

ORDINANCE 1009

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, PROHIBITING SKATE BOARDING ON CERTAIN SIDEWALKS IN THE CITY LIMITS; ALLOWING OFFICERS TO SEIZE SKATEBOARDS; PROVIDING A PENALTY; PROVIDING SEVERABILITY; REPEALER; EFFECTIVE DATE; ALLOWING FOR PUBLICATION BY SUMMARY.

Be it Ordained by the Mayor and City Council of the City of Payette, Idaho.

Section 1: Payette City Code is hereby amended by adding the following Sections.

10.36.020 It shall be unlawful to ride, operate, use, or propel a skateboard over and along the sidewalks running along the following named streets; Main Street from Third Avenue North to Second Avenue South and East and West one block on the side blocks; Ninth Street from First Avenue North to First Avenue South; Center Avenue from Seventh Street to Tenth Street; and from Seventh Street to Sixth Street going over the overpass.

10.36.030 A violation of this Ordinance shall be a general misdemeanor and subject to the penalties set forth in the Idaho State statute. In addition, any law enforcement officer of the City or any law enforcement officer assisting a City officer may seize a skateboard which has been used in violation of this ordinance.

10.36.040 In the event the skateboard has been seized by a law enforcement officer, a person owning the skateboard may make application through the chief of police to have the skateboard returned. Upon hearing before the chief of police, that officer may determine whether or not cause exists for return of the skateboard. In the event that the officer finds that the skateboard should not be returned, that decision can be appealed to the City Council. If that decision is upheld by the City Council, then that decision may be appealed to the District Court.

Section 2: If any portion of this Ordinance is found to be unenforceable or unconstitutional for any reason, the remaining

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portion of this Ordinance shall remain in full force and effect.

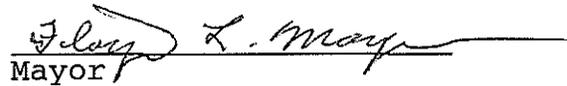
Section 3: Any portions of any existing Ordinances which are in direct conflict with this Ordinance are hereby repealed insofar as the conflict exists.

Section 4: The Ordinance may be published by summary as provided by Idaho Code.

BE IT ORDAINED AND RESOLVED THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER IT APPROVAL, PASSAGE AND PUBLICATION AS REQUIRED BY LAW.

This Ordinance shall be in full force and effect on the 30th day of October, 1990.

City of Payette, Idaho

  
Mayor

ATTEST:

  
City Clerk

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