 2000 Code]

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CHAPTER 2-16 BONDS

2-16-010 Bonds for officers and employees.

Before entering upon the performance of his or her duties, any employee of the city may be required by the City Council to enter into, execute and file with the City Clerk a good and sufficient bond signed also by a surety or sureties approved by the City Council and conditioned for the faithful and honest performance of the duties of the office or position he or she wants, and the delivery to the City of such money or property as shall come into his or her keeping, which bond shall be in such sum as may be fixed by the City Council and shall be made payable to the City of Ketchum, Idaho; provided, however, that an increase in the amount of any such bond may be required at any time by the City Council.

[Ord. 23 § 3, 1956]

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CHAPTER 2-20 OFFICERS' SALARIES

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2-20-010 Mayor and Council; compensation.

Commencing January 1, 2008, the compensation of the Mayor and of the members of the City Council shall be as follows:

A. The Mayor shall receive a monthly salary in the sum of \$3,000.00. Furthermore, beginning January 1, 2009, and continuing each January thereafter, the Mayor shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. The Mayor shall also receive health benefits, dental benefits, vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. The Mayor shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 50-1322. If such benefits are declined by the Mayor, a monthly payment shall be made compensating the Mayor for benefits in an amount not to exceed the value of the benefits; and

B. Each member of the Council shall receive a monthly salary in the sum of \$3,666.67. Furthermore, beginning January 1, 2009, and continuing each January thereafter, each member of the Council shall receive a cost of living adjustment (COLA) to such salary in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive health benefits, dental benefits,

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vision benefits, long term disability benefits and healthcare reimbursement account benefits in the same amount afforded to City of Ketchum employees. Each member of the Council shall also receive Idaho PERSI retirement benefits in the same amount afforded to City of Ketchum employees as prescribed by Idaho Code section 59-1322. If such benefits are declined by a member of the Council, a monthly payment shall be made compensating such member of the Council for benefits in an amount not to exceed the value of the benefits.

C. No other compensation shall be afforded to the Mayor or Council Members.

{Ord. 1023 § 1, 2007}

CHAPTER 2.24. PEACE OFFICER TRAINING

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2.24.010 Peace officer training.

A. The City of Ketchum, Idaho, declares that it desires to qualify to receive aid for police training from the Law Enforcement Planning Commission under Idaho Code section 19-5110; and

B. Pursuant to Idaho Code section 19-5109, the City, while receiving aid from the Law Enforcement Planning Commission pursuant to such section, will adhere to the standards for employment and training established by the Idaho Peace Officer Standards and Training Advisory Council.

{Ord. 170 §§ 1, 2, 1974; Ord. 784 §§ 1, 2, 1999}

CHAPTER 2.28. ELECTIONS

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2.28.010 Polling places.

The polls for all general and special elections shall be opened from 8:00 a.m. and remain open until all registered electors of that precinct have voted or until 8:00 p.m., whichever comes first.

{Ord. 590 § 1, 1992}

**CITY OF KETCHUM
ORDINANCE 1274**

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, ADOPTING GENERAL UPDATES AND REVISIONS TO KETCHUM CITY CODE TITLE 4 – COMMISSIONS AND BOARDS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals:

- A. Pursuant to Title 50, Chapter 9 of Idaho Code the City is authorized to enact ordinances for the governance of the city and to organize such by codification.
- B. The City is conducting a general review to update, streamline, remove unnecessary or inapplicable language, clarify, and modernize existing City Code.
- C. The City desires to update Title 4 as indicated on Exhibit A to this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Blaine County, Idaho:

SECTION 1: That the Ketchum City Code, Title 4, is amended to read as identified on the attached Exhibit A:

SECTION 2: REPEALER. All previous ordinances, resolutions, orders, or parts thereof, that are in conflict herewith are hereby repealed.

SECTION 3: SAVINGS AND SEVERABILITY. 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 4: 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 of Ketchum, Idaho this ____ day of _____ 2026.

APPROVED BY THE MAYOR of Ketchum, Idaho this ____ day of _____ 2026.

Pete Prekeges, Mayor

ATTEST:

Trent Donat, City Clerk

TITLE 4 COMMISSIONS AND BOARDS

CHAPTER 4.04 COMMUNITY HOUSING COMMISSION

4.04.010 Definitions.

As used in this chapter, the following words shall be interpreted and defined in accordance with the provisions set forth in this section:

City: The City of Ketchum, Idaho.

Commission: The City of Ketchum Community Housing Commission.

Council: The City Council of the City of Ketchum.

Members: The members of the City of Ketchum Community Housing Commission.

(Ord. 684 § 1, 1996)

4.04.020 Creation of the Commission.

There is created a Community Housing Commission for the City of Ketchum, Idaho, pursuant to Idaho Code section 50-210.

- A. The Commission shall consist of seven members, each of whom shall be appointed by the Mayor and confirmed by the majority vote of the City Council.
- B. Each member shall reside in Blaine County, Idaho. At least four members of the Commission shall be residents of the City of Ketchum, Idaho, and not more than three members of the Commission may reside outside the City limits.
- C. The seven Commission members who are first appointed shall be designated to serve the following terms: two members shall be designated for terms of one year, two members shall be designated for terms of two years, and three members shall be designated for terms of three years. After appointment of the first Commission members in staggered terms, the terms of office shall be for three years. All vacancies, including those occurring from expiration of terms, shall be filled in the same manner as used for the original appointment. The terms of office shall be staggered so that no more than three vacancies occur within one year. All vacancies shall be filled for the unexpired term.
- D. No Commission member may be an officer or employee of the City.
- E. A Commission member shall hold office until his or her successor has been appointed and confirmed by the Council.
- F. Commission members may be removed by a majority vote of the City Council. Commission members shall be selected without respect to political affiliation, and shall serve with compensation at the discretion of the Council.

TITLE 4 COMMISSIONS AND BOARDS

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- D. No Commission member may be an officer or employee of the City.
- E. A Commission member shall hold office until his or her successor has been appointed and confirmed by the Council.
- F. Commission members may be removed by a majority vote of the City Council. Commission members shall be selected without respect to political affiliation, and shall serve with compensation at the discretion of the Council.

Commented [LE1]: Delete. BCHA is its own entity and governed by housing authority statutes.

- G. All Commission members shall be subject to and comply with the terms of the State of Idaho conflict of interest and ethics in government laws.

(Ord. 684 § 2, 1996; Ord. 686 § 1, 1996; Ord. 689 § 1, 1996; Ord. 704 § 1, 1997)

4.04.030 Rules, organization and meetings.

- A. The Commission shall elect its own chairperson and create and fill such other offices, subcommittees, advisory committees and neighborhood groups as it may determine necessary for the proper conduct of the affairs and business of the Commission.
- B. Meetings of the Commission shall be held when duly called by the chairperson by written or oral notice. At least one regular meeting shall be held each month for not less than nine months in a year. Additional meetings shall be scheduled as necessary.
- C. All members shall have voting rights, and a majority of voting members shall constitute a quorum. All meetings and work sessions at which there is a quorum shall be open to the public and shall comply with the state of Idaho open meeting laws.
- D. Written rules or bylaws consistent with this chapter and the laws of the State of Idaho shall be adopted for the transaction of business of the Commission.
- E. Written records of meetings, hearings, resolutions, findings, studies, recommendations and actions of the Commission shall be maintained and available to the public during regular business hours at Ketchum City Hall.

(Ord. 684 § 3, 1996)

4.04.040 Duties of the Commission.

The Commission shall hold public meetings, hearings, or work sessions, or use other means to obtain input regarding solutions to affordable housing issues within the City and countywide as those issues affect the City. The Commission has been established to make specific recommendations to the City Council on ways to make long term housing available for full time working City residents who cannot afford current housing costs. Specifically, the Commission will:

- A. Assess housing needs of the community;
- B. Make recommendations on a structure for meeting housing needs;
- C. Identify land appropriate for acquisition that is suitable to be developed as housing;
- D. Recommend a process to develop such properties for housing;
- E. Recommend a process to administrate such housing once developed; and
- F. Propose criteria and a selection process for potential buyers or renters of these housing projects.

(Ord. 684 § 4, 1996)

4.04.050 Employees and expenditures.

Any expenditures of the Commission shall be within the amounts appropriated and authorized by the Council prior to such expenditure. Paid staff positions may be created only at the discretion of the Council and shall be filled in accordance with regular City hiring procedures.

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(Ord. 684 § 5, 1996)

CHAPTER 4.08 HISTORICAL PRESERVATION COMMISSION

4.08.010 Purpose.

The purpose of this chapter is to define the composition, duties, and responsibilities of the City of Ketchum Historic Preservation Commission.

(Ord. 511 § 1, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.020 Definitions.

The following words and phrases, when used in this chapter, shall have, unless the context clearly indicates otherwise, the following meanings:

City means The City of Ketchum, Idaho.

Historic building/site list means the list of buildings and sites deemed to be historically significant as adopted by resolution by the HPC.

Historic preservation means the research, documentation, protection, restoration and rehabilitation of buildings, structures, objects, districts, areas and sites significant in the history, architecture, archaeology or culture of this state, its communities or the nation.

Historic property means any building, structure, area or site that is significant in the history, architecture, archaeology or culture of this community, the state, or the nation.

HPC means the Historic Preservation Commission of the City of Ketchum, Idaho.

(Ord. 511 § 2, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.030 Created; appointments.

- A. There is created an HPC which shall consist of five members comprised of a maximum of three and a minimum of one member of the Planning and Zoning Commission and a maximum of four and a minimum of two members of the community who shall be appointed by the Mayor with the advice and consent of the Council.
- B. All members of the HPC shall have a demonstrated interest, competence or knowledge in history or historic preservation. The Council shall endeavor to appoint community members with professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, law, or other historic preservation related disciplines.
- C. Initial appointments to the HPC shall be made as follows: two two-year terms, and three three-year terms. All subsequent appointments shall be made for three-year terms. HPC members may be reappointed to serve additional terms. Vacancies shall be filled in the same manner as original appointments, and the appointee shall serve for the remainder of the unexpired term.
- D. The members of the HPC may be reimbursed by the City for expenses incurred in connection with their duties and for meetings, subject to a resolution adopted by the City Council.

(Ord. 511 § 3, 1989; Ord. 512 § 1, 1989; Ord. 978 § 1, 2006; Ord. No. 1231, § 1, 1-3-2022)

(Supp. No. 6)

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(Ord. 684 § 5, 1996)

CHAPTER 4.08 ARTS AND HISTORY COMMISSION

4.08.010 Purpose.

The purpose of this chapter is to establish the Arts and History Commission of the City of Ketchum to recognize the value of arts, culture, and historic preservation in enhancing the quality of life, economic vitality, and cultural heritage of the community. The Commission is created to promote and enhance the arts, culture, and historic heritage within the City; to encourage public understanding and appreciation of Ketchum's cultural and historic heritage; to support a vibrant environment for artistic and cultural activity; and to preserve and strengthen the community's distinctive identity and sense of place.

4.08.020 Created; advisory to council.

An Arts and History Commission is created, hereinafter referred to as the Commission, which shall be advisory to the Mayor and City Council. Any land use authority or decision-making related to historic structures, historic sites, or associated property shall reside with the Planning and Zoning Commission.

4.08.030 Composition; appointments; terms.

A. The Commission shall consist of seven (7) members.

B. Members shall be appointed by the Mayor with the advice and consent of the Council.

C. The membership should, to the greatest extent practicable, include:

1. Persons with demonstrated interest, competence, or knowledge in one or more of the following:
 - a. History
 - b. Historic preservation
 - c. Archaeology
 - d. Cultural arts
 - e. Visual, performing, or literary arts
 - f. Arts administration or curation
 - g. Museum studies
 - h. Landscape architecture
 - i. Real estate or law as related to preservation or the arts
 - j. Other related disciplines.

D. Initial appointments shall be for staggered terms. Thereafter, terms shall be three (3) years.

(Supp. No. 6)

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4.08.040 Organization, officers, rules, meetings.

- A. The HPC shall have the power to make whatever rules are necessary for the execution of its duties as set forth in this chapter. Rules of procedure and bylaws adopted by the HPC shall be available for public inspection.
- B. The HPC shall elect officers from among the HPC members. The chairperson shall preside at meetings of the HPC. The vice chairperson shall, in the absence of the chairperson, perform the duties of the chairperson.
- C. All meetings of the HPC shall be open to the public and follow the requirements of Idaho's open meeting laws. The HPC shall keep minutes and other appropriate written records of its resolutions, proceedings and actions.
- D. The HPC may recommend to the Council, within the limits of its funding, the employment of or the contracting with other parties for the services of technical experts or other persons as it deems necessary to carry on the functions of the HPC.

(Ord. 511 § 4, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.050 Powers, duties and responsibilities.

The HPC shall be advisory to the Council and shall be authorized to:

- A. Conduct a survey of local historic properties;
- B. Recommend the acquisition of fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequests or donation;
- C. Recommend methods and procedures necessary to preserve, restore, maintain and operate historic properties under the ownership or control of the City;
- D. Recommend the lease, sale, other transfer or disposition of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property;
- E. Contract, with the approval of the Council, with the state or federal government, or any agency of either, or with any other organization;
- F. Cooperate with the federal, state and local governments in the pursuance of the objectives of historic preservation;
- G. Make recommendations in the planning processes undertaken by the county, the City, the state or the federal government and the agencies of these entities;
- H. Recommend ordinances and otherwise provide information for the purposes of historic preservation in the City;
- I. Promote and conduct an educational and interpretive program on historic preservation and historic properties in the City;
- J. HPC members, employees or agents of the HPC may enter private property, buildings or structures in the performance of their official duties only with the express consent of the owner or occupant;
- K. Review nominations of properties to the National Register of Historic Places for properties within the City's jurisdiction;
- L. Establish and maintain the Historic Building/Site list;
- M. Review and make decisions on Demolition and Alteration applications.

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(Supp. No. 6)

TITLE 4 - COMMISSIONS AND BOARDS
CHAPTER 4.08 HISTORICAL PRESERVATION COMMISSION

E. Members shall be limited to a total of two terms, which may be served consecutively, unless otherwise approved by resolution of the City Council.

F. Vacancies shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

G. Members may be reimbursed for expenses as approved by resolution of the City Council.

4.08.040 Organization; officers; meetings; rules.

A. The Commission shall elect a chair and vice-chair annually from among its members at the first regular meeting of each calendar year.

B. All meetings shall be open to the public and conducted in accordance with Idaho open meeting laws.

C. The Commission shall keep minutes and other appropriate records.

D. The Commission may recommend to the Council, within budgetary limits, the use of technical experts or consultants.

E. The Mayor shall designate one City staff member to the Commission. Staff shall provide administrative support, assist with agenda preparation and reports, coordinate with other City departments, and serve as a point of communication between the Commission, the Mayor, and the City Council. Additional staff or consultants may assist as necessary. Staff member shall not be a voting member of the Commission. The Commission shall not exercise administrative or supervisory authority over City staff, and all staff direction and supervision shall remain with the City Administrator or designee.

4.08.050 Powers, duties, and responsibilities.

A. Encourage and support of the arts in their broad and continually evolving forms, including, without limitation, the visual, performing, and literary arts.

B. Preserve and interpret the history and heritage of the Ketchum community, including the identity, customs, traditions, and cultural practices that define the community and are transmitted to future generations.

Ketchum, Idaho, Code of Ordinances
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(Ord. 511 § 5, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.060 Special restrictions.

Under the provisions of Idaho Code section 57-4612, the City of Ketchum, Idaho, may provide by ordinances, special conditions or restrictions for the protection, enhancement and preservation of historic properties.

(Ord. 511 § 6, 1989; Ord. No. 1231, § 1, 1-3-2022)

CHAPTER 4.12 PLANNING AND ZONING COMMISSION

4.12.010 Definitions.

As used in this chapter, the following definitions shall apply:

Appointive members: All members appointed to the Commission by the Mayor and confirmed by a majority vote of the City Council, pursuant to Idaho Code section 67-6504.

Commission: The City of Ketchum Planning and Zoning Commission created by this chapter.

Governing board: The Mayor and City Council of the City of Ketchum, Idaho.

(Ord. 1130, 2015)

4.12.020 Creation of the Commission.

A Planning and Zoning Commission for the City of Ketchum, Idaho, is hereby created pursuant to Idaho Code section 67-6504. The appointment of members, filling vacancies, residency, length of service and removal for cause shall conform to requirements contained in Idaho Code section 67-6504(a) as may be amended from time to time, unless more restrictive requirements are established in bylaws of the Commission adopted by resolution of the City Council.

(Ord. 1130, 2015)

4.12.030 Establish number of members.

The number of members to be appointed to the Commission shall be five, pursuant to Idaho Code section 67-6504(a) that provides for not less than three members and not more than 12 members.

(Ord. 1130, 2015)

4.12.040 Establish term of office.

The term of office shall be three years, pursuant to Idaho Code section 67-6504(a) that provides for not less than three years and not more than six years.

(Ord. 1130, 2015)

**TITLE 4 - COMMISSIONS AND BOARDS
CHAPTER 4.08 HISTORICAL PRESERVATION COMMISSION**

C. Advise the City on the selection, placement, and maintenance of public art and historic installations, and encourage the incorporation of artistic and historic features into public and private development where appropriate.

D. Support and promote opportunities for residents, organizations, and artists to participate in arts and cultural activities, advance arts education, and increase public awareness of the arts and the community's history and heritage.

E. Facilitate communication and provide information and assistance to arts, cultural, and historic preservation organizations to encourage collaboration, program development, and access to funding and other resources.

F. Advise the Mayor and City Council on matters related to arts, culture, and historic preservation, and review and make recommendations on related projects, grants, and funding.

G. Encourage and support the development of arts and historic preservation programs and activities, and seek financial support for such programs, subject to approval by the City Council.

4.08.070 Public art.

A. The Commission shall coordinate with relevant City departments on the selection, installation, maintenance, and conservation of public art.

B. Public art may be located on publicly owned property or on publicly accessible private property, subject to a written agreement.

C. The Commission shall recommend public art guidelines for adoption by the Council.

D. Nothing herein shall preclude the funding of public art through grants, donations, urban renewal funds, percent-for-art programs, or other lawful sources.

4.08.080 Source of funds.

Funds to support the Commission may include, but are not limited to, general funds, percent-for-art funds, Ketchum Urban Renewal Agency funds, Local Option Tax funds, grants, donations, funding from other organizations and agencies, and other lawful sources for arts and historic preservation activities.

4.08.090 Reports.

The Commission shall make reports and recommendations to the Mayor and City Council as requested.

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4.12.050 Compliance with Idaho Code.

The bylaws of the Planning and Zoning Commission setting forth organization, rules, records, meetings, expenditures, and staff shall comply with Idaho Code section 67-6504, as may be amended from time to time. (Ord. 1130, 2015)

CHAPTER 4.16 ARTS COMMISSION

4.16.010 Purpose.

It is the purpose of this chapter and the policy of the City to recognize the value of art in public places, in order to beautify public areas, to enhance the quality of life for Ketchum citizens, to attract tourism, to enhance art education and celebration of cultural heritage, and to provide incentives to businesses to locate within the City, thus expanding Ketchum's economic base. (Ord. 1168, 2017)

4.16.020 Definitions.

In construing the provisions of this chapter, the following definitions shall apply:

Public art: Art in any media (temporary, long term, visual, performing, time based, etc.) that has been planned and executed with the intention of being staged in the physical public domain, usually outside and accessible to all. (Ord. 1168, 2017)

4.16.030 General requirements.

- A. Public art may be an integral part of a structure, attached to a structure or detached from a structure within or outside of it. Public art may also be located on any publicly owned property or on publicly accessible private property upon formal written agreement with the private entity.
B. Any public art chosen shall be located in a public place with public accessibility and impact, and further shall comply with any addition to any guidelines established by Council upon recommendation of the Ketchum Arts Commission.
C. Nothing contained herein shall preclude funding City public art by matching monies, donations, or other means. (Ord. 1168, 2017)

4.16.040 Administrative responsibilities.

- A. The City designates the Ketchum Arts Commission, to be responsible for the location and selection of all public art in the City. The Ketchum Arts Commission shall make recommendations and shall seek input and advice from relevant City departments prior to installation. It shall also advise relevant City departments regarding the maintenance, repair, or other conservation of public art.

CHAPTER 4.08 HISTORICAL PRESERVATION COMMISSION

4.08.010 Purpose.

The purpose of this chapter is to define the composition, duties, and responsibilities of the City of Ketchum Historic Preservation Commission. (Ord. 511 § 1, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.020 Definitions.

The following words and phrases, when used in this chapter, shall have, unless the context clearly indicates otherwise, the following meanings:

City means The City of Ketchum, Idaho.

Historic building/site list means the list of buildings and sites deemed to be historically significant as adopted by resolution by the HPC.

Historic preservation means the research, documentation, protection, restoration and rehabilitation of buildings, structures, objects, districts, areas and sites significant in the history, architecture, archaeology or culture of this state, its communities or the nation.

Historic property means any building, structure, area or site that is significant in the history, architecture, archaeology or culture of this community, the state, or the nation.

HPC means the Historic Preservation Commission of the City of Ketchum, Idaho. (Ord. 511 § 2, 1989; Ord. No. 1231, § 1, 1-3-2022)

4.08.030 Created; appointments.

- A. There is created an HPC which shall consist of five members comprised of a maximum of three and a minimum of one member of the Planning and Zoning Commission and a maximum of four and a minimum of two members of the community who shall be appointed by the Mayor with the advice and consent of the Council.
B. All members of the HPC shall have a demonstrated interest, competence or knowledge in history or historic preservation. The Council shall endeavor to appoint community members with professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, law, or other historic preservation related disciplines.
C. Initial appointments to the HPC shall be made as follows: two two-year terms, and three three-year terms. All subsequent appointments shall be made for three-year terms. HPC members may be reappointed to serve additional terms. Vacancies shall be filled in the same manner as original appointments, and the appointee shall serve for the remainder of the unexpired term.
D. The members of the HPC may be reimbursed by the City for expenses incurred in connection with their duties and for meetings, subject to a resolution adopted by the City Council. (Ord. 511 § 3, 1989; Ord. 512 § 1, 1989; Ord. 978 § 1, 2006; Ord. No. 1231, § 1, 1-3-2022)

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- B. Public art selected shall be consistent with the City's comprehensive plan, zoning and subdivision ordinances, and land uses contemplated therein.
- C. The Ketchum Arts Commission shall work with the City regarding the public art selected for installation in coordination with projects contained in the capital improvement program and selection of artists for public art projects.
- D. The Ketchum Arts Commission shall make reports from time to time as requested by the Mayor and/or the Council.

(Ord. 1168, 2017)

4.16.050 Source of funds.

Funds to support the Arts Commission may include, but are not limited to, general funds, percent for arts funds, Ketchum Urban Renewal Agency funds, grants, donations, and funding from other organizations and agencies.

(Ord. 1168, 2017)

4.16.060 Establishment, composition and terms.

The Commission shall consist of no more than nine members who shall receive no salary. The Mayor and Commission Chair will work together to discuss new members for appointment. Members shall be appointed by the Mayor and confirmed by the City Council, and any member may, in a like manner, be removed.

- A. The Commission shall adopt bylaws for the management and operation of meetings.
- B. In addition to the nine members, the executive director of the Ketchum Community Development Corporation (KCDC) will serve as a nonvoting member of the Commission.
- C. The term of office for each of the members shall be three years. Two consecutive three-year terms shall be the maximum allowable for a member and shall constitute a full term. Upon completion of a full term, reappointment will be allowable after a one year waiting period.

(Ord. 1168, 2017)

4.16.070 Duties and responsibilities.

The duties and responsibilities of the Commission shall be as follows:

- A. Stimulate awareness and appreciation of the importance of the arts in the broadest possible manner including, but not limited to, the review and incorporation of public art with existing and new construction (both public and private), support of visual, performing and literary arts (individuals, organizations, businesses), and both a general promotion of the arts and arts education.
- B. Encourage the preservation and growth of the City's art resources, foster the development of a receptive climate for the arts, and promote opportunities for Ketchum residents to participate in artistic activities.
- C. Provide information, encouragement, and general assistance to Ketchum's cultural organizations and artists.
- D. Promote the development of Ketchum artists, institutions and community organizations sponsoring arts activities.

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~~4.08.040 Organization, officers, rules, meetings.~~

- ~~A. The HPC shall have the power to make whatever rules are necessary for the execution of its duties as set forth in this chapter. Rules of procedure and bylaws adopted by the HPC shall be available for public inspection.~~
- ~~B. The HPC shall elect officers from among the HPC members. The chairperson shall preside at meetings of the HPC. The vice chairperson shall, in the absence of the chairperson, perform the duties of the chairperson.~~
- ~~C. All meetings of the HPC shall be open to the public and follow the requirements of Idaho's open meeting laws. The HPC shall keep minutes and other appropriate written records of its resolutions, proceedings and actions.~~
- ~~D. The HPC may recommend to the Council, within the limits of its funding, the employment of or the contracting with other parties for the services of technical experts or other persons as it deems necessary to carry on the functions of the HPC.~~

~~{Ord. 511 § 4, 1989; Ord. No. 1231, § 1, 1-3-2022}~~

~~4.08.050 Powers, duties and responsibilities.~~

~~The HPC shall be advisory to the Council and shall be authorized to:~~

- ~~A. Conduct a survey of local historic properties;~~
- ~~B. Recommend the acquisition of fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequests or donation;~~
- ~~C. Recommend methods and procedures necessary to preserve, restore, maintain and operate historic properties under the ownership or control of the City;~~
- ~~D. Recommend the lease, sale, other transfer or disposition of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property;~~
- ~~E. Contract, with the approval of the Council, with the state or federal government, or any agency of either, or with any other organization;~~
- ~~F. Cooperate with the federal, state and local governments in the pursuance of the objectives of historic preservation;~~
- ~~G. Make recommendations in the planning processes undertaken by the county, the City, the state or the federal government and the agencies of these entities;~~
- ~~H. Recommend ordinances and otherwise provide information for the purposes of historic preservation in the City;~~
- ~~I. Promote and conduct an educational and interpretive program on historic preservation and historic properties in the City;~~
- ~~J. HPC members, employees or agents of the HPC may enter private property, buildings or structures in the performance of their official duties only with the express consent of the owner or occupant;~~
- ~~K. Review nominations of properties to the National Register of Historic Places for properties within the City's jurisdiction;~~
- ~~L. Establish and maintain the Historic Building/Site list;~~
- ~~M. Review and make decisions on Demolition and Alteration applications.~~

(Supp. No. 6)

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- E. Assess the needs of the arts and of the people of Ketchum and make such information available to the Mayor and City Council and all interested agencies and persons.
- F. Review and provide recommendations and advice to the Mayor and City Council on all proposed arts related projects, events, grants, general disbursement of funds or provision of services to artists, nonprofit or for profit arts institutions or organizations.
- G. Encourage and provide direction to coordinate, partner or benefit from the arts activities or opportunities provided by other governmental agencies.
- H. Seek and encourage financial support, including grants, loans and guarantees for Ketchum Arts Commission projects subject to approval by the City Council and Mayor.

(Ord. 1168, 2017)

{Ord. 511 § 5, 1989; Ord. No. 1231, § 1, 1-3-2022}

4.08.060 Special restrictions.

~~Under the provisions of Idaho Code section 67-461257-4612, the City of Ketchum, Idaho, may provide by ordinances, special conditions or restrictions for the protection, enhancement and preservation of historic properties;~~

{Ord. 511 § 6, 1989; Ord. No. 1231, § 1, 1-3-2022}

Commented [LE3]: DELETE - Not necessary to state statute

CHAPTER 4.12 PLANNING AND ZONING COMMISSION

4.12.010 Purpose.

The purpose of this chapter is to establish the Planning and Zoning Commission of the City of Ketchum in accordance with Idaho Code Title 67, Chapter 65, and to define its composition, duties, and responsibilities. The Commission is created to promote the orderly development of the City, to implement the goals and policies of the Comprehensive Plan; to review and make recommendations on land use, zoning, and subdivision matters; and to advise the Mayor and City Council on issues affecting the growth, development, and general welfare of the community.

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4.12.010 Definitions.

~~As used in this chapter, the following definitions shall apply:~~

~~Appointive members: All members appointed to the Commission by the Mayor and confirmed by a majority vote of the City Council, pursuant to Idaho Code section 67-6504.~~

~~Commission: The City of Ketchum Planning and Zoning Commission created by this chapter.~~

~~Governing board: The Mayor and City Council of the City of Ketchum, Idaho.~~

{Ord. 1130, 2015}

4.12.020 Creation of the Commission.

A Planning and Zoning Commission for the City of Ketchum, Idaho, is hereby created pursuant to Idaho Code section 67-6504. The appointment of members, filling vacancies, residency, length of service and removal for cause shall conform to requirements contained in Idaho Code section 67-6504(a) as may be amended from time to time, unless more restrictive requirements are established in bylaws of the Commission adopted by resolution of the City Council.

(Ord. 1130, 2015)

4.12.030 Establish number of members.

The number of members to be appointed to the Commission shall be five, pursuant to Idaho Code section 67-6504(a) that provides for not less than three members and not more than 12 members.

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(Supp. No. 6)

(Ord. 1130, 2015)

4.12.040 Establish term of office.

The term of ~~office commissioner~~ shall be three years, pursuant to Idaho Code section 67-6504(a) that provides for not less than three years and not more than six years.

(Ord. 1130, 2015)

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4.12.050 Compliance with Idaho Code.

The bylaws of the Planning and Zoning Commission setting forth organization, rules, records, meetings, expenditures, and staff shall comply with Idaho Code section 67-6504, as may be amended from time to time. ~~1.~~

(Ord. 1130, 2015)

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CHAPTER 4.16 ARTS COMMISSION

4.16.010 Purpose.

It is the purpose of this chapter and the policy of the City to recognize the value of art in public places, in order to beautify public areas, to enhance the quality of life for Ketchum citizens, to attract tourism, to enhance art education and celebration of cultural heritage, and to provide incentives to businesses to locate within the City, thus expanding Ketchum's economic base.

(Ord. 1168, 2017)

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4.16.020 Definitions.

In construing the provisions of this chapter, the following definitions shall apply:

Public art: Art in any media (temporary, long term, visual, performing, time-based, etc.) that has been planned and executed with the intention of being staged in the physical public domain, usually outside and accessible to all.

(Ord. 1168, 2017)

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4.16.030 General requirements.

A. Public art may be an integral part of a structure, attached to a structure or detached from a structure within or outside of it. Public art may also be located on any publicly owned property or on publicly accessible private property upon formal written agreement with the private entity.

B. Any public art chosen shall be located in a public place with public accessibility and impact, and further shall comply with any addition to any guidelines established by Council upon recommendation of the Ketchum Arts Commission.

C. Nothing contained herein shall preclude funding City public art by matching monies, donations, or other means.

(Ord. 1168, 2017)

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4.16.040 Administrative responsibilities.

- A. The City designates the Ketchum Arts Commission, to be responsible for the location and selection of all public art in the City. The Ketchum Arts Commission shall will make recommendations and shall seek input and advice from relevant City departments prior to public art installation. It shall The Ketchum Arts Commission will also advise relevant City departments regarding the maintenance, repair, brand other conservation of public art.
 - B. Public art selected shall be consistent with the City's comprehensive plan, zoning and subdivision ordinances, and land uses contemplated therein.
 - C. The Ketchum Arts Commission shall will work with the City regarding the public art selected for installation in coordination with projects contained in the capital improvement program and selection of artists for public art projects.
 - D. The Ketchum Arts Commission shall make reports from time to time as requested by the Mayor and/or the Council.
- (Ord. 1168, 2017)

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4.16.050 Source of funds.

Funds to support the Arts Commission may include, but are not limited to, general funds, percent for arts funds, Ketchum Urban Renewal Agency funds, grants, donations, and funding from other organizations and agencies.

(Ord. 1168, 2017)

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4.16.060 Establishment, composition and terms.

- A. The Commission will shall consist of no more than nine members who shall receive no salary. The Mayor and Commission Chair will work together to discuss new members for appointment. Members shall be appointed by the Mayor and confirmed by the City Council, and any member may, in a like manner, be removed.
 - A. The Commission shall adopt bylaws for the management and operation of meetings.
 - B. In addition to the nine members, the executive director of the Ketchum Community Development Corporation (KCDC) will serve as a nonvoting member of the Commission.
 - C. The term of office for each of the members shall be three years. Two consecutive three-year terms shall be the maximum allowable for a member and shall constitute a full term. Upon completion of a full term, reappointment will be allowable after a one year waiting period.
- (Ord. 1168, 2017)

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4.16.070 Duties and responsibilities.

- A. The duties and responsibilities of the Arts Commission shall be as follows:
 - A. Stimulate awareness and appreciation of the importance of the arts in the broadest possible manner including, but not limited to, the review and incorporation of public art with existing and new construction (both public and private); support of visual, performing and literary arts (individuals, organizations, businesses); and both a general promotion of the arts and arts education.

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- B. Encourage the preservation and growth of the City's art resources, foster the development of a receptive climate for the arts, and promote opportunities for Ketchum residents to participate in artistic activities.
- C. Provide information, encouragement, and general assistance to Ketchum's cultural organizations and artists.
- D. Promote the development of Ketchum artists, institutions and community organizations sponsoring arts activities.
- E. Assess the needs of the arts and of the people of Ketchum and make such information available to the Mayor and City Council and all interested agencies and persons.
- F. Review and provide recommendations and advice to the Mayor and City Council on all proposed arts related projects, events, grants, general disbursement of funds or provision of services to artists, nonprofit or for profit arts institutions or organizations.
- G. Encourage and provide direction to coordinate, partner or benefit from the arts activities or opportunities provided by other governmental agencies.
- H. Seek and encourage financial support, including grants, loans and guarantees for Ketchum Arts Commission projects subject to approval by the City Council and Mayor.

(Ord. 1168, 2017)

CHAPTER 4.30 URBAN RENEWAL AGENCY

4.30.010 Purpose.

The purpose of this chapter is to establish the Ketchum Urban Renewal Agency (KURA), an independent agency formed by the City of Ketchum in 2006, to focus on downtown revitalization, community housing, and public and private investments. The KURA operates under its own budget, bylaws, and Board of Commissioners, implementing projects identified in the Ketchum Urban Renewal Plan adopted by the City Council. Ketchum Urban Renewal Agency.

4.30.020 Establishment and Composition.

The Ketchum Urban Renewal Agency is established as an independent agency of the City of Ketchum. The Agency shall be governed by a Board of Commissioners consisting of seven members: two members of the Ketchum City Council and five additional members from the community. The members shall be appointed by the Mayor and confirmed by the City Council. Ketchum Urban Renewal Agency.

4.30.030 Powers and Duties.

The KURA shall have the authority to:

1. Implement the projects identified in the Ketchum Urban Renewal Plan.
2. Utilize tax increment financing to fund urban renewal projects.

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3. Acquire, improve, and dispose of property within the Revenue Allocation Area.
4. Enter into contracts and agreements necessary to carry out urban renewal projects.
5. Issue bonds or other obligations to finance urban renewal activities.
6. Perform all other activities authorized under Idaho Code Title 50, Chapter 20.

4.30.040 Administrative Responsibilities.

The City designates the Ketchum Urban Renewal Agency as responsible for the administration and implementation of urban renewal projects within the City. The KURA shall coordinate with relevant City departments and officials to ensure alignment with the City's comprehensive plan and zoning ordinances.

4.30.050 Funding Sources.

The KURA may utilize various funding sources to support its activities, including but not limited to:

1. Tax increment financing derived from the Revenue Allocation Area.
2. Grants and loans from federal, state, or local agencies.
3. Private investments and partnerships.
4. Donations and other contributions.

4.30.060 Reporting and Oversight.

The KURA shall provide annual reports to the City Council detailing its activities, financial status, and progress on urban renewal projects. The City Council shall have oversight authority to ensure that the KURA's activities align with the City's goals and objectives.

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City of Ketchum

CITY COUNCIL MEETING AGENDA MEMO

Meeting Date: Staff Member/Dept:

Agenda Item:

Recommended Motion:

Reasons for Recommendation:

- During the February 26 council meeting, staff reviewed key changes (attachment one) to the City’s ROW standards, members expressed no significant concerns. Direction was to place on next Council agenda for public comment and adoption.
- Staff set out with the object of consolidating and simplifying City Code with respect to our City Right-Of-Way, while also improving the safety and durability of installations in the ROW by developments.
- Staff started development of the new “ROW Standards” document by consolidating all existing relevant codes associated with our right-of-way city standards from many different areas of code and removed conflicting or duplicate details.
- The current draft document was presented and distributed to 55+ local contractors, engineers, architects, and developers for feedback. A summary of the feedback will be briefed in Council presentation.

Sustainability Impact:

Financial Impact:

None OR Adequate funds exist in account:

Attachments:

1. Highlights on key changes from previous document
2. Resolution 26-009
3. ROW Standards

Substantive Changes / Additions to ROW Standards

1. Drainage
 - a. Clarification of when a Drainage Report is required and what information is required
 - b. Path for Drainage Report waiver request in the event drainage is unchanged
2. Thresholds for ROW Improvements (Table 1)
 - a. Residential & Commercial: $\geq 1,200$ sq ft (10% waiver available)
 - b. Commercial: Change of use that generate an additional 50-percent vehicular trips per day (Institute of Transportation Engineers calculation)
 - c. Residential: Projects adjacent to public amenities (i.e., easements to river, parks, trails) where cost of remodel exceeds 50% of current assessed residential value (excluding land value).
3. Site Triangle
 - a. Figure 1 (Pg 14) illustrates a safe site triangle where no furnishings are to be installed. This will help to improve pedestrian and vehicular safety in downtown.
4. Sidewalk Furnishing Zone
 - a. Clear designation of this zone (3' from back of curb towards building face) and its requirement to be made of pavers to allow for maintenance access (relocation of furnishings, irrigation, power)
5. Furnishings
 - a. Clear direction on City ROW furnishings while allowing submissions for alternates of Benches, Bike Racks, Trash Receptacles, Planters, Tree Grates, Pedestrian lights)

RESOLUTION 26-009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, TO ADOPT UPDATED PUBLIC RIGHT-OF-WAY STANDARDS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Council desire clear standards to effectively manage the administration of the public rights-of-way within the City of Ketchum limits.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO:

To adopt the attached updated Public Right-of-Way Standards. This Resolution will be in full force and effect upon its adoption this 12th day of March, 2026.

CITY OF KETCHUM, IDAHO

Peter Prekeges, Mayor

ATTEST:

Trent Donat, Clerk

City of Ketchum

Right-Of-Way Standards



Updated 02/13/2026

Prepared by:

Ben Whipple & Robyn Mattison



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1.0 INTRODUCTION

A public right-of-way (ROW) is defined as improved or unimproved public property dedicated or deeded to the City for the purpose of providing vehicular, pedestrian, and/or other public uses.

In Ketchum, the public rights of way generally include roadways, alleys, curb, gutter, sidewalks, signage, and drainage facilities. The public rights of way are also used for public parking, wintertime snow storage, and conveyance of utilities, such as water, sewer, electricity, telephone, cable, etc.

1.1 Purpose of the Standards

The public right-of-way is a critical component of a city’s transportation and utility infrastructure that support safe and efficient movement of people, goods, and services. As cities grow and evolve, consistent and well-defined right-of-way standards are essential to ensure that infrastructure keeps pace with development, supports multimodal access, and protects public health and safety.

This document establishes the city’s official standards for the design, use, and improvement of public and private rights-of-way. It provides guidance for developers, engineers, and property owners to follow when planning new construction, redevelopment, or maintenance projects that impact public rights-of-way. These standards address elements such as street widths, sidewalk requirements, landscaping, drainage, signage, and accessibility, among others.

By applying these standards uniformly, the city aims to:

- Improve safety by creating sufficient width for emergency vehicles to travel on the streets
- Provide space for parking off the street
- Improve pedestrian access by creating accessible walking areas off the street and ensuring the accessibility of pedestrian routes in accordance with federal guidelines
- Provide adequate space for snow storage
- Eliminate safety hazards caused by trees, fences, bushes, and other obstructions that limit driver visibility and pedestrian accessibility
- Provide appropriate drainage within the right-of-way
- Provide consistent and predictable standards that apply to all properties
- Create space for elements such as bus stops, signage, lighting, and sidewalks

1.2 Plan Requirements

The city required construction plans shall include adequate general notes, technical and testing information in text format, and complete design details.



Site plan drawings for any proposed improvements in the right-of-way. At a minimum, site plans shall include the following:

- a) A vicinity map or equivalent
- b) Demarcation and dimensions of property lines, right-of-way, and easements
- c) For community core developments: Existing grading and location of existing infrastructure, street furnishing, and parking striping, called out with descriptions and dimensions, on the entirety of the block.
- d) For residential developments: Existing grading and location of existing infrastructure, including fire hydrants, called out with descriptions and dimensions, for the project site and the right-of-way in front of adjacent neighboring lots, so that existing drainage patterns can be determined.
- e) Location of existing utilities and utility services
- f) All proposed paving, curb/gutter, sidewalks, utilities, tree grates, trees, streetlights, street furnishings, regulatory signage, drainage improvements, curb markings, parking striping, and other improvements for the project and existing infrastructure (i.e. parking striping/drainage) of adjacent properties which are connected to the proposed improvements.
- g) A north arrow and standard architectural or engineering scale
- h) A legend indicating any symbols used in plans
- i) Indicate adherence with any spacing requirements, existing spacing plans, or streetscape improvement (i.e. spacing indicated in Table 7). Indicate adherence to applicable sections of Ketchum Municipal Code, including but not limited to section 16.04.060.D Fences, hedges, and walls.

Per city code, construction plans for improvements in the public right-of-way shall be prepared by a professional engineer registered in the State of Idaho. Exception: Construction plans for improvements meeting Residential Category standards (see Section 5.0) that do not require a drainage report, new stormwater conveyance (excluding driveway culverts), and/or infiltration facilities may be prepared by a landscape architect licensed in the State of Idaho.

1.3 Drainage Design Requirements

1.3.1 Drainage in the Right-of-Way

All storm water from the public right-of-way shall be collected within roadside swales or gutters. In areas with sidewalks and curb/gutter, gutters shall be designed to have minimum 0.5% slope with catch basins at low points. Catch basins shall drain to city standard drywells, or approved alternative design. Drywells shall be located within the asphalt section of the roadway. In areas with no sidewalks, roadway drainage shall be collected in roadside swales. To prevent ponding, drywells, or catch basins leading to drywells, shall be located at low points. Alternative designs will be considered if utility or



other conflicts prevent drywells from being located at low points. See section 1.3.4 below for infiltration facility design requirements.

Drainage reports, prepared per section 1.3.3, are required for all new drywell installations in the public right-of-way. Given the high infiltration rates in various areas of Ketchum, the city engineer may waive the requirement for drainage reports for projects where Ketchum's typical drywell is installed in areas of well-draining soil, as determined by subsurface evaluation, and area draining to the new drywell is limited. Contact city engineer for drainage report waiver request prior to Design Review submittal, or building permit submittal if Design Review is not required for the development.

1.3.2 Drainage on Private Property

Per Ketchum Municipal Code (Section 16.04.060.A1), all storm water, including roof gutter discharge, generated on development projects shall be retained on site. Storm water shall not be discharged to adjacent properties or public right(s)-of-way, unless mutually agreed upon by all parties or at the discretion of the City Engineer.

All developments located in the mountain overlay zoning district (MO) and floodplain management overlay zoning district (FP) shall submit drainage reports (see Section 1.3.3) at Design Review to demonstrate compliance with these standards.

In areas where a defined pre-development discharge existed and the post-development discharges are permitted by downstream owners and operators off-site, pre-development discharge rates may be allowed if the downstream system has proven adequate capacity. A drainage report, per Section 1.3.3, shall be submitted at Design Review. For these project designs, the design storm frequency used for discharge and storage calculations shall be the 50-year event.

For developments in the MO zoning district, on-site infiltration testing performed at the bottom depth of the drywell prior to installation shall be included in the design plans to verify the design infiltration rate. The applicant shall submit results of field infiltration test to the City. If the field verified infiltration rate is less than the design rate applicant shall submit a Building Permit Modification with the revised drainage report and infiltration facility designs for city review and approval.

1.3.3 Drainage Report/Memo Requirements

Drainage reports shall be submitted to demonstrate compliance with drainage standards. Drainage reports shall be prepared by a professional engineer registered in the State of Idaho. Subsurface evaluations prepared by a professional engineer registered in the State of Idaho must accompany the drainage report.



Design Basis

The design infiltration rate should be equal to one-half the infiltration rate found from the soil textural and structural analysis or from an in-situ infiltration test conducted at the elevation of the bottom of the proposed facility. Infiltration facilities should be designed to completely drain stored runoff within 24 hours.

Calculation Methodology

The peak flow rate after development shall be determined for use in designing conveyance components (channels, pipelines, and gutters) of the drainage system. The computation of peak flows for each system shall be included in the Drainage Report. Design storm frequency shall be the 25-year event. The peak rate for areas up to 80 acres shall be calculated using the Rational Method or approved derivatives.

Calculating Runoff Volumes

The storm duration used for volume design shall be the duration that results in the largest storage volume requirement in a 24-hour period. Storm durations from time of concentration (10 minutes minimum) to 24 hours shall be checked and provided in the drainage report. The beneficial and reasonable contributions of offsite discharge and infiltration shall be included when determining peak storage volume requirements.

1.3.4 Infiltration Facility Design Requirements

Retention facilities which incorporate percolation beds for stormwater management (e.g. drywells) shall conform to Title 42, Chapter 39, Idaho Code, and to the Idaho Department of Water Resources Rules for Waste Disposal and Injection Wells and to the Idaho Department of Environmental Quality's Idaho Catalog of Storm Water Best Management Practices.

Facilities utilizing percolation designs shall not intercept the groundwater table. The bottom of the facility shall have a minimum 3-foot vertical separation from the seasonal high groundwater and/or bedrock.

The seasonal high groundwater table elevation shall be established and used for the facility design. The elevation of the seasonal high groundwater table shall be determined from a monitoring well established at the facility site and monitored during the high groundwater season. If available, the District Health Department groundwater records may be used to establish the probable highest groundwater elevation.

Alternatively, a site assessment of the area immediately around the proposed facility may be conducted by a licensed hydro-geologist or by a Professional Engineer, licensed in the State of Idaho. The site assessment shall include an evaluation of the soil strata at least three feet below the bottom of the proposed facility to determine if the probable maximum high groundwater elevation will encroach into the facility. A sealed site assessment report shall be submitted to the City for review and approval. This elevation



may be used as the groundwater elevation in lieu of data from monitoring wells monitored throughout a year.

If groundwater is encountered during construction of the facility at an elevation higher than that shown on the plans, the facility shall be re-designed to account for the higher elevation. Approval of the new design and construction drawings by the City Engineer is required.

1.4 Snowmelt Systems Policy

Ketchum Municipal Code Section 16.04.020.C15 establishes clear standards for the design, repair, and replacement of snowmelt systems that extend into the public right-of-way. The ordinance ensures that such systems operate safely, efficiently, and sustainably, while balancing private convenience with responsible public energy management.

1.4.1 New Snowmelt Systems

Under the ordinance, all new snowmelt systems that extend into the public right-of-way must meet specific design and operational requirements, including:

- Temperature and precipitation detection: Systems must accurately measure surface and air temperatures and detect snowfall, ice, or precipitation.
- Automatic shutoff controls: Systems must automatically shut off when:
- Insulation: Systems must be insulated below and along the perimeter with materials approved by the City Engineer.
- Drainage: Water must be retained and drained on-site to prevent standing water and icing on adjacent surfaces.
- Boiler efficiency: Boilers must meet high-efficiency standards.

1.4.2 Existing Snowmelt Systems

The ordinance distinguishes between repairs and replacements for pre-existing systems:

- Repairs that do not increase energy consumption are exempt from new standards, although any boiler replacement must meet current high-efficiency requirements.
- Replacements or expansions must comply fully with the new design and operational standards and obtain a right-of-way encroachment permit.
- If a snowmelt system already exists in the right-of-way but lacks an approved encroachment agreement, the property owner must obtain one before continuing operation.



1.4.3 Right-of-Way Usage Fee

To address public energy impacts, the ordinance establishes a one-time right-of-way usage fee for private snowmelt systems encroaching into the City's right-of-way. The fee is based on total system energy use.

Fee exemptions include:

- Community Core Zone projects where the City requires snowmelt for public safety or street maintenance.
- Residential projects where snowmelt is required by the Fire Department, Streets Department, or City Engineer.
- Systems powered by renewable energy that generate sufficient energy to operate the snowmelt system for one winter season.
- Partial renewable energy coverage: Owners pay a proportional fee for any portion of energy drawn from nonrenewable sources.

1.4.4 Application and Enforcement

To comply with the ordinance, property owners must submit:

- Snowmelt system specifications and design details.
- Engineering or installation plans showing system layout and right-of-way extension.
- Energy demand calculations and either payment of the right-of-way usage fee or proof of renewable energy coverage.

Failure to comply with the ordinance may result in revocation of the permit or removal of the system at the owner's expense. This ordinance promotes safety, energy efficiency, and environmental responsibility for snowmelt systems throughout the City.



2.0 THRESHOLDS FOR RIGHT-OF-WAY IMPROVEMENTS

This section outlines the specific condition, such as new development, redevelopment, remodeling, changes in land use, or increases in traffic volume, that necessitate privately constructed right-of-way improvements. By creating these standards, the city ensures that improvements to sidewalks, curb ramps, bike lanes, transit stops, and roadway geometry occur in a systematic and cost-effective manner, supporting long-term mobility and infrastructure resilience.

Thresholds for required right-of-way improvements vary depending on the type of project. Thresholds are listed below in Table 1.

Table 1- Right-of-Way Improvement Thresholds

Project Type	Right-of Way Improvements Threshold
New Construction	All new commercial or residential, or accessory structure greater than 1,200 square-feet.
Structure Additions	The square footage of the addition exceeds 1,200 net square-feet. This includes basements.
Interior Remodels	
Commercial	Projects that generate an additional 50-percent vehicular trips per day, as determined by the latest edition of the Institute of Transportation Engineers (ITE) manual, or significantly alters traffic circulation, must include right-of-way improvements. If the project increases pedestrian traffic by more than 50-percent, sidewalks, crosswalks, or multi-use paths may be required.
Residential	Projects adjacent to public amenities (i.e. easements to river, parks, trails) where cost of remodel exceeds 50% of current assessed residential value (excluding land value).
Landscaping	Changes to driveway locations or additional driveway points. Removal of existing non-standard elements in the ROW must be replaced with elements that meet current ROW standards.

The threshold for minor projects applies only to a single addition on a given piece of property. If cumulative additions on a property over a three-year period after the Certificate of Occupancy is issued increase the square footage by more than 1,200 square feet then right-of-way improvements are required. City engineer has the authority to waive requirements for cumulative additions that exceed 1,200 square feet by less than 10%.



2.1 Exemptions

The requirement for installation of right-of-way improvements may be waived or modified by the city engineer if:

- Such street right-of-way improvements already exist to City standards;
- Adjacent right-of-way improvements, such as sidewalks, are unlikely to be installed in the foreseeable future; or
Installation of the required improvement would cause significant adverse environmental or safety impacts.
- New construction or remodels less than 1,200 square-ft are exempt.

2.2 Appeals

An appeal process for challenging City Engineer determinations is available and will follow the same procedure detailed within CHAPTER 17.144 – APPEALS of City Code. This process will be directed to the City Administrator in lieu of the code’s reference to Planning & Zoning Administrator/ Commission.



3.0 RIGHT-OF-WAY PERMITTING REQUIREMENTS

The following section provides an overview of the various permits required for work performed within the City of Ketchum’s public right-of-way. These permits ensure that all improvements, whether temporary or permanent, are reviewed for safety, are in compliance with city standards, and are in coordination with existing infrastructure and public access plans.

Depending on the type and scope of work, applicants may be required to obtain one or more permits, including but not limited to: Building Permits, Dig Permits, Temporary Use of Right-of-Way Permits (TURP), and Right-of-Way Encroachment Permits. Each permit type serves a specific purpose and includes distinct submittal, review, and approval requirements.

All permit applications must be submitted through the City’s online permitting platform, CommunityConnect. Click [here](#) for link. This system allows applicants to track the status of their applications, upload required documents and communicate with city staff throughout the review process.

Table 2 provides examples of common activities performed within the public right-of-way and identifies the corresponding permits required for each type of work. This list is provided as a starting point but does not include all types of activities.

Table 2- Example Project ROW Permitting Requirements

Example Work Descriptions	ROW Encroachment Permit	TURP	Dig Permit
Commercial Examples			
Temporary placement of a crane, lift, or pumper in the ROW for work or materials delivery on an adjacent property		✓	
Closure of a sidewalk for cleaning or painting a building		✓	
Digging in the ROW to install or replace below ground water/sewer services, power lines, or telecommunication lines			✓
Digging in the ROW to install new at or above-grade power poles, transformers, or new vault/raiser/pedestal in the ROW.	✓		✓
Residential Examples			
Replacing existing asphalt driveway with new asphalt in same location			✓
Replacing existing asphalt driveway with new paver driveway in same location	✓		✓



Example Work Descriptions	ROW Encroachment Permit	TURP	Dig Permit
Expanding or moving driveway from current location	✓		
Placement of permanent pavers and/or snowmelt systems within the ROW	✓	✓	
Placement of new landscaping within the ROW	✓		

¹When ROW encroachment installation is associated with a building permit, otherwise prior to construction.

3.1 Building Permits

Building permits are required for a wide range of projects, including but not limited to window and siding replacements, interior remodels, deck repairs, additions, and new construction. When a project triggers the need for right-of-way improvements (see Section 2.0 above), the building permit application must include detailed design plans that clearly illustrate all proposed right-of-way improvements in compliance with these standards. This ensures alignment with city requirements and facilitates coordinated review and approval of both private and public-facing infrastructure.

3.2 Right-of-Way Encroachment Permits

The City requires a right-of-way encroachment application and corresponding agreement for any proposed installation or construction within the public right-of-way that does not conform to established city standards. This includes any feature at or above ground level that extends into or occupies public space. The encroachment review process ensures that such improvements are safe, compatible with public infrastructure, and consistent with the City’s maintenance and accessibility goals. Common examples include paver driveways in residential zones and heated sidewalk snowmelt systems in the Community Core. See Table 3 for additional examples when right-of-way encroachment permits are required.

Table 3- ROW Encroachment Permits Requirement Examples

Residential Examples	Commercial Examples
Paver driveways	Awnings that extend into the ROW
Driveway snowmelt systems	External light fixtures that extend into the ROW
New or existing trees	Sidewalk snowmelt systems
Retaining walls	Telecommunications vaults and pedestals
Driveway channel drain	Power Sector Boxes

Residential properties that improve adjacent right-of-way in conformance with Section 5.0 of these standards do not need to submit a right-of-way encroachment permit, unless the property owner chooses to install a paver driveway in the right-of-way in lieu of an asphalt or gravel driveway.



Right-of-way encroachment applications are reviewed by City staff and subject to approval or denial by the Ketchum City Council. If an encroachment is approved, the property owner is required to enter into a Right-of-Way Encroachment Agreement with the City prior to installation.

For projects associated with building permits, the encroachment agreement must be fully executed before the building permit can be issued. For all other projects, the agreement must be in place prior to installation of any encroaching elements.

The agreement outlines key responsibilities, including that the property owner is solely responsible for the installation, maintenance, and repair of the encroachment. It also specifies that all encroachments are revocable at the City's discretion, and the property owner must remove the encroachment at their own expense if directed to do so by the City.

Property owners may submit a right-of-way encroachment application for existing, non-permitted encroachments. These applications are subject to the same review process as newly proposed encroachments. If approved, the property owner must enter into a Right-of-Way Encroachment Agreement with the City, which authorizes the encroachment to remain in place and affirms the owner's responsibility for its ongoing maintenance and repair.

Note: Main Street right-of-way is owned by the Idaho Transportation Department (ITD). ITD has a separate encroachment application and process for encroachments in ITD right-of-way.

3.3 Temporary Use of Right-of-way Permits (TURPs)

Applicants are required to obtain a Temporary Use of Right-of-Way Permit (TURP) from the City of Ketchum for short-term activities that occupy or impact the public right-of-way. Temporary uses are defined as those that are not permanently affixed to the ground and are intended to remain in place for only a limited duration. Common examples include staging construction equipment or materials, placing dumpsters or storage containers in the street or sidewalk, installing scaffolding or fencing, and conducting utility work that temporarily disrupts public access. TURPs are also required for temporary signage or structures.

When a proposed use involves partial or full closure of streets, sidewalks, or other public access routes, applicants must notify adjacent neighbors and submit a detailed traffic control plan as part of their permit application. This plan must demonstrate how vehicle, bicycle, and pedestrian traffic will be safely managed throughout the duration of the temporary use. TURPs help ensure public safety, maintain essential access, and minimize disruptions to the normal operation of the right-of-way during the approved period of use.

TURP applications shall be submitted at least five (5) days before the anticipated use of the right-of-way. Applications are reviewed by city staff to ensure the proposed use is safe, compatible with surrounding public infrastructure, and compliant with city standards. As part of the review, staff evaluate factors such as the duration and location of the proposed use, potential impacts to traffic and pedestrian circulation, and the adequacy of the submitted traffic control plan, if



applicable. Depending on the scope and complexity of the request, additional coordination with other City departments (e.g., Planning & Building, Police, or Fire) may be required. Once all requirements are met and approvals obtained, the permit is issued with specific conditions to ensure public safety and minimize disruption throughout the duration of the use.

An approved TURP may be reactivated for repeat ROW use. The Reactivation of Temporary Use of Right-of-Way Permit (TURP) Application is on the city’s Permits webpage under the Documents section. Click [here](#) for link to the application form.

3.4 Dig Permits

Street and Alley Digging, Excavation, and Trenching Permits, commonly referred to as “Dig Permits”, are required prior to any below-grade construction or disturbance within the City of Ketchum’s public right-of-way. These permits ensure that all underground work, such as utility installations, service connections, or infrastructure repairs, is performed safely, with minimal disruption to existing infrastructure, and in compliance with city standards.

Dig Permit applications shall be submitted at least five (5) days before construction. Applications are reviewed and approved by city staff. The Dig Permit process allows City staff to review proposed excavation activities, coordinate with affected utilities, review temporary traffic control plans, and verify restoration plans to maintain the integrity and functionality of streets, alleys, and sidewalks.



4.0 ROAD AND ALLEY DESIGN STANDARDS

The following standards apply to design of all roadways and alleys:

- All work shall conform to current version of ISPWC unless otherwise specified in this document or by the City Engineer.
- Grading:
 - Minimum slope for gutters, including valley gutters = 0.5%
 - Maximum slope = 10%, or as necessary to match slope of existing roadway or existing grade.
 - Vertical alignment shall be designed as consistent as reasonably possible and may not be altered for entrances to private property.
 - All roads shall be graded to keep stormwater within the right-of-way and to prevent ponding. Curb inlets and infiltration facilities shall be installed at low points. See Appendices for standard drawings.
- Sidewalks:
 - Sidewalk running grade should be no greater than 5% unless the public sidewalk is following a public street with a running grade greater than 5%, in which case the sidewalk can match the grade of the roadway.
 - Sidewalks slope towards the curb to allow for stormwater drainage. The cross slope shall conform to the current ISPWC standard.
 - Slope shall not be increased greater than ADA guidelines or greater than adjacent roadway to accommodate access to private property.
 - Sidewalks on Main Street, Sun Valley Road, and 4th Street Heritage Corridor shall be pavers. See Appendix B for paver standard drawing.
 - Sidewalks in the community core, but not on Main Street, Sun Valley Road or 4th Street shall be pavers within the furnishing zone at a minimum. See Appendix B for paver standard drawing and Appendix C for concrete sidewalk standard drawing.
- Cast-in-Place Concrete:
 - All concrete (e.g. curb & gutter, valley gutters, driveway aprons, sidewalks) in the right-of-way shall be Titan Mix or approved equal.
- Pavement Sections:
 - See Appendix A for Ketchum standard right-of-way sections.
 - See Appendix B for standard drawing SD-7 - Typical Road Sections.
- ADA parking spaces and ramps shall be placed as determined by the City Engineer.
- Intersection Line of Sight Requirements:
 - For all improvements at intersections, the design shall conform to the following sections of Ketchum Municipal Code, unless determined otherwise by the City Engineer;
 - 16.04.060.D4 - In all districts, fences, hedges and walls, or any other obstruction to clear vision, shall not be located within 75 feet of the centerline intersection of two streets.

- 12.04.030.D4 - Minimum clear sight distance at all intersections shall permit vehicles to be mutually visible when each is a minimum of 100 feet from the center of the intersection.
- The sight triangle created by 20-ft from the outside of the crosswalk on adjacent intersecting streets (depicted in Figure 1 below) shall be clear of all obstructions no higher than 24 inches in height in the community core, except for approved street infrastructure within the right-of-way. This condition is independent of intersections with bulbouts or without bulbouts.

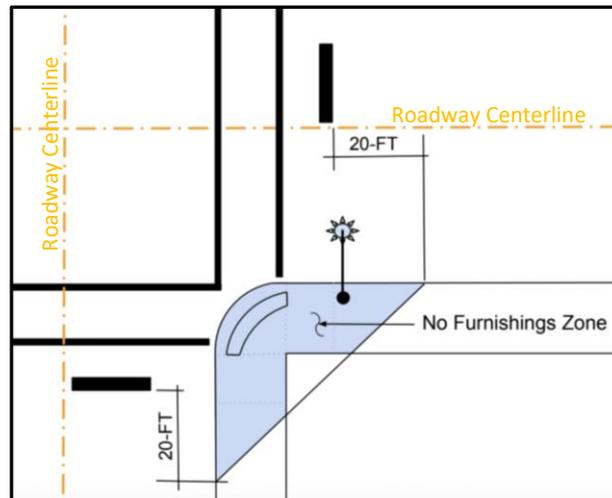


Figure 1 – Corner Sight Triangle Illustration

- Markings & Striping: Markings and striping shall be shown on plans and shall conform to the Manual on Uniform Traffic Control Devices (MUTCD). See section 6.6 for Ketchum standard markings.
- Testing Requirements: Plans shall state City of Ketchum ROW Testing Requirements. Minimum testing requirements per KMC 12.02.040 are shown below in Table 4. Requirements may be waived at the city engineer's discretion.



Table 4- ROW Testing Requirements

City Testing Requirements	
Subgrade Testing	1 Per 1000 Sq Yd
Concrete Testing	1 Test Per Project and 1 Additional Test For Each 25 Cubic Yards
Subbase Testing	1 Per 1000 Sq Yd
Base Testing	1 Per 1000 Sq Yd
Asphalt Test (per ISPWC)	1 per 100 Lf Ft
Trench Compaction Testing (per ISPWC)	Every 10 Lf in maximum 8” lifts
City Gradation Requirements	
Base Gradation Specification	1 Per 500 Ton
Concrete Mix Design	Per Project
Titan or approved equal	
Asphalt Gradation Specifications	Min 1 Per Project
City Wall Requests	
Wall Construction Observation Reports	1 Per Project

4.1 Typical Roadway Sections

Standard road sections serve as the foundational templates for the design and construction of public streets within the city’s right-of-way. These cross-sectional layouts define the typical arrangement, dimensions, and functional elements of roadways, including travel lanes, sidewalks, bike lanes, curbs, medians, planting strips, and utility corridors, based on the roadway classification and surrounding land use context.

This section presents the city’s approved standard road sections, which are intended to ensure consistency, safety, and efficiency across the transportation network. By using standardized designs, the city can streamline permitting, simplify construction and maintenance, and promote equitable access for all users, whether on foot, by bike, in a vehicle, or using transit.

The following sections describe each standard section, including dimensions and applicable design considerations, to guide engineers, developers, and city staff in the planning and construction of public streets. Refer to Appendix A for Standard Drawings of Typical Road Sections.

4.1.1 20-ft and 30-ft Right-of-Ways (Alleys)

Public alleys are an integral part of Ketchum’s historic town layout and continue to serve a vital function in supporting the city’s commitment to livability, walkability, and efficient infrastructure. Located primarily in the community core, alleys provide discreet and functional access for essential services while preserving the visual character and pedestrian orientation of Ketchum’s streets.



In the City of Ketchum, public alleys serve several key purposes:

- Access Management: Provide secondary access to garages, parking areas, and service entrances, reducing driveway interruptions and improving safety along public streets
- Service and Utility Access: Support efficient placement and maintenance of utilities, refuse collection, and deliveries without impacting street frontage or pedestrian areas
- Preservation of Streetscape: Help maintain the scenic and small-town character of Ketchum by minimizing curb cuts, preserving continuous sidewalks, and limiting visual clutter along main thoroughfares
- Circulation and Emergency Access: Offer alternative routes for maintenance and emergency vehicles, improving overall system resilience and connectivity

Alleys in the City of Ketchum are typically 20 or 30 feet wide. All improved alleys shall be paved across their full width and include appropriate drainage facilities and grading to prevent standing water within the right-of-way and to avoid runoff onto adjacent private properties. Required improvements must extend along the entire length of a property's alley frontage, regardless of the location of any driveway access.

Unimproved, partially unimproved, radiant heated or paver alleys are not maintained by the city. Properties utilizing unimproved (gravel) alleys for access are responsible for maintenance and snow removal.

4.1.2 60-ft Right-of-Ways

The majority of public streets in the City of Ketchum are built within a 60-foot right-of-way. These corridors form the backbone of the city's transportation network, providing essential access to residential neighborhoods, commercial districts, and public amenities. The 60-foot width offers the flexibility to accommodate a balanced range of multimodal infrastructure, including vehicle travel lanes, on-street parking, sidewalks, landscaping, utilities, and snow storage, while supporting the city's goals for safety, connectivity, and walkability.

Standardizing road design within this right-of-way ensures consistency across the city, simplifies maintenance, and supports long-term planning efforts. This section outlines the typical elements and configurations found within Ketchum's 60-foot rights-of-way and provides guidance for new development, redevelopment, and public improvement projects that impact these corridors.

Residential Roads & T-4000

New development or redevelopment along 60-foot streets in residential zones shall include a minimum 26-ft wide asphalt section for two travel lanes with an 8-ft wide section of roadmix on each side for parallel parking, snow storage, and drainage facilities (See Appendix A Standard Drawing No. 1). Remaining ROW may be improved with landscaping with the approval of the city engineer.



Examples of 60-ft right-of-way residential roads are Wood River Drive, Canyon Run Blvd, and Edelweiss Avenue .

Community Core/Tourist Zones T & T-3000

New development or redevelopment along 60-foot streets in the CC and T zones shall include an 8-ft wide sidewalk, 2-ft wide curb & gutter with drainage facilities (i.e. curb inlets) as required, a 7-ft parallel parking lane (so that the parking lane is ~8.5-ft from back of curb to outside of striping), and a 13-ft wide travel lane (See Appendix A Standard Drawing No. 2). ***City code currently states 7-ft sidewalks on Skiway Dr, Lloyd Dr, Gates Rd, Jane Ln, Ritchie Dr and Howard Dr. Sidewalks standards on these roads will be replaced with the above requirements.**

Examples of 60-ft right-of-way roads are First through Tenth Street, Leadville Avenue, Washington Avenue, and Spruce Street.

4th Street Heritage Corridor

4th Street between Spruce Street and Second Avenue is a designated pedestrian corridor. New development or redevelopment projects on 4th Street will be designed with enhanced pedestrian facilities, including wider sidewalks and reduced vehicle travel lanes. On-street parking may be limited to one side of the roadway where necessary to accommodate these corridor standards. Specific design details will vary by location. See Appendix A Standard Drawing No. 3.

Light Industrial (LI) Zone

New development or redevelopment of 60-foot streets in Light Industrial Zones shall include a 6-ft wide sidewalk, 2-ft wide curb & gutter with drainage facilities (i.e. curb inlets and drywells) as required, a 7-ft parallel parking lane from gutter lip, and a 13-ft wide travel lane (see Appendix A Standard Drawing No. 4).

Examples of 60-ft right-of-way roads are Lewis Street and Northwood Way.

In the LI zone where Lewis Street has an 80-foot right-of-way, the road shall be designed similarly to the 60-foot LI right-of-way section, with the exception of 30-degree angled parking in lieu of parallel parking.

4.1.3 80-ft Right-of-Ways

New development or redevelopment of 80-foot streets shall include an 8-ft wide sidewalk, 2-ft wide curb & gutter with drainage facilities (i.e. curb inlets and drywells) as required, 30-degree angled parking and 13-ft wide travel lanes (see Appendix A Standard Drawing No. 5).



Examples of 80-ft right-of-way roads are River Street, Walnut Avenue, 2nd Avenue, and 3rd Avenue.

4.1.4 100-ft Rights-of-Ways

New development or redevelopment of 100-foot streets shall include an 8-ft wide sidewalk, 2-ft wide curb & gutter with drainage facilities (i.e. curb inlets and drywells) as required, 30-degree angled parking, and 14-ft wide travel lanes with two lanes of 8-ft wide parallel parking between the travel lanes (see Appendix A Standard Drawing No. 6).

Bulb outs at intersections are required for new developments or redevelopment at corners of 100-ft right of way intersections. Bulb outs and adjacent curb and gutter are required to be snow melted. See Appendix B for Standard Drawing No. 8 for bulb-out dimensions.

Examples of 100-ft right-of-way roads are East Avenue and 1st Avenue.

4.1.5 Other Rights-of-Way Widths

New development or redevelopment along streets with right-of-way widths less than 60-ft shall be designed as close as feasible to residential road standards (Section 4.1.2) maintaining the 26-ft wide asphalt section first. The remaining portion of the right-of-way shall be designed to accommodate parking, snow storage and drainage for 8-ft off the edge of asphalt, or to the property line, whichever comes first.

5.0 RESIDENTIAL CATEGORY STANDARDS

Residential category standards apply to right of way improvements along all roads and alleys in the following zoning districts:

- Limited Residential zones (LR, LR-1, LR-2)
- General Residential zones (GR-L, GR-H)
- Short-Term Occupancy zones (STO-0.4, STO-1, STO-H)
- Recreational Use District (RU)
- Agricultural and Forestry (AF)

Arterial and collector roads within the above districts shall conform to the commercial category right of way standards. See Section 6.0 for list of arterial and collector roads.

5.1 Right-of-Way Standards

Standards are intended to provide for off street parking, drainage, and snow storage. The right-of-way consists of 26-ft min width of asphalt pavement with an 8-ft wide gravel Parking Zone on each side. Figure 2 shows the typical right of way section for the residential category areas. See Appendix A for 60-Ft ROW Typical Section – Residential.

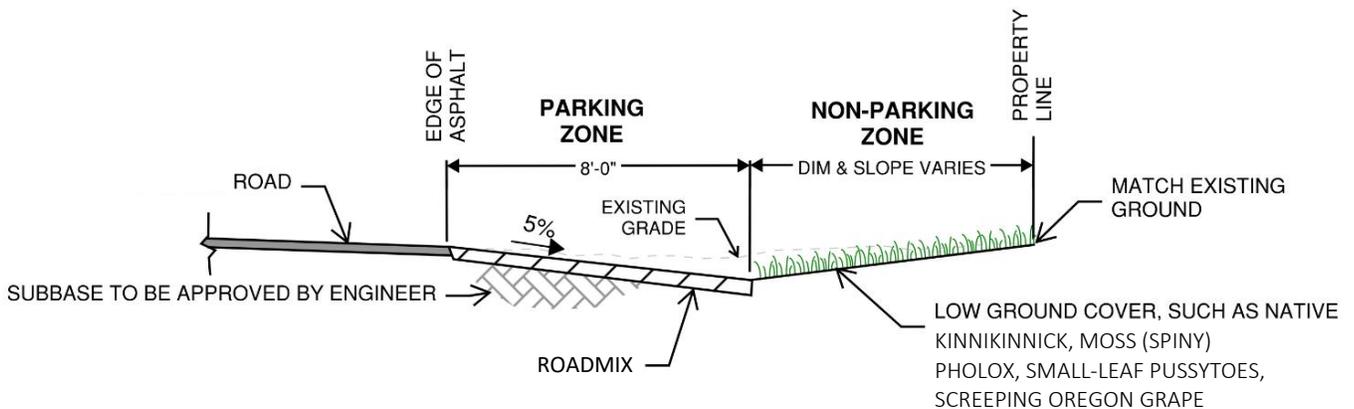


Figure 2 – Residential Right-of-Way Typical Section

Standards for the Parking Zone area, the first eight (8) feet from the edge of asphalt, are shown below in the first column of Table 5. Standards for the remaining portions of the right-of-way are shown in the second column of Table 5.



Table 5- Residential Category ROW Standards

	Parking Zone¹	Non-Parking Zone
	First eight (8) feet from edge of asphalt	Remainder to property line
Surface Material	<ul style="list-style-type: none"> • Consistent along the entire property frontage • Gravel material - ¾ Inch road-mix, decomposed granite, or grass pave systems • No live plant material • No obstructions, such as boulders or berms 	<ul style="list-style-type: none"> • Low ground cover plant material, such as kinnikinnick, moss (spiny) phlox, small-leaf pussytoes, creeping Oregon grape, is permitted • Drought-tolerant species are required • Existing trees may remain if healthy, as determined by the city arborist, with an approved ROW Encroachment Agreement.
Grading	Min 5% slope away from the edge of asphalt and as required to achieve drainage control parallel to the roadway.	<ul style="list-style-type: none"> • Grading as required to achieve drainage control and to match back to existing grade at property line. • Subsurface irrigation lines, such as drip lines, are permitted.
Irrigation	None allowed.	<ul style="list-style-type: none"> • Pop-up heads are not permitted. • Ground cover may be spray irrigated from private property.

¹Alternate surface material in low density residential zones (GR-L) may be submitted

5.1.1 Fire Hydrants

Fire hydrants shall be installed as required by the fire department. Final placement of fire hydrants is subject to city approval.

Fire hydrant placement standards:

- Hydrants shall be placed such that there is 36-inches of clear space surrounding all sides of the hydrant. This includes, but is not limited to: street trees, sign posts, and scrubs.
- Fire hydrants shall be placed a minimum of 8-ft off edge of asphalt if space allows within the right-of-way.
- In all areas, parking shall be prohibited within 15-ft, on either side, of a fire hydrant.
- In residential areas, mountain extensions shall be used on fire hydrants.

5.1.2 Utility Infrastructure Placement

Utility infrastructure, such as transformers, cable boxes/vaults, and pedestals for telecommunications equipment, shall be placed on private property. When placement in the right-of-way is unavoidable, a ROW encroachment agreement with the utility provider is required and the utility infrastructure shall be positioned as far from the edge of the



asphalt as feasible, and no closer than 8 feet from the edge of the asphalt. Placement of utility infrastructure shall not hinder driver sightlines at roadway and alley corners.

Utility infrastructure in residential areas is not required to be screened. If screening is installed, screening must meet utility provider requirements and requirements of Ketchum Municipal Code section 16.04.060.D.

5.1.3 Driveways

Driveways within residential category areas shall be designed to the following standards:

- Surface material shall be gravel or hard surfacing (asphalt, concrete, or pavers)
 - Concrete and/or paver driveways require an executed ROW Encroachment Agreement
- Private driveways shall be constructed to not impair the drainage within the public or private right-of-way, alter roadway subbase stability or damage adjacent roadway features
- Driveways must have a minimum 5% slope away from the edge of asphalt for the first eight (8) feet (See Figure 1) to prevent runoff from draining onto the asphalt portion of any public or private roadways
- Driveways must be designed for emergency vehicle access requirements per adopted fire code
 - If the driveway is required to meet apparatus access requirements, driveway must be designed for a 75,000 lbs load and have a clear height of 13’6” min. maintained free and clear year-round.
- Curb cuts and driveway entrances shall be no closer than 20 feet to the nearest intersection of two or more public or private streets, as measured along the property line adjacent to the right-of-way.

Table 6 below summarizes the width and grade requirements for private driveways. See Ketchum municipal code (Section 12.04.030.L) and International Fire Code for specifics.

Table 6- Requirements for Private Driveways

Structure Height	Minimum Width	Maximum Width	Maximum Deflection Angle over a 50-ft span	Maximum Grade
< 30-ft	12-ft ¹	35% of lot street frontage or 30-ft, whichever is less	8-degrees, or 14% slope change	7% ³
=> 30-ft	26-ft ²			

¹A 20-ft wide access road is required to extend to within 150-ft of all ground floor exterior walls. If this can be accomplished from a city street, the driveway can be less than 20-ft wide. Otherwise, the minimum driveway width is 20-ft to serve as the access road.

²This condition shall be located within a minimum of 15-ft and a maximum of 30-ft from the building. See IFC Appendix D105 Aerial Fire Apparatus Access Roads.

³Grades greater than 7% require city council approval. See KMC 12.04.030.L4.



5.1.4 Hillside Lots

The City Engineer may consider alternative driveway and right-of-way improvement designs for developments on hillside lots where compliance with the grading requirements in this document would otherwise necessitate retaining walls or result in slopes exceeding 30%.

In all cases, snow storage and parking areas shall be preserved to the greatest extent practicable. Adjustments to dimensions or grading may be permitted, provided that the overall functionality, drainage performance, and safety requirements are maintained.

When necessary to preserve or create viability for snow storage/parking/sidewalks, and when on-site retaining wall exceeds 8-feet in height or is unviable, the city may consider additional retaining walls within the public right of way on a case-by-case basis.

Low retaining walls may also be considered in the right-of-way to reduce slope of a driveway to when slopes exceed 7%. In all cases, face of retaining walls must be located a minimum 23-feet from centerline of roadway and an ROW Encroachment agreement must be executed.



6.0 COMMERCIAL CATEGORY STANDARDS

Commercial category standards apply to right of way improvements to all roads and alleys within the following zoning districts:

- Tourist zones (T, T-3000, T-4000)
- Community Core (Retail Core/CC-1, Mixed Use/CC-2)
- Light Industrial zones (LI-1, LI-2, LI-3)

For interactive map of Ketchum zoning districts, pedestrian corridors and road classifications [click here](#).

In addition, commercial category standards apply to designated pedestrian corridors and arterial and collector roads within all other zones.

See the GIS link above for designated as pedestrian corridors.

The following streets are classified as Major Collectors by ITD:

- Sun Valley Road beginning at Main Street and continuing through the City of Sun Valley. It provides access to local roads within Ketchum, Sun Valley and National Forest land.
- Warm Springs Road from Main Street to the west city limit and beyond connects several residential areas to downtown Ketchum as well as the Warm Springs Day Lodge and ski lifts.

The following streets are classified as Major Collectors by the City of Ketchum:

- 2nd Avenue from Serenade Lane to 8th Street
- 3rd Avenue from Serenade Lane to 8th Street, which includes a future connection from north of 4th Street south of 6th Street
- 3rd Street from 3rd Avenue to Main Street

The following streets are classified as Minor Collectors by the City of Ketchum:

- River Street from Wood River Drive to east of Leadville Avenue
- 1st Street from Wood River Drive to east of Alpine Lane at Lucy Loken Park
- 5th Street from 2nd Avenue to Spruce Avenue
- 7th Street from 2nd Avenue to Main Street
- 10th Street from Warm Springs Road to Main Street
- East Avenue from River Street to north of 6th Street at the Knob Hill Natural Area
- Lewis Street from Warm Springs Road to Saddle Road

6.1 Sidewalk Zones and Uses

Sidewalks should enable active public space and accessible pedestrian travel. Amenities such as landscaping, lighting, and signage work to activate the street. These amenities should be properly organized to ensure safe and accessible travel. To accomplish this balance, a sidewalk must simultaneously be viewed holistically and through the organizing logic of a set of zones.

There are three sidewalk zones in Ketchum, from property line to curb, which include the Frontage Zone, Pedestrian Clear Zone, and the Furnishing and Planting Zone. A figure depicting the sidewalk zones is shown in Figure 3. Descriptions of zone widths and uses are detailed below.

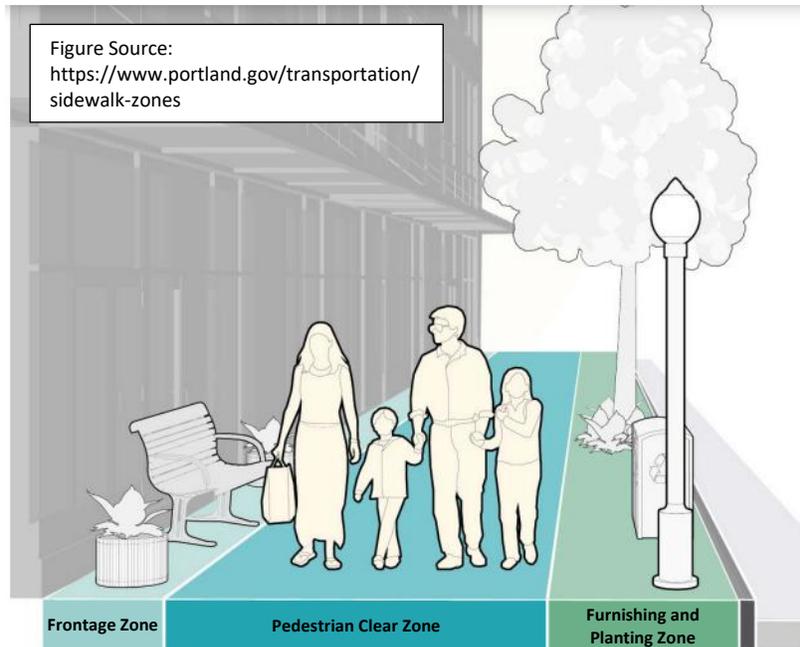


Figure 3 – Sidewalk Zones

6.1.1 Frontage Zone

Frontage Zone is the portion of the sidewalk immediately adjacent to the property line. Adjacent uses may occupy this zone for outdoor displays, café or restaurant seating, and plantings, with appropriate permits. Architectural elements that encroach into the street such as awnings, canopies, and marquees may also occupy this zone.

This zone is 18-inches from the property line in 8-ft wide sidewalks when offset with furnishings to maintain 6-ft pedestrian clearance. Frontage zone may be wider in 12-ft sidewalks. There is no Frontage Zone on sidewalks less than 8-ft wide.

6.1.2 Pedestrian Clear Zone

The pedestrian clear zone is intended for accessible pedestrian travel only and should be clear of obstacles, including driveway aprons or other changes to cross-slope. Where access is limited and a driveway apron is necessary, the apron shall be designed to be ADA-compliant. The minimum clear path of travel is 6 feet. ADA-compliant tree grates may be counted toward the minimum clear path of travel provided the tree grate is flush with the sidewalk.

Where adjacent frontage or furnishing zones are clear of obstacles, this width may be included in the minimum required clear width.



Pedestrian clear zone is the width of the sidewalk for sidewalks less than six (6) feet wide.

6.1.3 Furnishing and Planting Zone

The furnishing and planting zone acts as a buffer between the active pedestrian walking area and street traffic. Street trees and other landscaping, streetlights, pedestrian lights, benches, bike racks, site furnishings, traffic and parking poles and equipment, utility poles and boxes, fire hydrants, and other site furnishings should be consolidated in this zone.

This zone is the first 2-ft 6-in behind the back of the curb. There is no Furnishing and Planting Zone in sidewalks less than 8-ft wide.

No obstructions shall be placed in the furnishing and planting zone adjacent to parallel ADA parking spaces.

In the community core the furnishing and planting zone shall be pavers.

A table summarizing the use of each sidewalk zone is shown below in Table 7.

Table 7- Sidewalk Zones Uses

Zone	Use	Location
Furnishing and Planting Zone		
	Trees and tree wells	Approx. 30-ft spacing
	Regulatory signs	As determined by City
	Fire Hydrants	As determined by City
	Permanent Planters ¹	Bulbouts and streets >10% grade
	Streetlights	Intersections only
	Bike racks	Bulbouts and within outer 1/3 rd of each block
	Pedestrian Lights	4 th , Main St, and SV Rd. only Approx. 30-ft spacing between trees
	Trash cans	SE & NW intersection corners only
	Benches	Bulbouts and 1 in each 1/3 rd of block
	Bus Stops	As determined by provider
Pedestrian Clear Zone		
	6-foot-wide accessible walking surface; Clear of obstacles	
	Overhanging elements >80-Inches above sidewalk	
	Tree grates flush with sidewalk	
Frontage Zone		
	Displays such as: sandwich boards, holiday decorations, additional furnishings	Where approved by City ²

¹When maintained by owner. Right-of-Way Encroachment Agreement required.



Zone	Use	Location
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²Temporary Use of Right-of-Way Permit and/or Sign Permit required.

6.2 Lighting Standards

Street lighting in the City of Ketchum plays a vital role in promoting public safety, enhancing visibility, and supporting a walkable, vibrant community. The City’s primary objective is to provide targeted illumination at crosswalks, intersections, and other key pedestrian areas to improve nighttime safety for all users, particularly those traveling on foot or by bicycle.

In addition, Ketchum takes great pride in our Dark Sky Reserve designation. Therefore, Ketchum’s approach to street lighting is guided by a commitment to preserving the natural night environment and minimizing light pollution. All fixtures and installations are required to comply with dark sky standards, ensuring that lighting is directed only where needed and that glare and skyglow are minimized per the Ketchum Municipal Code (Section 16.04.090). This balance supports both public safety and the city’s longstanding dedication to environmental stewardship and community character.

This section outlines the City’s standards for streetlight placement, design, and performance, including requirements for fixture types, illumination levels, and integration with pedestrian infrastructure.

6.2.1 Exterior Building Lighting Standards

Consistent with the standards of the Dark Sky Society, the footcandles illuminating the sidewalk shall average 0.2 footcandles and shall not exceed 5 footcandles at any point of measurement. Projects with exterior lighting are required to submit an illumination analysis, performed by a lighting provider, to demonstrate that the footcandle standard is met. The illumination analysis shall include lumens from adjacent new and existing streetlights and proposed building exterior lighting. The illumination analysis shall show the average and maximum footcandles calculated on the sidewalk areas only. All fixtures shall have a luminaire with color temperature of no more than 2700 Kelvins.

Exterior lights mounted that encroach into the public right-of-way shall be included in the illumination analysis and require a ROW encroachment agreement to be executed prior to installation.

6.2.2 Street Lights

New street lights are required for new developments or redevelopment when improvements are required. Street lights shall be placed on intersection corners and mid-block at alleys, one per block as directed by the city engineer. Street lights shall be placed back of sidewalk where feasible. Where dimensions or building use don’t allow back of sidewalk, street lights shall be placed at back of curb approximately 6-ft clearance from edge of truncated dome in order to preserve intersection sightlines. Street lights shall

face counter-clockwise looking at the intersection from birds' eye view with arms angled towards crosswalks as depicted below in Figure 4. Existing street lights may only be reused on a case-by-case basis.

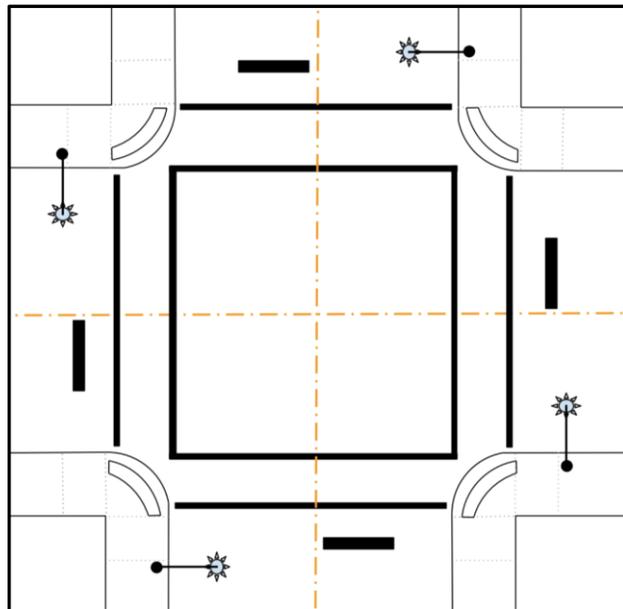


Figure 4 – Community Core Street Light Placement

Power supply to street lights shall be powered from Idaho Power from an installed dedicated meterbase for the city street light, or nearest available city source if feasible, in accordance with ISPWC and Idaho Power standards.

See Table 9 for pole and fixture standards.

6.2.3 Pedestrian Lights

Pedestrian lights are required in designated areas of Ketchum where foot traffic is concentrated. These lights are lower in height and scaled to the pedestrian experience, providing enhanced visibility and comfort for people walking during evening and nighttime hours. By focusing on areas with high pedestrian activity, the City supports safety, accessibility, and a welcoming public realm while complementing overall street lighting and maintaining dark sky compliance.

Pedestrian lights are required within the community core on the following streets:

- Main Street
- Sun Valley Road
- 4th Street



Pedestrian lights shall be placed within the Furnishing and Planting Zone, ensuring an equal distance between each light and the nearest street tree and 15-inches on-center from back of curb to be in-line with street trees.

See Table 9 for pedestrian light standards.

6.3 Fire Hydrants

Fire hydrants shall be installed as required by the fire department.

- Placement such that there is 36-inches of clear space surrounding all sides of the hydrant. This includes, but is not limited to; building walls, columns, street trees, sign posts, street lights, benches, trash bins, planter boxes, bollards, and scrubs.
- Fire hydrants shall be placed within the Furnishing and Planting zone 15-inches (center of hydrant) from back of curb out of intersection sight-line (see Figure 1).
- In all areas parking shall be prohibited within 15-ft, on either side, of a fire hydrant.

Final placement of fire hydrants is subject to city approval.

6.4 Street Trees

Street trees are required within the Community Core to enhance the urban environment, support walkability, and contribute to the city’s aesthetic character. Trees shall be spaced approximately 30 feet apart, measured center-to-center, and must be located at least 30 feet from any streetlight to prevent conflicts with lighting and visibility. Trees shall not be planted within pedestrian ramps or bulbouts to maintain accessibility and clear sightlines.

All newly planted trees must have a minimum caliper of 3 inches. The selected species, as indicated on the approved landscape plan, must align with the designated planting zones referenced in Table 8 and illustrated in Figure 5. Existing healthy street trees may be retained and/or relocated on a case-by-case basis, subject to review and approval by the City Arborist.

Table 8- Street Tree Species List

Location	Common Name	Species Name
Main Street & Sun Valley Road	Sun Valley Maples	<i>Acer rubrum</i> ‘Sun Valley’
Fourth Street	Exclamation!™ Planetree	<i>Platanus x acerifolia</i> ‘Morton Circle’
Avenues (Spruce to 2 nd Ave)	Heritage Oak	<i>Quercus x macdanielii</i> ‘Clemons’
	Crimson Spire Oak	<i>Quercus x bimundorum</i> ‘Crimschmidt’
	New Horizon Elm	<i>Ulmus japonica x pumila</i> ‘New Horizon’
	Allee Elm	<i>Ulmus parvifolia</i> ‘Emer II’
Streets (River to 7 th Street)	Greenspire Linden	<i>Tilia cordata</i> ‘Greenspire’
	Autum Gold Ginkgo	<i>Ginkgo biloba</i> ‘Autumn Gold’

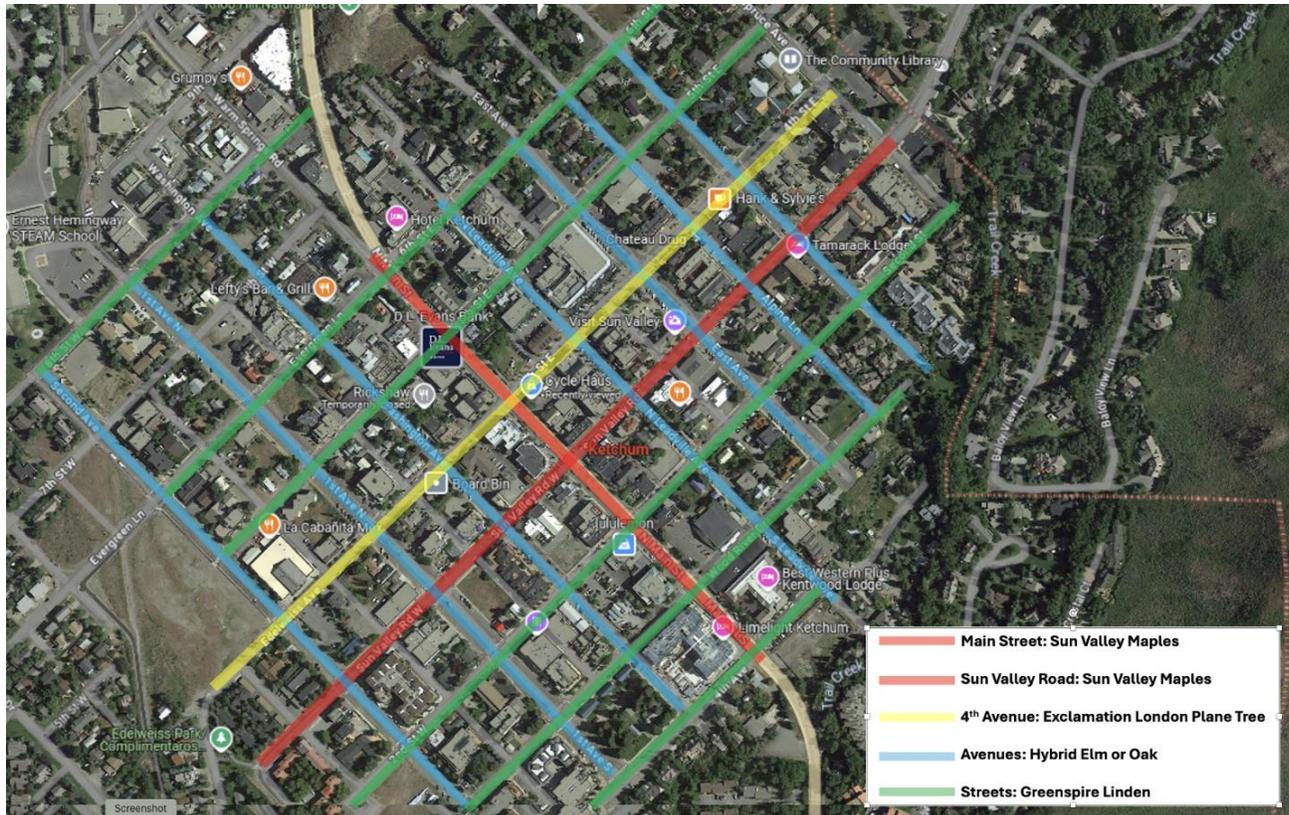


Figure 5 – Street Tree Species Map

See Table 9- Ketchum Furnishing and Amenities Standards for tree grate specifications and Appendix B for street tree well standard drawing. The modular suspended pavement system (Silva cell) requirement may be waived in certain situations, such as continuously planter beds. Electrical bollards shall be placed in-line with the center-line of the tree, 15-inch from back of curb.

6.5 Utility Infrastructure Placement

Utility infrastructure, such as transformers, cable boxes/vaults, and pedestals for telecommunications equipment, shall be placed on private property. When placement in the right-of-way is unavoidable, a ROW encroachment agreement with the utility provider is required and the utility infrastructure shall be positioned as close to the edge of the ROW as feasible. Placement of utility infrastructure shall not hinder driver sightlines at roadway and alley corners.

Utility infrastructure in the community core is required to be screened. Screening must meet utility provider requirements and requirements of Ketchum Municipal Code section 16.04.060.D.

6.6 Pavement & Curb Markings

Markings and striping shall be shown on plans and shall conform to the Manual on Uniform Traffic Control Devices (MUTCD).

Ketchum standards are listed below:

- Crosswalk markings shall be traverse, as shown in the figure below and depicted in Figure 6. Figure reference: MUTCD, Dec. 2023 Figure 3C-1.



Figure 6 – Crosswalk Markings

- No parking areas - Curbs shall be painted red to identify no parking areas. For rolled curbs, only the top half of rolled curbs shall be painted red.
- Parking space markings shall be 4-inch yellow “T” lines as shown in the figure below. Figure modified from MUTCD, Dec. 2023 Figure 3B-23.

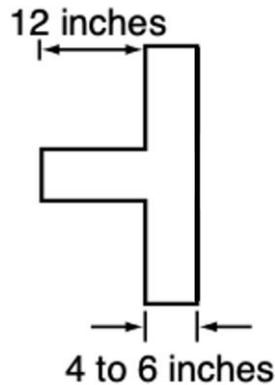


Figure 7 – Parking Space Markings

6.7 Street Furnishings and Amenities Standards

In the Community Core zone, street furnishings such as benches, trash receptacles, bicycle racks, and other approved amenities are required to enhance the comfort, usability, and visual appeal of the streetscape. These elements contribute to a vibrant, pedestrian-friendly environment.

All furnishings and amenities, including streetlights, trees, benches, bike racks, and planters, must be installed with a minimum spacing of six feet (6') from other streetscape features to ensure accessibility, visibility, and ease of maintenance. Refer to Table 9 for the City of Ketchum’s standards and specifications for approved furnishings and amenities.



Table 9- Ketchum Furnishing and Amenities Standards

Furnishing	Manufacturer	Model	Details
Benches ¹	Landscape Forms	Generation 50	Bench Style: <i>Traditional</i> Bench Length: <i>72"</i> Back Option: <i>Backed</i> Mounting: <i>Surface Mount</i> Arm Option: <i>Angle Arms - End</i> Face Board Style: <i>Curved Face</i> Seat Material: <i>Ipe no finish</i> Support Color: <i>Onyx</i> Arm Color: <i>Onyx</i>
Bike Racks ¹	Landscape Forms	Multiplicity Bike Rack	Top Material: <i>Ipe no finish</i> Mounting: <i>Surface Mount</i> Finish: <i>Powder coated</i> Frame Powdercoat Color: <i>Onyx</i>
Mounting Sleeves	City of Ketchum	NA	Sleeves to be supplied by City of Ketchum. Request required at least 2 months prior to needed delivery
Trash Receptacles ¹	Landscape Forms	Generation 50	Style: <i>Side Opening</i> Mounting: <i>Freestanding / Surface</i> Body Wood Infill: <i>Ipe no finish</i> Body Powdercoat Color: <i>Onyx</i> Lid Powdercoat Color: <i>Onyx</i> Base Color: <i>Black</i>
Planters ¹	Landscape Forms	Sorella Planter	<p style="text-align: right;"><u>Small</u></p> Height: <i>18in</i> Size: <i>45SQ x 18H</i> Mounting: <i>Freestanding</i> Material: <i>Powder coated Metal</i> Drain Hole: <i>2 - 0.50" Drain Holes</i> Powder Coat Color: <i>Onyx</i> <p style="text-align: right;"><u>Large</u></p> Height: <i>18in</i> Size: <i>30SQ x 18H</i> Mounting: <i>Freestanding</i> Material: <i>Powder Coated Metal</i> Drain Hole: <i>2 - 0.50" Drain Holes</i> Powder Coat Color: <i>To Be Advised</i>
Tree-Grates ¹	Urban Accessories	Jamison	Material: <i>Iron</i> Finish: <i>Rust Conditioner</i> Size: <i>3" Square</i> Additional Notes: <i>City standard bollard mounted electrical receptacle required. Bollard supplied by City.</i>
Tree Well Electrical Bollards	City of Ketchum	NA	Bollard to be supplied by City of Ketchum. Request required at least 2 months prior to needed delivery
Outlet	TayMag	ML450Z	Vertical/Horizontal 16-in-1 Flat Expandable Bronze



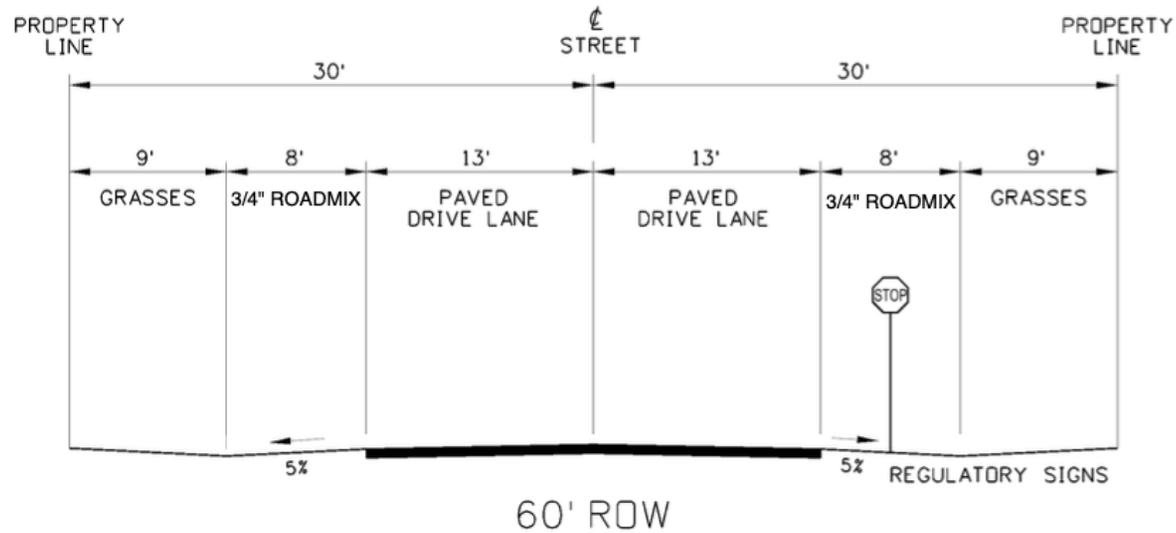
Furnishing	Manufacturer	Model	Details
Pedestrian Lights ¹	Landscape Forms	Northport Area Light	<p>Fixture</p> <p>Code: DR999-06005-01 Single Post Top 2700K, 50% Output Type3, Frosted Lens Center element 20K, no twist lock Powder Coat Color: Matte Black</p> <p>Pole</p> <p>Code: DR999-06005 15' Lens Ht, 12'5" Pole Ht, 5" Diameter, GFCI w/ In-Use Cvr, 2 Upper & Lower Planter/Banner Arms (2) 1/2" Drip Irrigation Holes Include anchor kits and base cover Powdercoat Color: Matte Black</p>
Street Lights	Pole: Valmont Fixture: Evolve OR Leotek		<p>Pole</p> <p>Valmont Model Number: 240970108T4C - 24'9X7X10X250 RD STEP LTPOLE 1MA08XXH30X - 8X3.5 SGL MAST ARM 3.0 ID HUB 436RB410 - 1X36 4-BOLT 10" RD TEMP</p> <p>Fixture Option A</p> <p>EVOLVE LED Roadway ERLC luminaire Model Number: ERLC-0-03-C5-27-E-BLCK-B-L-V1</p> <p>Fixture Option B</p> <p>Leotek ComfortView™ Neighborhood LED Streetlight (CV) Model Number: CV1-H-MV-27K-3R-BK-025-PCR7-WL-LLPC</p>
Concrete Sidewalk Pavers (Main St/Sun Valley Road/4 th St)	Belgard	Dimensions 6	<p>Color: Victorian Note: Formerly Catalina Grana</p>
Concrete Sidewalk Pavers (Community Core)	NA	4"x8"	<p>Color: Charcoal 4"x8"</p>

Foot Note 1: Alternative designs may be submitted for review



APPENDIX A

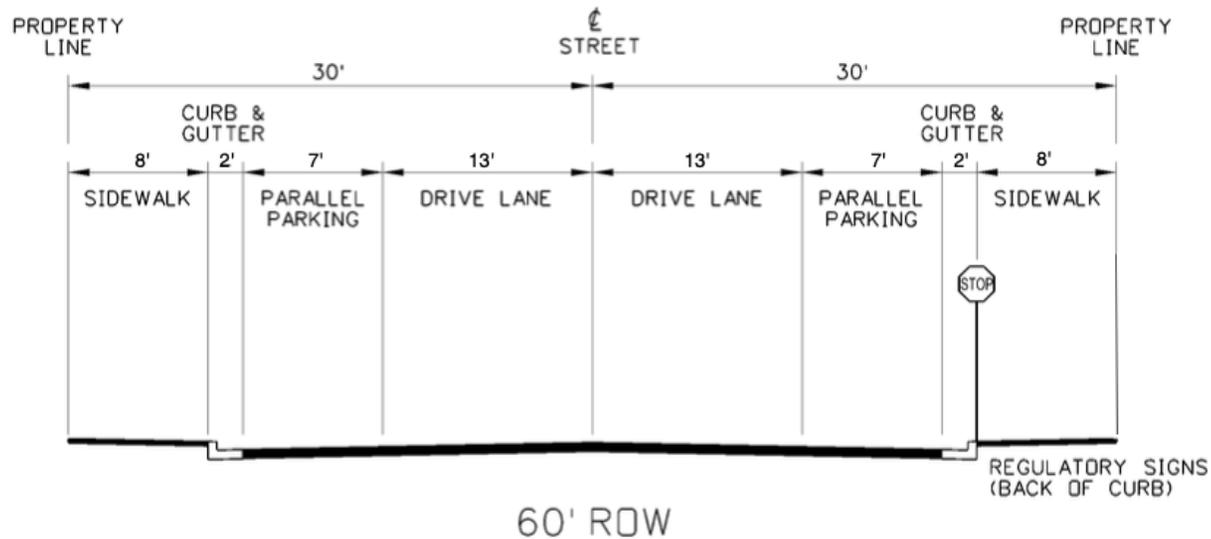
KETCHUM STANDARD RIGHT-OF-WAY SECTIONS



NOTES:

- ① THE SCHEMATIC ABOVE SHOWS A CROSS SECTION OF AN 60-FOOT WIDE RIGHT-OF-WAY (ROW) FOR STREETS LOCATED IN RESIDENTIAL DISTRICTS.
- ② SHOULDERS ARE REQUIRED TO ACCOMODATE DRAINAGE, PARKING, SNOW STORAGE, AND ACCESS FOR EMERGENCY VEHICLES WITHIN LOCAL RESIDENTIAL STREET ROWS AND PROVIDE MATERIALS THAT CAN REASONABLY BE MAINTAINED BY THE CITY.
- ③ EXAMPLES OF 60-FOOT ROW ROADS LOCATED IN RESIDENTIAL DISTRICTS ARE DOLLAR DRIVE, IRENE ST, BELMONT AND WANDERS WAY.
- ④ STOP AND STREET SIGNS ARE TO BE INSTALLED 2 FT FROM EDGE OF PAVEMENT
- ⑤ 8 FT 3/4 INCH ROADMIX AT 5% SLOPE FOR PARALLEL PARKING

REVISIONS				CITY OF KETCHUM 60' ROW RESIDENTIAL ROAD	STANDARD DRAWING NO. 1
NO.	DATE	BY	DESCRIPTION		



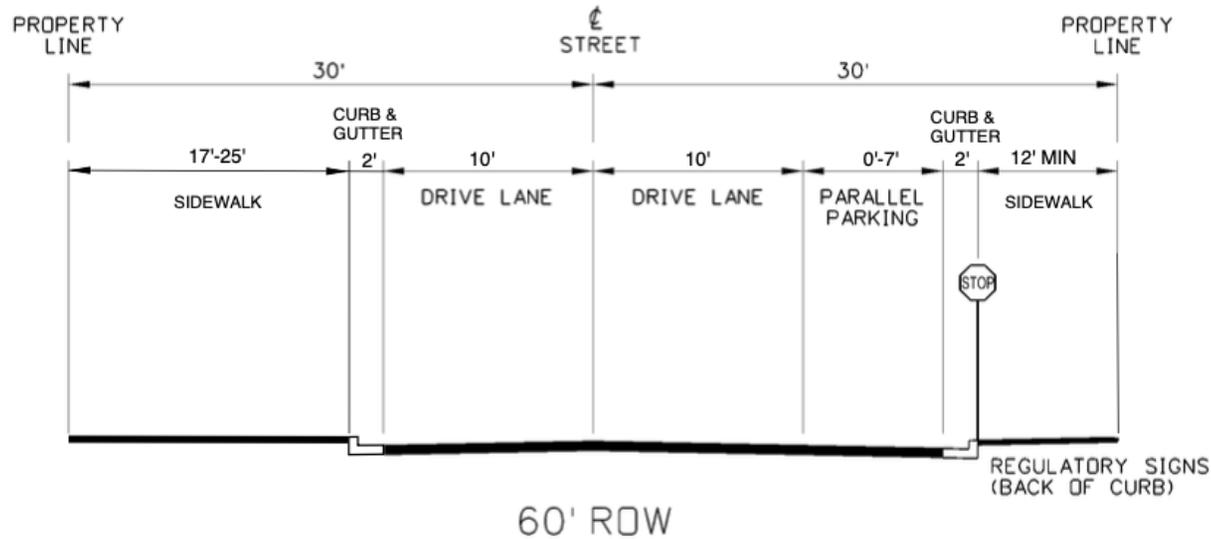
NOTES:

- 1 THE SCHEMATIC ABOVE SHOWS A CROSS SECTION OF AN 60-FOOT WIDE RIGHT-OF-WAY (ROW)
- 2 SIDEWALKS IN 60-FOOT ROW ARE 8 FT WIDE
- 3 EXAMPLES OF 60-FOOT ROW ROADS ARE FIRST THROUGH TENTH STREETS
- 4 STOP AND STREET SIGNS ARE TO BE INSTALLED AT BACK OF CURB
- 5 PARKING SIGNS ARE TO BE INSTALLED IN FURNISHING AND PLANTING SIDEWALK ZONE
- 6 STREET LIGHTS ARE TO BE INSTALLED IN FURNISHING AND PLANTING SIDEWALK ZONE
- 7 PARKING STALL ARE 8 FT WIDE BY 20 FT LONG PARALLEL STALLS. ADA PARKING STALLS PER PROWAG REQUIREMENTS
- 8 ROLLED CURBS
- 9 THE FURNISHING AND PLANTING ZONE IN SIDEWALKS IN THE COMMUNITY CORE SHALL BE PAVERS

REVISIONS			
NO.	DATE	BY	DESCRIPTION
2	01/16/2025	SN	UPDATES

CITY OF KETCHUM
60' ROW
COMMERCIAL (CC, T & T-3000 ZONES)

STANDARD DRAWING
 NO.
2



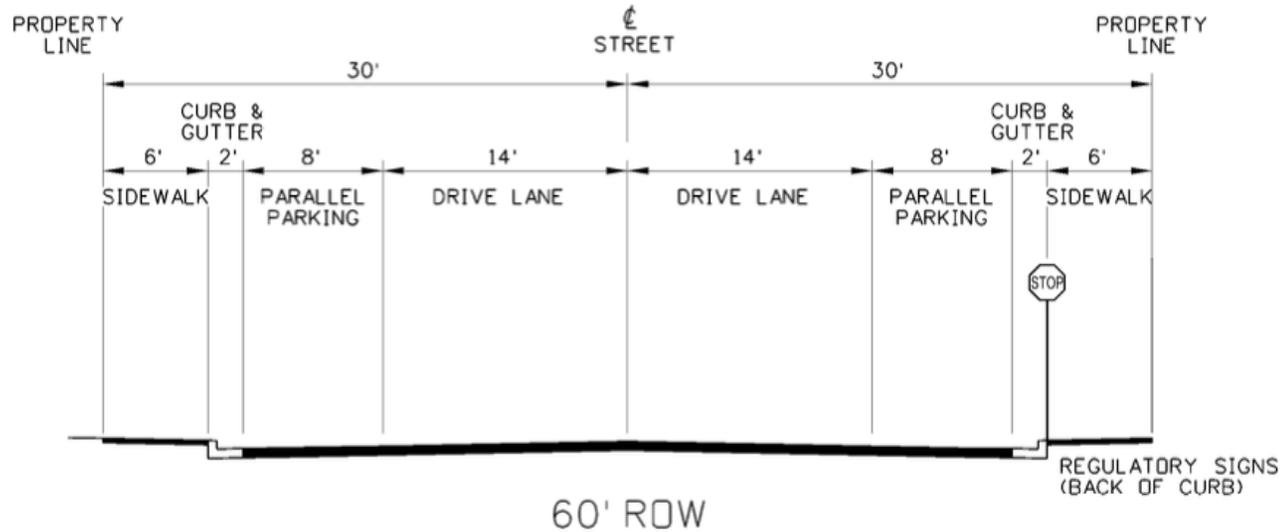
NOTES:

- 1 THE SCHEMATIC ABOVE SHOWS A CROSS SECTION OF AN 60-FOOT WIDE RIGHT-OF-WAY (ROW) ON FOURTH STREET HERITAGE CORRIDOR BETWEEN SPRUCE AVE AND SECOND AVE
- 2 DESIGN VARIES PER BLOCK. CONTACT CITY FOR SITE SPECIFIC REQUIREMENTS PRIOR TO DESIGN.
- 3 ROLLED CURBS
- 4 STOP AND STREET SIGNS ARE TO BE INSTALLED AT BACK OF CURB
- 5 PARKING SIGNS ARE TO BE INSTALLED IN FURNISHING AND PLANTING SIDEWALK ZONE
- 6 STREET LIGHTS ARE TO BE INSTALLED IN FURNISHING AND PLANTING SIDEWALK ZONE
- 7 PARKING STALL ARE 8 FT WIDE BY 20 FT LONG PARALLEL STALLS. ADA PARKING STALLS PER PROWAG REQUIREMENTS
- 8 THE FURNISHING AND PLANTING ZONE IN SIDEWALKS IN THE COMMUNITY CORE SHALL BE PAVERS

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1	09/01/2019	SN	ROW DRAWINGS
2	01/16/2025	SN	UPDATES

CITY OF KETCHUM
60' ROW
FOURTH STREET HERITAGE CORRIDOR

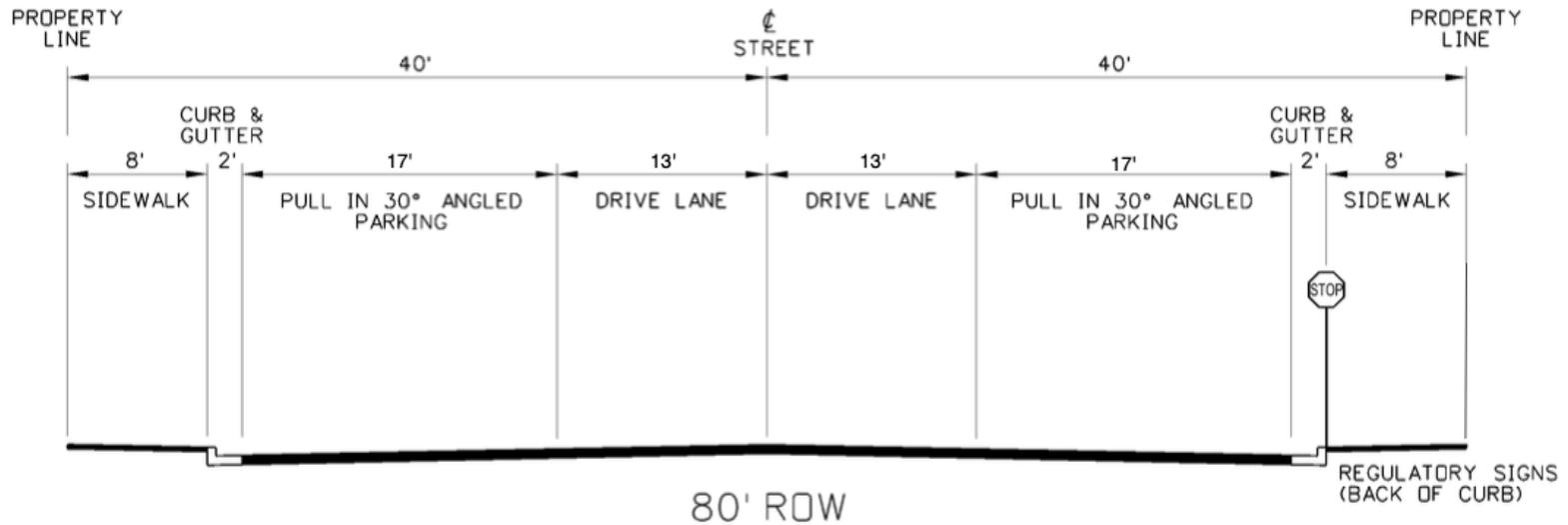
STANDARD DRAWING
 NO. **3**



NOTES:

- ① THE SCHEMATIC ABOVE SHOWS A CROSS SECTION OF AN 60-FOOT WIDE RIGHT-OF-WAY (ROW) IN THE LIGHT INDUSTRIAL (LI) DISTRICTS.
- ② SIDEWALKS IN 60-FOOT ROW ARE 6 FT WIDE
- ③ EXAMPLES OF 60-FOOT ROW ROADS IN TEH LIGHT INDUSTRIAL (LI) DISTRICTS ARE LEWIS STREET AND NORTHWOOD WAY.
- ④ STOP AND STREET SIGNS ARE TO BE INSTALLED AT BACK OF CURB
- ⑤ PARKING SIGNS ARE TO BE INSTALLED IN FURNISHING AND PLANTING SIDEWALK ZONE
- ⑥ STREET LIGHTS ARE TO BE INSTALLED IN FURNISHING AND PLANTING SIDEWALK ZONE
- ⑦ PARKING STALL ARE 8 FT WIDE BY 20 FT LONG PARALLEL STALLS. ADA PARKING STALLS PER PROWAG REQUIREMENTS

REVISIONS				CITY OF KETCHUM 60' ROW LIGHT INDUSTRIAL (LI) ROAD	STANDARD DRAWING NO. 4
NO.	DATE	BY	DESCRIPTION		
1	09/01/2019	SN	ROW DRAWINGS		
2	01/16/2025	SN	UPDATES		



NOTES:

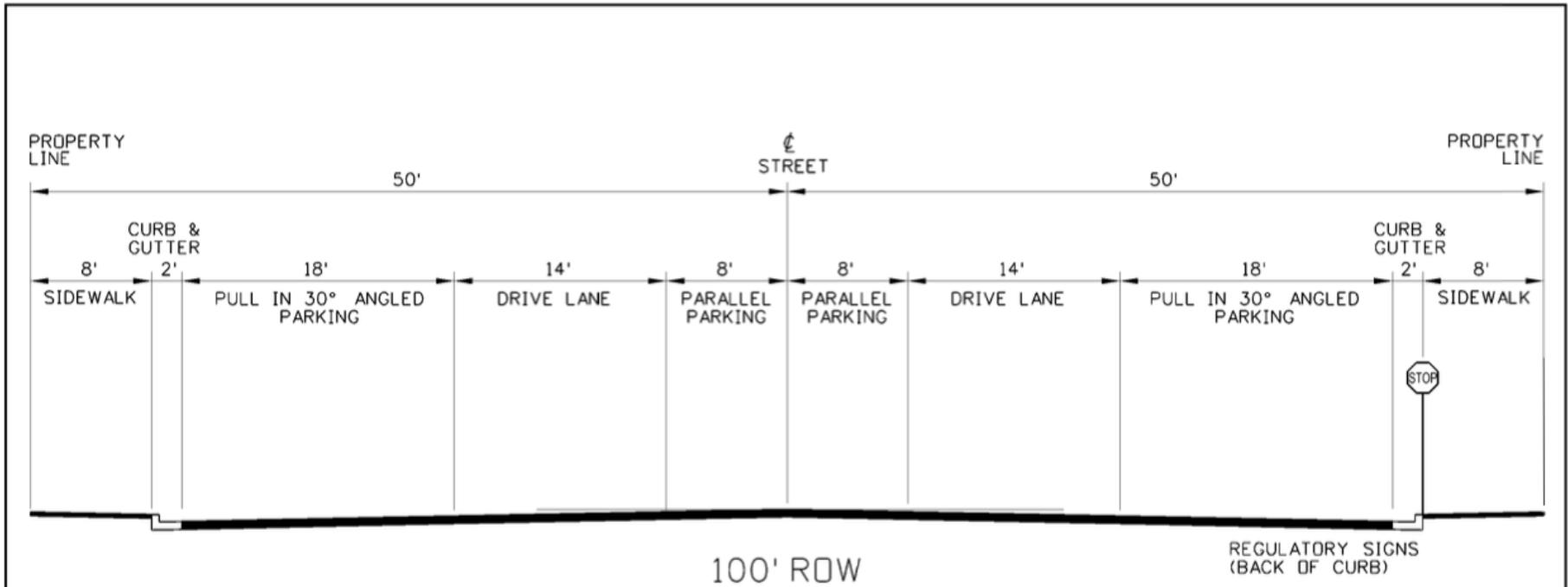
- ① THE SCHEMATIC ABOVE SHOWS A CROSS SECTION OF AN 80-FOOT WIDE RIGHT-OF-WAY (ROW)
- ② SIDEWALKS IN 80-FOOT ROW ARE 8 FT WIDE
- ③ EXAMPLES OF 80-FOOT ROW ROADS ARE FIRST THROUGH TENTH STREETS
- ④ STOP AND STREET SIGNS ARE TO BE INSTALLED AT BACK OF CURB
- ⑤ PARKING SIGNS ARE TO BE INSTALLED IN FURNISHING AND PLANTING SIDEWALK ZONE
- ⑥ STREET LIGHTS ARE TO BE INSTALLED IN FURNISHING AND PLANTING SIDEWALK ZONE
- ⑦ PARKING STALL ARE 9 FT WIDE BY 18 FT LONG 30 DEGREE ANGLED STALLS MEASURED PERPENDICULAR TO CURB. ADA PARKING STALLS PER PROWAG REQUIREMENTS
- ⑧ THE FURNISHING AND PLANTING ZONE IN SIDEWALKS IN THE COMMUNITY CORE SHALL BE PAVERS

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1	09/01/2019	SN	ROW DRAWINGS
2	01/16/2025	SN	UPDATES

CITY OF KETCHUM
**80' ROW
 ROAD**

STANDARD DRAWING
 NO.

5



NOTES:

- ① THE SCHEMATIC ABOVE SHOWS A CROSS SECTION OF AN 60-FOOT WIDE RIGHT-OF-WAY (ROW) IN THE LIGHT INDUSTRIAL (LI) DISTRICTS.
- ② SIDEWALKS IN 60-FOOT ROW ARE 6 FT WIDE
- ③ EXAMPLES OF 60-FOOT ROW ROADS IN THE LIGHT INDUSTRIAL (LI) DISTRICTS ARE LEWIS STREET AND NORTHWOOD WAY.
- ④ STOP AND STREET SIGNS ARE TO BE INSTALLED AT BACK OF CURB
- ⑤ PARKING SIGNS ARE TO BE INSTALLED IN FURNISHING AND PLANTING SIDEWALK ZONE
- ⑥ STREET LIGHTS ARE TO BE INSTALLED IN FURNISHING AND PLANTING SIDEWALK ZONE
- ⑦ PARKING STALLS ARE 9 FT WIDE BY 20 FT LONG 30 DEGREE ANGLED STALLS MEASURED PERPENDICULAR TO CURB. CENTER ROW PARKING STALLS ARE 8 FT WIDE BY 20 FT LONG PARALLEL STALLS. ADA PARKING STALLS PER PROWAG REQUIREMENTS.
- ⑧ THE FURNISHING AND PLANTING ZONE IN SIDEWALKS IN THE COMMUNITY CORE SHALL BE PAVERS

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1	09/01/2019	SN	ROW DRAWINGS
2	01/16/2025	SN	UPDATES

CITY OF KETCHUM
**100' ROW
 ROAD**

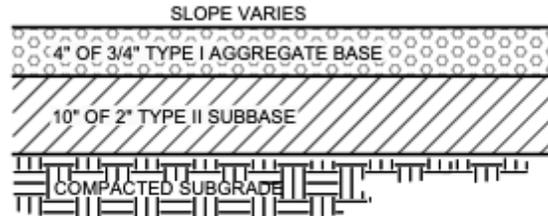
STANDARD DRAWING
 NO.

6

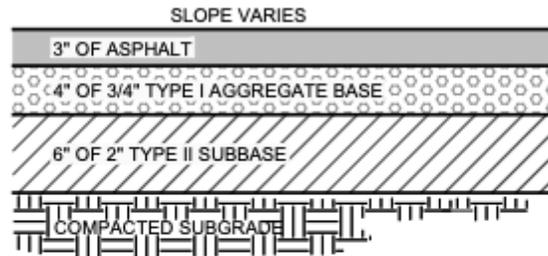


APPENDIX B

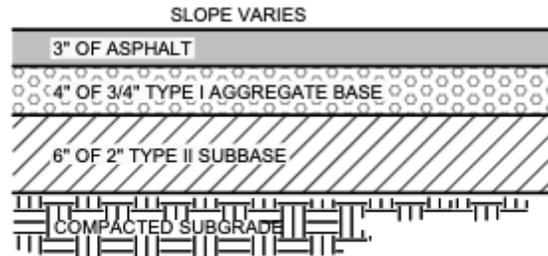
KETCHUM STANDARD DRAWINGS



TYPICAL GRAVEL SECTION



TYPICAL STREET ASPHALT SECTION

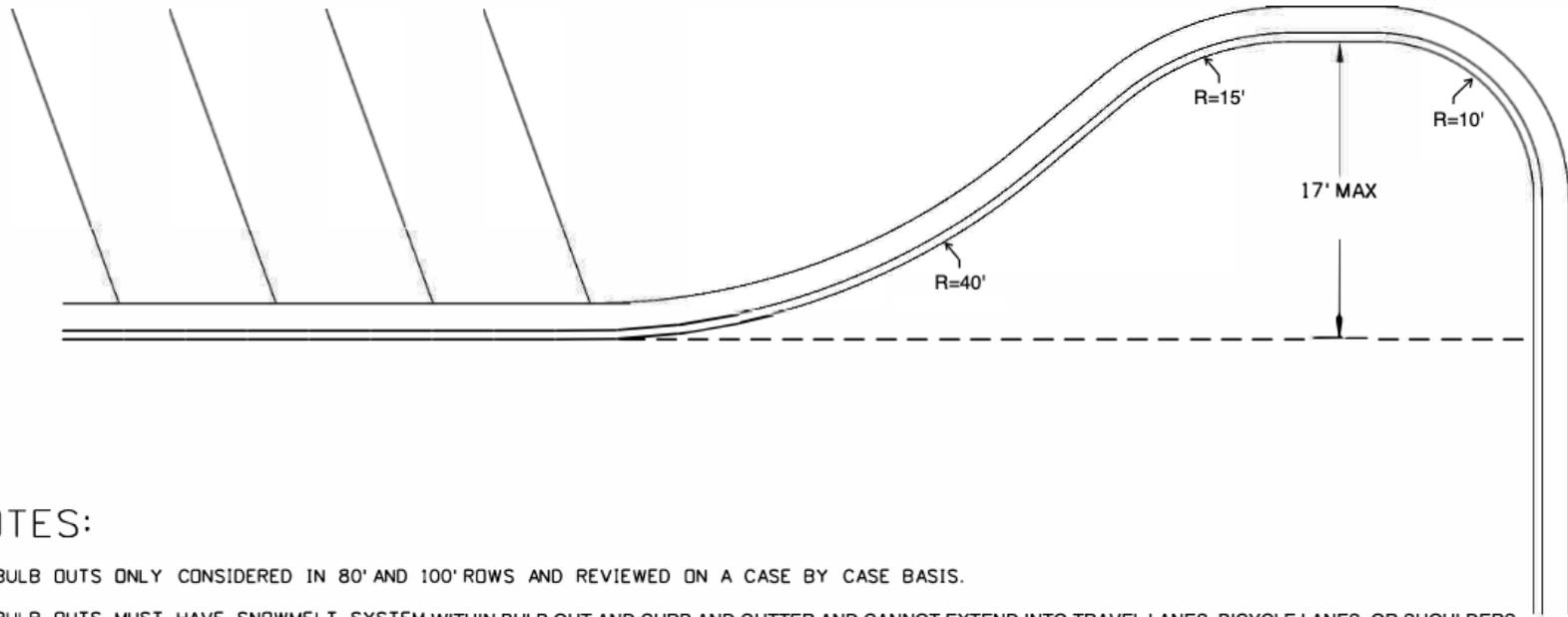


TYPICAL ALLEY ASPHALT SECTION

NOTES:

1. SUBBASE CAN BE 2" TYPE II OR 3/4" TYPE I CRUSHED AGGREGATE BASE COURSE.
2. MATERIALS AND CONSTRUCTION SHALL CONFORM WITH CURRENT ISPCW STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.
3. PAVEMENT SECTION MAY BE MODIFIED IF A PROJECT SPECIFIC GEOTECHNICAL REPORT, STAMPED BY A LICENSED ENGINEER, IS PROVIDED.

REVISION	APPROVED	DATE	CITY OF KETCHUM STANDARD DRAWING	DRAWING NO.
REV. 1	CITY	10/2019		
			TYPICAL ROAD SECTIONS	7



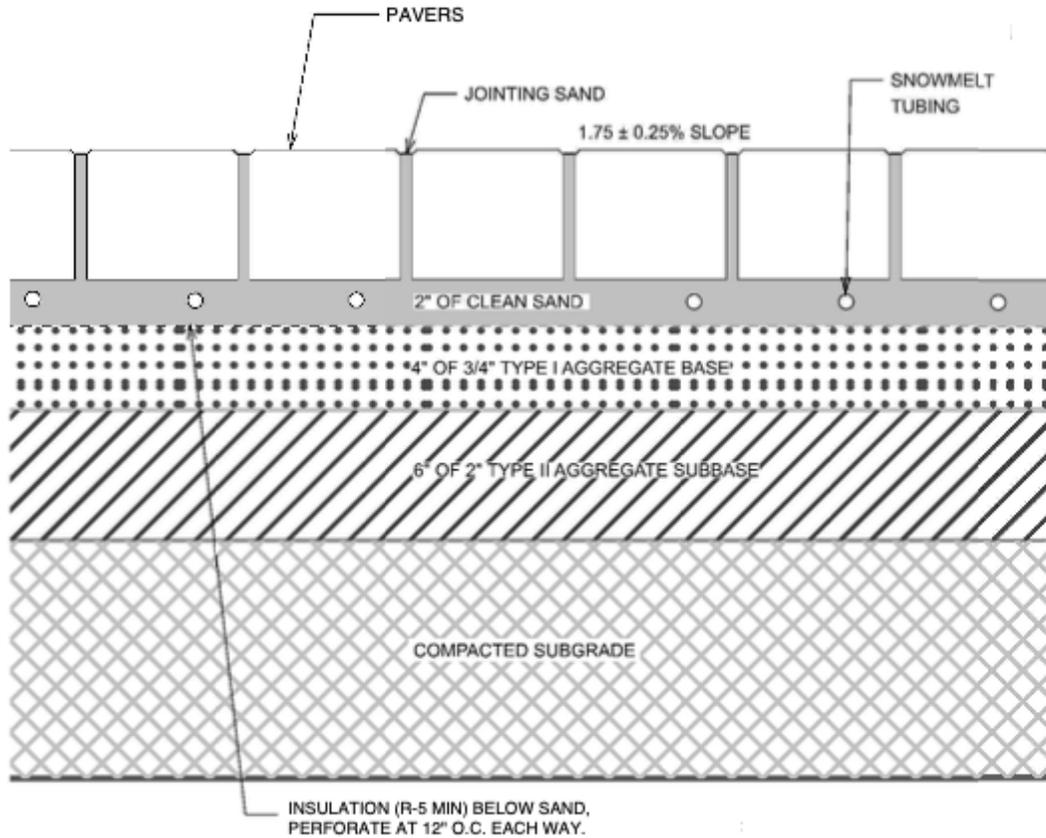
NOTES:

- ① BULB OUTS ONLY CONSIDERED IN 80' AND 100' ROWS AND REVIEWED ON A CASE BY CASE BASIS.
- ② BULB OUTS MUST HAVE SNOWMELT SYSTEM WITHIN BULB OUT AND CURB AND GUTTER AND CANNOT EXTEND INTO TRAVEL LANES, BICYCLE LANES, OR SHOULDERS.
- ③ BULB OUTS NOT PERMITTED ON CORNERS WITH FREQUENT RIGHT TURNS BY TRUCKS AND BUSES.
- ④ ITEMS MAY NOT BE PLACED IN BULB OUT THAT INHIBIT DRIVERS FIELD OF VISION.
- ⑤ PARKING PER CITY ROW STANDARDS.
- ⑥ MUST MEET ADA STANDARDS.

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1	09/01/2019	SN	ROW DRAWINGS
2	11/23/2022	CITY	STANDARD DRAWING
3	01/16/2025	SN	UPDATES

CITY OF KETCHUM STANDARD DRAWING
BULB OUT

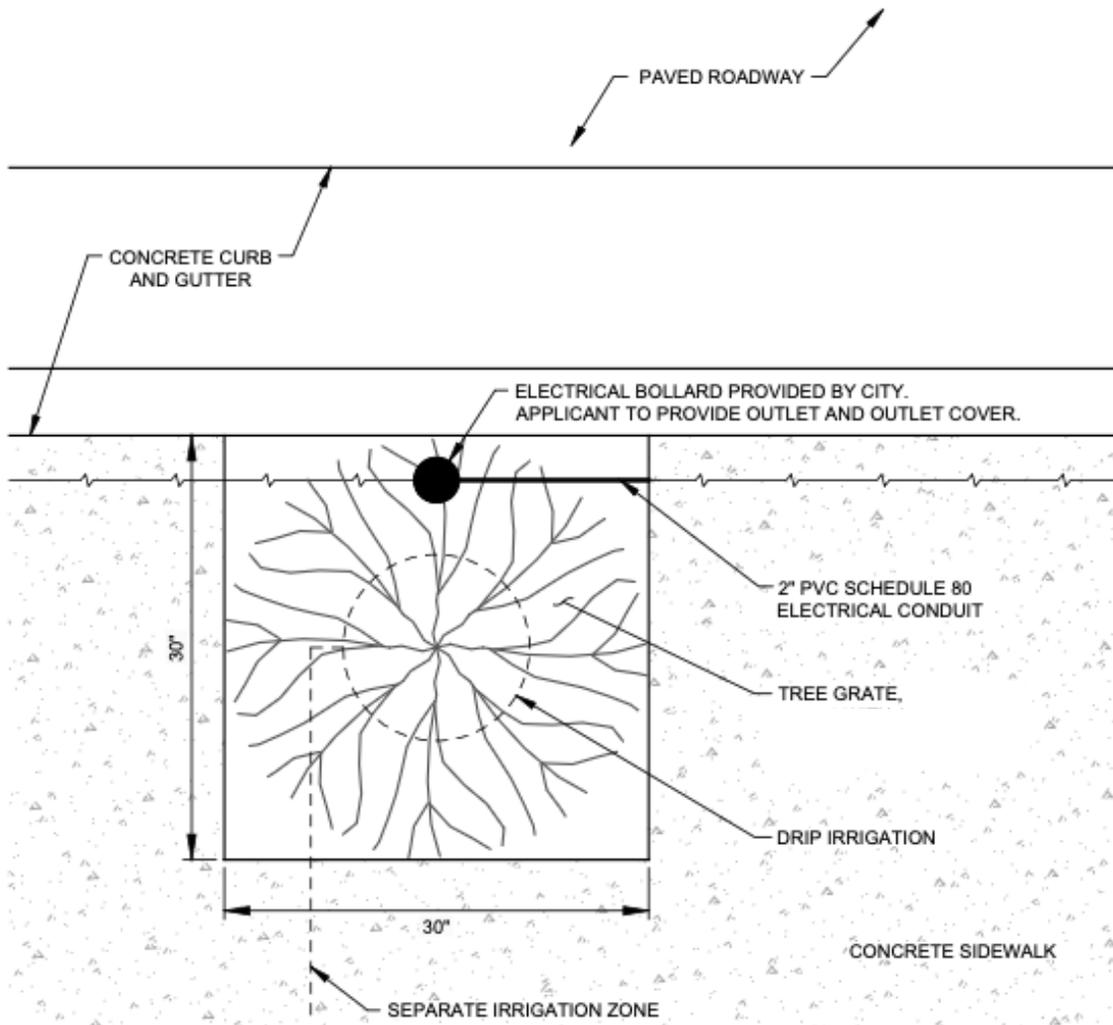
STANDARD DRAWING NO.
8



NOTES:

1. POLYMERIC SAND CAN BE USED AT EDGES TO PREVENT WEED, ANT INTERFERENCE.
2. MATERIALS SHALL CONFORM WITH CURRENT ISPWC AND CITY OF KETCHUM STANDARDS.
3. SNOWMELT TUBING RADII, FREQUENCY DEPENDS ON SNOW REMOVAL UPKEEP.
4. SEE RIGHT OF WAY STANDARDS DOCUMENT FOR PAVER SPECIFICATIONS.

REVISION	APPROVED	DATE	CITY OF KETCHUM STANDARD DRAWING	DRAWING NO.
REV. 1	CITY	03/2021		
			PAVER SIDEWALK	9

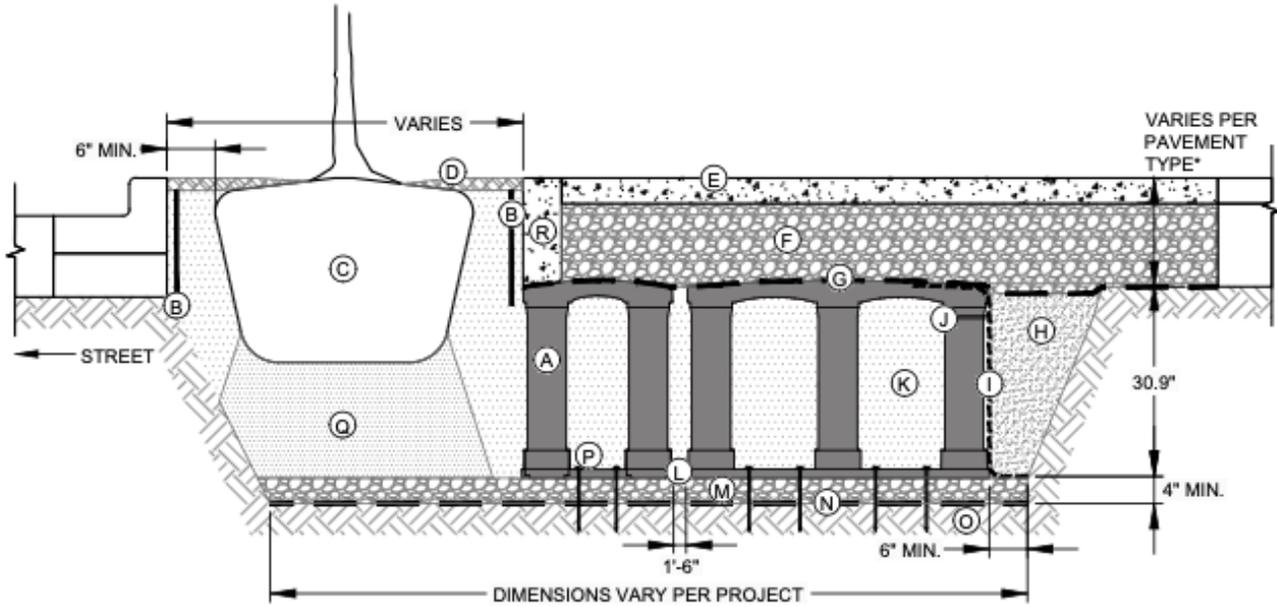


NOTES:

1. TREE TO BE 3" MINIMUM CALIPER. SEE ROW STANDARDS FOR TREE SPECIES.
2. CITY OF KETCHUM REQUIRES DRIP IRRIGATION TO BE ON A SEPERATE ZONE WITH HUNTER/RAINWISE SMART CLOCK, OR APPROVED EQUAL FOR REMOTE ACCESS BY CITY.
3. APPLICANT TO CONNECT AND PROVIDE CONDUITS, WIRING, AND SPERATER CIRCUIT, OR TIE TO A CITY CIRCUIT FOR POWER
4. NO DIRECT BURIAL WIRE PERMITTED.
5. TREE INSTALLATION TO BE MODULAR SUSPENDED PAVEMENT SYSTEM. SEE TREE WELL SECTION VIEW, DETAIL 11.

PLAN VIEW

REVISION	APPROVED	DATE	CITY OF KETCHUM STANDARD DRAWING	DRAWING NO.
REV. 1	CITY	10/2019		
REV. 2	CITY	11/2022	TREE WELL DETAIL	10



MODULAR SUSPENDED PAVEMENT SYSTEM

KEY PLAN:

- A. SILVA CELL SYSTEM (DECK, BASE, AND POSTS) OR APPROVED EQUAL.
- B. DEEPROOT ROOT BARRIER, 12" OR 18", DEPTH DETERMINED BY THICKNESS OF PAVEMENT SECTION, INSTALL DIRECTLY ADJACENT TO CONCRETE EDGE RESTRAINT. PREVENTS ROOTS FROM DISTURBING PAVEMENT.
- C. TREE ROOT PACKAGE, SIZE VARIES
- D. TREE OPENING TREATMENT, PER PROJECT SPECIFICATIONS
- E. SURFACE TREATMENT, PER PROJECT
- F. AGGREGATE BASE COURSE, DEPTH VARIES PER PROJECT
- G. GEOTEXTILE TO KEEP AGGREGATE FROM MIGRATING DOWN THROUGH CELL DECK
- H. BACKFILL, PER PROJECT SPECIFICATIONS
- I. GEOGRID TO PROVIDE FOR VERTICAL SEPARATION BETWEEN PLANTING SOILS AND BACKFILL WHILE ALLOWING ROOT PENETRATION INTO ADJACENT SOILS. 6" (150 mm) TOE (OUTWARD FROM BASE) AND 12" (305 mm) EXCESS (OVER TOP OF DECK).
- J. CABLE TIE, ATTACHING GEOGRID TO SILVA CELL AT BASE OF UPPER POST FLARE
- K. PLANTING SOIL, PER PROJECT SPECIFICATIONS, COMPACTED TO 70-80% PROCTOR
- L. SILVA CELL BASE SLOPE, 10% MAX
- M. 4" (100 mm) MIN AGGREGATE SUB BASE, COMPACTED TO 95% PROCTOR
- N. GEOTEXTILE, TO PROVIDE SEPARATION BETWEEN SUBGRADE AND AGGREGATE BASE
- O. SUBGRADE, COMPACTED TO 95% PROCTOR
- P. PIN, PER SILVA CELL SPECIFICATIONS, TO KEEP CELLS IN PLACE DURING CONSTRUCTION
- Q. PLANTING SOIL BELOW TREE ROOT PACKAGE, COMPACTED TO 85-90% PROCTOR
- R. CONCRETE EDGE RESTRAINT TO STABILIZE EDGE AND PREVENT AGGREGATE MIGRATION INTO TREE OPENING.

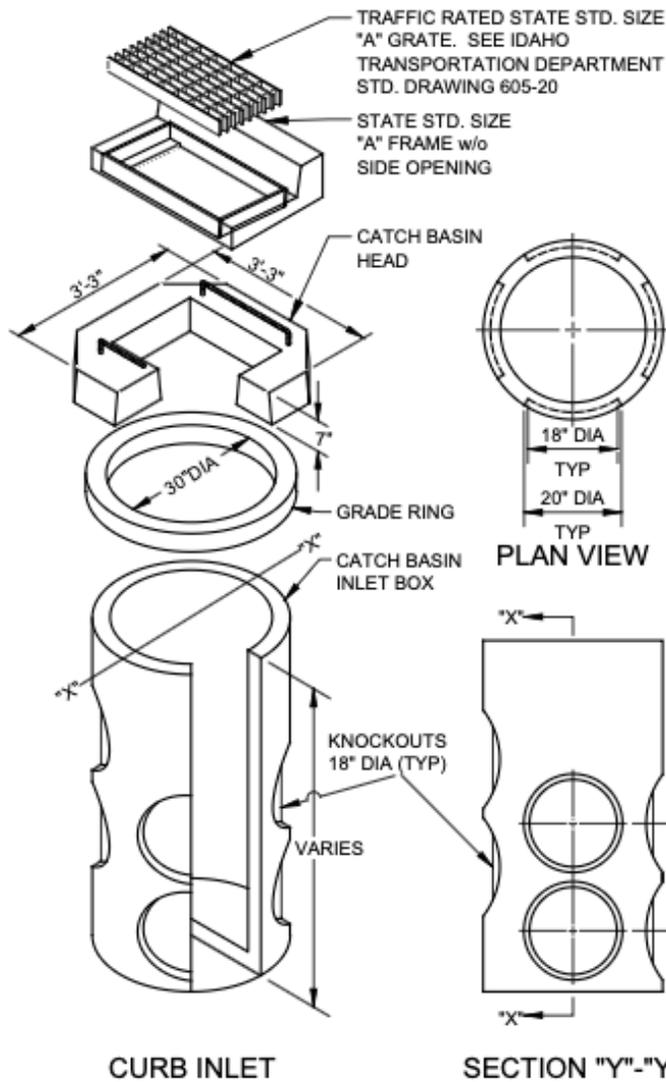
*MINIMUM PAVEMENT PROFILE OPTIONS TO MEET H-20 LOADING	
PAVEMENT	+ AGGREGATE BASE COURSE
4" CONCRETE	+ 4" AGGREGATE
3" PAVER	+ 12" AGGREGATE
4" ASPHALT	+ 12" AGGREGATE
2.6" PAVER	+ 5" CONCRETE

SECTION VIEW

NOTES:

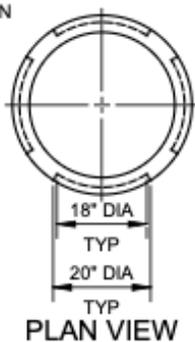
1. EXCAVATION SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE HEALTH AND SAFETY REGULATIONS.
2. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
3. A PROJECT SPECIFIC DETAIL WILL NEED TO BE PROVIDED TO CITY FOR REVIEW AND APPROVAL.

REVISION	APPROVED	DATE	CITY OF KETCHUM STANDARD DRAWING	DRAWING NO.
REV. 1	CITY	10/2019		
			TREE WELL DETAIL	11

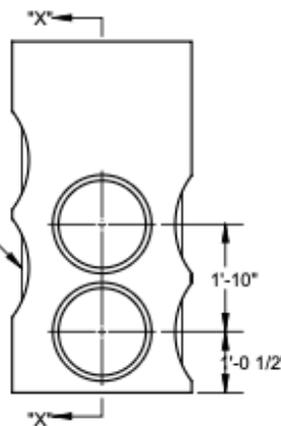


NOTES:

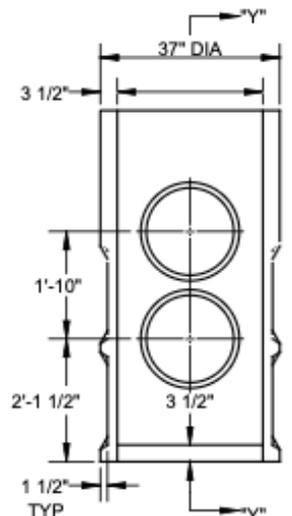
1. PLACE A MINIMUM OF 4" OF COMPACTED BEDDING ON PREPARED SUBGRADE AS SPECIFIED IN ISPWC SECTION 305 - PIPE BEDDING. EXTEND BEDDING EITHER TO THE LIMITS OF THE EXCAVATION OR AT LEAST 12" OUTSIDE THE LIMITS OF THE BASE SECTION.
2. FILL THE BALANCE OF THE EXCAVATED AREA WITH SELECT MATERIAL COMPACTED LEVEL TO THE TOP OF THE BEDDING.
3. PROVIDE A SMOOTH AND LEVEL BEARING SURFACE ON THE BEDDING SURFACE.



PLAN VIEW

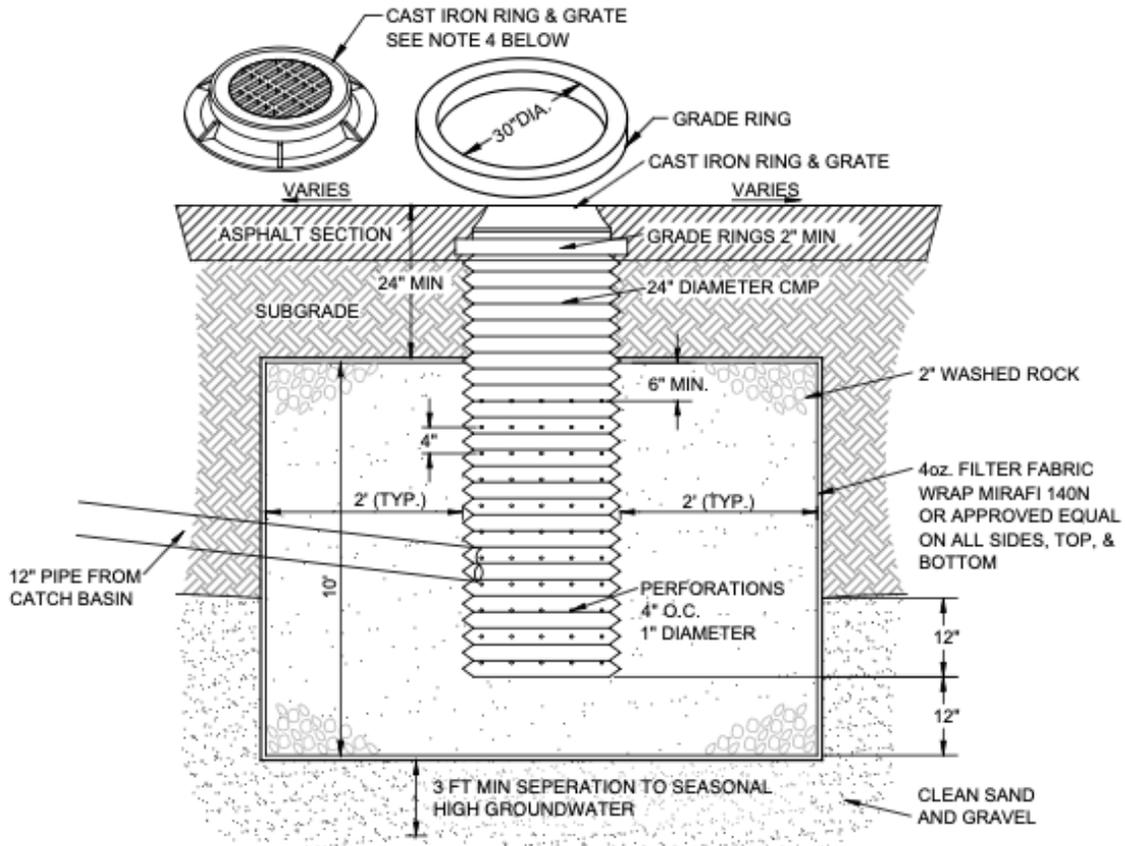


SECTION "Y"- "Y"



SECTION "X"- "X"

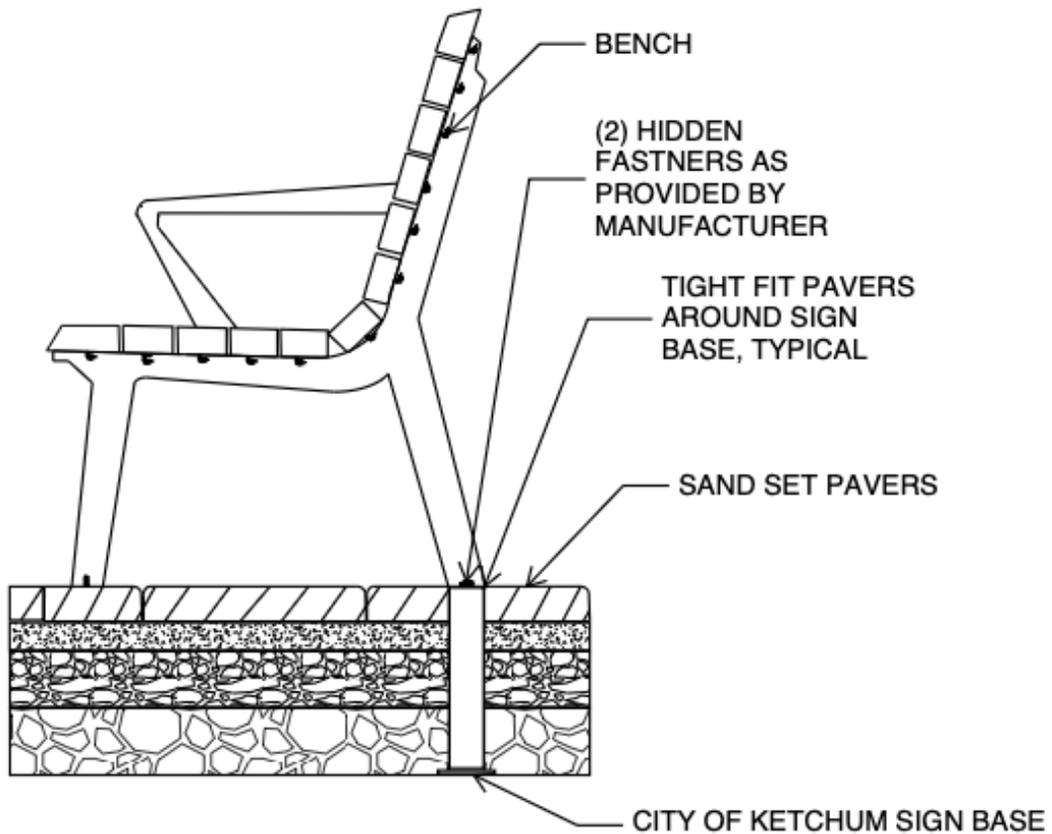
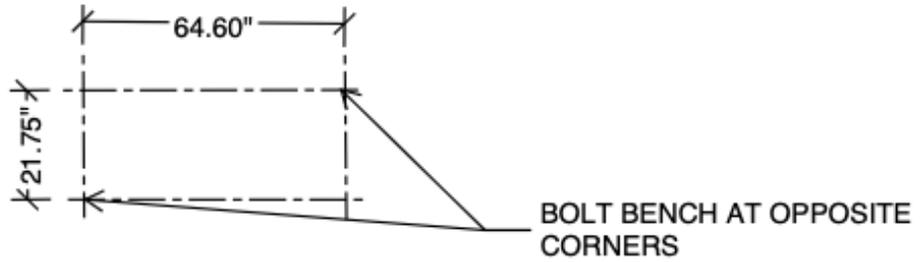
REVISION	APPROVED	DATE	CITY OF KETCHUM STANDARD DRAWING	DRAWING NO.
REV. 1	CITY	10/2019	TYPICAL CATCH BASIN	12
REV. 2	CITY	11/2022		



NOTE:

1. THE BED SHALL BE EXCAVATED A MINIMUM OF 24" INTO CLEAN SAND AND GRAVEL.
2. MAXIMUM DEPTH SHALL NOT EXCEED 12 FEET.
3. IF CLEAN SAND AND GRAVEL IS NOT ENCOUNTERED WITHIN 12 FEET, THE CONTRACTOR SHALL CONTACT THE DESIGN ENGINEER.
4. GRATE OR SOLID LID AS APPROVED BY CITY OF KETCHUM.
5. STORMWATER PRETREATMENT REQUIRED BEFORE DISCHARGING TO A DRYWELL.
6. 25 FT MINIMUM SEPERATION DISTANCE BETWEEN DRYWELL AND MUNICIPAL WATER LINES.

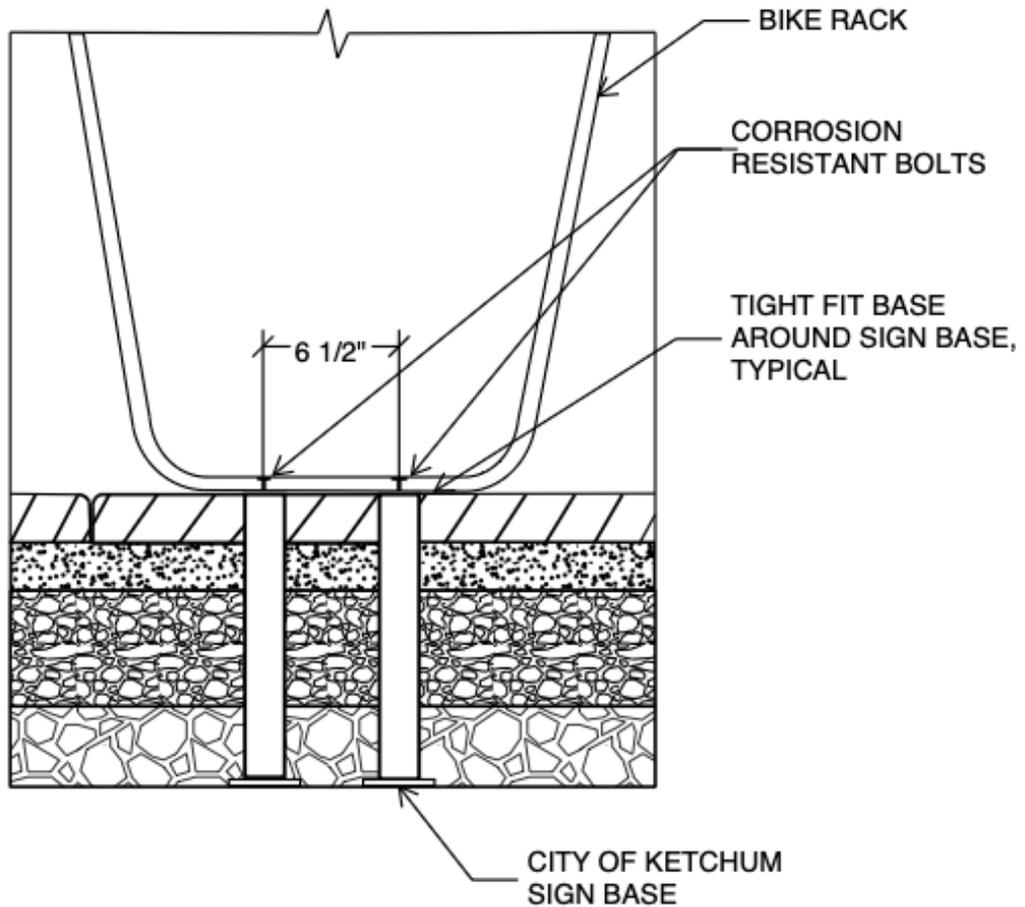
REVISION	APPROVED	DATE	CITY OF KETCHUM STANDARD DRAWING	DRAWING NO.
REV. 1	CITY	10/2019	TYPICAL DRYWELL	13



NOTES

1. SEE STANDARD DRAWING K-SD-1130 SIGN BASE DETAIL FOR SIGN BASE INSTALLATION.
2. SUBBASE AND BASE COMPACTION TO MEET ISPWC STANDARDS.

REVISION	APPROVED	DATE	CITY OF KETCHUM STANDARD DRAWING	DRAWING NO.
REV. 1	CITY	6/2025		
REV. 2	CITY	8/2025		



NOTES

1. TOP SURFACE TO BE LEVELED AFTER INSTALATION
2. SEE STANDARD DRAWING K-SD-1130 - SIGN BASE DETAIL FOR SIGN BASE INSTALLATION.
3. SUBBASE AND BASE COMPACTION TO MEET ISPWC STANDARDS.

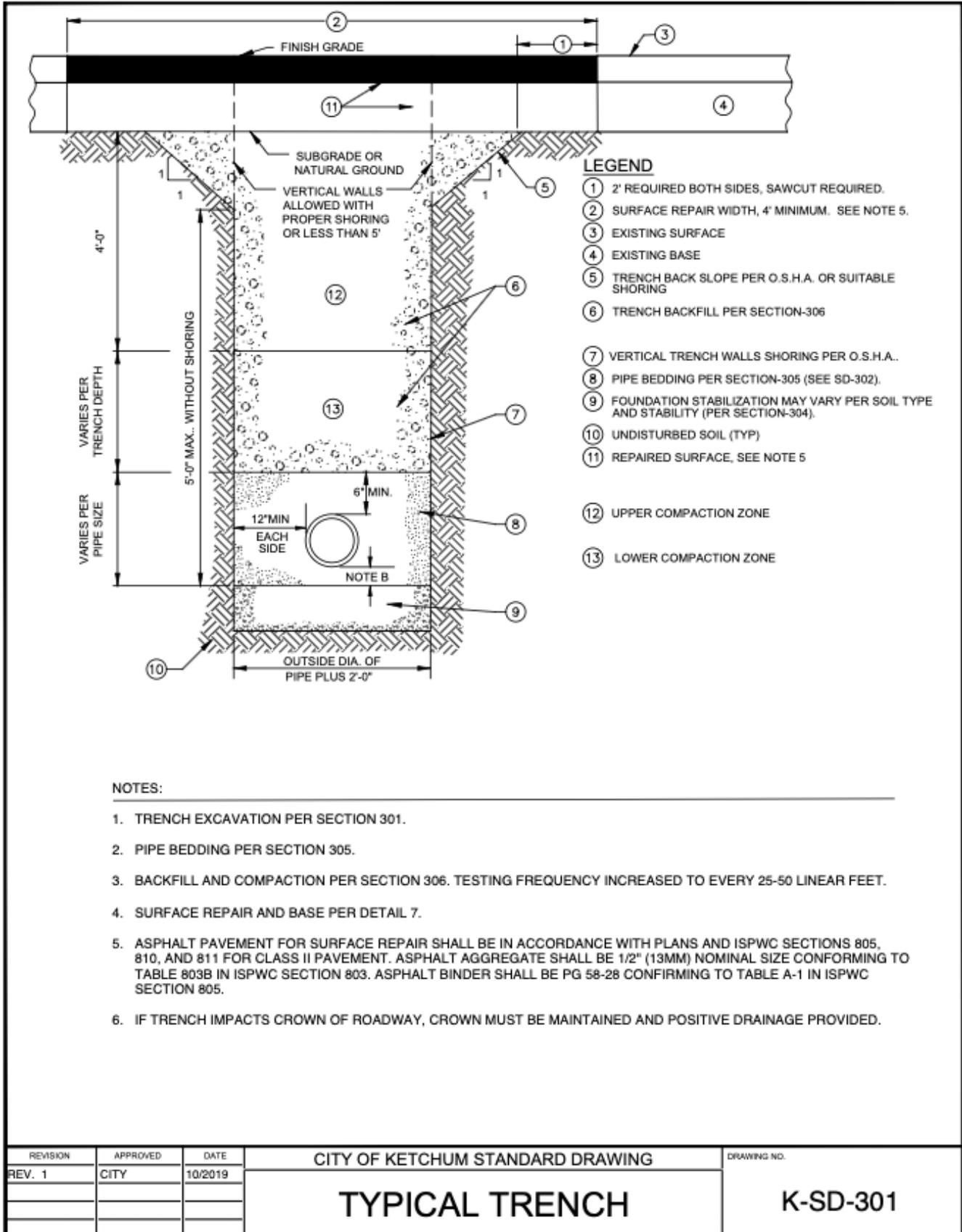
REVISION	APPROVED	DATE	CITY OF KETCHUM STANDARD DRAWING	DRAWING NO
REV. 1	CITY	6/2025	BIKE RACK ATTATCHMENT	15
REV. 2	CITY	8/2025		



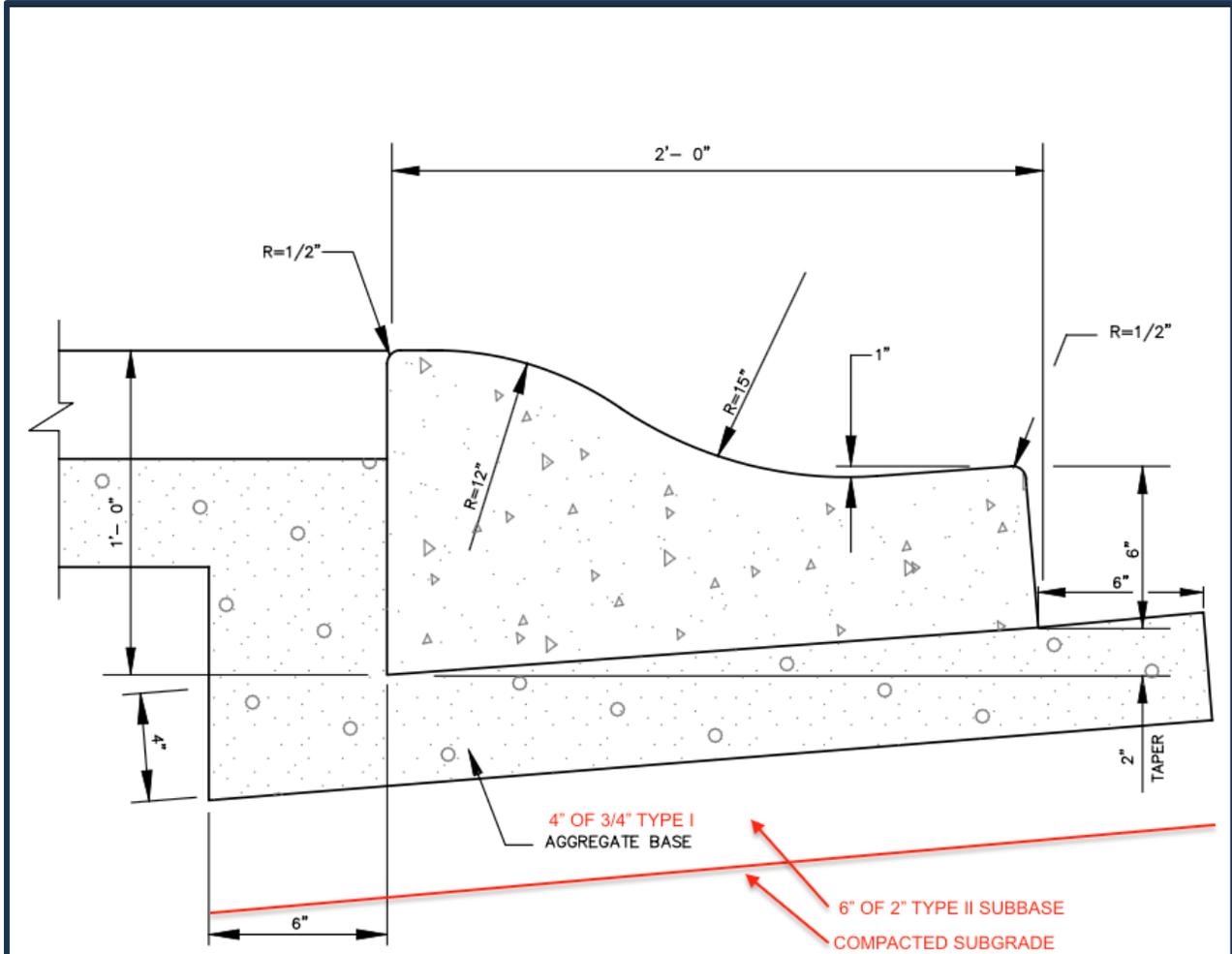
APPENDIX C

KETCHUM REVISIONS TO ISPWC STANDARD DRAWINGS

IF NO MODIFICATIONS
USE CURRENT VERSION OF ISPWC



REVISION	APPROVED	DATE	CITY OF KETCHUM STANDARD DRAWING	DRAWING NO.
REV. 1	CITY	10/2019		
			TYPICAL TRENCH	K-SD-301

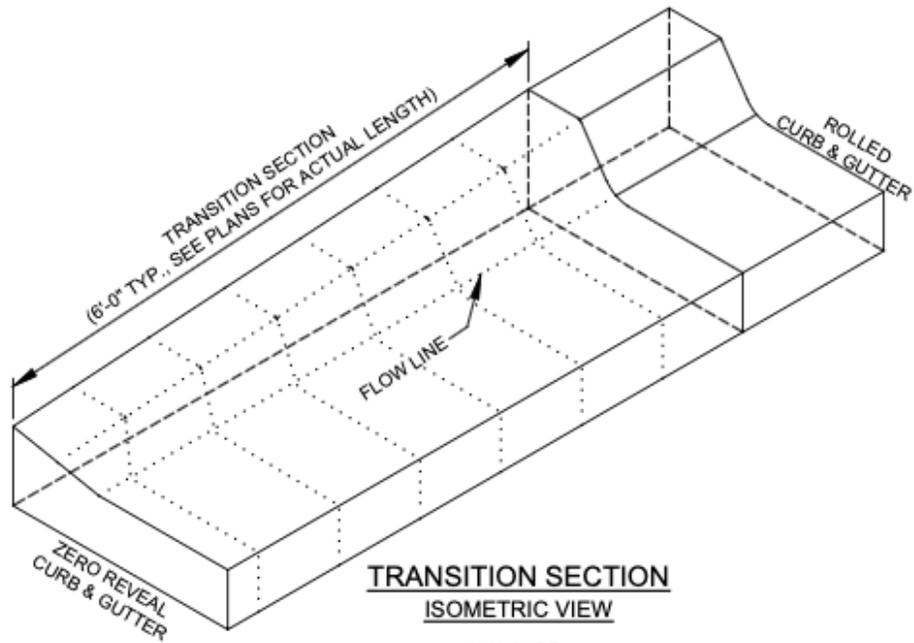


NOTES:

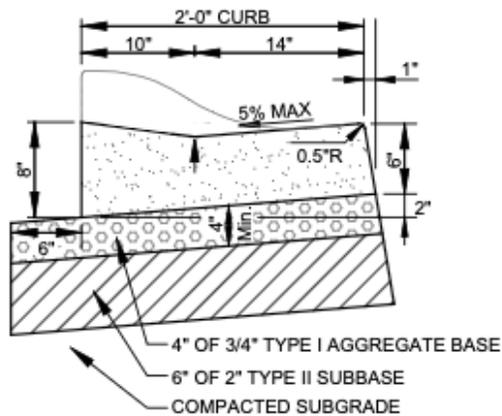
- (A) GRADE AND ALIGNMENT TO BE ESTABLISHED OR APPROVED BY THE ENGINEER AND THE PUBLIC AGENCY HAVING JURISDICTION.
- (B) BASE: 4-INCH COMPACTED DEPTH OF 3/4-INCH MINUS CRUSHED AGGREGATE BASE MATERIAL, PLACED AS SPECIFIED AND PAID UNDER SECTION-802 ISPWC; COMPACTED TO EXCEED 95% OF STANDARD PROCTOR; A MINIMUM WIDTH OF 3- FEET TO GRADE, PRIOR TO SETTING CURB FORMS.
- (C) 1/2-INCH PREFORMED EXPANSION JOINT MATERIAL (AASHTO M 213) AT TERMINAL POINTS OF RADII.
- (D) CONTINUOUS PLACEMENT PREFERRED, SCORE INTERVALS 10- FEET MAXIMUM SPACING OR CONSISTENT WITH 2x SIDEWALK WIDTH FOR SCORE SPACING).
- (E) MATERIALS AND CONSTRUCTION IN COMPLIANCE WITH ISPWC SPECIFICATIONS. EXCEPT AS NOTED BELOW.
- (F) BACKFILL AS PER ISPWC SECTION-706.
- (G) NOT USED
- (H) NOT USED
- (I) CONCRETE SHALL BE TITAN MIX OR APPROVED EQUAL.

2020

<p>IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION CITY OF KETCHUM REVISION</p>	<p>CURB AND GUTTER SIDEWALK LOCATIONS</p>	<p>STANDARD DRAWING NO. K-SD-704</p>
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**TRANSITION SECTION
ISOMETRIC VIEW**

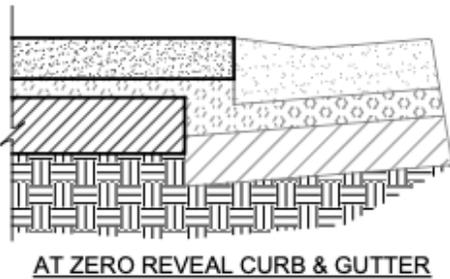
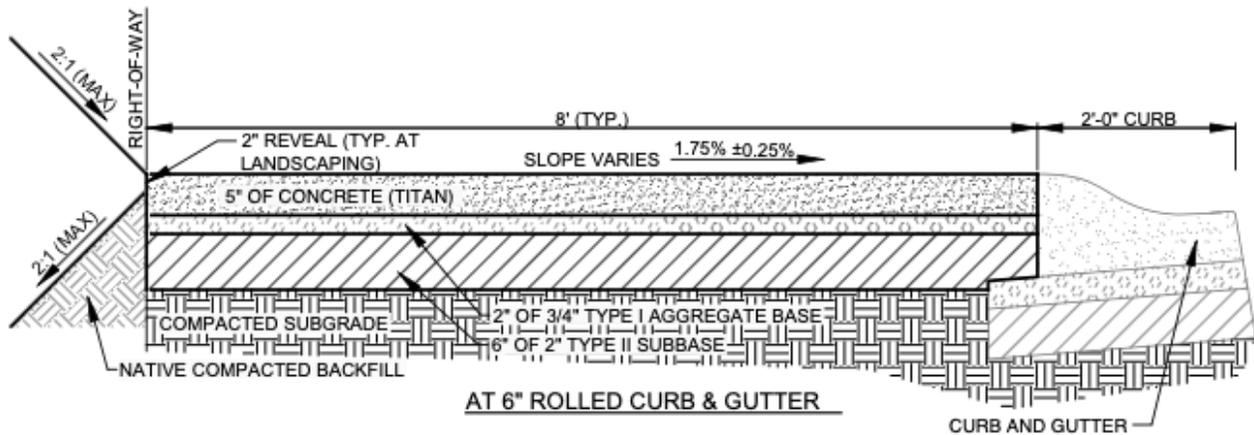


ZERO REVEAL CURB & GUTTER

NOTES:

1. 1/2-INCH PREFORMED EXPANSION JOINT MATERIAL (AASHTO M 213) AT TERMINAL POINTS OF RADII.
2. CONTINUOUS PLACEMENT PREFERRED, SCORE INTERVALS TO MATCH SIDEWALK WITH 10-FEET MAXIMUM SPACING.
3. MATERIALS SHALL CONFORM WITH CURRENT ISPWC STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.
4. CONCRETE SHALL BE TITAN MIX. OR APPROVED EQUAL.

REVISION	APPROVED	DATE	CITY OF KETCHUM STANDARD DRAWING	DRAWING NO.
REV. 1	CITY	10/2019	TYPICAL CURB TRANSITION DETAIL	K-SD-707
REV. 2	CITY	11/2022		

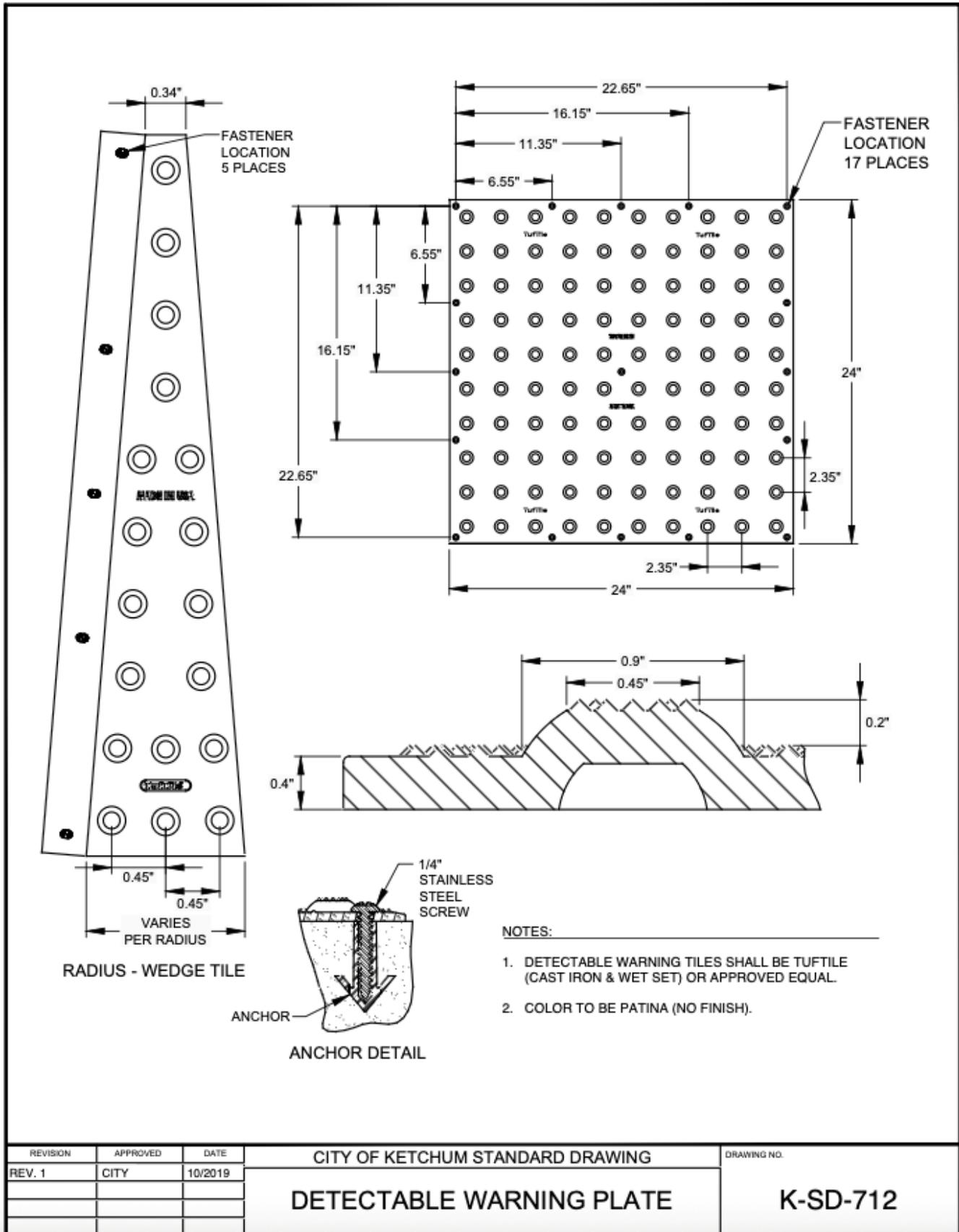


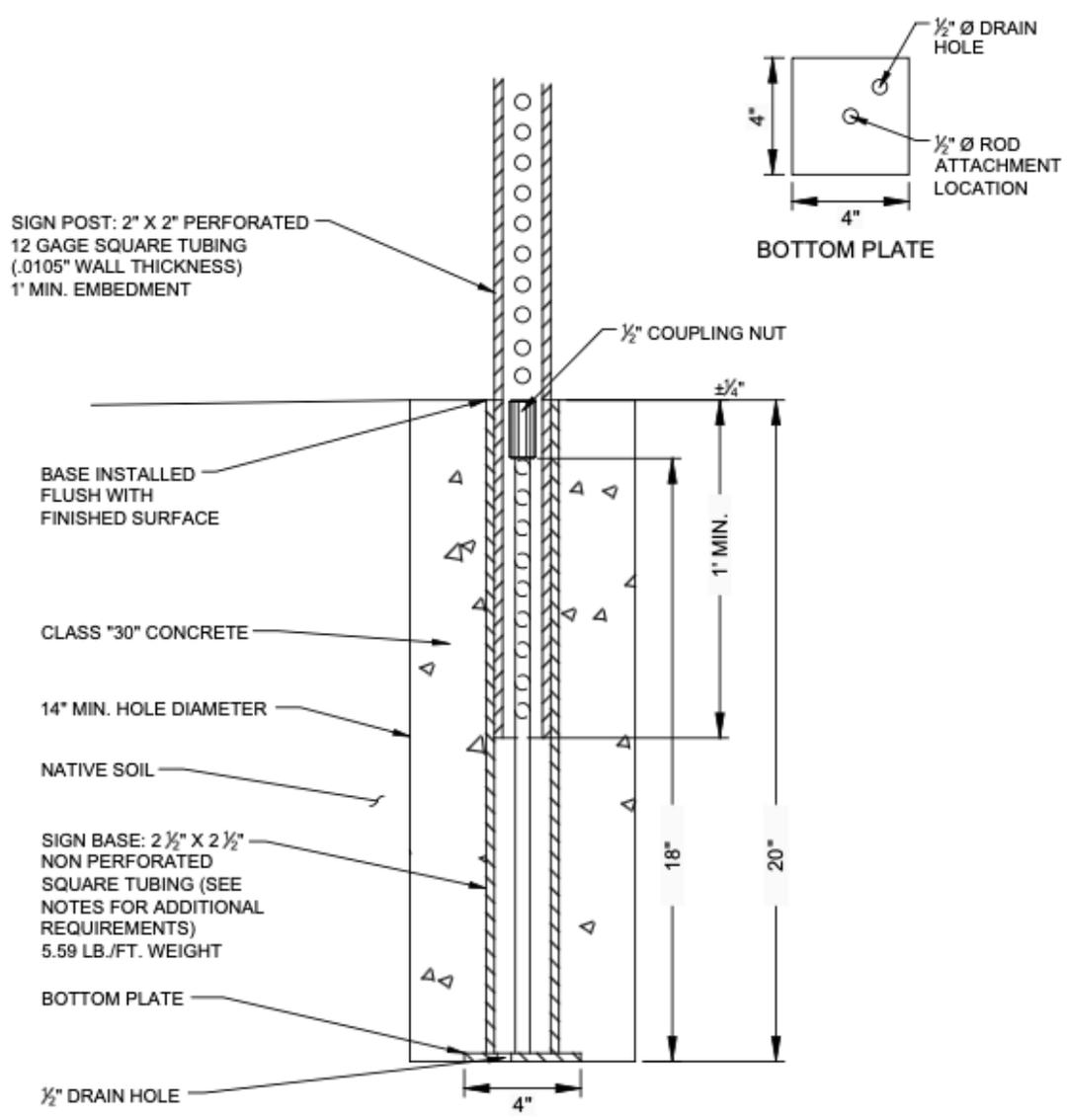
CONCRETE SIDEWALK WITH CURB AND GUTTER

NOTES:

1. INSTALL SCORE JOINTS AT INTERVALS TO MATCH WIDTH OF WALK NOT TO EXCEED 5 FEET SPACING IN BOTH THE LONGITUDINAL AND TRANSVERSE DIRECTION FOR SIDEWALK GREATER THAN 5 FEET IN WIDTH. INSTALL EXPANSION JOINTS EVERY 10 FEET IN LONGITUDINAL DIRECTION.
2. 1/2" TRANSVERSE PREFORMED BITUMINOUS JOINTS AT THE TERMINUS POINTS FOR CURVE AND WHERE SIDEWALK IS PLACED BETWEEN TWO PERMANENT FOUNDATIONS OR ADJACENT TO THE STRUCTURE, PLACE 1/2" EXPANSION JOINT MATERIAL ALONG THE BACK OF WALK THE FULL LENGTH.
3. SIDEWALK CONSTRUCTION JOINTS SHALL BE CONSTRUCTED APPROXIMATELY 1/8" WIDE, 3/4" IN DEPTH AND FINISHED AND EDGED SMOOTH. A PREFORMED EXPANSION JOINT FILLER SHALL BE PLACED EVERY 40' FOR NEW SIDEWALK CONSTRUCTION.
4. WHEN TRANSITIONING NEW SIDEWALK TO EXISTING, A MINIMUM 5' TRANSITIONAL PANEL SHALL BE SEPARATED AND ISOLATED WITH EXPANSION MATERIAL.
5. SIDEWALK ALIGNMENT TRANSITIONS SHALL HAVE A MINIMUM RADIUS OF 30' TO THE FACE OF CURB.
6. MATERIALS SHALL CONFORM WITH CURRENT ISPWC STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.
7. CONCRETE SHALL BE TITAN MIX OR APPROVED EQUAL
8. SIDEWALK SHALL BE ADA COMPLIANT.
9. STEPS ARE NOT PERMITTED WITHIN THE ROW.

REVISION	APPROVED	DATE	CITY OF KETCHUM STANDARD DRAWING CONCRETE SIDEWALK WITH CURB AND GUTTER	DRAWING NO.
REV. 1	CITY	10/2019		K-SD-709
REV. 2	CITY	11/2022		
REV. 4	CITY	08/2025		





NOTES:

1. BASES SHALL BE INSTALLED TO BE FLUSH WITH SURFACE.
2. ALL INSTALLATIONS SHALL HAVE 14" Ø MINIMUM FOUNDATION OR GROUTED INTO SOLID ROCK.
3. ALL STREET SIGNS SHALL BE IN ACCORDANCE WITH THE MOST CURRENT EDITION OF THE MUTCD.
4. SIGN PLACEMENT SHALL BE APPROVED BY THE CITY OF KETCHUM.
5. CITY TO PROVIDE BASES.

SIGN BASE MATERIAL & DIMENSION REQUIREMENTS

2 1/2" OUTSIDE TUBE STEEL (20" LENGTH)
 2 1/8" INSIDE TUBE STEEL
 3/16" THICK

INTERNAL ROD MATERIAL & DIMENSION REQUIREMENTS

1/2" COLD ROLLED ROD (18" LENGTH)
 1/2" COUPLING NUTS

BOTTOM PLATE MATERIAL & DIMENSION REQUIREMENTS

4" X 4" X 1/4" STEEL STRAP

REVISION	APPROVED	DATE	CITY OF KETCHUM STANDARD DRAWING	DRAWING NO.
REV. 1	CITY	10/2019		



City of Ketchum

CITY COUNCIL MEETING AGENDA MEMO

Meeting Date: March 12, 2026 Staff Member/Dept: Morgan Landers, AICP – Director of Planning and Building

Agenda Item: Recommendation to approve Warm Springs Townhomes FAR Exceedance Agreement 27005.

Recommended Motion:

"I move to approve FAR Exceedance Agreement 27005 for the Warm Springs Townhomes development at 108 Ritchie Dr."

Reasons for Recommendation:

- The Planning and Zoning Commission approved the Design Review Application File No. P24-063 on December 9, 2025 for the development of 12 townhouses within six buildings at 108 Ritchie Dr in the T-3000 zone district.
The project is utilizing the Floor Area Ratio (FAR) bonus program in exchange for community housing. The total FAR for the development is 1.3, where up to 1.6 is permitted. This results in a community housing contribution of 4,081 sf.
Pursuant to Ketchum Municipal Code §17.124.040.040.B2, community housing contributions for FAR exceedances may be satisfied through on-site housing, off-site housing, or an in-lieu fee payment. The applicant proposes to mitigate the additional floor area by making a community housing in-lieu fee payment of \$2,244,561. Per the agreement, the housing in-lieu fee shall be paid in full prior to the issuance of the first building permit.

Policy Analysis and Background (non-consent items only):

Sustainability Impact:

None OR state impact here: None

Financial Impact:

None OR Adequate funds exist in account: None

Attachments:

FAR Exceedance Agreement 27005 with exhibits

17.124.040: FLOOR AREA RATIOS AND COMMUNITY HOUSING:

- A. General Requirements: All new buildings and alterations to existing buildings in the GR-H, T, T-3000, T-4000 and CC zoning districts, unless otherwise specified in this title, shall be subject to the maximum floor area ratio (FAR) described below. Hotels that meet the definition of "hotel" found in [chapter 17.08](#) of this title may exceed the floor area listed in the table below subject to section [17.124.050](#) of this chapter.

Districts	Permitted Gross FAR	Inclusionary Housing Incentive
GR-H	0.5	1.4
T	0.5	1.6
T-3000	0.5	1.6
T-4000	0.5	1.6
CC	1.0	2.25

B. Inclusionary Housing Incentive:

1. The purpose of this section is to encourage new development to include a reasonable supply of affordable and resident occupied workforce housing for sale or rent, to help meet the demand and needs for housing of the community's employees. Land within the zoning districts specified in the table above may be built to the listed permitted FAR. As an incentive to build community housing units, floor area may be increased up to the maximum FAR listed in said table with inclusionary housing incentive.
2. An increased FAR may be permitted subject to design review approval, and provided, that all of the following conditions are met:
 - a. A minimum of twenty percent (20%) of the total increase in gross floor area above the greater of the permitted FAR is deed restricted in perpetuity as community housing unit(s). Of this gross square footage, a fifteen percent (15%) reduction will be allowed as a standard discount from gross square footage to net livable square footage for community housing units.
 - b. After calculating net livable square footage, an allowance can be made for projects with demonstrated groundwater issues as documented by a registered engineer. Upon determination by the city that groundwater on the subject property precludes underground parking, a credit of three hundred fifty (350) square feet per required parking space shall be subtracted from the net livable square footage prior to the calculation for the twenty percent (20%) deed restricted community housing. Parking space credit shall be rounded to the nearest whole number, and shall not be calculated as fractions.
 - c. Community housing requirements may be paid via a fee in lieu of housing. The community housing units times the fee equals the amount due to the city. The fee in lieu shall be recommended by the governing housing authority on an annual basis and adopted by the city council. For fractions of units, the developer has the option of providing a full housing unit

rather than paying the fee in lieu or working with the city or other nonprofit entity to construct the balance of the community housing unit with additional funds.

- d. All community housing units, either for sale or rent, shall be administered by the governing housing authority, unless otherwise determined by the city council. The governing housing authority shall recommend the types and locations of all proposed community housing units for approval by the city.
 - e. The community housing units shall be targeted for Blaine County housing authority income category 4 (100 percent or less of area median income). The applicant may seek the recommendation of the governing housing authority in the determination of an alternative category with corresponding adjustment in the amount of community housing required. Said recommendation, if mutually agreed upon by the applicant and the commission, may be used in place of category 4. This allowance shall be based on need for the category type. The definition of who may qualify to purchase affordable housing shall be maintained in the guidelines of the governing housing authority as adopted by the city council.
 - f. The city's primary goal is to see the development of and encourage the construction of community housing units, but realizes that other options will also move the city closer to its goal of housing the workforce. With this in mind, the following options for fulfillment of the community housing incentive are available to the applicant outright. These include, but are not limited to:
 - (1) Housing constructed by the applicant on or off site, within the city of Ketchum;
 - (2) Payment of an in lieu fee; or
 - (3) Acquisition of existing housing stock that meets with the governing housing authority's requirements and approval.
 - g. In addition to those outright options noted in this section, the city council may consider alternative proposals by the applicant to fulfill the community housing incentive. The city council has full discretionary power to determine said request. Options for fulfillment of the community housing incentive include, but are not limited to:
 - (1) Land conveyance to the city;
 - (2) Existing housing unit buy down or mortgage buy down; or
 - (3) Other proposals and options as approved by the city council.
3. In the CC district, the maximum floor area incentive applies to buildings up to three (3) stories in height. Buildings above three (3) stories may exceed the 2.25 FAR maximum only in accordance with the pertinent code provisions allowing for a fourth floor (for example, hotels, PUDs and 100 percent community housing project, etc.). For hotel uses, community housing calculations apply to all those portions of the hotel development except the hotel units, which are addressed pursuant to employee housing of this chapter. (Ord. 1135, 2015)

**EXHIBIT B
EXCEEDANCE AGREEMENT COMPLIANCE**

PROJECT: 108 Ritchie Dr.

APPLICATION: Design Review Application File No. P24-063

OWNER: 108-110 Ritchie LLC

LOCATION: 108 Ritchie Dr (WARM SPRINGS VILL SUB 2ND REV LOT 3A BLK 4)

ZONING: Tourist-3000 (T-3000)

BACKGROUND:

1. The applicant has submitted a Design Review application for the development of 12-, three- and four-bedroom, townhouse units at 108 Ritchie Dr (the “subject property”). The subject property is zoned Tourist 3000 (T-3000) and is vacant. The development proposes to utilize the city’s density bonus program for increased FAR and is therefore subject to the minimum residential density requirements of the Ketchum Municipal Code. The townhouse units range in size from approximately 2,200 to 3,800 gross square feet.
2. The subject property has a total lot area of 35,799 SF minus 5,897 SF of private road and fire lane area for an amended lot area of 29,902 SF.
3. The development has a proposed Floor Area Ratio (FAR) of 1.30 (38,957 gross sf/29,902 sf subject property area).
4. The City of Ketchum Planning and Zoning Commission (the “Commission”) reviewed and approved the 108 Ritchie Design Review Application during their meeting on December 9, 2025. The Commission adopted the Findings of Fact, Conclusions of Law, and Decision for the Design Review on January 20, 2026.

EXCEEDANCE ANALYSIS

An increased FAR may be permitted subject to design review approval, and provided, that all conditions in Ketchum Municipal Code §17.124.040.B.2 are met.

Permitted FAR in Tourist-3000

Permitted FAR: .5

Permitted FAR with Community Housing: 1.6

Proposed: Per Sheet A-000

Gross Square Footage – 38,957 SF

Total Lot Area – 29,902 SF

FAR – 1.30 FAR

Community Housing Mitigation Calculation:

Permitted Gross Square Feet (0.5 FAR): 14,951 SF

Proposed Gross Square Feet: 38,957 SF

Increase Above Permitted FAR: 24,006 SF

20% of Increase: 4,801 SF

Net Livable (15% Reduction): 4,081 SF

Fee In-Lieu Proposed: 4,081 SF x \$550/SF = \$2,244,561

COMMUNITY HOUSING CONTRIBUTION CONDITIONS

The following conditions apply to the community housing contribution for the 108 Ritchie Dr development:

1. The development shall provide a community housing in-lieu fee payment in the amount of \$2,244,561. Fee payment is due prior to the issuance of the first building permit for the project.
2. If the total gross square footage of the project increases or decreases by 5% or less through the course of building permit application, a revised fee in-lieu may be calculated using the methodology outlined above and approved by the Administrator. Increases or decreases greater than 5% of the gross square footage require an amendment to this agreement and approval by City Council.



City of Ketchum

CITY COUNCIL MEETING AGENDA MEMO

Meeting Date: Staff Member/Dept:

Agenda Item:

Recommended Motion:

No motion is required for the agenda item. Mayor & Council feedback requested.

Reasons for Recommendation:

This agenda item marks the first of several topics as part of the 2027 Budget Development process per the calendar shared in February. The discussion will focus on the General Fund and more specifically revenues within the General Fund.

Sustainability Impact:

The Draft General Fund Budget maintains the sustainability partnership with the County. This item, along with other partner contracts, will be addressed in a forthcoming session.

Financial Impact:

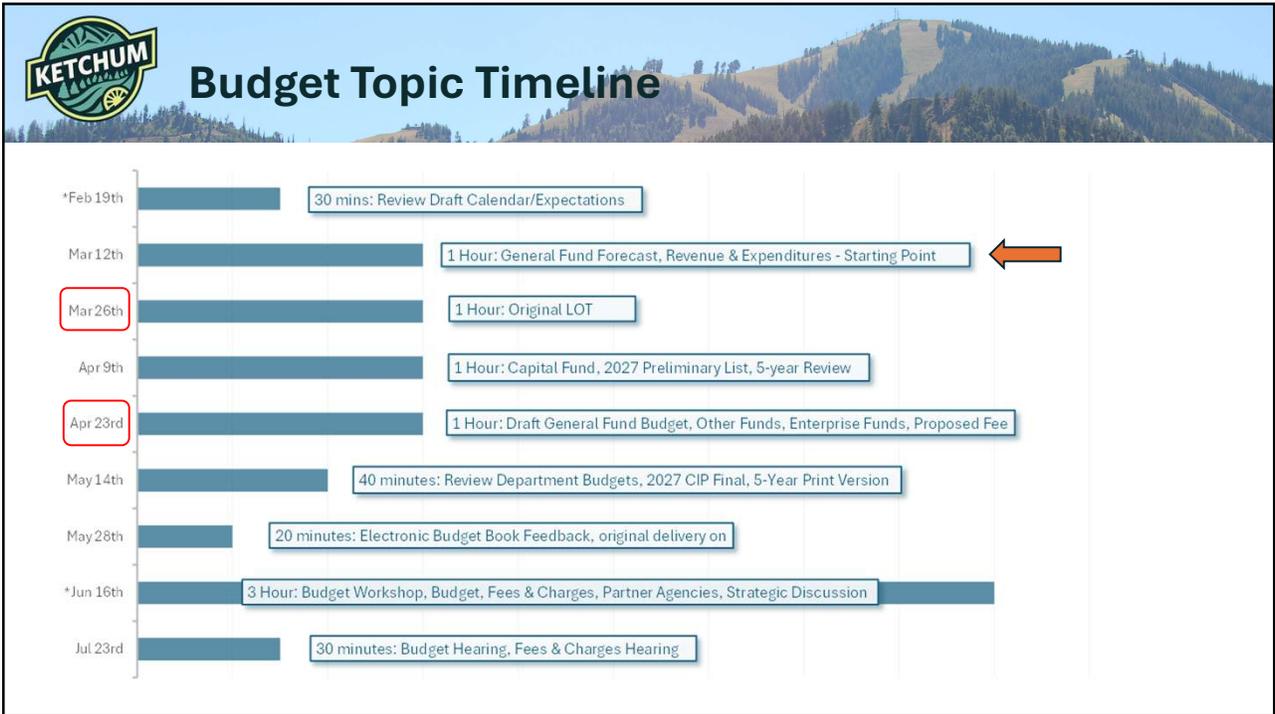
No immediate fiscal impact, however, the discussion sets the stage for potential trade offs in the future.

Attachments:

- | |
|---|
| 1. Slide Deck (PDF) |
| 2. Long-Term Financial Projection Handout |
| 3. Property Tax Comparables Handout |



FY 2027 Budget Development/Strategic Sessions





Calendar Proposal

March 26th

- Confirmed March 25th
- Start time: 5:30pm

April 16th

- Strategic Planning Session
- 1 – 5 pm

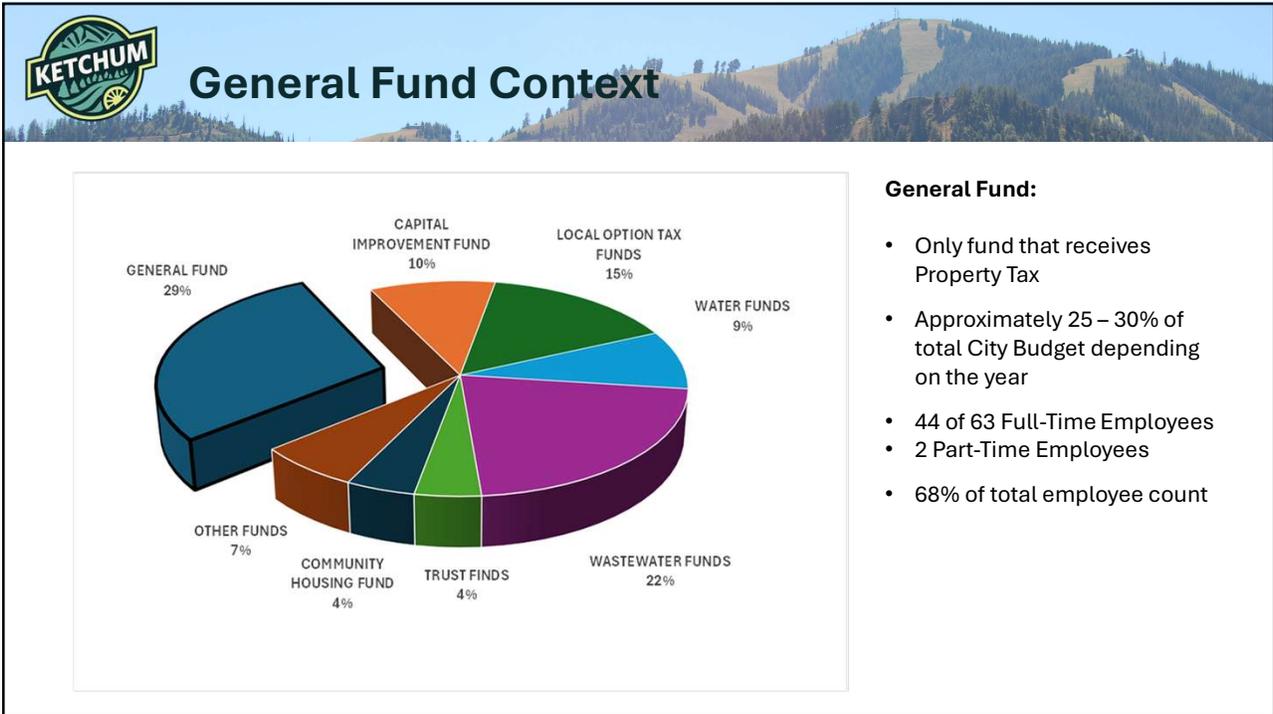
April 23rd

- Confirmed April 21st
- Start time: 5:30pm



Budget Goals/Focus Areas

- **Align Dependable Base Revenue with Base Expenses**
 - *Revenues that can offset personnel expenses, standard operating items*
- **Use One-time Revenue for One-time Expenses**
 - *High Interest Income, variable based on market conditions*
 - *Increased Development Revenue that would be at risk in a market decline*
- **Limit growth where and when possible**
 - *Negotiate contracts, continued healthcare savings, shared staffing, strike a balance with full time staff and contract labor, in-house project management/project execution*
- **Continued Focus on Deficit Funding Needs**
 - *Capital Improvement & Housing*
- **Address Mayor & Council Highlighted Priorities**
 - *In council packet*



Budget Build Timing

- Budget Development (Mar-Jul) must rely on the last completed fiscal year and the current partial fiscal year
 - Example: FY 2027 Budget build historical data would include FY 2025 completion and FY 2026 year to date
- This can cause adjustments that may not be known until the current year has concluded, which may be corrected via a budget amendment or realized the following budget year depending on materiality



General Fund Revenue



General Fund Revenue/Assumptions *See Handout*

City of Ketchum
General Fund Financial Forecast **Version 03.03.2026**

General Fund Revenues	FY 2025 Actual	FY 2026 Adopted Budget	FY 2027 Starting Point
1 Undesignated Fund Balance	\$8,032,793	\$5,206,993	\$3,971,393
2 Property Tax	\$5,307,324	\$4,795,518	\$4,962,875
3 Franchise Fees	\$666,212	\$665,500	\$705,000
4 Licenses & Permits	\$858,725	\$754,900	\$567,500
5 Grants	\$39,163	\$0	\$0
6 Highway State Share	\$289,963	\$250,000	\$300,000
7 Liquor Tax	\$334,489	\$395,000	\$395,000
8 Sales Tax Allocation	\$1,122,604	\$1,150,000	\$1,200,000
9 County Agreement/Shared	\$1,736,861	\$80,000	\$80,000
10 Charges for Services	\$1,187,771	\$1,026,678	\$1,026,678
11 Miscellaneous Revenue/Reimbursements	\$3,053,575	\$2,130,629	\$1,967,944
12 LOT Transfer & Reimbursement	\$2,005,000	\$1,205,000	\$1,305,000
13 Use of Fund Balance			\$217,703
14 Total	\$16,601,687	\$12,453,225	\$12,727,700

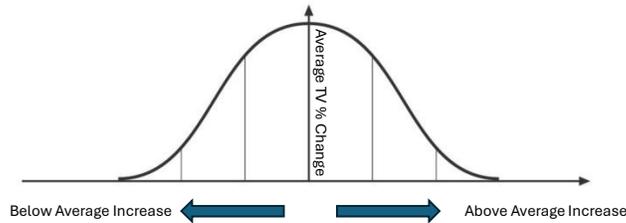
*FY 2026 reduction is due to the reduced LOT Transfer (reduced \$800k), no EMS contract (\$1.69 elimination) and a Property Tax Reduction (reduced \$750k) as a result of the Fire District creation.



General Fund Revenue – Property Tax

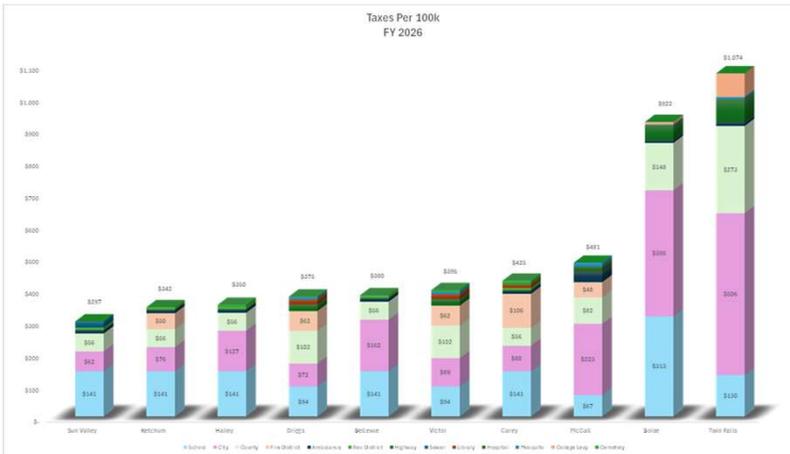
Property Tax Myths

- Cities set a levy amount...
 - Not True – districts set a budget amount the levy is the result of math
- Cities have complete control over a homeowner's tax bill...
 - Not True – districts can choose to take or not take the allowed increase. This amount is a very small fraction of the total taxes.
- If a City takes the 3% base tax increase, all property owners will see a 3% increase...
 - Not True – what a property owner's taxes do is dependent on the value of the property and how the value changed compared to the average change



General Fund Revenue – Property Tax

Property Tax Examples/Comparisons



City	Per 100k
Sun Valley	\$ 298
Ketchum	\$ 342
Hailey	\$ 350
Driggs	\$ 375
Bellevue	\$ 380
Victor	\$ 396
Carey	\$ 425
McCall	\$ 481
Boise	\$ 922
Twin Falls	\$ 1,074



General Fund Revenue – Property Tax (line 2)

Property Tax History

FY 2022	FY 2023	FY 2024	FY 2025	FY 2026B	FY 2027SP
\$4,818,578	\$4,926,283	\$5,142,852	\$5,307,324	\$4,795,518*	\$4,962,875

- Property taxes may grow 3% a year plus the growth formula (~3.35%/year FY 2028 & beyond)
- Far from keeping up with inflation given this only represents less than 40% of the General Fund revenue.
 - Western Mountain Towns CPI (US Bureau of Labor Statistics)
 - January 2021-2026: 24.9% Increase
 - Largest single year: 2021-2022 – 9.0% Increase

**FY 2026 Budget reduction due to the \$750k reduction given the commitment to the taxpayer for the creation of the Ketchum Fire District
Numbers above include penalty & interest on past due tax receipts*



General Fund Revenue – Property Tax

Levy Rate

- ~38.9% of total General Fund Revenue



- Assumption: Base tax increase is taken (\$155k or ~\$2/\$100k taxable)



General Fund Revenue – Franchise Fees (line 3)

Revenue by Fiscal Year

- Gas Franchise Fee (3%):

FY 2024	FY 2025	FY 2026B	FY 2027 SP
\$123,262	\$106,485	\$130,000	\$130,000

- Cable Franchise Fee (3%):

FY 2024	FY 2025	FY 2026B	FY 2027 SP
\$134,523	\$134,111	\$137,500	\$140,000

- Solid Waste Franchise Fee (6%):

FY 2024	FY 2025	FY 2026B	FY 2027 SP
\$98,603	\$109,479	\$100,000	\$112,000

2% Aggregate Growth for FY 2028 forward

Points of Discussion:

- Gas Franchise revenue may need an adjustment in 2027
 - Pending trend analysis



General Fund Revenue – Licenses & Permits (line 4)

Revenue by Fiscal Year

Finance Licenses & Permits	FY 2024	FY 2025	FY 2026B	FY 2027SP
Business	\$30,335	\$35,239	\$33,000	\$35,000
Beer, Wine, Liquor	\$31,909	\$40,901	\$33,400	\$40,500
Catering	\$1,950	\$1,300	\$1,500	\$1,500
Special Events	\$16,844	\$20,694	\$20,000	\$20,000
Short Term Rental	\$93,228	\$98,825	\$200,000	\$0
Taxi/Limo	\$1,830	\$3,325	\$2,500	\$3,000

Development Permits	FY 2024	FY 2025	FY 2026B	FY 2027SP
Building	\$607,148	\$636,044	\$450,000	\$450,000
Right-of-way	\$16,180	\$21,096	\$13,000	\$16,000
Dig	\$1,450	\$1,300	\$1,500	\$1,500

2% Aggregate Growth for FY 2028 forward

Points of Discussion:

- Short Term Rental Budget in FY 2026 was built with an increased compliance projection due to a new software vendor
- Building Permits



General Fund Revenue – Shared (lines 6-9)

Revenue by Fiscal Year

State Shared	FY 2024	FY 2025	FY 2026B	FY 2027SP
Liquor	\$362,218	\$333,703	\$395,000	\$395,000
Highway	\$339,141	\$291,924	\$250,000	\$300,000
State Shared	\$1,114,447	\$1,125,591	\$1,150,000	\$1,200,000

County Shared	FY 2024	FY 2025	FY 2026B	FY 2027SP
Court Fines	\$92,663	\$51,785	\$80,000	\$80,000
County Ambulance Contract	\$1,513,357	\$1,685,076	\$0	\$0

Between 1–2% Aggregate Growth 2028 & Beyond

Points of Discussion:

- Liquor & Highway are volatile, may need to be adjusted
- EMS contract revenue removed



General Fund Revenue – Charges for Services (line 10)

Revenue by Fiscal Year

Development	FY 2024	FY 2025	FY 2026B	FY 2027SP
Planning Fees	\$193,812	\$140,184	\$150,000	\$150,000
Building Plan Check	\$332,514	\$355,932	\$292,500	\$292,500
Planning Plan Check	\$221,137	\$242,734	\$204,750	\$204,750
Fire Plan Check	\$230,436	\$247,599	\$200,000	\$200,000

Other	FY 2024	FY 2025	FY 2026B	FY 2027SP
Park User Fees – inc. concessions	\$145,948	\$150,374	\$151,000	\$151,000

3% Aggregate Growth for FY 2027

Points of Discussion:

- Planning fees are getting tight to budget
- Fire Plan Check revenue is now a 90% pass through to the Fire District via contract, corresponding expense is built in non-departmental



General Fund Revenue – Misc. Revenue/Reimb (line 11)

Revenue by Fiscal Year

	FY 2024	FY 2025	FY 2026B	FY 2027SP
Interest Earnings	\$507,892	\$429,588	\$250,000	\$250,000
Rents	\$78,522	\$84,725	\$123,000	\$123,000
Water Indirects (Overhead)	\$396,613	\$516,917	\$403,634	\$456,445
Wastewater Indirects (Overhead)	\$467,621	\$886,493	\$864,195	\$796,999
URA Salary Reimbursement	\$112,941	\$103,468	\$95,000	\$125,000

FY 2027 Budget based on Calculations and Market Conditions

Points of Discussion:

- Interest revenue is intentionally under budgeted as the budgeted amount represent an allowed base expectation
- Indirect revenues from Enterprise Funds are based on an indirect cost allocation plan and methodology
- URA Reimbursement change to a City Reimbursement in FY 2026 versus a direct staff cost



General Fund Revenue – LOT Trans/Reimbursement (line 12)

Revenue by Fiscal Year

Development	FY 2024	FY 2025	FY 2026B	FY 2027SP
LOT Transfer In	\$2,005,000	\$2,005,000	\$1,205,000	\$1,305,000

2% Growth FY 2028 & Beyond

Points of Discussion:

- Planned LOT Reduction in 2026 going forward as a result of the Fire District Creation
- FY 2027 Starting Point adjustment based on historic collection



General Fund Expenses



General Fund Departmental (Starting Point - SP)

Operating Expenses by Department (Summary)

Department	FY 2024	FY 2025	FY 2026B	FY 2027 SP
Legislative	\$324,838	\$426,612	\$395,269	\$387,942
Admin	\$2,068,076	\$2,272,922	\$875,593	\$874,718
Clerk			\$613,754	\$607,398
Community Engagement			\$406,042	\$460,054
Finance			\$510,502	\$774,269
Legal	\$265,388	\$288,498	\$260,920	\$260,000
Planning & Building	\$1,691,331	\$1,636,237	\$1,586,636	\$1,634,483
Non-Departmental	\$1,542,368	\$5,260,256	\$1,512,698	\$1,217,950
Facilities	\$948,516	\$1,146,562	\$1,310,078	\$1,358,275
Police	\$2,283,685	\$2,104,496	\$2,401,805	\$2,492,934
Streets	\$1,793,084	\$1,982,534	\$2,008,298	\$2,051,374
Recreation	\$517,362	\$567,154	\$571,630	\$610,096



Departmental Example - Finance

Finance	FY 2025	FY 2026B	FY 2027SP
Personnel Costs		\$415,502	\$674,769
M&O		\$14,500	\$14,500
Professional Services			
Caselle (Financial System)		\$60,000	\$60,000
Audit		\$18,000	\$20,000
Office Equipment		\$5,000	\$5,000
Total		\$510,502	\$774,269

Key Points:

- FY 2027 Personnel budget increase primarily due to:
 - FY 2026 Budget was in transition and ~\$50k light
 - Additional position
 - Reassigned, no total increase FTE within the General Fund
 - Health Selection Changes
- M&O
 - Office supplies/travel
- Professional Services
 - Limited and “must have”



General Fund 5-Year Forecast

See Handout

City of Ketchum
General Fund Financial Forecast
Version 03.03.2026

General Fund Revenues

Revenue Source	FY 2025 Actual	FY 2026 Adopted Budget	FY 2027 Starting Point	FY 2028 Projected	FY 2029 Projected	FY 2030 Projected	FY 2031 Projected
1 Undesignated Fund Balance	\$8,032,793	\$5,206,993	\$3,971,393	\$3,971,393	\$3,630,247	\$3,159,986	\$2,554,700
2 Property Tax	\$5,307,324	\$4,795,518	\$4,962,875	\$5,129,131	\$5,300,957	\$5,478,539	\$5,662,070
3 Franchise Fees	\$666,212	\$665,500	\$705,000	\$719,100	\$733,482	\$748,152	\$763,115
4 Licenses & Permits	\$858,725	\$754,900	\$567,500	\$578,850	\$590,427	\$602,236	\$614,280
5 Grants	\$39,163	\$0	\$0	\$0	\$0	\$0	\$0
6 Highway State Share	\$289,963	\$250,000	\$300,000	\$306,000	\$312,120	\$318,362	\$324,730
7 Liquor Tax	\$334,489	\$395,000	\$395,000	\$402,900	\$410,958	\$419,177	\$427,561
8 Sales Tax Allocation	\$1,122,604	\$1,150,000	\$1,200,000	\$1,212,000	\$1,224,120	\$1,236,361	\$1,248,725
9 County Agreement/Shared	\$1,173,861	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000
10 Charges for Services	\$1,187,771	\$1,026,678	\$1,026,678	\$1,057,478	\$1,089,203	\$1,121,879	\$1,155,535
11 Miscellaneous Revenue/Reimbursements	\$3,053,575	\$2,130,629	\$1,967,944	\$1,967,944	\$1,967,944	\$1,967,944	\$1,967,944
12 LOT Transfer & Reimbursement	\$2,005,000	\$1,205,000	\$1,305,000	\$1,331,100	\$1,357,722	\$1,384,876	\$1,412,574
13 Use of Fund Balance			\$217,703				
14 Total	\$16,601,687	\$12,453,225	\$12,727,700	\$12,784,504	\$13,066,933	\$13,357,526	\$13,656,534

General Fund Expenditures

Expenditure Type	FY 2025 Amended Budget	FY 2026 Adopted Budget	FY 2027 Projected	FY 2028 Projected	FY 2029 Projected	FY 2030 Projected	FY 2030 Projected
15 Personnel	\$8,392,391	\$5,595,607	\$6,072,197	\$6,315,085	\$6,567,688	\$6,830,396	\$7,103,612
16 Materials & Services	\$9,025,156	\$6,110,140	\$6,202,503	\$6,357,566	\$6,516,505	\$6,679,417	\$6,846,403
17 Operating Capital	\$213,090	\$23,000	\$23,000	\$23,000	\$23,000	\$23,000	\$23,000
18 Operating Contingency/Transfers	\$1,796,850	\$724,478	\$430,000	\$430,000	\$430,000	\$430,000	\$430,000
19 Total	\$19,427,486	\$12,453,225	\$12,727,700	\$13,125,650	\$13,537,193	\$13,962,813	\$14,403,014
20 Net Surplus/(Assumed Use of Fund Balance)	-\$2,825,799	\$0	\$0	-\$341,147	-\$470,260	-\$605,287	-\$746,481
21 Rebudgets & EOY Commitments		\$1,235,600					
22 Total Fund Balance	\$5,206,993	\$3,971,393	\$3,971,393	\$3,630,247	\$3,159,986	\$2,554,700	\$1,808,219
23 17% Assigned Fund Balance		\$2,117,048	\$2,163,709	\$2,231,361	\$2,301,323	\$2,373,678	\$2,448,512
24 Projected Unassigned Fund Balance		\$1,854,345	\$1,807,684	\$1,398,886	\$858,664	\$181,021	-\$640,294



Next Steps

- Continued Budget Refinement with Internal Staff



Mayor/Council Discussion

**City of Ketchum
General Fund Financial Forecast**

Version 03.03.2026

General Fund Revenues

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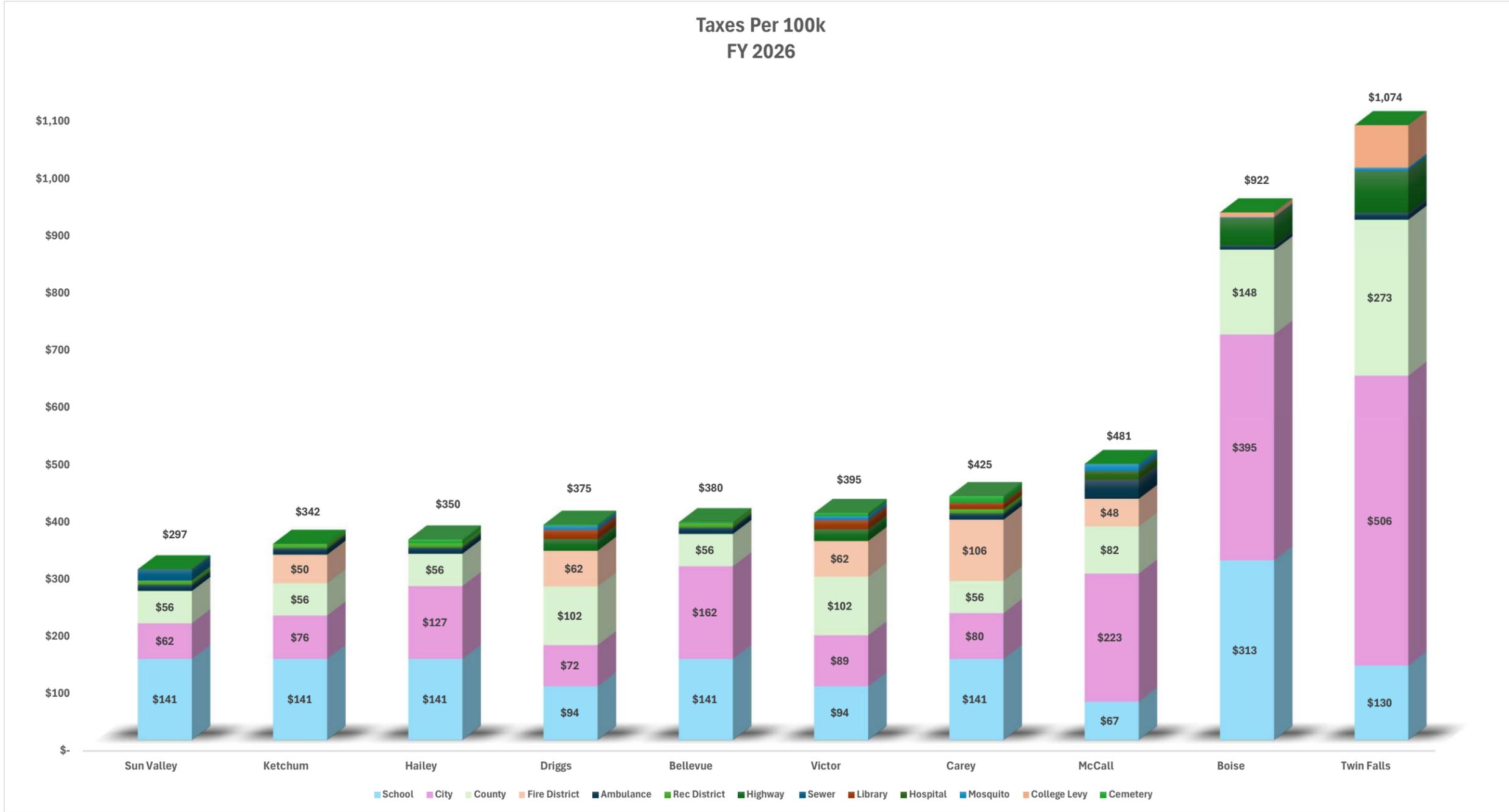
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24 Projected Unassigned Fund Balance		\$1,854,345	\$1,807,684	\$1,398,886	\$858,664	\$181,021	-\$640,294

*Annual growth assumptions (revenues): Property Tax 3.35%; Charges for Services 3%; Franchise Fees, Licenses & Permits, Liquor, Highway & LOT Transfer 2%; Sales Tax 1%

*Annual growth assumptions (expenses): Personnel 4.0%; Materials & Services 2.5%

Per 100k	School	City	County	Fire District	Ambulance	Rec District	Highway	Sewer	Library	Hospital	Mosquito	College Levy	Cemetery	Total Per \$100K
Sun Valley	\$ 141.42	\$ 62.11	\$ 56.24	\$ -	\$ 11.10	\$ 7.18	\$ -	\$ 19.57	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 298
Ketchum	\$ 141.42	\$ 75.57	\$ 56.24	\$ 49.83	\$ 11.10	\$ 7.18	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.62	\$ 342
Hailey	\$ 141.42	\$ 126.95	\$ 56.24	\$ -	\$ 11.10	\$ 7.18	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6.63	\$ 350
Driggs	\$ 93.89	\$ 71.66	\$ 102.13	\$ 62.18	\$ -	\$ -	\$ 20.31	\$ -	\$ 16.43	\$ -	\$ 6.54	\$ -	\$ 2.15	\$ 375
Bellevue	\$ 141.42	\$ 161.53	\$ 56.24	\$ -	\$ 11.10	\$ 7.18	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2.11	\$ 380
Victor	\$ 93.89	\$ 88.66	\$ 102.13	\$ 62.18	\$ -	\$ -	\$ 20.31	\$ -	\$ 16.43	\$ -	\$ 6.54	\$ -	\$ 5.51	\$ 396
Carey	\$ 141.42	\$ 79.82	\$ 56.24	\$ 106.48	\$ 11.10	\$ 7.18	\$ -	\$ -	\$ 11.27	\$ -	\$ -	\$ -	\$ 11.43	\$ 425
McCall	\$ 66.96	\$ 223.24	\$ 82.16	\$ 47.91	\$ 33.50	\$ -	\$ -	\$ -	\$ -	\$ 15.44	\$ 11.51	\$ -	\$ 0.36	\$ 481
Boise	\$ 313.14	\$ 394.57	\$ 148.26	\$ -	\$ 8.13	\$ -	\$ 47.93	\$ -	\$ -	\$ -	\$ 1.45	\$ 8.19	\$ -	\$ 922
Twin Falls	\$ 129.80	\$ 506.01	\$ 273.16	\$ -	\$ 11.72	\$ -	\$ 73.25	\$ -	\$ -	\$ -	\$ 5.67	\$ 74.01	\$ -	\$ 1,074





City of Ketchum

CITY COUNCIL MEETING AGENDA MEMO

Meeting Date: March 12, 2026 Staff Member/Dept: Ben Whipple – Public Works Director

Agenda Item: Briefing regarding planned 2026 city construction projects

Recommended Motion:

Staff is not seeking a motion but rather final guidance regarding previously proposed Capital Improvement Projects scheduled for construction in 2026.

Reasons for Recommendation:

SIDEWALKS

- 1st & 5th – prioritized/in tandem with 1st Avenue street resurfacing work. Connects existing sidewalks.
Leadville & SV Rd (Huck & Paddle) – removal of stairs to create ADA compliant boardwalk to grade. Wood boardwalk will be replaced similar to Enoteca section on Main Street.
6th & Leadville – removal of stairs, redo/extend sidewalk to grade. Also, removal of planters that are blocking sightlines at the intersection.
South of town entry work with ITD (streetlights/landscaping) – River to Trail Creek bridge
Misc repair (corner of Leadville/5th, 2nd street adjacent to parking lot)

STREETS

- Chip-sealing (majority are downtown)
1st Avenue (Sun Valley to 5th Street) – mill & overlay
Potential implementation of revised downtown stop sign plan

FACILITIES

- Forest Service Park bathrooms
Recreation building/tennis courts bathrooms
Town Square and Visitor Center bathrooms

WARM SPRINGS PRESERVE

- Plant installations (20,000+ plants)
Welcome Center building and nearest trail construction
Commissioning of side channels (after spring runoff)

Financial Impact:

Table with 2 columns: Financial Impact description and project details. Row 1: None OR Adequate funds exist in account: All projects outlined above are approved/funded in the existing CIP budget except for the following projects that would need to access fund balance: River to Trail Creek Bridge with ITD, Bathrooms at rec building/tennis courts

Attachments:

Staff presentation (forthcoming)



City of Ketchum

CITY COUNCIL MEETING AGENDA MEMO

Meeting Date: Staff Member/Dept:

Agenda Item:

Recommended Motion:

"I motion to award the Water Facility Addition Design & Bid contract to RLB Architecture"

Reasons for Recommendation:

- The Water Department has struggled with a couple of key pain points and limitations to their existing facility. The following is a list of objectives for the facility addition:
 - To protect our current equipment and assets from the elements by moving a large portion of them into indoor storage and providing dedicated space for assets/equipment that cannot be stored outside.
 - Currently, due to space availability, most of our on-hand repair parts and inventory are scattered around the City's six pump houses. Consolidating the inventory of stock parts to one centralized location will cut down logistics of finding said parts as well as reduce inventory inaccuracies by better controlling inventory records
 - Additional storage space for critical on-hand materials will provide flexibility for staff to be fiscally strategic on procurement of said materials
 - Needed additional office space will be freed up by moving stock material to dedicated storage areas
- Staff has been working with RLB Architecture to develop preliminary design and costing estimates for a Water facility addition over the last year and hope to continue development of the current set of drawings and specifications
- RLB's design scope for this approval includes: Final design development as well as bidding and negotiation support
- Pending Council approval, Staff has targeted winter of 2027 for bidding of the project and spring 2027 for construction start

Policy Analysis and Background (non-consent items only):

Sustainability Impact:

Financial Impact:

None OR Adequate funds exist in account:	Existing dedicated budget are accounted for in the Water Fund to cover the \$155,000 of services
--	--

Attachments:

1. RLB Architecture's Proposal
2. Shop Addition Preliminary Plans

DRAFT

November 21, 2025

Giovanni Tognoni
Water Division Supervisor
City of Ketchum
110 River Ranch Rd.
PO Box 2315
Ketchum, ID 83340
gtognoni@ketchumidaho.org

PROPOSAL FOR ARCHITECTURAL and STRUCTURAL ENGINEERING SERVICES

Ruscitto/Latham/Blanton Architectura P.A. (RLB) proposes to provide Architectural and Structural Engineering Design Services for the construction of an addition to the City of Ketchum Water Department Maintenance Facility located in Ketchum, Idaho.

PROPERTY INFORMATION

Address: 110 River Ranch Road, Ketchum, ID 83343
Parcel No. RPK0479000001A
Legal Description: KETCHUM-S.V TREATMENT SUB LOT 1 BLK 1
Lot Area: 13.59 Acres +/-
Zoning Districts: LR-1 (Limited Residential – One Acre District)

PROGRAM and DESIGN REQUIREMENTS

The general scope and program for the proposed building addition have been defined by the Water Division Supervisor as follows:

- Building Addition of approximately 3,800 square feet extending north of the existing building, as approved during the previous feasibility study design effort.
- Two (2) primary parking bays with overhead sectional doors providing access from west vehicle apron.
- Addition to extend east to align w/ east face of existing office spaces.
- Provide tandem parking for Water Division vehicles & equipment. Possible combination for design purposes:
 - Bay 1 – Two (2) pick-up or dump trucks with associated equipment trailer.
 - Bay 2 – Loader equipment with associated bucket and snow blower attachments.
- Rear (east) and north portions of addition to be used for parts and pipe storage.
- Integral foundations to support future vehicle repair lift by Owner.
- Vehicle Exhaust extraction systems.

SCOPE OF SERVICES

RLB will be the prime consultant for this project and will provide overall contract management, coordination, and all other project management services outside those consultants who may be under contract with the



RUSCITTO LATHAM BLANTON
ARCHITECTURA P.A.

208.726.5608
www.rlb-sv.com
box 5619 83340
ketchum, idaho

Owner. RLB will provide Architectural and Structural Design Services as indicated herein for the project in accordance with the degree of care, skill, and diligence normally provided in the performance of projects of similar scope and location. RLB may also, on behalf of the Owner, coordinate services by other design consultants. Coordination with the Sun Valley Water & Sewer District (SVWSD) is also anticipated.

SERVICES BY PHASES

RLB will be the lead Architectural & Structural design professional and will provide project management and administrative services for the project including communicating project progress with the Owner, coordinating team activities, documenting and distributing meeting notes, organizing project information, and administering invoices.

As the prime consultant, RLB will provide Mechanical, Electrical and Civil Engineering services through sub-consultant service contractors that will be administered as part of the Scope of Services for this project.

Refined Schematic & Design Development Phases

RLB will review the program with the Owner to clarify the requirements of the project and will review the initial design concepts against the applicable building codes and zoning regulations for feasibility and compliance. RLB will then prepare refined schematic drawings (plans, sections, and elevations) and other exhibits necessary to illustrate the project, in coordination with the Owner. The proposed schematic design will be presented to the Owner and the Owner's designated Design Committee for review and approval. These drawings/exhibits will then be used to assist the Owner in obtaining design review approval from the City of Ketchum as may be needed. RLB will assist in coordinating design elements, utility upgrades, fire protection, etc. with other design consultants contracted by the Owner. Additional Schematic & Design Development Phase services are as listed below:

- Photographing of existing site conditions as may be needed.
- Project formulation including a detailed scope of work narrative as noted herein. Review scope of work with Owner and modify as may be needed, based on comments received. Prepare final scope of work proposal as needed.
- Coordinate with sub-consultants regarding contracting procedures, contract execution with sub-consultants, and invoice sub-consultants work throughout project duration.
- Document results of Owner/Design Committee meetings to establish and confirm the required program for the project. One (1) meeting is anticipated.
- Prepare and submit a proposed Design Schedule and submit to Owner for review and comment. The schedule will include review and approval times required by the Owner. If required, the schedule will be adjusted as the project progresses, allowing for changes in scope, character, size, or delays as may be requested by the Owner in writing prior to any changes being executed.
- Refined site planning for the project and design coordination with the Owner and Civil Engineering consultant.
- Review of Geotechnical Report if available (by others).
- Owner & Sub-Consultant meetings to review progress of design drawing development.
- Establish building system, energy efficiency and sustainability goals for the project.
- Design Committee meeting and presentation. One (1) meeting is anticipated.

- Final review of applicable code requirements.
- Assist Owner to schedule & specify FF&E items.
- Meeting with Owner and Sub-Consultants to review progress of Design Development drawings.

Construction Documents Phase

RLB will prepare construction documents consisting of drawings and specifications suitable to acquire a building permit and to construct the project. A basic interior power and lighting plan is included. Normal structural engineering and applicable plans and details consistent with the design intent are included. RLB will include architectural details, material specifications, and shall coordinate with the design team consultants to include applicable plans and specifications as needed to construct the Owner's approved project scope. Additional Construction Document Phase services are as listed below:

- Site and Exterior Lighting design as required to facilitate pedestrian & vehicular circulation from existing parking areas to the project site and egress illumination as may be required.
- Coordination with the Civil sub-consultant as required for utility & infrastructure relocation work which may occur more than 5ft. outside the building.
- Coordination with Mechanical and Electrical Engineering sub-consultants as required for development of Construction Documents depicting Mechanical HVAC, plumbing and electrical building systems.
- Coordination with Owner as may be needed to assist in relocation of the high pressure gas main utility and vacation or relocation of existing HP gas main utility easements at project site. Primary gas main utility and easement relocation services to be provided by the Owner outside of the contract.
- Deliver completed plans and Project Manual to the Owner including the Conditions of the Contract for Construction and Specifications as may be included in bidding requirements.
- Bidding & procurement information that describes the time, place and conditions of bidding, including bidding and proposal forms.
- The form of agreement between the Owner & Contractor.
- The Conditions of the Contract for Construction (General, Supplementary and other conditions).
- Inclusion of possible bid alternates as may be requested by the Owner.
- Coordination of City of Ketchum building permit application package. Submit necessary copies of stamped plans/specifications for review and approval.
- If necessary, respond to City of Ketchum plan review comments.

Bidding & Negotiation Phase

RLB will assist the Owner in distributing the Bidding Documents to prospective bidders, and will attend a pre-bid conference for prospective bidders (One (1) conference is anticipated). RLB will respond to requests for clarification from prospective bidders and will consider requests for substitutions as may be permitted by the Bidding Documents. RLB will also assist the Owner to organize and conduct the bid opening, including subsequent documenting and distribution of bid results as may be needed.

Construction Administration Phase

(For Reference Only – CA Phase services to be negotiated under separate contract per Owner request)

RLB will visit the site at intervals appropriately related to the stage of construction to become generally familiar with the progress and quality of the work completed and to determine, in general, if the work is being performed in a manner in accordance with the construction documents. RLB will attend construction coordination meetings at intervals agreed upon prior to construction. RLB will provide architectural and structural engineering clarifications to the Contractor as may be required during construction of the project. RLB will review and respond to material and product submittals as needed to determine general compliance with the construction documents. RLB shall not have control over, charge of, or responsibility for the construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work. Additional Construction Administration Phase services are as listed below:

- RLB will reject work that is determined to not be in conformance with the Contract Documents.
- RLB will review and certify amounts due the Contractor and will issue certificates in such amounts certifying to the Owner that, to the best of the Architect's knowledge, the Work has progressed to the point indicated and that the quality of the Work is in accordance with the Contract Documents.
- RLB will maintain record of Applications and Certificates for Payment.
- The issuance of a Certificate for Payment shall not be a representation that the Architect has made exhaustive or continuous on-site inspections to check the quality of the Work, reviewed construction means, methods, techniques, sequences or procedures, reviewed copies of the requisitions received from Subcontractors and material suppliers, and other data requested by the Owner to substantiate the Contractor's right to payment, or ascertained how or for what purpose the Contractor has used money previously paid on account of the Contract Sum.
- Review of Contractor's payroll reports and assistance to the Owner to review and obtain wage determinations as may be required by the State of Idaho.
- Review and respond to Contractor's proposed Change Orders, including cost analysis documents, if required for Owner or Grant administrative purposes.
- RLB will conduct site visits to determine the date of Substantial Completion and the date of Final Completion; issue Certificates of Substantial Completion, and shall issue a final certificate of payment based upon the final site visit indicating the Work complies with the requirements of the Contract documents.
- RLB will coordinate As-Built Drawings and O&M documents received from the building contractor for the Owner's use.
- RLB will coordinate and assemble a Project Close Out Package including a compilation of current project drawings and exhibits. Record drawings not included.

ARCHITECTURAL and STRUCTURAL ENGINEERING SERVICES FEE

RLB proposed an Architectural and Structural Engineering Fee of **One Hundred Fifty Five Thousand**

Dollars (\$155,000.00) This fee includes architectural design, structural engineering and interior design. Specification and procurement of furnishings, decorative fixtures and equipment is not included in this proposal. The Fee is billed monthly based on work completed plus reimbursable expenses. Additional services outside the scope of this proposal are billed at the hourly rates after being authorized by the Owner.

ARCHITECTURAL and STRUCTURAL ENGINEERING FEE BREAK DOWN BY PHASE

Refined Schematic & Design Development Phases:	35% of the fee
Construction Document Phase:	55% of the fee
<u>Bidding & Negotiation Phase:</u>	<u>10% of the fee</u>
Construction Administration Phase:	To be negotiated under separate contract.

HOURLY BILLING RATES

Architect, Principal II (APII)	\$230.00 per hour
Structural Engineer, Principal II (SEPII)	\$230.00 per hour
Architect, Principal I (API)	\$205.00 per hour
Architect, Associate (AA)	\$195.00 per hour
Architect (A)	\$180.00 per hour
Structural Engineer (SE)	\$180.00 per hour
Project Designer (PD)	\$155.00 per hour
Architectural Intern (AI)	\$ 90.00 per hour
Engineer in Training (EIT)	\$ 90.00 per hour
Drafting Technician (DT)	\$ 90.00 per hour
Administrative Assistant (AA)	\$ 65.00 per hour

REIMBURSABLE EXPENSES

Reimbursable expenses to RLB include, but may not be limited to, the following:

- All reproductions (black/white and color) including internal working office copies, review packages to Owner, submittal packages to applicable governmental authorities, bidding materials, binding materials, etc.
- Express mail.
- Entitlement and permit application fees, if requested by Owner.
- Third party consultant services fees, if not noted in Architectural Services.

ADDITIONAL SERVICES

Additional services outside the scope of this proposal are billed at the hourly rates after being authorized by the Owner, and may include, but may not be limited to, the following:

- Meetings in excess of those noted herein.
- Landscape design services in excess of minimum basic design required by City of Ketchum for area immediately adjacent to the scope of work.
- Extensive utility coordination with power provider, tele-communications provider, Intermountain Gas, and City of Ketchum regarding utility relocations for the proposed project.

EXCLUDED SERVICES

The Fee specifically excludes the following:

- Land Surveying and staking.
- Geotechnical engineering and reporting services
- Demolition applications, fees and notices required by local, state or federal entities.

- High Pressure Gas Main utility and easement relocation services.
- Special Inspections and testing.
- Special site retaining and soils conditions and associated engineering.
- Coordination of documents associated with the mitigation or removal of hazardous materials.
- Coordination of documents associated with requirements of Storm Water Pollution Prevention Plans (SWPPP)
- Fire sprinkler engineering.
- Landscape Architect design services and drawings.
- Third party energy conservation/green building ratings, certifications and testing as may be requested by the Owner.
- Fees associated with submittal requirements to applicable governmental agencies for review and approval including, but not limited to, City of Ketchum design review and building permit applications.
- Detailed cost estimating.
- As-built drawings and/or Record drawings. Project closeout package is included.

COMPENSATION FOR DESIGN SERVICES

The Owner shall make payments to RLB within 30 days of the invoice date for services completed plus reimbursable expenses.

TERMINATION

Either party may terminate services at any time. In the event of termination, RLB shall be compensated for services reasonably, properly, and timely performed prior to termination, including reimbursable expenses.

OWNERSHIP AND USE OF DOCUMENTS

The drawings, specifications, calculations, and design ideas incorporated as an instrument of professional service shall not to be used, in whole or in part, for any other project without written authorization of Ruscitto Latham Blanton Architectura PA.

Michael Smith, AIA, RLB Architectura P.A.

Date

Giovanni Tognoni, Water Division Supervisor – City of Ketchum

Date

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ISSUED	
2025.08.29	SCHEMATIC CONCEPT

PRELIMINARY
NOT FOR
CONSTRUCTION

R L B

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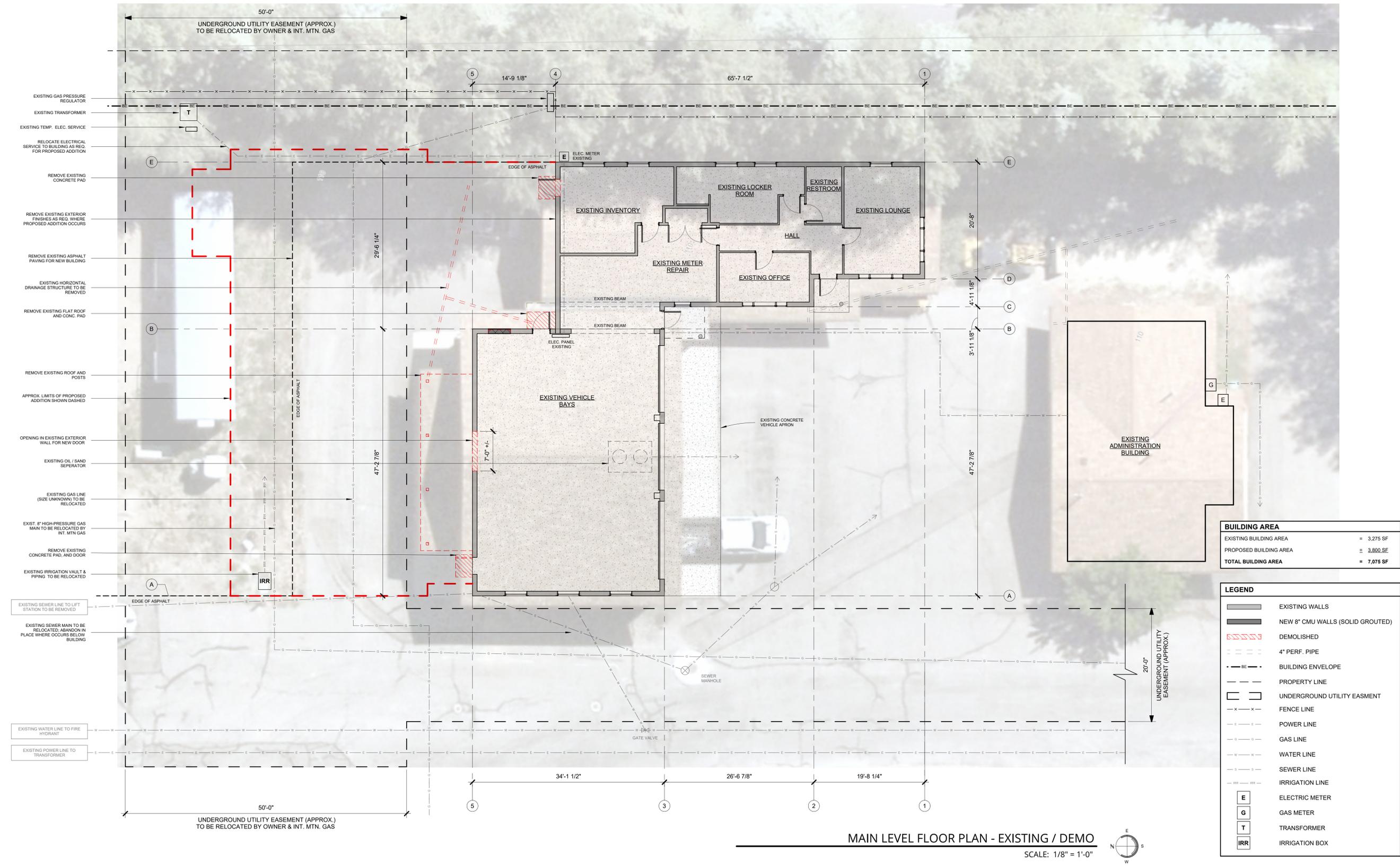
CITY OF KETCHUM
WATER DEPT. MAINTENANCE BUILDING
KETCHUM, IDAHO



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DRAWING
MAIN LEVEL FLOOR
PLAN - EXISTING /
DEMO

DWG #

A 2.0

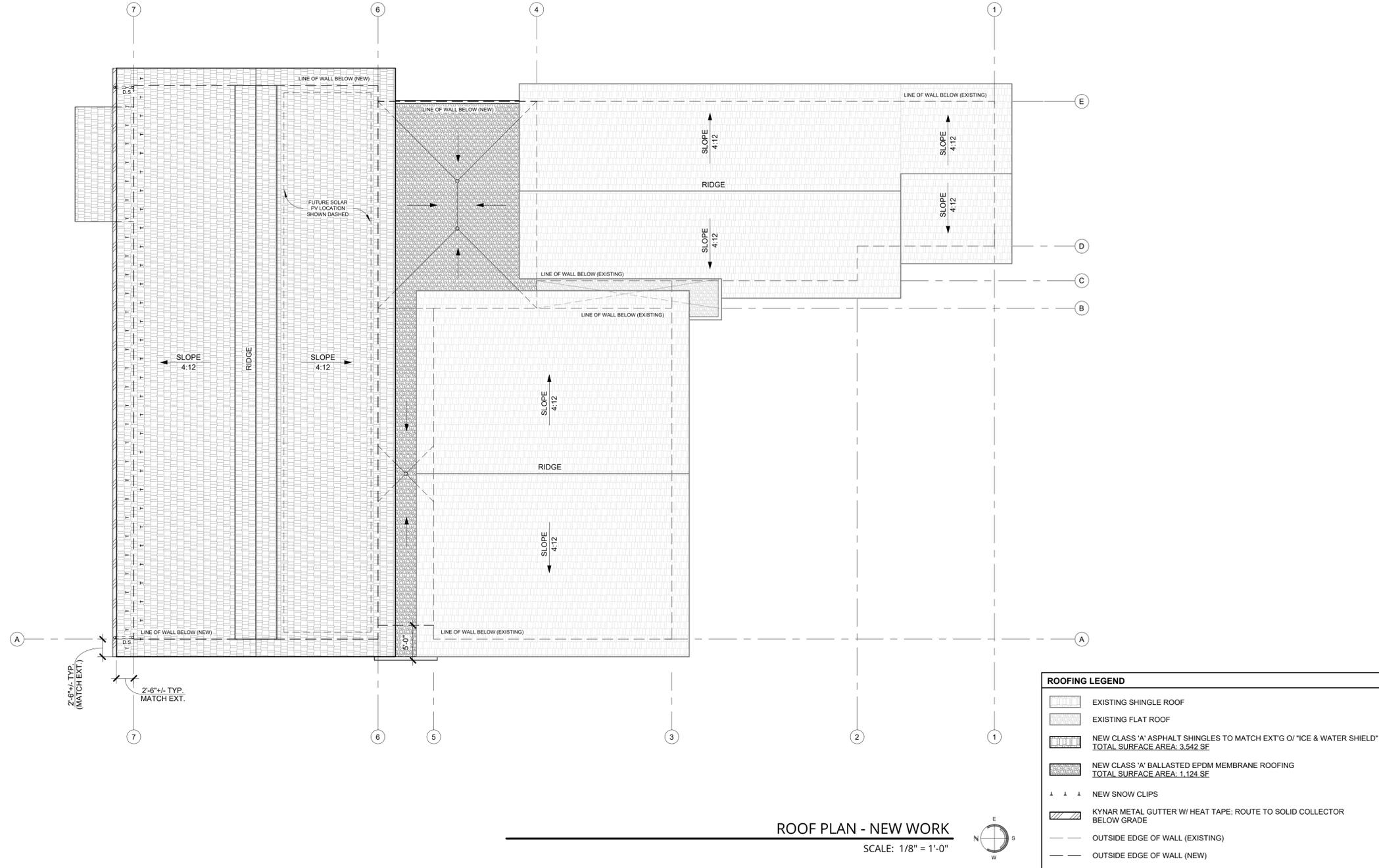


BUILDING AREA	
EXISTING BUILDING AREA	= 3,275 SF
PROPOSED BUILDING AREA	= 3,800 SF
TOTAL BUILDING AREA	= 7,075 SF

LEGEND	
	EXISTING WALLS
	NEW 8" CMU WALLS (SOLID GROUTED)
	DEMOLISHED
	4" PERF. PIPE
	BUILDING ENVELOPE
	PROPERTY LINE
	UNDERGROUND UTILITY EASMENT
	FENCE LINE
	POWER LINE
	GAS LINE
	WATER LINE
	SEWER LINE
	IRRIGATION LINE
	ELECTRIC METER
	GAS METER
	TRANSFORMER
	IRRIGATION BOX

MAIN LEVEL FLOOR PLAN - EXISTING / DEMO
SCALE: 1/8" = 1'-0"





ISSUED	DATE	DESCRIPTION
2025.08.29		SCHEMATIC CONCEPT

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ROOF PLAN - NEW WORK

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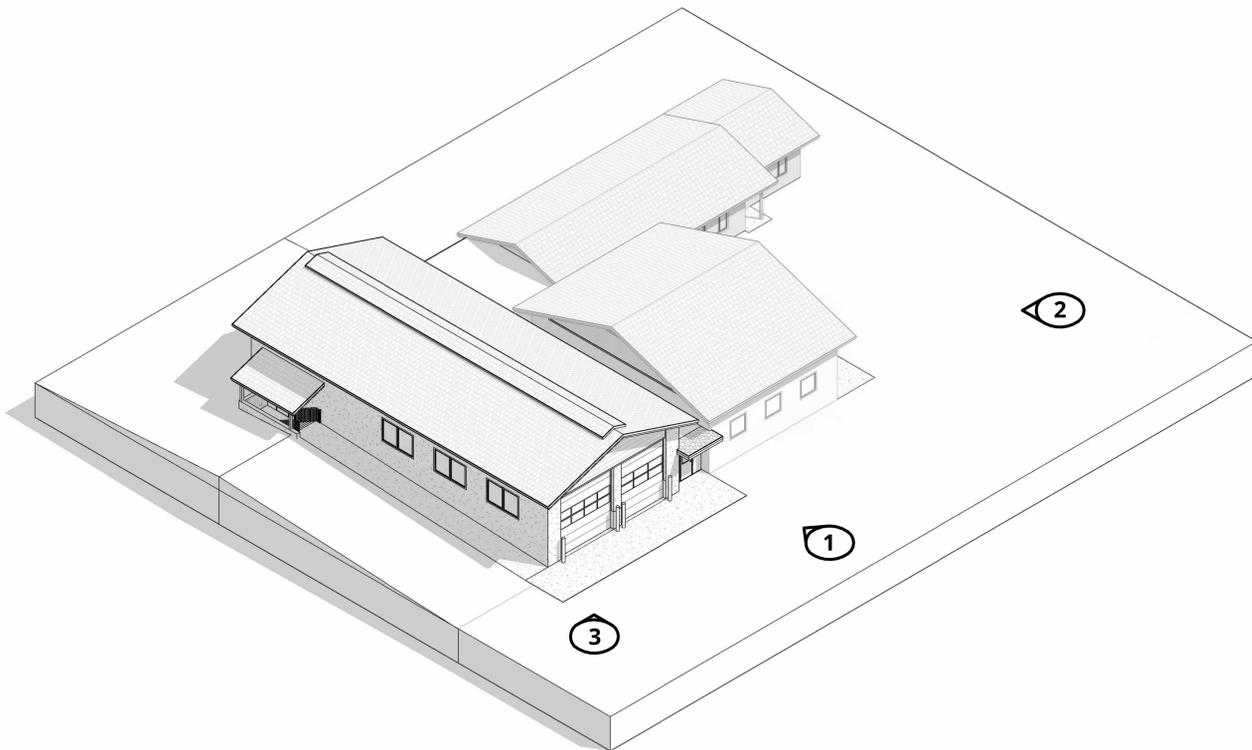
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Perspective View 3
N.T.S.



Perspective View 2
N.T.S.



Perspective View 1
N.T.S.

ISSUED	DATE	DESCRIPTION
2025.08.29		SCHEMATIC CONCEPT

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PERSPECTIVE VIEWS

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