

HAILEY ORDINANCE NO. 1025

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING SECTION 8.2.6.1, REMOVAL OF ILLEGAL OR UNSAFE SIGNS, TO ALLOW FOR THE IMMEDIATE REMOVAL OF UNSAFE SIGNS BY THE CITY AND SECTION 8.2.8.5., PORTABLE SIGNS, TO ESTABLISH HOURS, WHICH PORTABLE SIGNS CAN BE DISPLAYED; 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;

WHEREAS, the proposed uses are compatible with the surrounding area; and

WHEREAS, the amendments will promote the public health, safety, and general welfare.

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

Section 1. Section 8.2.6.1., Removal of Illegal or Unsafe Signs, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

- 8.2.6.1 Any sign which has been determined to be unsafe by the Building Official, Planning and Zoning Administrator, Public Works Director, or their designee, or which has been constructed, erected or maintained in violation of this Section or any permit, must be repaired, made safe, made in conformance with this Ordinance or permit. ~~or removed within ten working days after receipt of certified notice from the City. Failure to respond to remedy the violation after notification by the City is unlawful, and the person having charge or control over the sign will be guilty of a misdemeanor. The City reserves the right to remove any sign placed in, projecting into, or otherwise impacting the public right-of-way, without notice and at anytime, if the sign is determined to be unsafe or hazardous to the public.~~

Section 2. Section 8.2.8.5, Portable Signs, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

8.2.8.5 Portable Signs.

- a. Portable signs are limited to eight (8) square feet per side, limited to three (3) feet in height and limited to two sides.
- b. Portable signs shall be weighted or anchored in some manner so as to prevent them from being moved or blown over by the wind.

- c. Portable signs may not be located so as to obstruct pedestrian or vehicular traffic, or visibility for vehicles at intersections.
- d. Portable signs in the public right-of-way shall be displayed only during the associated business' hours of operation (they shall be removed after hours).
- d.e. Any Sign Permit application for a portable sign to be placed within the public right-of-way shall include an additional inspection fee as set forth by separate ordinance. Sign permits for portable signs in the public right-of-way shall also be subject to an annual application renewal and inspection, for which a fee shall be charged as set forth by separate ordinance.

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 12th DAY OF JANUARY, 2008.



Richard L. Davis
Richard L. Davis, Mayor, City of Hailey

Attest:

Mary Cone
Mary Cone, City Clerk

Published: Idaho Mountain Express – January 14, 2008