

## RESOLUTION NO. 09-040

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, TO DISSOLVE BUSINESS IMPROVEMENT DISTRICT NO. 2008-1 FOR THE PURPOSE OF LACK OF INTEREST OF FINANCING THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS; DESCRIBING THE BOUNDARIES OF THE PROPOSED IMPROVEMENT DISTRICT AND THE PROPERTY FORMERLY DESCRIBED IN THE BID CREATION RESOLUTION OF THE PROJECT; GENERALLY DESCRIBING THE RESPONSIBILITIES OF PROPERTY OWNERS FORMERLY COMPRISING THE BID; STATING THE NEW RESPONSIBILITIES FOR SNOW REMOVAL FOR THE FORMER THE BUSINESS IMPROVEMENT DISTRICT PROPERTY OWNERS; STATING THE EXISTING CITY CODE FOR SNOW REMOVAL; FIXING THE DATE, TIME, AND PLACE AT WHICH A PUBLIC HEARING WILL BE HELD TO CONSIDER PROTESTS AGAINST THE DISSOLUTION OF THE BUSINESS IMPROVEMENT DISTRICT; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Ketchum, Blaine County, Idaho (the "City"), is a municipal corporation operating and existing under and pursuant to the laws of the State of Idaho, and as such is authorized and empowered to dissolve business improvement districts due to lack of interest of former members of the business improvement district pursuant to Title 50, Chapter 17, Idaho Code; and

WHEREAS, the City Council of the City has initiated the creation of a business improvement district to finance the costs of public street and related improvements; and

WHEREAS, the members of the business improvement district are no longer interested in continuing the business improvement district; and

WHEREAS, the Council is of the opinion that it is in the best interest of the City that owners of property within the dissolved business improvement district, and within the City, that the proposed business improvement district be dissolved and all existing responsibilities for snow removal and sidewalk maintenance be reinstated effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Ketchum, Idaho

Section 1: The Council hereby determines and states that it is its intention to dissolve a business improvement district, to be formerly known as "Business Improvement District No. 2008-1 of the City of Ketchum, Idaho" ("B.I.D. No. 2008-1"), due to lack of interest to finance the costs of the project as hereinafter set forth.

Section 2: The boundaries of proposed and dissolved B.I.D. No. 2008-1 are Spruce Street to Washington Avenue on 4<sup>th</sup> Street in Ketchum, Idaho. All commercial property within the boundaries of B.I.D. No. 2008-1 (except property which is exempt from

assessment or not specially benefited) will no longer be subject to assessment according to Resolution NO. 08-111.

Section 3: A general description of the project no longer to be financed (the "Project") is as follows: annual snow removal on sidewalks in the district shall hereinafter be the sole responsibility of the property owner in accordance with Chapter 12.24, SNOW AND ICE REMOVAL.

Section 4: Monday, the 7<sup>th</sup> day of December, 2009, at the hour of 5:30 o'clock P.M., or as soon thereafter as the matter may be heard, at the Council meeting chambers in Ketchum City Hall, Ketchum, Idaho, is hereby fixed as the time and place when and where the owners of the property to assume responsibility for the public sidewalk adjacent to their property may appear before the Council and be heard as to the propriety and advisability of the dissolved Project, and which is the time and place when and where the Council will consider the dissolution of the B.I.D. No. 2008-1, and hear all complaints, protests, and objections which may be made in writing and filed with the City Clerk on or before said time, by any owner of any parcel of land formerly comprising the B.I.D. No. 2008-1.

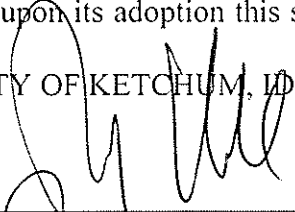
Section 5: Written protests and objections to the dissolution of B.I.D. No. 2008-1 or to the manner of responsibility of property therein may be filed with the City Clerk at or before 5 o'clock P.M. on Friday, December 4, 2009, by any owner of any parcel of land to be removed from the B.I.D. No. 2008-1.

Section 6: Notice of Hearing substantially in the form attached hereto as Exhibit "A" shall be given as follows:

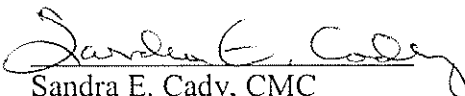
(A) By mailing, at least ten (10) days prior to the date of said hearing, a copy of such notice to each owner of property, if known, or his agent, if known, within the limits of the proposed B.I.D. No. 2008-1, addressed to such person at his or her post office address, if known, or if unknown, to the post office in Ketchum, Idaho. Ownership of property shall be determined as of the date of the adoption of this Resolution.

This Resolution will be in full force and effect upon its adoption this seventh (7th) day of December 2009.

CITY OF KETCHUM, IDAHO

  
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Randy Hall, Mayor

ATTEST:

  
Sandra E. Cady, CMC  
City Treasurer/Clerk



NOTICE OF PUBLIC HEARING BEFORE THE  
KETCHUM CITY COUNCIL

NOTICE IS HEREBY GIVEN that on Monday, December 7, 2009, at 5:30 p.m., in City Hall at 480 East Avenue North, Ketchum, Idaho, the Ketchum City Council will hold a Public Hearing upon Resolution Number 09-040, disorganization of Resolution Number 08-111 which declared the intention of the City of Ketchum to create a Business Improvement District (BID) No. 2008-1 for the purpose of financing the costs of certain public improvements. The boundaries of the existing Business Improvement District are Spruce Street to Leadville Avenue on 4<sup>th</sup> Street in Ketchum Idaho.

Comments and questions prior to the hearing should be directed to the Ketchum Planning Department, P.O. Box 2315, Ketchum, Idaho, 83340, or via email to [pzcomments@ketchumidaho.org](mailto:pzcomments@ketchumidaho.org), or via facsimile at (208)726-7812. Written comments received prior to the hearing shall be made part of the public record at the hearing. For additional information, please call (208)726-7801.

NOTICE IS FURTHER GIVEN that at the aforementioned time and place, all interested persons may appear and shall be given an opportunity to comment on the matter stated above.

BY ORDER OF THE KETCHUM CITY COUNCIL.

DATED this 24th day of November, 2009.

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Rachel Martin,  
Planning Assistant

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