

**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 All previous ordinances, resolutions, orders, or parts thereof, that are in conflict herewith are hereby repealed.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

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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.

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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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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)

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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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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.
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- 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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 - 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.
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 - 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,
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 - c. Represent the City in civil proceedings and prosecute ordinance violations as directed,
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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

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
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.

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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

Commented [LE13]: Moved to 2.01.050. No changes.

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

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}