

ORDINANCE NO. 861

AN ORDINANCE REPEALING SECTION 2 OF CHAPTER 6 OF TITLE 9 OF THE MUNICIPAL CODE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 5 OF CHAPTER 6 OF TITLE 9 OF THE MUNICIPAL CODE OF THE CITY OF PAYETTE, IDAHO, TO PROVIDE FOR TIMES FOR PUBLIC PARK CLOSURE, TO PROVIDE THAT NO HORSES BE ALLOWED WITHIN THE PUBLIC PARKS, AND TO REQUIRE A PERMIT FOR THE ASSEMBLY OF FIFTY (50) OR MORE PERSONS WITHIN THE PUBLIC PARKS.

Be it ordained by the Mayor and Council of the City of Payette that Section 2 of Chapter 6 of Title 9 of the Municipal Code of the City of Payette be hereby repealed, and that Section 5 of Chapter 6 of Title 9 of the Municipal Code of the City of Payette, Idaho be amended to read as follows:

9-6-5: PROHIBITED PRACTICES IN PARKS:

(A) It shall be unlawful for any person to use threatening, abusive, insulting or indecent language in any park in the City or to create any nuisance or disturbance, or damage, scratch, cut, injure or deface any of the buildings, fences, structures, or foul any of the fountains or any other improvements or to cut or injure the flowers or flower beds within such parks or for the owner of any dog to allow the same to run at large within such parks, nor shall any horse be allowed within such parks.

(B) It shall be unlawful for any person to be among an assembly of fifty (50) or more persons within any public park, unless a license for the general purpose of said assembly has been issued allowing and permitting an assembly of a definite number of persons which number exceeds or equals the number actually present at the assembly.

(C) Application For License: All applications for a license required under this section shall be made to the City Council which shall issue a license limiting the number of persons in an assembly within a public park on the condition that the applicant is a responsible person of good character and that it is in the judgment of the Council that the issuance of a license would not be detrimental to the public welfare. The Council may revoke said license at any time should it determine that it would be in the best interest of the public welfare that said license be revoked.

(D) The license fee shall be \$1.00 for each multiple of Fifty (50) persons for which the license is issued and said license shall state generally the reason for the assembly and the time and date it shall be effective.

(E) The public parks shall be closed to the public between the hours of 11:00 P.M. and sunrise the following day for each and every day of the year; unless otherwise authorized by law; it shall be unlawful to be within any public park at a time it is closed.

(F) Provisions contained elsewhere in this Municipal Code for the issuance of licenses to allow assemblies for specific purpose shall control in those cases and take precedence over the provisions in this section.

This ordinance shall take effect and be in force from and after its publication in the Independent Enterprise, a newspaper of general circulation in the City of Payette, Idaho.

Passed and Approved by the Mayor and Council this 6th day of June, 1977.

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