

CITY OF STANLEY, IDAHO ORDINANCE No. 227

AN ORDINANCE OF THE CITY OF STANLEY, CUSTER COUNTY, IDAHO AMENDING TITLE 15, "BUILDINGS AND CONSTRUCTION" OF THE STANLEY CITY CODE AS FOLLOWS: AMENDING CHAPTER 15.04 BUILDING PERMITS, SECTION 15.04.020 APPLICATION: APPLICATIONS SUBMITTED TO THE CLERK FOR DECISION BY THE COUNCIL; AMENDING SECTION 15.04.050 VIOLATION; PENALTY: ADDING PENALTY

WHEREAS, The City Council of the City of Stanley finds it necessary to update its City Code to clarify certain procedures, to remove unnecessary provisions, and to add new provisions in furtherance of the health, safety and welfare of the City of Stanley.

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

**Section 1:** That Title 15, Chapter 15.04, Section 15.04.020 of the Stanley Municipal Code is hereby amended as follows:

**15.04.020: APPLICATION:**

Applications for building permits shall be submitted ~~in the form specified by resolution to the City Clerk for decision by~~ of the City Council and shall be accompanied by the application fee, a 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. Applicant is responsible for obtaining required permits and approvals from all Federal, State and local agencies and departments with jurisdiction covering the proposed building permit actions. Applications for a tiny house park shall require a site plan to be submitted as part of a single building permit application. The placement of tiny houses within a tiny house park, and any associated accessory buildings, shall require separate building permit applications.

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 dwellings 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.

C. Tiny house parks shall require a site plan showing:

1. The size of tiny house leased spaces.
2. The length of street or access road frontage.
3. All existing and proposed buildings and accessory buildings.
4. Private access roads.
5. The proposed number, size, and location of parking spaces to be constructed.
6. Snow storage areas adequate to accommodate all expected snow accumulations.
7. The entrances and exits to public streets.
8. An outdoor lighting plan.
9. Proposed landscaping.
10. Proposed fencing.
11. Setbacks of tiny houses from adjacent tiny house leased spaces.
12. Setbacks of tiny houses from adjacent streets, access roads, and lots.

**Section 2:** That Title 15, Chapter 15.04, Section 15.04.050 of the Stanley Municipal Code is hereby amended as follows:

**15.04.050: VIOLATION; PENALTY:**

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, 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. Building permit holders shall be notified by the City at least thirty (30) days prior to a permit expiration date. Any person not completing the work described in a valid building permit by the termination date on the permit and who has not applied for a successor building permit shall be guilty of an infraction and fined fifty dollars (\$50.00) for the first month and one hundred dollars (\$100.00) for each subsequent month, with each month being a separate offence, until a successor building permit is approved. After twelve (12) months the person shall be guilty of a misdemeanor. In addition, incomplete construction may be declared a public nuisance.

AB. Violation A Misdemeanor: A violation of this chapter shall be a misdemeanor in any case where:

1. Any violation of any of the provisions of this chapter exists in any building or in any other structure or on a tract of land including failure to comply with the term of the building permit; 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.

Each day that a violation continues from the date of its creation or initiation shall constitute a separate criminal offense.

BC. Penalty: Any person convicted of a violation of this chapter, without regard to the form of the judgment, shall be subject to fine and/or imprisonment up to, but not exceeding, the maximum penalties set forth in Sections 18-113 and 50-302, Idaho Code, as may from time to time be amended and/or retitled. Either or both such fine and imprisonment may be imposed; and in addition thereto, any person so convicted shall pay costs as the court may assess.

~~C. Failure To Obey Citation For Misdemeanor:~~

~~1. In addition to the aforementioned penalties provided herein, it shall be unlawful for any person to fail to appear in court at the time promised on a misdemeanor citation or to fail to appear at the time indicated on a misdemeanor citation served upon the defendant or to fail to appear at the time indicated on a misdemeanor summons served upon the defendant, regardless of the disposition of the underlying charge upon which such citation or summons was originally issued.~~

~~2. The duty to appear in court at the time indicated in a misdemeanor citation or summons may be complied with by an appearance by counsel in the manner prescribed by rule of the supreme court.~~

~~3. Violation of the provisions of this subsection shall be a misdemeanor.~~

E. Additional Actions: 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.

E. Civil Remedy: 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.

F. Inspection; Remedy: The mayor, the building inspector or their duly authorized representative is 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 provision 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. Failure to comply with an order for remedy shall constitute a misdemeanor punishable as provided in section 1.08.010 of this code.

G. Action To Restrain: 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.

H. Responsibility For Damages: 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.

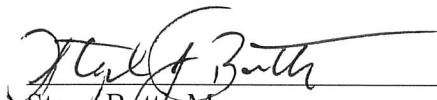
**Section 3: Repealer:** All ordinances, policies or parts thereof, which are in conflict herewith, are hereby repealed.

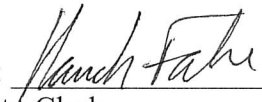
**Section 4: Severability:** Should any part or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such a decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared be unconstitutional or invalid.

**Section 5: Effective Date:** This ordinance shall be in full force and effective from the date of passage and publication according to law.

**Section 6: Codification:** The City Clerk is directed to forward the signed and approved ordinance to the codifier for codification.

APPROVED by the Mayor and City Council of the City of Stanley on this 31 day of July, 2025.

  
Steve Botti, Mayor

ATTEST:   
City Clerk

