

ORDINANCE NO. 1444

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF PAYETTE CITY CODE, TITLE 6, CHAPTER 4, SECTION 6.04.101(A) , BY RESTRICTING AREAS IN THE CITY WHERE ANIMALS CAN BE RIDDEN RODE OR LED; BY AMENDING TITLE 6, CHAPTER 4, SECTION 6.04.020 TO PROVIDE PROCEDURE FOR NOTICE OF SEIZURE AND IMPOUNDMENT OF ANIMALS RUNNING AT LARGE; AND REPEALING TITLE 12, CHAPTER 12.16, SECTION 12.16.110 RIDING OF ANIMALS UNLAWFUL; DECLARED MISDEMEANOR; PROVIDING A PENALTY FOR VIOLATIONS; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

BE IT ORDAINED BY THE PAYETTE CITY COUNCIL AS FOLLOWS:

Section 1. Title 6, Chapter 6.04, Section 6.04.010 of the Payette Municipal Code is hereby amended to read as follows:

6.04.010: ANIMALS; RIDING OR LEADING WITHIN CITY LIMITS~~RUNNING AT LARGE~~ PROHIBITED; SEIZURE AND IMPOUNDMENT:

~~No cattle, horses, mules, hogs, goats or sheep shall be allowed to run at large, or be herded, tethered or picketed in any of the streets, alleys or public grounds within the City limits; and it is made and shall be the duty of the Chief of Police to seize and impound any and all cattle, horses, mules, hogs, goats or sheep found tethered, picketed or running at large within the City limits~~

~~A.~~ No person shall, without first obtaining a permit from the City Clerk, ride any horse, mule, llama or cattle, or suffer, permit or allow any horse, mule, llama or cattle to come upon any City park, ~~or upon~~ any street, ~~or alley,~~ sidewalk, or upon on grass strips between sidewalk and roadway which lies within the City limits and which is more particularly described as lying south of Third Avenue North, north of 6th Avenue South Highway Business-95, between east of Sixth Seventh Street and west of Tenth Street, or within any portion of the right of way of any State Highway, any portion of South Main Street. Leading any horse, mule, llama or cattle through the prohibited areas is permitted during daylight hours only, and shall always proceed in single file on the extreme right-hand portion of the roadway. Horses shall not be ridden or led on roadways during hours of darkness. Any person violating this section shall be guilty of an infraction for a first offense and guilty of a misdemeanor for any second or subsequent offenses.

Section 2. Title 6, Chapter 6.04, Section 6.04.020 of the Payette Municipal Code is hereby amended to read as follows:

6.04.020: ANIMALS; RUNNING AT LARGE; NOTICE OF SEIZURE AND IMPOUNDMENT:

No cattle, horses, mules, hogs, llamas, goats or sheep shall be allowed to run at large, or be herded, tethered or picketed in any of the streets, alleys or public grounds within the City limits; and it is made and shall be the duty of the Chief of Police to seize and

impound any and all cattle, horses, mules, hogs, goats or sheep found tethered, picketed or running at large within the City limits.

When a police officer seizes and impounds any animal mentioned above running at large mentioned in section 6.04.010 of this chapter, he shall forthwith post notice as provided in Idaho Code, Title 25, Chapter 23. ~~at three (3) conspicuous places in the City and for not less than ten (10) days, a written or printed notice containing a description of the animal seized by him, the date of the seizure, and the time and place where the same shall be sold. Such notice shall be published at least once in some newspaper published in the City; provided, that no sale under this chapter shall be made within ten (10) days from the date of such seizure.~~

Section 3. Title 12, Chapter 16, Section 12.16.110 of the Payette Municipal Code is hereby repealed in its entirety as follows:

~~**12.16.110: RIDING OF ANIMALS UNLAWFUL; DECLARED MISDEMEANOR:**~~

~~It is unlawful for any person to ride any horse or other animal in or upon the public parks and sidewalks within the corporate limits of the city, and the persons violating this section shall be guilty of a misdemeanor.~~

Section 4. This Ordinance may be published in summary form allowed by Idaho Code.

Section 5. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

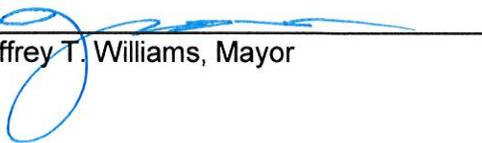
Section 6. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 7. 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.

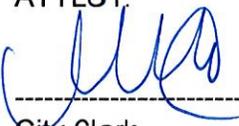
~~**Section 8.** Any violation of this ordinance shall be a misdemeanor.~~

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this 21st day of May, 2018.

CITY OF PAYETTE, IDAHO

BY 
Jeffrey T. Williams, Mayor

ATTEST:



City Clerk