

HAILEY ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING ARTICLE 2, DEFINITIONS, SECTION 2.2, MEANING OF TERMS OR WORDS, TO CREATE A NEW DEFINITION OF NEW BUILDING; BY AMENDING ARTICLE 4.13, TOWNSITE OVERLAY, SECTION 4.13.8, LOT LINE VACATIONS, TO CAPITALIZE THE FIRST LETTERS OF NEW BUILDING IN RESPONSE TO THE CREATION OF THE NEW BUILDING DEFINITION; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Hailey City Council has found that the following amendment to the Hailey Zoning Ordinance will generally conform to the Hailey Comprehensive Plan;

WHEREAS, the amendments will not create excessive additional requirements at public cost for public facilities and services; and

WHEREAS, the amendment will be in accordance with the safety and welfare of the general public.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Section 2.2. Meaning of Terms or Words, of the Hailey Zoning Ordinance No. 532, is hereby amended by the addition of the following language:

New Building. New construction of a Building or a portion of a Building which adds or reconstructs Floor Area greater than or equal to fifty percent (50%) of the original structure.

Section 2. Section 4.13.8, Lot Line Vacations, of the Hailey Zoning Ordinance No. 532, is hereby amended by the addition of the underlined language and the deletion of stricken language as follows:

If a parcel in single ownership consists of two (2) or more Original Townsite lots, or a combination of lot(s) and portions of lot(s), the internal Original Townsite lot lines underneath or located within a required setback of proposed and existing buildings shall be vacated prior to the issuance of a Building Permit for ~~any n~~New ~~b~~Building.

Section 3. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 4. All City of Hailey ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

Section 5. This ordinance shall be in full force and effect from and after the required three (3) readings, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY
THE MAYOR THIS ____ DAY OF _____, 2009.

Richard L. Davis, Mayor, City of Hailey

Attest:

Mary Cone, City Clerk