

CHAPTER 5 Public Streets

SECTION:

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5-5-1: **PLACING DEBRIS ON STREETS.**

- (A) Any person who willfully or negligently throws from any vehicle, or who places, deposits or permits to be deposited upon or alongside any highway, street, alley or easement used by the public for public travel, any debris, paper, litter, glass bottle, glass, nails, tacks, hoops, cans, barbed wire, boards, trash or garbage, lighted material, or other waste substance is guilty of an offense, punishable as described in subsection (B) of this Section. For the purpose of this section, the terms “highway,” “street,” “alley” or “easement” shall be construed to include the entire right of way of such highway, street, alley or easement.
- (B) Any violation of Section 5-5-1(A) is punishable as follows:
 - (1) An infraction with a penalty in the amount of thirty-five dollars (\$35) for the first violation.
 - (2) An infraction with a penalty in the amount of one hundred dollars (\$100) for a second violation if such violation by such person occurred within six (6) months after entry of judgment for one previous violation.
 - (3) An infraction with a penalty in the amount of two hundred dollars (\$200) for a third violation if judgments for two violations were entered against such person within the six (6) month period immediately preceding the date of such violation.
 - (4) An infraction with a penalty in the amount of three hundred dollars (\$300) for a fourth violation if judgments for three violations were entered against such person within the six (6) month period immediately preceding the date of such violation.

- (5) A misdemeanor, punishable by a fine no greater than five hundred dollars (\$500) and no incarceration for a subsequent violation if (a) judgments for four violations were entered against such person within the six (6) month period immediately preceding the date of such violation or (b) judgment for a misdemeanor pursuant to this subsection (B)(5) was entered against such person within the six (6) month period immediately preceding the date of such violation.

(Ord. 219-05-18, 5/17/2018).

5-5-2: **OBSTRUCTION OF HIGHWAYS.** Any person who obstructs, injures or damages any public road, street, alley, highway or sidewalk is guilty of a misdemeanor.

5-5-3: **FLOODING PUBLIC STREETS.** Any person who runs water across any public highway, road or street, without first constructing a good and sufficient ditch or ditches to convey the same, or who fails to bridge such ditch or ditches, or to keep such bridge or ditches in good repair, or who places any obstruction in a culvert or ditch, and all persons, companies or corporations who suffer any water used by them for the purpose of irrigation, or any other purposes, to flow into or upon any public highway, road, alley or street, in any other manner than that authorized by law, are guilty of a misdemeanor and upon conviction thereof, shall be fined not more than fifty dollars (\$50), and for a second offense within any two (2) consecutive years, double said fine and cost.

5-5-4: **INJURIOUS MATERIALS ON STREETS.** Any person who deposits, places or causes any hazardous or explosive substance or material of any kind which creates a risk of harm or injury to person or property upon any public street, alley, sidewalk or thoroughfare is guilty of a misdemeanor.

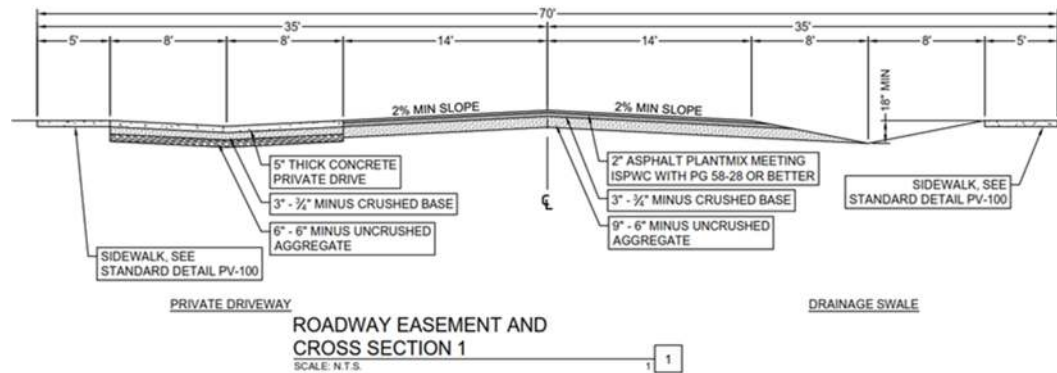
5-5-5: **DAMAGE TO PUBLIC STREETS.** Any person who drives or operates a vehicle with lug wheels or metal tracks upon a public street, or who drives or operates any vehicle in a manner that damages or destroys any surface of any public street or sidewalk, or who drives or operates a vehicle upon a public street in excess of the gross vehicle weights permitted under the laws of the State of Idaho, is guilty of a misdemeanor.

(Ord. 259-04-21, 4/20/2021).

5-5-6: **GAMES IN STREETS.** Any person who plays ball or any game in a public street, or who encourages, permits or allows any minor to engage in such activities, is guilty of a misdemeanor.

5-5-7: **PLACING OF FILL PROHIBITED.**

(A) It is an infraction to place any top soil, dirt, pavement, rock, gravel, or other fill material in any drainage swale (other than a designated private driveway in compliance with this Code and with all applicable specifications) to fill in the deepest part of such drainage swale (which should be 8 feet from the edge of the road’s pavement) to any less than 18 inches below the maximum height of the paved road, as shown on the City’s standard specification SD-100 (which may be consulted for additional detail), below:



(B) Notwithstanding the foregoing, nothing herein shall prevent or prohibit the placement of appropriate material for the purpose of constructing a private driveway within such area, provided that such driveway and its construction complies with this Code and with all applicable specifications, including the City’s standard specifications (part of SD-100 of which is depicted above) and any other specifications adopted by the City that are available in the City office.

(Ord. 271-09-21, 9/28/2021).