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ORDINANCE NUMBER 209
PUBLIC SAFETY ORDINANCE

AN ORDINANCE OF THE CITY OF CLARK FORK, BONNER COUNTY, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ESTABLISHING A TITLE, REGULATING TRAFFIC SAFETY AND USE OF MOTOR VEHICLES, AUTHORIZING PARKING REGULATIONS AND REMOVAL OF PERSONAL PROPERTY FROM PUBLIC RIGHT-OF-WAY AND PROPERTY, PROHIBITING AND RESTRICTING POSSESSION OF INOPERATIVE VEHICLES, REGULATING TRUCK TRAFFIC, REGULATING SNOWMOBILE TRAFFIC AND USE, PROHIBITING ALCOHOL ON PUBLIC PROPERTY AND PROVIDING EXCEPTIONS, PROHIBITING DISCHARGE OF WEAPONS AND AUTHORIZING PERMITS FOR SHOOTING RANGES, PROHIBITING PUBLIC DEFECATION AND URINATION, ESTABLISHING A CURFEW AND AUTHORIZING ACTIONS BY LAW ENFORCEMENT OFFICERS TO ENFORCE, RESTRICTING ERECTION AND MAINTENANCE OF BARBED WIRE AND ELECTRIC FENCES, RESTRICTING NOISE, ESTABLISHING PENALTIES FOR VIOLATION OF THIS ORDINANCE, PROVIDING REPEAL OF CONFLICTING ORDINANCES, PROVIDING SEVERABILITY, AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION.

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

SECTION 1. Authorization and Ordinance Name

Section 1.01 Authorization - Generally

The City Council of the City of Clark Fork, pursuant to Idaho Constitution Article XII, Section 2 and Idaho State Code, is authorized to make and enforce regulations concerning health, safety and general welfare of the community .

Section 1.02 Ordinance Title.

This Ordinance shall be referred to as Clark Fork Public Safety Ordinance.

SECTION 2. Definitions

Definitions of words and phrases shall be as defined in the Idaho State Code or as generally used in the English language, unless otherwise stated.

SECTION 3. Parking and Standing

Section 3.01 Authority to Regulate

Pursuant to Idaho Code, the City Council of the City may establish within the city limits regulations or prohibitions for stopping, standing, or parking of motor vehicles by specific ordinance or resolution.

Section 3.02 Establishment of Parking and Loading Zones

a. The City Council may designate parking zones and other restrictions by resolution. All actions taken by the City Council to establish or alter parking and/or loading zones shall be entered in the official minutes of City Council proceedings. The Mayor is hereby empowered to implement actions taken by the City Council regarding parking restrictions of any type or kind. The Mayor is further authorized to establish temporary or emergency parking regulations or prohibitions as he deems necessary for the welfare of the community.

Section 3.03 Designation and Regulation of Parking Spaces and Loading Zones

a. All designated parking spaces and loading zones will be signed and posted so as to clearly inform the public of restrictions regarding the nature of parking allowed or restricted and the location of the space or zone and time limitations, if any.

b. A designated loading zone shall be occupied by a vehicle stopped or parked not to exceed the time limitation as posted. A loading zone shall be occupied only by a vehicle in which persons are actually engaged in the process of loading and unloading, and in any event not to exceed thirty (30) minutes.

Section 3.04 Establishment of Parking Duration and No Parking Zones

a. The City Council may designate and establish spaces or zones which forbid parking at any time. In addition, the City Council may designate and restrict the duration of parking for specific spaces or zones by resolution.

b. All parking restrictions shall be properly signed as necessary to indicate, regulate, warn and guide traffic.

Section 3.05 Off-street Parking

a. The City Council may designate and restrict parking in parking lots owned or under the jurisdiction of the City. The City Council may limit parking in these lots by allocating designated parking spaces including, but not limited to, motor vehicles, trailers, buses, and recreational vehicles.

b. If the City Council designates and/or restricts parking in parking lots owned or under the jurisdiction of the City, the Mayor shall cause to be placed proper traffic control devices to clearly inform the public to the type and area of parking permitted.

c. It shall constitute a violation for vehicles and/or trailers to be parked in an area which is designated for other types of vehicles.

Section 3.06 Manner of Parking

a. Any vehicle parked or stopped within a parking or loading zone shall be parked entirely in accordance with the markings designating one space. Absent signs and or street markings to the contrary, all vehicular parking shall be parallel to the curb or right of way line, with the right hand wheels within 18 inches of the curb. In the case of diagonal parking, the vehicle shall be parked so that the front of the vehicle is nearest to the curb.

b. No vehicle or trailer may be parked in an alley in a manner which prohibits or hinders vehicular access to or from private or public property or through the alley.

c. No vehicle shall park or stand in an alley or street unless there is sufficient space without obstructing the passage of other vehicles.

d. It shall be unlawful to park in excess of the restriction of duration as posted.

e. Vehicles may be required to be removed from City streets and alleys for the purpose of snow removal if there is an accumulation of snow of four (4) inches or greater. The City is authorized to remove vehicles which remain after 4 or more inches of snow at the expense of the owner.

Section 3.07 Disability Parking

a. The City Council may designate parking zones and spaces to be used exclusively by vehicles displaying a special license plate for a person with a disability, or a special card as prescribed by Idaho Code.

b. Prohibitions and penalties for unauthorized disability parking shall be as set forth in Idaho Code.

Section 3.08 Parking fines

a. Unless specifically stated to the contrary, any person who violates parking limitations established by, or pursuant to, this Ordinance shall be liable for payment of a parking fee of ten dollars (\$10.00) which shall be paid within seven (7) days of the violation; if said fee is not paid within seven (7) days, the fee shall be the sum of twenty dollars (\$20.00), if paid within fourteen (14) days of said violation.

b. The operator or registered owner of each vehicle parked in violation of parking limitations established by, or pursuant to, this Ordinance shall remit the fee to the office of the City Clerk, Clark Fork, Idaho, in person or by U.S. Mail postage prepaid, within fourteen (14) days of notice of violation being posted on the vehicle.

c. Any officer duly authorized to enforce municipal laws upon observing a violation of parking limitations established by, or pursuant to, this Ordinance may leave at or upon the vehicle in violation a notice of such violation. The notice of violation shall bear the date and hour the parking violation occurred, the nature of the violation, and instruct the recipient how to remit payment of the fee. In addition, the notice will state the amount due and payment schedule as set forth in Section 3.08 a. above. The setting of a fee does not preclude any other lawful remedy being pursued by the City.

d. Failure to pay a parking service fee in a timely manner as described in Section 3.08 b. of this ordinance shall constitute an infraction. The penalty for failure to pay a parking fee shall be as determined by order of the Idaho Supreme Court, as most recently adopted and stated in the Idaho Code.

Section 3.09 Storage Prohibited - Mayor Authorized to Clear Right-of-Way

No person shall store personal property on city-owned property or public right of way within the City without the express approval of the City Council or the Mayor (in instances of storage for less than one week). Such storage includes parking motor vehicles on the public right-of-way for more than three (3) consecutive days without moving them. The Mayor is authorized to take all actions necessary to remove personal property or obstructions from the public right-of-way or public property whenever necessary. Any person who fails to promptly comply with a directive to remove personal property from the public right of way or public property shall be liable for the costs of removal and storage, such removal and storage by the City being authorized hereby. The Mayor is further authorized, without notice, to remove any obstruction, including motor vehicles, from the public right-of-way as necessary to protect the public right of safe travel on the affected right-of-way.

SECTION 4. Bus Stops

a. The City Council may designate bus stops. The Mayor may cause to be placed proper signs to regulate, guide or warn traffic.

b. The operator of a bus, except a school bus or a paratransit bus transporting senior or handicapped riders, shall not stop at any place for the purpose of taking on or discharging passengers other than at a designated bus stop, unless in case of emergency.

c. It is unlawful for a person to park, stop or stand a vehicle in an area designated as a bus stop, unless actually engaged in picking up or discharging passengers.

SECTION 5. Unattended, Abandoned and Inoperative Vehicles.

No person shall allow more than 3 (three) inoperative, unlicensed motor vehicles or trailers to remain on his real property for longer than 30 (thirty) days unless otherwise permitted

by zoning regulations. Failure to remove offending vehicles when requested by the Mayor or his/her designee shall constitute a violation of this Ordinance.

SECTION 6. Rules Regarding the Operation of Vehicles and General Traffic Regulation

Section 6.1 Authority to Regulate Speed and Traffic Movement.

Pursuant to Idaho Code, the City Council may establish within the City limits speed limits, stop, yield, and other traffic-control devices as deemed necessary to indicate and carry out the provisions of this Ordinance, including, but not limited to, designating no passing zones. The Mayor may cause proper signage to be erected and maintained to inform motorists of such restrictions.

Section 6.2 Speed Limits

a. Unless posted signage indicates to the contrary, all streets within the City shall bear a maximum speed limit for vehicles of twenty-five (25) miles per hour.

b. Unless posted signage indicates to the contrary, all alleys within the City shall bear a maximum speed limit for vehicles of fifteen (15) miles per hour.

Section 6.3 Violation-penalty

Any travel in excess of the speed limits established in Subsection 6.2 or by signage posted by the City pursuant to determination by the City Council, is deemed not reasonable and prudent, and the same is unlawful. Violation of Subsection 6.2 constitutes an infraction. The penalty for an infraction violation shall be as determined by order of the Idaho Supreme Court.

Section 6.4 Stop Signs and Yield Signs

The City Council may determine and authorize stop, yield or other traffic-control devices to be erected and maintained to designate through highways, or to designate intersections or other junctions at which vehicular traffic on one or more of the highways should yield, or stop and yield, before entering the intersection or junction.

Section 6.5 Violation-penalty

Any violation of obedience to traffic-control devices is unlawful. Violation of Subsection 6.4 constitutes an infraction. The penalty for an infraction violation shall be as determined by order of the Idaho Supreme Court.

Section 6.6 No-Passing Zones

a. The City Council of the City may designate no-passing zones on highways and streets within the City where overtaking and passing of vehicles proceeding in the same direction on the left would create an unsafe condition. The Mayor may cause to be placed and maintained appropriate traffic-control devices as deemed necessary to advise, warn and regulate traffic to prohibit passing in designated no-passing zones.

b. Any violation of no-passing zone requirements, indicated by signage or other traffic control devices posted, placed or painted by the City pursuant to authorization by the City Council, is deemed unlawful. Violation of Subsection 6.6 constitutes Reckless Driving pursuant to Idaho Code.

Section 6.7 Barriers, barricades or warning signs

a. It shall be unlawful for any person to drive a vehicle, ride a bicycle, ride a skate board, walk or otherwise travel upon any pavement, curbing, or sidewalk surface which has been newly laid and across which barriers, barricades or warning signs have been conspicuously placed, or to ride, drive, walk or otherwise travel upon any street or sidewalk which has been closed to traffic in which barriers, warning signs or other notice has been posted indicating closure.

SECTION 7. Truck Traffic *REPEALED BY ORD. # 220*

Section 7.1 Authority to regulate

a. Pursuant to Idaho Code, the City Council of the City of Clark Fork, may establish within the City limits, restrictions on highways and alleys within the jurisdiction of the City respecting their use by trucks or other heavy vehicles.

Section 7.2 Definitions

"Truck" means any vehicle designed or operated for the transportation of property, and with a manufacturer rated weight of two and one half tons (2 & 1/2) or greater. If the vehicle in question is a tractor-trailer(s) combination, the definition shall include the tractor-trailer(s).

"Truck route" means way over certain streets, as designated herein, over and along which trucks coming into and going out of the City must operate.

"Deviating truck" means a truck which leaves and departs from a truck route which traveling inside the City or which is otherwise in violation of the provisions of this chapter.

Section 7.3 Applicability of Provisions

All trucks within the City shall be operated only over and along the truck routes herein established or on such other designated streets over which truck travel is expressly permitted.

Section 7.4 Exceptions

This Ordinance shall not prohibit:

- (1) Operation of trucks upon any street when necessary to conduct business at a destination point, provided streets upon which such traffic is permitted are used until reaching the intersection nearest the destination point.
- (2) The operation of emergency vehicles upon any street in the City.
- (3) The operation of trucks owned or operated by the City, public utilities, any contractor or material man, while engaged in the repair, maintenance or construction of streets, street improvements, or street utilities within the City.
- (4) The operation of trucks upon any officially established detour in any case where such truck could lawfully be operated upon the street for which such detour is established.

Section 7.5 Truck Routes Established

There are established within the City truck routes set forth as follows:

From 2nd & Main to 2nd & Mill; 2nd & Mill to Highway 200; South Stephen; Main Street; 1st Avenue; and Railroad Avenue.

Section 7.6 Provisions for Destinations

a. All trucks entering the City for destination points inside the City and all trucks entering the City for destination points outside the City shall operate only on the proceeding truck routes as set forth in Section 7.5, above.

b. All trucks entering the City for multiple destination points shall proceed only over established truck routes and shall deviate only at the intersection with the street, upon which such traffic is permitted, nearest to the first destination point. Upon leaving the first destination point a deviating truck shall proceed to other destination points by the shortest direction and only over streets upon which such traffic is permitted. Upon leaving the last destination point, a deviating truck shall return to the truck route by the shortest permissible route.

c. All trucks, on a trip originating in the City, and traveling in the City for a destination point outside the City shall proceed by the shortest direction over streets on which such traffic is permitted to an established truck route.

d. All trucks, on a trip originating in the City, and traveling in the City for destination points in the City shall proceed only over streets upon which such traffic is permitted.

Section 7.7 Map Maintenance

The City Clerk shall keep and maintain accurate maps setting out truck routes and streets upon which truck traffic is permitted; the maps shall be kept on file in the office of the City Clerk and shall be available to the public during regular business hours.

Section 7.8 Signage

The City Council shall cause all truck routes to be clearly sign posted to give notice that this provision is in effect.

Section 7.9 Prohibitions

a. No trucks, as defined in 7.1 above, shall be permitted to use any street except as provided in the foregoing Sections 7.3, 7.4 and 7.5 of this ordinance.

b. No vehicle with wheels or driving surfaces injurious to pavement shall be operated or permitted upon the public thoroughfares of the city unless the operator of such vehicle first planks such streets in a manner so as not to damage streets or other public property.

Section 7.10 Air-compression (Jake) brakes

The use of air-compression brakes by trucks operating within the City is hereby prohibited and shall be unlawful, except under emergency circumstances where use of air compression brakes is necessary to prevent an accident or injury to persons or property.

SECTION 8. Snowmobiles

Section 8.1 Definition

"Snowmobile" means any self-propelled vehicle under one thousand (1,000) pounds unladen gross weight, designed primarily for travel on snow or ice or over natural terrain, which may be steered by tracks, skis, or runners, and which is not otherwise registered or licensed under the laws of the state of Idaho.

Section 8.2 Authority to Regulate

Pursuant to Idaho Code, the City Council may establish and designate specific public roadways upon which snowmobiles may operate within the jurisdiction of the City.

Section 8.3 Snowmobile Routes Established

- a. There are established within the City snowmobile routes set forth as follows:

Extending from the southeast City limits of County Road to Stephen Street, North on Stephen Street to 1st Avenue, West on 1st Avenue to Main, North on Main to the City Limits.

- b. Rules of the road for operating a snowmobile within the City:

(1.) Every operator of a snowmobile shall drive in a manner consistent with general requirements of Idaho Code and this Ordinance guiding and regulating motor vehicles.

(2.) Every operator of a snowmobile shall not overtake or pass a moving vehicle.

(3.) Snowmobile traffic shall proceed in the same direction as designated for wheeled traffic and shall not operate two (2) or more abreast.

(4.) The operator of a snowmobile proceeding from an alley, driveway, building or highway shall, yield the right of way to all pedestrians, and upon entering the roadway shall yield the right of way to all other vehicles approaching on the roadway.

(5.) It shall be unlawful to ride snowmobiles on any and all public property unless posted to authorize such use or unless proceeding to and from an approved snowmobile route by the most direct means from the point of origin, or upon the designated City snowmobile route.

(6.) No person operating or otherwise riding a snowmobile shall attach the snowmobile or him or herself to any vehicle upon the street or roadway.

(7.) No person shall park a snowmobile in any other manner than that allowed for other vehicles.

(8.) Snowmobile operation within the City is prohibited from 9:00 p.m. to the following day at 6:00 a.m.

SECTION 9. Alcohol

Section 9.1 Alcohol beverage defined

Alcoholic Beverage shall include beer and all substances defined as "alcoholic liquor" in the Idaho Code, and shall include any liquid or solid, patented or not, containing alcohol, spirits, or wine, and capable of being consumed by a human being, for beverage purposes, and containing more than 4 per cent of alcohol by weight.

Section 9.2 Alcoholic beverages on City property prohibited

It is unlawful for any person to consume any alcoholic beverage, to have in his or her possession any opened or open containers or receptacles containing alcoholic beverages on any public park, property, grounds, thoroughfares, or right-of-ways within the City or at any other place therein, including any motor vehicle moving or parked, other than a private residence or open premises licensed for the sale and consumption of alcoholic beverages.

Section 9.3 Exception

On the 4th day of the month of July of each and every calendar year, Section 9.2 shall not apply, except it shall remain unlawful to consume any alcoholic beverage or to have in his or her possession any opened or open containers or receptacles containing alcoholic beverages or liquor in any motor vehicle moved or parked at all times. The City reserves the right to prohibit or expel any person deemed to be intoxicated from any public park within the City.

SECTION 10. Weapons

Section 10.1 Definitions:

The following terms, whenever used in this section, have the following meanings:

"Firearms" means any instrument used in the propulsion of shot pellets, or bullets, or other harmful objects by the action of gunpowder exploded with it, or by the action of compressed air within it, or by the power of springs, and including what are commonly known as air rifles and B-B guns.

Section 10.2 Discharge Prohibited

It shall be unlawful for any person to discharge firearms of any kind or description within the City limits, however, this shall not apply to law enforcement officers in the discharge of their duties.

Section 10.3 Exception-permit

The City Council may at any time, upon receipt of proper application, grant permits to shooting galleries, gun clubs, and others for shooting in fixed localities consistent with requirements of Idaho Code. Such permits shall be in writing attested by the Clerk conforming to such requirements as the City Council shall demand in order to protect the public peace and safety, and the permit thus issued shall be subject to revocation at any time by action of the Council. A proper application shall contain the following minimum information for the applicant and all employees: name and current address of the person seeking the permit, telephone number, employment history- including the place, nature and duration of employment over the last five years, social security number, a statement as to whether the applicant has ever been found guilty, plead guilty or has been charged with a violation of any state, federal or municipal law violation including felonies and misdemeanors within ten years of the date of application.

SECTION 11. Urination or Defecation in Public Prohibited

It shall be unlawful for any person to urinate or defecate on public property or public right of way, or on private property open to public view, except in rest room and facilities provided for such purpose.

SECTION 12. Curfew

Section 12.1 Curfew designated

It shall be unlawful for any child under the age of 18 years to be upon, loiter or stroll upon public thoroughfares or in any public place between the hours of 10:00 p.m. and 5:00 a.m. Monday through Sunday, unless accompanied by a parent, legal guardian, or any other adult custodian.

Section 12.2 Duty of parent or custodian

It shall be unlawful for any parent, legal guardian, or any other adult custodian of any child under the age of 18 years to allow or permit the child to go upon, or be upon any public thoroughfares or in any public place between the hours of 10:00 p.m. and 5:00 a.m. Monday through Sunday, unless accompanied by a parent, legal guardian, or any other adult custodian.

Section 12.3 Authority of Peace Officer

Any peace officer or other law enforcement official is authorized and empowered to detain any child violating the provisions of this ordinance. After detaining the child who has

allegedly violated the provisions of this ordinance concerning a curfew hour violation, the peace officer may exercise any of the following options, depending on the circumstances presented.

- a. The officer may identify the child and direct the child to proceed directly home. The officer shall document the contact with the child.
- b. If the child refuses to properly identify him/herself, then the officer may detain the child for a reasonable amount of time in order to identify the child. The officer shall document the contact with the child.
- c. If the child cannot be properly identified, or if the officer reasonably believes that the child's health, safety, or welfare will be endangered if released, or if the officer reasonably believes the child will not obey the officer's order to go directly home, then the officer may detain the child at a designated location and notify the parent, legal guardian or other adult custodian of the child of the violation of this ordinance. Further, the officer may order the parent, legal guardian, or other adult custodian of the child to immediately respond to the designated location to take custody of the child.
- d. The child may be detained at the designated location until released to the parent, legal guardian, or other adult custodian.
- e. If the parent, guardian, or other adult custodian of the child does not respond to the designated location to obtain custody of the child following the officer's request, the police officer or other law enforcement official is authorized to take such reasonable steps as necessary in order to protect the child's health, safety and welfare.

Section 12.4 Failure to respond

It is unlawful and shall be considered a separate offense under this ordinance for any parent, guardian or other adult custodian of a child to refuse or fail to come immediately to the designated location after being notified to do so by the peace officer or other law enforcement official or their designee and take custody of the child.

Section 12.5 Defense

It shall be a defense to an alleged violation of the foregoing Section 12.0, where the child is upon any public thoroughfare or in any public place in violation of the curfew hours of this ordinance because of an emergency, to perform reasonable errands at the direction of a parent or legal guardian, or for any business travel related to employment.

Section 12.6 Definitions

- a. "Adult" means a person 18 years of age or older.

b. "Child" means a person who is under the age of 18 years.

c. "Custodian" means a person, other than a parent or legal guardian, to whom legal custody of the child has been given by court order or who is acting *in locoparentis*.

d. "Designated location" means any location designated by the peace officer or law enforcement official where the child is ordered to remain until released by the officer or custody is given to the parent, guardian or legal custodian. A designated location is not a detention center or a jail facility. A designated location may include, but is not limited to, a police car, sheriff's department, or an attended care facility, if available.

e. "Home" means the residence of a parent, guardian or other adult custodian.

f. "Law enforcement official" includes peace officers within its scope, but it also includes any individual designated or authorized by law to assist peace officers in carrying out their law enforcement duties, including, but not limited to, juvenile probation officers.

g. "Legal custody" means a relationship created by the court's order or decree which imposes upon the custodian responsibilities of physical possession of the child, the duty to protect, train and discipline the child and to provide the child with food, shelter, education and ordinary medical care.

h. "Legitimate business travel" means travel upon a public thoroughfare or in any public place within the scope of employment, including travel to and from the child's home to the child's place of employment.

i. "Notify" means to provide actual notice. The notification may be accomplished by any means likely to give actual notice to the interested party including, but not limited to, telephone, personal contact, written demand, or by any other means of communication.

j. "Properly identify" means to provide the peace officer or law enforcement official with the following information: name and age of the child, and name and address of the legal custodian or parent.

k. "Reasonable errands" means a task performed by a child on behalf of and authorized by, the child's parent, guardian, or other adult custodian prior to the child performing the task in order to qualify as a "reasonable errand".

Section 12.7 Penalties

a. A person in violation of 12.1 and 12.2 of this Section shall be guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not to exceed three hundred dollars (\$300.00) and/or by imprisonment in a county jail not exceeding six (6) months or by both.

b. A violation of 12.4 of this Section may form the basis for a petition or proceedings pursuant to the Juvenile Correction Act of Idaho State Code. The court may utilize any of the dispositional alternatives provided by Idaho law.

c. The court may order restitution to the City of Clark Fork, or any other appropriate agencies, for any costs reasonably incurred by the City, or other appropriate agencies, in caring for the child, including, but not limited to, wages of peace officers, law enforcement officials, and attended care charges, which resulted from a violation of Sections 12.1, 12.2, or 12.4.

SECTION 13. Limitations on Electric and Barbed Wire Fences

Electric and barbed wire fences shall be erected and maintained in the City only if surrounded by perimeter fencing which safely prevents contact with such electric or barbed wire fence by anyone other than the owner of the fenced property.

SECTION 14. Noise and Other Nuisances.

Consistent with nuisance law of the State of Idaho, any person who permits or causes noise levels to be produced anywhere within the City which would disturb the sleep or rest of an ordinary reasonable person on any residential lands within the City between 11:00 p.m. and 7:00 a.m. on Friday/Saturday and Saturday/Sunday, and between 10:00 p.m. and 6:00 a.m. on all other nights, shall be deemed to have caused a public nuisance and shall be deemed in violation of this ordinance and state nuisance law.

SECTION 15. Penalties - Generally

Unless stated otherwise, any person violating any of the requirements set forth in, or pursuant to, this Ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not to exceed three hundred dollars (\$300.00) and/or by imprisonment in a county jail not exceeding six (6) months or by both.

SECTION 16. Savings Clause

Ordinance Number 200, repealed by this ordinance, shall remain in force to authorize the arrest, prosecution and punishment of a person who violates Ordinance Number 200 prior to the date this ordinance takes effect.

SECTION 17. Repealer Clause

All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed and rescinded, expressly including ordinances numbered 181 and 200.

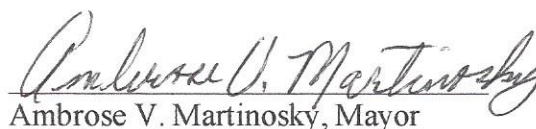
SECTION 18. Severability Clause

If any section, paragraph, sentence or other provision of this ordinance is held to be invalid by a court of competent jurisdiction, it is the intent of the City of Clark Fork that said part shall be deemed severable and the invalidity hereof shall not affect the remaining portions of this Ordinance.

SECTION 19. Effective date

This Ordinance shall take full force and effect following its passage and publication according to law.

APPROVED as an Ordinance of the City of Clark Fork, Idaho this 20th day of September, 1996.


Ambrose V. Martinosky, Mayor

CITY COUNCIL MEMBERS:

YES NO ABSENT ABSTAIN

Linda Reed	<u>✓</u>	___	___	___
Art Ratcliff	<u>✓</u>	___	___	___
Paul McGregor	<u>✓</u>	___	___	___
Pam Schenck	___	___	<u>✓</u>	___

ATTEST: 
Elizabeth Parenti, City Clerk

SUMMARY OF CLARK FORK PUBLIC SAFETY ORDINANCE
ORDINANCE NO. 209


The City of Clark Fork, Idaho hereby gives notice of the adoption of Clark Fork Ordinance No. 209, an ordinance setting regulations concerning the health, safety and general welfare of the community. The ordinance contains the following provisions: a statement on definitions; parking regulations including fines; storing personal property on city-owned property or public right-of-way; bus stops; unattended, abandoned and inoperative vehicles; rules regarding the operation of vehicles and general traffic regulations, including trucks and snowmobiles; regulations regarding alcohol, weapons, urination or defecation in public, curfew, electric and barbed wire fences, and noise and other nuisances; provides penalties for violation including fees, infractions and misdemeanor criminal penalties as authorized by Idaho Code Section 18-113; provides savings clause for ordinance 200 until ordinance 209 takes effect; provides repeal of conflicting ordinances; provides severability; and provides that the ordinance shall be effective following its passage on September 20, 1996 and publication which is accomplished by this summary. The full text of the Clark Fork Public Safety Ordinance is available at City Hall in Clark Fork.

Dated this 20th day of September, 1996

Elizabeth Parenti
City Clerk

STATEMENT OF LEGAL ADVISER

I, Jerry D. Mason, am the City Attorney of the City of Clark Fork, Idaho. I have examined the summary of the Clark Fork Public Safety Ordinance dated September 20, 1996 and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the contents thereof.


Jerry Mason, Attorney
Dated: 9/20/96