

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REPEALER.** All previous ordinances, resolutions, orders, or parts thereof, that are in conflict herewith are hereby repealed.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

Commented [LE1]: Delete chapter. Governed by Idaho 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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- ~~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)

Created: 2025-01-07 14:18:14 [EST]

~~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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## CHAPTER 1.32 RIGHT OF ENTRY

(Supp. No. 6)

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**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)~~

Commented [LE4]: Delete and added reference to fee schedule rather than listing individual fees throughout code.

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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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