

ORDINANCE NO. 1134

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, CREATING A NEW CHAPTER 9.05 AND NEW SECTIONS 9.05.010 AND 9.05.020, WHICH SECTIONS MAKE IT UNLAWFUL TO REFUSE TO LEAVE REAL PROPERTY AFTER BEING INSTRUCTED TO DO SO, RETURN WITHIN THIRTY DAYS WITHOUT PERMISSION, AND TO ENTER ONTO RESIDENTIAL PREMISES TO LOOK IN PEOPLE'S WINDOWS; CREATING A PENALTY; SETTING AN EFFECTIVE DATE; ESTABLISHING SEVERABILITY; ALLOWING FOR PUBLICATION BY SUMMARY; ESTABLISHING A REPEALER.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO;

Section 1. There are hereby created two new code sections which shall be designated 9.05.010 and 9.05.020, and which shall read as follows:

II. OFFENSES AGAINST THE PERSON

9.05.010. Any person, except under a landlord-tenant relationship, who, being first notified either verbally or in writing, by the owner, agent or a designee thereof, to immediately depart from certain real property and who (1) refuses to depart after being so notified, or (2) returns to the property within thirty (30) days after expulsion without the owner's, agent's or designee's permission, is guilty of a misdemeanor, punishable by a fine not to exceed \$300.00 or 30 days in jail, or both fine and jail.

9.05.020. It shall be unlawful for any person, without first obtaining permission of the person or persons in lawful possession of any premises upon which a residential dwelling is located, to enter upon the premises of another for the purpose of looking, peeking, staring or peeping in the windows of said residence. A violation of this section shall be a misdemeanor, punishable by a fine not to exceed \$300.00 or 6 months in jail, or both fine and jail.

Section 2. Any ordinances which are in conflict with this ordinance are hereby repealed, but only insofar as the conflict exists.

Section 3. If any portion of this ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the ordinance shall constitute ordinance number 1134.

Section 4. This ordinance may be published by summary in accordance with the statutes of the state of Idaho.

Section 5. This ordinance shall be in full force and effect immediately upon passage and publication as required by law.

Passed and approved by the Mayor and City Council this 16<sup>th</sup> day of September, 1996.

CITY OF PAYETTE

By James E. Miller  
Mayor

ATTEST: John P. Franks  
City Clerk