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ORDINANCE NO. 184
"Omnibus Revisions"

AN ORDINANCE OF THE CITY OF STANLEY, CUSTER COUNTY, IDAHO:

AMENDING TITLE 1: GENERAL PROVISIONS, CHAPTER 1.01 ADDING PROVISIONS FOR CODE ADOPTION, TITLE CITATION, CODIFICATION AUTHORITY, CODE REFERENCE, TITLE, CHAPTER AND SECTION HEADINGS, REFERENCE TO SPECIFIC ORDINANCES;

REPEALING TITLE 2, CHAPTER 2.28 COMMUNITY BUILDING COMMITTEE;

AMENDING TITLE 5, BUSINESS LICENSES AND REGULATIONS, CHAPTER 5.24 ADDING A PROVISION FOR VARIANCES;

AMENDING TITLE 6, CHAPTER 6.04, SECTION 010, SMALL AMIMALS, TO CHANGE THE DEFINITION OF A SMALL ANIMAL;

REPEALING TITLE 12, CHAPTER 12.12 CITY DUMP;

AMENDING TITLE 14, RESERVED, TO CHANGE THE TITLE TO "STANDING BOARDS AND COMMISSIONS" AND INSERT HISTORIC PRESERVATION CODE PROVISIONS CURRENTLY FOUND IN 15.04.010 THROUGH 15.04.060;

AMENDING TITLE 15, CHAPTER 15.04, HISTORIC PRESERVATION CODE, TO MOVE SECTIONS 010 THROUGH 060 TO TITLE 14, AND TO CHANGE THE TITLE OF CHAPTER 15.04 TO "BUILDING PERMITS" AND INSERT THE PROVISIONS FOR BUILDING PERMITS CURRENTLY FOUND IN TITLE 17, CHAPTER 17.56, SECTIONS 010 THROUGH 050 UNDER THIS TITLE;

AMENDING TITLE 15, SECTION 15.56.010 TO INCLUDE ALL EXCAVATION AND FILL, AND TO STATE THAT THE CITY DOES NOT GUARANTEE THE SUITABILITY OF FILL;

AMENDING TITLE 15, SECTION 15.56.020 TO CLARIFY THE SUITABILITY OF DRAWINGS AND SITE PLANS TO BE SUBMITTED WITH A BUILDING PERMIT APPLICATION;

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AMENDING TITLE 17, ZONING REGULATIONS, CHAPTER 17.08, DEFINITIONS, TO ADD A DEFINITION OF "ONE-FAMILY DWELLING'', "APARTMENT", AND "CONDOMINIUM";

AMENDING TITLE 17, ZONING REGULATIONS, CHAPTER 12, DISTRICTS ESTABLISHED; ZONING MAP, TO CLARIFY THE VALIDATION AND INTERPRETATION OF THE ZONING MAP;

AMENDING TITLE 17, ZONING REGULATIONS, CHAPTER 17.16, RESIDENTIAL A DISTRICT, AND CHAPTER 17.20, RESIDENTIAL B DISTRICT, ADDING PROVISIONS FOR LONG-TERM LEASE AGREEMENTS;

AMENDING TITLE 17, ZONING REGULATIONS, CHAPTER 17.24, COMMERCIAL DISTRICT, TO PERMIT MULTI-FAMILY DWELLINGS, AND TO ADD "MUNICIPAL LIBRARY", "MUNICIPAL GOVERNMENT", "EMERGENCY SERVICES", "DAY CARE CENTERS", AS PERMITTED USES;

AMENDING TITLE 17, ZONING REGULATIONS, CHAPTER 17.26, COMMERCIAL A DISTRICT, TO ADD "ONE-FAMILY DWELLINGS" AND "MULTI-FAMILY DWELLINGS" AS PERMITTED USES, AND DELETE THE TERM "RESIDENCES" AS A PERMITTED USE;

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.27 LIMITED COMMERCIAL DISTRICT, SECTION 17.27.010 TO DELETE THE TERM "SINGLE FAMILY RESIDENCES" AND ADD THE TERM "ONE FAMILY DWELLING" AS PERMITTED USES;

AMENDING TITLE 17 ZONING REGULATIONS, SECTION 17.28.10 TO ALLOW MUNICIPAL LIBRARY AND MUNICIPAL HOUSING AS PERMITTED USES;

AMENDING TITLE 17, ZONING REGULATIONS, CHAPTER 17.40, SECTION 17.40.020 GENERAL USE REGULATIONS, BUILDING MATERIALS ,TO REVISE THE DEFINITION OF "RUSTIC";

AMENDING TITLE 17, ZONING REGULATIONS, CHAPTER 17.44, RESIDENTIAL C DISTRICT, SUBSTITUTING THE WORD "ONE-FAMILY DWELLING" FOR THE WORD "DWELLING"; AND ESTABLISHING THE EFFECTIVE DATE THEREOF.

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

Section 1: Title 1, Chapter 1.01 of the Stanley Municipal Code is hereby enacted as follows:

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1.01.010 ADOPTION: Pursuant to the provisions of Idaho Code §§ 50-901 through 50-906 inclusive, there is adopted the "Stanley Municipal Code".

1.01.020 TITLE-CITATION-REFERENCE: This code shall be known as the "Stanley Municipal Code" and it shall be sufficient to refer to such code as the "Stanley Municipal Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to refer to any ordinance adding to, amending, correcting, or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the "Stanley Municipal Code". Further reference may be made to these titles, chapters, sections, and subsections of the "Stanley Municipal Code" and such reference shall apply to that numbered title, chapter, section and subsection as it appears in the code.

1.01.030 CODIFICATION AUTHORITY: This code consists of all of the regulatory, administrative and penal ordinances, pursuant to the provisions of Idaho Code §§ 50-901 through 50-906, inclusive.

1.01.040 CODE REFERENCE: Whenever reference is made to this code as the "Stanley Municipal Code", or any portion thereof, or to any ordinances of the City of Stanley Idaho, the reference shall apply to all amendments, corrections, additions, heretofore, now and hereafter made.

1.01.050 TITLE, CHAPTER, AND SECTION HEADINGS: Title, chapter, and sections headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter, or section hereof.

1.01.060 REFERENCE TO SPECIFIC ORDINANCES: The provisions of this code shall not in any manner affect matters of record that refer to or are otherwise connected with , ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code.

Section 2: Title 2, Chapter 2.28 of the Stanley Municipal Code is repealed in its entirety.

Section 3: Title 5, Chapter 5.24, Section 100 of the Stanley Municipal Code is enacted as follows:

5.24.100 GRANTING AUTHORITY: The City Council shall have the authority to vary the application and terms of this title, including allowing a business to operate without a license when such business is of a temporary nature such as vendors associated with a event, provided that such action does not substantially impair the intent and purposes of this title.

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Section 4: Title 6, Chapter 6.04, Section 010 of the Stanley Municipal Code is amended as follows:

6.04.020 SMALL ANIMAL DEFINITION: "Small Animals" shall be defined as dogs, cats, pigs, fowl, snakes, pigeons, ducks, rabbits, geese, turkeys, raccoons, skunks, mice, rats, ~~goats,~~ chickens, and other birds or exotic animals raised and/or maintained in confinement.

Section 5: Title 12, Chapter 12.12 of the Stanley Municipal Code is repealed in its entirety.

Section 6: Title 14 of the Stanley Municipal Code is amended as follows:

14. ~~RESERVED~~ STANDING BOARDS AND COMMISSIONS.

Section 7: Title 15, Chapter 15.04 of the Stanley Municipal Code is amended as follows:

~~15~~ 14.04: HISTORIC PRESERVATION CODE

~~15~~14.04.010 PURPOSE: The purpose of this chapter is to promote the educational, cultural, economic and general welfare of the public of the city of Stanley through the identification, evaluation, designation, and protection of those buildings, sites, areas, structures, and objects which reflect significant elements of the city's the state's, and the nation's historic, architectural, archaeological, and cultural heritage.

~~15~~14.04.020: DEFINITIONS: The following words and phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the following meanings:

CITY: The city of Stanley.
COMMISSION: The historic preservation commission of the city of Stanley.

HISTORIC PRESERVATION: 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: Any building, structure, area or site that is significant in the history, architecture, archaeology or culture of this community, the state, or the nation.

~~15~~14.04.030: HISTORIC PRESERVATION COMMISSION:

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A. There is hereby created a historic preservation commission which shall consist of at least five (5) members who shall be appointed by the mayor with the advice and consent of the council.

B. All members of the commission shall have a demonstrated interest, competence, or knowledge in history or historic preservation. The council shall endeavor to appoint at least two (2) 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 commission shall be made as follows: one 1-year term; two (2) 2-year terms; two (2) 3-year terms. All subsequent appointments shall be made for three (3) 3-year terms. Commission 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 commission may be reimbursed by the city for expenses incurred in connection with their duties.

~~15~~14.04.040: ORGANIZATION, OFFICERS, RULES, MEETINGS:

A. The commission 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 commission shall be available for public inspection.

B. The commission shall elect officers from among the commission members. The chairman shall preside at meetings of the commission. The vice chairman shall, in the absence of the chairman, perform the duties of the chairman.

C. All meetings of the commission shall be open to the public, and follow the requirements of Idaho's open meeting laws. The commission shall keep minutes and other appropriate written records of its resolutions, proceedings, and actions.

D. The commission 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 commission.

~~15~~14.04.050: POWERS, DUTIES, AND RESPONSIBILITIES: The commission 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.

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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 in the city.

J. Commission members, employees or agents of the commission may enter private property, buildings, or structures in the performance of its official duties only with the express consent of the owner or occupant thereof.

K. Review nominations of properties to the National Register of Historic Places for properties within the city's jurisdiction.

~~15~~14.04.060: SPECIAL RESTRICTIONS: Under the provisions of Idaho Code § 67-4612, the city of Stanley may provide by ordinances, special conditions or restrictions for the protection, enhancement and preservation of historic properties.

Section 8: Title 17, Chapter 17.08, Section 090 of the Stanley Municipal Code is enacted as follows:

17.08.090 ONE FAMILY DWELLING: "One-family dwelling" means a dwelling constructed with a single living unit within a single structure. A single living unit has kitchen and bath facilities and common exterior access".

Section 9: Title 17, Chapter 17.08, Section 100 of the Stanley Municipal Code is enacted as follows:

17.08.100 APARTMENT: A multiple-family dwelling containing two (2) or more dwelling units in which all units, exclusive of a unit which may be occupied by the owner or caretaker, are rented or leased for thirty (30) days or more.

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Section 10: Title 17, Chapter 17.08, Section 100 of the Stanley Municipal Code is enacted as follows:

17.08.100 CONDOMINIUM: An estate consisting of an undivided interest in common in real estate, in an interest or interests in real property, or in any combination thereof; together with a separate interest in real property, in an interest or interests in real property, or in any combination thereof.

Section 11: Title 17, Chapter 17.12, Section 020 of the Stanley Municipal Code is amended as follows:

17.12.020: ZONING MAP: The boundaries of the zones designated in this chapter shall be established and clearly marked upon that certain map identified by the approving signatures of the city council, marked and designated as the "zoning map", which map is now on file in the office of the city clerk. The map has been heretofore examined in detail by the city council and is adopted as a part of the ordinance codified in this title, but this title and the map shall be subject to change, from time to time, as may be determined by the city council, following procedures provided by law. The current map and each subsequent update shall be signed and dated by the city council. Unless otherwise designated on the zoning district map, district boundary lines are lot lines; the centerlines of streets, alleys, railroad rights of way, or such lines as extended section lines; municipal corporate lines; centerlines of streambeds; or other lines drawn to scale on the zoning district map

Section 12: Title 17, Chapter 17.16, Section 050 of the Stanley Municipal Code is enacted as follows:

17.16.050 LONG-TERM LEASE AGREEMENTS: Dwellings may be rented for more than 30 days at one time with a lease or rental agreement, and without a conditional use permit.

Section 13: Title 17, Chapter 17.20, Section 050 of the Stanley Municipal Code is enacted as follows:

17.20.050 LONG-TERM LEASE AGREEMENTS: Dwellings may be rented for more than 30 days at one time with a lease or rental agreement, and without a conditional use permit.

Section 14: Title 17, Chapter 17.24, Section 010 of the Stanley Municipal Code is amended as follows:

17.24.010: PERMITTED USES: Permitted uses in the commercial district are:

Banks.
Beauty shops and barbershops.

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Doctor or dentist offices.
Gas stations.
Grocery stores.
Hobby, gift and craft shops.
Hotels, motels, lodges and apartments.
Medical clinics.
One-family dwellings.
Restaurants, bars and other eating and drinking establishments.
Retail and general mercantile stores.
Multi-family dwellings.
Municipal library.
Municipal government.
Emergency services.
Day care centers.

Section 15: Title 17, Chapter 17.26, Section 010(A) of the Stanley Municipal Code is amended as follows:

17.26.010: PERMITTED USES:

A. Permitted uses in the commercial A district are:

Banks.
Beauty shops and barbershops.
Doctor or dentist offices.
Gas stations.
Grocery stores.
Hobby, gift, and craft shops.
Hotels, motels, lodges, and apartments.
Medical clinics.
~~Residences.~~
One-Family Dwellings.
Multi-Family Dwellings.
Restaurants, bars, and other eating and drinking establishments. Retail and general mercantile stores.

It further being the general intention of this chapter that types of businesses shall be limited to retail business and that industrial uses shall be restricted within this district, and any business not specifically enumerated above shall only be conducted in this district upon application to and approval of the city council for variance.

Section 16: Title 17, Chapter 17.27, Section 010(A) of the Stanley Municipal Code is amended as follows:

17.27.010: PERMITTED USES:

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A. Permitted uses in the limited commercial district are:

Home occupations.
~~Single-family residences~~.
One-Family Dwellings.

Section 17: Title 17, Chapter 17.28, Section 010(A) of the Stanley Municipal Code is amended as follows:

17.28.010: PERMITTED USES: Permitted uses in the municipal district are:

Churches.
Municipal government.
Parks and playgrounds.
Schools.
Municipal Library.
Municipal housing for city and government employees.

Section 18: Title 17, Chapter 17.40, Section 020 of the Stanley Municipal Code is amended as follows:

17.40.020: BUILDING APPEARANCE AND MATERIALS: All buildings or structures shall be erected, constructed, reconstructed or altered to be of a rustic nature. The specifications contained herein are intended to assist in defining the term "rustic nature" with respect to the specific subject matter of this section. ~~Exterior wall surfaces, including siding, of all permitted building projects shall be of wood or native stone. Roof materials may include nonreflective metal in colors as set forth herein.~~ Exterior wall surfaces, including siding, of all permitted building projects shall be of logs, shakes, rough lumber, rough wood, board and batten, shingles, wood lap siding, native stone, or concrete fabrication that truly resembles wood. Materials not approved include metal, stucco, plaster, brick, and vinyl. Rustic roofing materials include shakes or wooden shingles, earth tone composite shingle, concrete fabrication that truly resembles wood, and non-reflective metal in colors as set forth herein. Provided, however, that accessory buildings, whether permanent or non-permanent structures, used as greenhouses, can have clear or translucent rigid or non-rigid exterior wall and roof surfaces not meeting the criteria listed above, or if wall or roof surfaces are colored then they shall conform to the approved color chart.

A. Semitransparent stains which replicate natural wood colors or which allow natural wood grain and color to be visible through the stain are allowed.

B. Paint or solid stain treatments must be in subdued shades of colors which blend with the natural surroundings visible from the building site. Certain specific shades of colors have been approved as satisfying this definition. A chart showing the approved shades of colors is attached to the ordinance codified herein as exhibit A, is

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incorporated herein by this reference, and shall be kept on file in the office of the city clerk.

C. Certain colors for nonreflective metal roofs have been approved as satisfying the requirement that buildings be constructed in a "rustic nature". A chart showing the approved colors for nonreflective metal roofs is attached to the ordinance codified herein as exhibit B, is incorporated herein by this reference, and shall be kept on file in the office of the city clerk.

Section 19: Title 17, Chapter 17.44, Section 010 of the Stanley Municipal Code is amended as follows:

17.44.010: PERMITTED USES:

Accessory buildings.
~~Dwellings.~~
One-family dwellings.
Mobile home spaces.
Mobile homes.
Multi-family dwellings.
Offices.
Recreational vehicle spaces.
Recreational vehicles unless otherwise prohibited by this chapter.

Section 20: Title 17, Chapter 17.56 of the Stanley Municipal Code is amended as follows:

CHAPTER 15.04 BUILDING PERMITS

~~17.56.010~~15.04.010: REQUIRED: ~~No building shall be constructed, erected, or altered structurally, nor shall any lot be excavated for sidewalks, sewer, water, septic tanks, or roads, or cleared, or fenced unless a building permit therefor has been issued by the city council or its authorized representative.~~ No building shall be constructed, erected, or altered structurally, nor shall any lot be excavated for sidewalks, sewer, water, septic tanks, roads or any other purpose, nor shall fill be placed on any lot, nor shall any lot be cleared, or fenced unless a building permit therefore has been issued by the city council or its authorized representative. The issuance of a building permit by the city does not imply or guarantee the suitability or structural adequacy of building pads, retaining walls, fill, or natural terrain for meeting structural support requirements for buildings. Permittee shall follow good engineering practices relating to fill compaction for structural support and for preventing collapse and/or erosion of fill not used for structural support. Provided, however, no building permit shall be necessary for repairs to previously installed utility lines such as telephone, sewer, or water; said repairs shall be limited to restoration of the line to proper working condition and shall not include any expansion or extension of said lines. All permits shall issue only in conformity herewith and shall be

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valid only for a period of one year thereafter. Building permit fee costs shall be established by city council resolution.

~~17.56.020~~15.04.020: APPLICATION: Applications for building permits shall be submitted in the form specified by resolution of the city council and shall be accompanied by the application fee, a ~~scale~~ drawing showing the location of the proposed project on the applicant's property and the location of the property in the city, building plans and specifications, and proof of approval of the proposed project by the appropriate fire department and the appropriate sewer district or state health department. Applications which do not contain all of the foregoing shall not be considered complete. Development and construction drawings and technical support material shall be to scale or otherwise in sufficient detail to allow a technical or engineering review to determine whether the proposed development complies with all zoning requirements.

A. Multi-family dwellings shall require a plan for permanently maintained off street parking. This plan shall provide for a minimum of one parking space for each living unit, and will use a formula that will allow for seventy percent (70%) of the parking lot to be used for parking and circulation, and the remaining thirty percent (30%) of the parking lot space to be used for snow storage.

B. Multi-family dwelling shall require a site plan showing all existing and proposed buildings and outbuildings, as well as the proposed number of parking spaces to be constructed, showing snow storage areas, and showing entrances and exits to public streets.

~~17.56.021~~15.04.030: COUNCIL SHALL ACT: The city council shall act upon all applications for building permits within a reasonable time following the completion of the application, considering the complexity of the proposed project. In no event shall the council be required to act prior to the thirtieth day following submission of a complete application for a building permit; however, the council may act within the thirty (30) day period if it so desires and if action within that period can be reasonably taken.

~~17.56.030~~15.04.040: REVIEW: An applicant denied a permit or aggrieved by a decision of the city council may seek judicial review under the procedures provided by Idaho Code sections 67-5215(b) through (g) and 67-5216, and any amendments thereto.

~~17.56.040~~15.04.050: ENFORCEMENT: No owner or agent of owner shall construct, use or occupy any building, structure or improvement upon real property in violation of this chapter. The landowner, tenant, subdivider, builder, or any other person who commits, allows, participates in, assists in, or maintains such a violation, shall be found guilty of such a violation. The provisions of this chapter shall be enforced in the following manner:

A. A violation of this chapter shall be a misdemeanor punishable by a fine of not to exceed one hundred dollars ($100.00), or imprisonment in the county jail for a period

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not to exceed six (6) months, or both. Each day that a violation continues from the date of its creation or initiation shall constitute a separate criminal offense.

B. In addition to the foregoing, appropriate actions and proceedings may be taken at law or in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy of a building, structure, or premises, and these remedies shall be in addition to the penalties described above.

C. Nothing herein shall be construed as preventing any private citizen from pursuing any available civil remedy for the prevention of any activity which constitutes a violation of this chapter.

D. The mayor, the building inspector or their duly authorized representative are hereby empowered to cause any building, other structure or tract of land to be inspected and examined, and to order in writing the remedy of any condition found to exist therein or any threatened violation of any provisions of this chapter; said order may include a requirement that all work on the project cease immediately until the condition has been remedied. After any such order has been served, no work shall proceed on any building, other structure or tract of land covered by such order, except to correct or comply with such order. Service of such order shall be deemed complete for all purposes upon posting the notice upon the subject property and mailing of the notice to the permittee at the address shown on the building permit application or by personal service as set forth below.

E. A person shall be guilty of a misdemeanor in any case where:

1. Any violation of any of the provisions of this chapter exists in any building or any other structure or on a tract of land; and

2. An order to remove any such violation has been served upon the owner, general agent, lessee or tenant of the building, other structure or tract of land (or any part thereof), or upon the architect, builder, contractor or any other person who commits or assists in any such violation; and

3. Such persons shall fail to comply with such order within ten (10) days after service thereof.

F. In addition to any of the foregoing remedies, the city attorney, acting on behalf of the city may file an appropriate action to restrain any violation of this chapter.

G. Any person, firm or corporation violating any provision of this chapter, upon conviction thereof, shall be fined not more than one hundred dollars ($100.00) for each offense or by imprisonment in the county jail for a period of not more than thirty (30) days or by both such fine and imprisonment. Each day during which the illegal

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erection, construction, alteration, maintenance or use continues may be deemed a separate offense.

H. This chapter shall not be construed to hold the city of Stanley responsible for any damage to persons or property by reason of the inspection or reinspection authorized herein or failure to inspect or reinspect or by reason of issuing a building permit as herein provided.

~~17.56.050~~15.04.060: EXPIRATION AND RENEWAL: Building permits shall be valid for a period of twelve (12) months from the effective date of the permit. All work on the permitted project must be completed within the term of the building permit.

A. A building permit may be renewed for one period of twelve (12) months (hereinafter referred to as the "renewal term") without any statement of cause for the renewal, so long as application for the renewal and payment of the renewal fee are filed with the city clerk prior to the expiration date of the building permit. Failure to file the application for renewal or pay the fee prior to the expiration date of the building permit shall constitute a complete bar to renewal of the building permit. The renewal term must be consecutive to the original term of the building permit.

B. A renewed building permit may again be renewed for one additional period of twelve (12) months (hereinafter referred to as the "second renewal term") consecutively following the renewal term, upon a showing of good cause for the extension. An application for the second renewal term and the second renewal fee must be filed with the city clerk prior to the expiration date of the renewed building permit. The application shall include a statement in writing by the applicant detailing circumstances beyond the control of the applicant which have prevented completion of the permitted project. Failure to file the application for the second renewal or failure to pay the fee prior to the expiration date of the renewed building permit shall constitute a complete bar to second renewal of the building permit. In the event the council finds circumstances beyond the control of the applicant which have prevented completion of the permitted project the second renewal term application may be granted.

C. All building permits which are unexpired and in full force and effect at the time of the passage of this chapter shall be reissued as a new permit under this chapter, with the right to all renewals provided herein, provided the permittee files an application for such reissuance in writing with the city clerk prior to the expiration date of the existing permit and concurrently pays any reissuance fee established by the council.

D. The council may from time to time establish the fees contemplated herein by resolution.

Section 21: REPEALER.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 22: SEVERABILITY.

If any section, subsection or clause or phrase of this ordinance is for any reason held invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance.

This ordinance shall be in full effect following its passage and publication, all as provided by law.

Passed this 10 day of FEBRUARY 2011.

CITY OF STANLEY
Custer County, Idaho

H.W. Mumford
Herb Mumford, Mayor

ATTEST:

Erin Fisk
Erin Fisk, City Clerk

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