

ORDINANCE 1370

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 5.08.130, PREMISES; PRESENCE OF PERSONS PROHIBITED WHEN; NONAPPLICABILITY OF TITLE 5 OF THE PAYETTE MUNICIPAL CODE; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; ESTABLISHING A REPEALER.

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

**Section 1.** Section 5.08.130 of Title 5, Chapter 5.08 of the Payette Municipal Code is hereby amended as follows:

**5.08.130: PREMISES; PRESENCE OF PERSONS PROHIBITED WHEN; NONAPPLICABILITY:**

A. Except as provided in subsection B of this section, it is unlawful for any person to be present upon any licensed premises for any purpose whatsoever during the following hours:

1. Christmas Day from two o'clock (2:00) A.M. to ten o'clock (10:00) A.M. the following day;
2. On any other day between two o'clock (2:00) A.M. and ten o'clock (10:00) A.M.;
3. ~~On any other day of a national or statewide general or primary election until after the time when the polls are closed.~~

**Section 2.** This Ordinance may be published in summary form as permitted by Idaho Code.

**Section 3.** This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

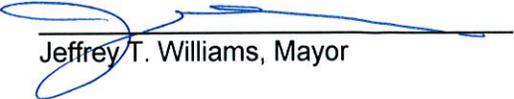
**Section 4.** Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

**Section 5.** Any violation of this ordinance shall be a misdemeanor punishable in accordance with the misdemeanor statutes of the State of Idaho.

**Section 6.** If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this 19<sup>th</sup> day of NOVEMBER, 2012.

CITY OF PAYETTE, IDAHO

  
Jeffrey T. Williams, Mayor

ATTEST:

  
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Mary Cordova, City Clerk