

AN ORDINANCE REPEALING ADA COUNTY CODE TITLE 2, CHAPTERS 2, 3 AND 4, IN THEIR ENTIRETY AND ENACTING NEW TITLE 2, CHAPTERS 2 AND 3 RELATING TO ADA COUNTY RECREATION AND EVENTS SERVICES AREAS, PUBLIC SAFETY COMPLEX, AND BENJAMIN CAMPUS TO REORGANIZE PREVIOUS ORDINANCES AFTER CONSOLIDATION OF DEPARTMENTS AND TO ADD, REMOVE AND REORGANIZE PROHIBITED ACTS AND USAGE RESTRICTIONS.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO THAT TITLE 2, CHAPTERS 2, 3 AND 4, OF THE ADA COUNTY CODE BE REPEALED AND NEW TITLE 2, CHAPTERS 2, 3 AND 4 SHALL BE ENACTED AS FOLLOWS:

TITLE 2, CHAPTER 2

ADA COUNTY RECREATION AND EVENTS SERVICES ORDINANCE

2-2-1: SHORT TITLE AND PURPOSE:

This chapter shall be known as the *ADA COUNTY RECREATION AND EVENTS SERVICES ORDINANCE*, and is enacted for the purpose of regulating the operation of Ada County Recreation and Events Services Areas and controlling the activities of the public within such areas and providing for penalties for the violation of the provisions of this chapter.

2-2-2: DEFINITIONS:

For the purposes of this chapter, the following terms, phrases and words shall have the meanings given herein. All other words contained in this chapter not specifically defined shall have their ordinary and customary meanings.

ADA COUNTY RECREATION AND EVENTS SERVICES AREAS: Expo Idaho, Barber Park, Ladybird Park, Ada County's conservation easements and dedicated open space, the portions of the Greenbelt owned or managed by Ada County, bike paths and trails which lie within unincorporated Ada County, and any future lands which Ada County may acquire for park or recreational purposes.

BOARD: The Board of County Commissioners of Ada County, Idaho.

DEPARTMENT: The Ada County Recreation and Events Services Department.

DIRECTOR: The chief administrator of the Ada County Recreation and Events Services Department.

EXPO IDAHO: The facilities that appear in that certain record of survey recorded in the office of the Ada County Recorder, Book G of Surveys, page 1612, Instrument No. 9009958, on February 27, 1990.

EXPO IDAHO ADVISORY BOARD: The Expo Idaho advisory board appointed by the board as authorized in this chapter.

FAIR: The annual Western Idaho Fair held on the Expo Idaho facilities.

LIVESTOCK: Poultry or other birds, horses, cattle, dairy cattle, swine, sheep, llamas, goats, or other grazing animals.

PARK, PARKED OR PARKING: The condition of any vehicle stopped or left standing, whether attended or unattended.

PARKS, OPEN SPACE AND TRAILS ADVISORY BOARD: The advisory board appointed by the board as authorized in this chapter.

VEHICLE: Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or horse drawn or used exclusively upon stationary rails or tracks.

WATERWAYS ADVISORY COMMITTEE: The advisory committee established by the board pursuant to Idaho Code § 67-7012.

2-2-3: ENFORCEMENT AND RESPONSIBILITY:

- A. Authority of Ada County Sheriff: The Ada County Sheriff, or his authorized deputies, has the sole authority for and the duty to enforce penal and regulatory laws adopted herein for the protection of Ada County Recreation and Events Services Areas against damage and for the preservation of the public peace therein.
- B. Limitation on Liability: Ada County, its agents or employees, is not responsible for damages to, or the theft of, personal property within the boundaries of Ada County Recreation and Events Services Areas.
- C. Authority Conferrable on Employees: The Director may authorize any employee of the Department to exercise any power granted to, or perform any duty imposed upon, the Director.
- D. The Director shall have the authority to limit or deny access to an Ada County Recreation and Events Services Areas whenever it has reached its designed capacity.

2-2-4: PET AND LIVESTOCK RESTRICTIONS

- A. Pets and Livestock: Pets are permitted within Ada County Recreation and Events Services Areas, except as stated herein. However, all pets must be controlled by a leash or otherwise confined at all times. Pets will not be permitted on the Expo Idaho facilities (except Ladybird Park), except for service related animals. Dogs that are permitted must be on leash. Livestock is not permitted within Ada County Recreation and Events Services Areas, except at Expo Idaho with prior approval of Board or Director and horses on designated equine trails.
- B. No person owning or having care, custody, possession or control of a dog within Ada County Recreation and Events Services Areas shall:
 - 1. Fail to have in his/her possession the equipment necessary to remove his/her dog's fecal matter when accompanied by said dog in any Ada County Recreation and Events Services Area; or
 - 2. Fail to remove the fecal matter deposited by his/her dog in any Ada County Recreation and Events Services Area before leaving the immediate area where the fecal matter was deposited.
- C. Violations of Sections 2-2-4 (A) and (B) are infractions and are each punishable by a \$100.00 fine.

2-2-5: FIRE, FIREWORKS AND FIREARMS RESTRICTIONS

- A. Fires: All fires shall be restricted to culinary purposes in gas and charcoal grills. Upon prior special approval of the Director, other fires may be permitted in other areas for educational, interpretive or other special programming. All other fires are prohibited. All permitted fires must be kept under control at all times and must be extinguished before leaving the Ada County Recreation and Events Services Areas, or whenever the site is left unattended. Some or all areas may be closed to all fires during extreme fire danger at the discretion of the Director.
- B. Fireworks: No person shall possess or use fireworks of any kind within Ada County Recreation and Events Services Areas without a permit granted by the Board under Title 5, Chapter 6 of the Ada County Code.
- C. Personal Safety, Firearms: No person, except for authorized law enforcement personnel, shall discharge firearms, pneumatic weapons, air rifles, spring guns, bows and arrows, slings, or any other form of weapon or otherwise purposefully or negligently endanger, damage or injure the property or the life of any person or animal within any Ada County Recreation and Events Services Areas.

2-2-6: PRESEVERATION OF PROPERTY AND WILDLIFE AND NUISANCE RESTRICTIONS:

- A. Preservation of Public Property: The destruction, injury, defacement, removal or disturbance of any public building, sign, equipment, monument, statue, marker or any other structure, or of any tree, flower, vegetation or any other public property of any kind which is located in a Ada County Recreation and Events Services Areas is prohibited. No person shall use any Ada County Recreation and Events Services Areas for access to adjoining or nearby privately owned property for any purpose, or to construct or install any facility or improvement upon, over or beneath any Ada County Recreation and Events Services Areas without the written consent of the Board or the Director.
- B. Glass Containers: No glass beverage containers are permitted in Ada County Recreation and Events Services Areas, except in the Barber Park Education and Event Center Building or attached shelters and the buildings at Expo Idaho, upon prior approval of the Director.
- C. Littering: All refuse or garbage must be placed in proper trash receptacles. Littering in Ada County Recreation and Events Services Areas is prohibited.
- D. Protection of Wildlife: The Ada County Recreation and Events Services Areas are sanctuaries for wildlife of every sort and all molesting, injuring or killing of any wild birds or animals is strictly prohibited.
- E. Control of Speed: Users of the Greenbelt and bike paths are expected to act responsibly and courteously and not to exceed a safe and prudent speed. It is prohibited for cyclists, scooter riders, and skaters to use the Greenbelt or bike paths at such a speed as to endanger or injure other users.
- F. Ski Poles and Push Poles: The use of ski poles, push poles, or other such similar equipment on the Greenbelt or bike paths is prohibited, except that such ski pole usage shall be permitted by cross-country skiers when sufficient snow is present such that pole usage will not cause damage to the Greenbelt or bike paths.
- G. Public Health: It shall be a misdemeanor for any person to excrete human waste, except in designated restroom facilities, in any Ada County Recreation and Events Services Areas. For purposes of this subsection, the following definitions shall apply:
 - EXCRETION: The discharge of human waste from the body, including the acts of defecation and urination.
 - HUMAN WASTE: Human feces or human urine.
- H. Sound. No person shall operate or aid in the operation of private radios, stereophonic or sound-amplification devices at a greater operating level than sixty-two (62) decibels measured at a distance of twenty feet (20') from such radios or devices unless the Director

gives permission. If during the same day the person is again found in violation of this paragraph, that person will be required to leave the Ada County Recreation and Events Services Areas.

- I. Infractions. Violations of Sections 2-2-6 (B), (C), (E), (F), and (H) are each infractions and are each punishable by a \$100.00 fine.

2-2-7: ADVERTISEMENT, SOLICIATION, AND BUSINESS RESTRICTIONS.

- A. Advertisements: Within Ada County Recreation and Events Services Areas, public notices, public announcements, advertisements or other printed matter shall only be posted or distributed in a special area approved by the Director. All advertising space is the exclusive property of Ada County. No signs, banners, printed material will be permitted without prior approval of the Director.
- B. Authorized Operations: No person shall operate any concession, business or enterprise in Ada County Recreation and Events Services Areas without prior written authorization from the Board.
- C. Solicitation:
 1. For the safety of the public, to control traffic flow, crowd control, and to avoid littering, no signature gathering or other public forum activities shall take place in the parking lots or pedestrian gate entry areas of the Ada County Recreation and Events Services Areas. All such activities shall take place in the areas and manner as described below.
 2. During the course of any function or event conducted by Ada County Recreation and Events Services Department, it shall be unlawful for any person, corporation, partnership, association, organization, group, or entity to solicit money or to solicit, sell, or distribute any merchandise or printed written material or gather signatures except under license issued by the Board or the Director and except from a location and in a manner specifically fixed and designated by either the Board or the Director. Space shall be available on a first come, first served basis to nonprofit, charitable and commercial enterprises or entities alike.
 3. Applications for the following year's Fair will be accepted no sooner than eight o'clock (8:00) A.M. of the last day of the current year's Fair. Licensees must agree to abide by both the rules pertaining to exhibitors and concessionaires and the exhibitor privilege contract. One location shall also be made available for such activities at Les Bois Park.
 4. For any events held at the Ada County Recreation and Events Services Areas not sponsored by Ada County, two (2) areas will be set aside for signature gathering or other public forum activities. Those areas are in front of the fountain stage and an area in front of the grandstand entrance to Les Bois Park. In the event that either of

these areas are being rented or leased by exhibitors as part of their activities, the Director will locate two (2) other areas approximately ten feet by ten feet (10' x 10') near exhibition buildings or fairground open areas, provided such locations do not impede ingress and egress to exhibition areas. Such areas shall be available on a first come, first served basis upon application to the Board or Director.

2-2-8: ALCOHOL AND SMOKING RESTRICTIONS.

- A. Smoking In Certain Areas of Expo Idaho Prohibited: It shall be unlawful for any person to smoke cigarettes, cigars, or pipes, or in any way strike or use matches, cigarette lighters, candles or other devices with an open flame within fifty feet (50') of any shed, stall, barn, or other building in which horses or other livestock are housed, or hay or other grains or feeds are stored upon the Expo Idaho facilities.

- B. Alcohol: All alcohol consumption is prohibited in or on parking lots, sidewalks, paths, restrooms and roads in Ada County Recreation and Events Services Areas. No liquor, beer, or wine, as defined in Idaho Code §§ 63-902(8), 63-1001(a) and 63-1303(a), as may be amended from time to time, may be brought to or served at any portion of Expo Idaho (excluding Ladybird Park) without a contract with Ada County expressly allowing for such possession or service. Furthermore, no liquor, beer or wine, as defined in Idaho Code §§ 63-902(8), 63-1001(a) and 63-1303(a), as may be amended from time to time, may be brought to or served in any other portion of Ada County Recreation and Events Services Area which has been leased for a private function or event or to any function or event held by Ada County without the payment of an alcohol service fee to Ada County or a contract with Ada County expressly allowing for such possession or service. This subsection does not apply to the portions of Expo Idaho that are leased to Hawks Memorial Stadium and the area leased to the recreational vehicle park.

- C. Consumption of Alcoholic Beverages Prohibited in Certain Areas of Les Bois Park: It shall be unlawful for any person to consume or have in his or her possession any open container of alcoholic liquor or beer as defined in Idaho Code within fifty feet (50') of any shed, stall, barn or training area where horses are otherwise housed or present upon the Les Bois Park portion of the Expo Idaho facilities.

2-2-9: PROHIBITED ACTS:

- A. Purpose; Application; Prohibited Acts: This section is intended to ensure a safe and peaceful operation of the Ada County Recreation and Events Services Areas. This section shall apply to the Ada County Recreation and Events Services Areas. During the prescribed time no person shall:
 - 1. Discharge any firearm, bow and arrow, air rifle, slingshot, blowgun, pellet gun or any other weapon that discharges a projectile that is potentially harmful and dangerous to human safety.

 - 2. Possess or use fireworks of any kind unless authorized by the Director.

3. Harm, frighten, chase, tease, annoy or throw objects at an animal or release any animal from captivity or open any fence or gate containing or restricting the movement of animals.
 4. Engage in any unlawful conduct or criminal activity or in any way commit a violation or breach of the peace, as defined by Idaho Code and/or this code.
 5. Endanger the safety or health of any person by prohibiting the normal flow of and movement of pedestrians through the grounds and by blocking entryways, pathways, and attractions so that other people may not freely pass.
- B. Ejection: An Idaho law enforcement officer, the Director and/or his duly authorized representative, shall have the authority to eject from the Ada County Recreation and Events Services Areas any person acting in violation of this section. Any person ejected from the Ada County Recreation and Events Services Areas shall leave promptly and peaceably and shall not return to the Ada County Recreation and Events Services Areas for any reason on the same calendar day of his ejection.

2-2-10: PROHIBITED ACTS ON THE BOISE RIVER:

This provision is intended to address certain acts on or about portions of the Boise River within Ada County's jurisdiction. Through regulation of those acts, this provision seeks to preserve the natural habitat of the Boise River and ensure the protection of life and property. This provision shall apply to all public property over which Ada County has jurisdiction surrounding the river for a distance of seventy feet (70') horizontally landward from the ordinary high water mark into and including the river itself. In the above-delimited area it shall be unlawful to:

- A. Damage, cut, carve, transplant, or remove, without a permit from the supervisor of urban forestry, any tree, shrub, or plant or to strip any bark, pick any flowers, or collect any seeds from any such tree, shrub, or plant. Nor shall any person:
1. Attach any rope, wire or other such similar object to any tree or plant, or swing from any such rope, etc., and jump into the river, or attach any kind of surfing device to the rope, etc., or ride on such attachment.
 2. Dig or disturb any natural habitat area or in any other way disturb, impair, or injure the natural habitat of the area.
- B. Hunt, molest, harm, frighten, kill, trap, chase, tease, annoy, shoot, or throw objects at any animal, reptile, or bird within the habitat area. Ada County Recreation and Events Services Areas department staff, representatives of Idaho state fish and game, or Ada County animal control, may, in the performance of their duties, with the concurrence and approval of the Board, do such acts necessary to protect life or property or improve the wildlife habitat. Nor shall any person collect any nests or eggs from any wild bird or reptile unless authorized by the Board. Nothing in this subsection shall be construed to prohibit lawful fishing activities on or in the Boise River.

- C. Operate or park any motor vehicles. This subsection does not prohibit watercraft, emergency vehicles, motorized wheelchairs, or other similar vehicles used by the physically or mentally challenged or those vehicles authorized by the Board.
- D. Fire or discharge any firearms of any description, or any air rifles, spring guns, bows and arrows, slings, or any other form of weapon potentially harmful to wildlife and dangerous to human safety, except for the discharge of a firearm in lawful self-defense or the defense of others, or duly authorized law enforcement personnel certified by the Idaho department of police office standards and training in the course and scope of their employment as law enforcement officials. Nor shall any person use any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device.
- E. Possess, transport, or carry any loaded air rifles, spring guns, bows and arrows, slings, or any other form of non-firearm weapon potentially harmful to wildlife and dangerous to human safety, with the intent to do unlawful bodily harm, unless such prohibited item is transported and kept in a motorized land vehicle and/or on a public roadway.
- F. Set up any tents, shacks, or other temporary shelter for the purpose of camping. No person shall be permitted to camp or otherwise remain in the proscribed area overnight.
- G. Use, carry, or be in the possession of any beverage container made of glass.
- H. Deposit or discard any trash, rubbish, or "refuse," as defined by this code, except in department refuse containers.
- I. Use or ride in or upon any motorized watercraft from the portion of the Boise River immediately below Lucky Peak dam downriver to the Boise City limits. This prohibition shall not apply to motorized watercraft operated by personnel authorized by the Ada County sheriff, the local fire department, or designated representative for the purpose of safety and rescue, or the Board, Idaho state fish and game personnel, or Ada County animal control staff in the performance of their duties and with the concurrence and approval of the Board. For the purpose of this section "motorized watercraft" shall include, but shall not be limited to, craft propelled by jet propulsion, electric motor propeller, and gasoline powered motor and propeller.
- J. If any paragraph, subparagraph, or portion of this section is subsequently deemed in any way contrary to law, inapplicable, or otherwise void, that portion will be severed from this section and in no way affect the remaining portions.

2-2-11: PARKING, DRIVING AND CAMPING REGULATIONS:

- A. Parking. It shall be unlawful for any person to park any vehicle on, or own any vehicle found to be parked on or in any area in any Ada County Recreation and Events Services Areas in violation of posted parking restrictions. It shall also be unlawful for any person to park any vehicle, or to own any vehicle found to be parked on, any area blocking an emergency exit, fire lane, or access point to a public parking area and/or public parking space.

- B. Prohibited Activities. It shall be unlawful for any person to operate go-carts, remote controlled airplanes, windsurfing boards, skateboards, or engage in in-line hockey, skating, or driver's training on the Ada County Recreation and Events Services Areas parking lots.
- C. Motor Vehicle Code. The provisions of Title 49, Chapters 6, 7 and 8, Idaho Code, shall be applicable to motor vehicles in any area in any officially designated Ada County Recreation and Events Services Areas.
- D. Speed Limit. The speed limit in all Ada County Recreation and Events Services Areas shall be ten (10) miles per hour unless specifically posted at a different speed.
- E. Motorized Vehicles: All motorized and off road vehicles must stay on authorized established roadways. No motorized vehicles shall be permitted on any sidewalk, bike path, trail or area designated for use by pedestrians, bicyclists, and other wheeled activities moved solely by human power. Law enforcement personnel, emergency service providers, Ada County employees in the course of their employment, others authorized by the director, and persons operating a wheelchair, electric wheelchair, other handicapped vehicles or an electric personal assistive mobility device are exempt from this regulation.
- F. Overnight Camping and Parking: Overnight camping and parking is prohibited in Ada County Recreation and Events Services Areas except as permitted by the Board for special group activities, festivals or holiday events.
- G. Violation of this Section 2-2-12 is specifically designated herein as an infraction punishable by a \$100 fine. Any vehicle found parked in violation of this Chapter may be cited and/or removed at the expense of the owner.
- H. Enforcement and Penalties. It shall be the duty of the Ada County Sheriff, or any deputy sheriff, to leave notice at or on any vehicle or other property parked in violation of this chapter. This notice shall bear the date and hour of leaving the same at or upon the vehicle. The notice shall instruct the owner or operator of the vehicle or property to report to the magistrate's division of the district court in regard to such violation. It shall be the duty of such sheriff or deputy sheriff to leave at or upon such vehicle a separate notice for each hour thereafter that such vehicle and/or property remains parked in violation of this chapter. In the event such owner or operator fails to report to the magistrate's division at the time provided in said notice, a warrant for the arrest of said person will be issued. In addition to the penalty assessed by the court for violation of this chapter, the owner or operator of any vehicle or other property shall be liable for any expense incurred by the county involving said vehicle to be towed away or otherwise removed. The owner or operator of any vehicle shall be liable for any and all other reasonable expenses for storage charged by the company removing said vehicle and causing said vehicle to be stored.

2-2-12: PENALTIES FOR VIOLATIONS:

Any person failing to comply with Sections 2-2-4 through 2-2-11 of this Chapter shall be guilty of a misdemeanor, unless such offense is specifically designated herein as an infraction, and shall

be subject to the penalties provided in Idaho Code §§ 18-111 and 18-113. The above penalties shall in no way limit the rights of Ada County to file a civil claim against a violator to collect for damages to Ada County property.

2-2-13: EXPO IDAHO ADVISORY BOARD:

- A. Establishment and Purpose: The Expo Idaho Advisory Board's purpose shall be to provide nonbinding advice to the Director or Board concerning the operation and administration of the Fair and the use of the Expo Idaho facilities and grounds when the Fair is not in session. In the absence of the Director, the Expo Idaho Advisory Board shall manage the Fair and facilities of Expo Idaho for the Board. The members of the Expo Idaho Advisory Board shall also serve as a liaison between the county and the residents of the county and users and patrons of the Fair and Expo Idaho facilities, communicate the concerns of users and residents of the county to the Director and Board, and when appropriate, communicate county policy to residents of the county and to users of the Fair and Expo Idaho facilities.
- B. Membership: The Expo Idaho Advisory Board shall be made up of seven (7) members, all of whom shall be residents of Ada County. Each Advisory Board member shall serve at the pleasure of the Board. Members of the Expo Idaho Advisory Board shall serve without compensation, but their reasonable expenses shall be reimbursed by the Board.
- C. Terms: Terms of appointment shall be for three (3) years.
- D. Meetings: The Expo Idaho Advisory Board or the Director or Board may schedule Expo Idaho Advisory Board meetings by giving reasonable notice of the time and place of such meeting in accordance with the Open Meetings Act, Idaho Code §§ 67-2340, *et seq.*, as it may be amended from time to time. The Expo Idaho Advisory Board shall adopt reasonable procedural rules not inconsistent with either this chapter or the provisions of any policy manual the Board or Director may adopt and elect such officers as it deems necessary.

2-2-14: WATERWAYS ADVISORY COMMITTEE:

- A. Establishment and Purpose: Pursuant to Idaho Code § 67-7012, the Board hereby establishes the Waterways Advisory Committee, to act in an advisory capacity to the Board. The Waterways Advisory Committee shall have and exercise its powers, duties, responsibilities and appointments charged to the Waterways Advisory Committee pursuant to Idaho Code § 67-7012.
- B. Membership: The Waterways Advisory Committee shall consist of seven (7) voting members, all of whom shall be residents of Ada County. Each member of the Waterways Advisory Committee shall serve at the pleasure of the Board. Members of the Waterways Advisory Committee shall serve without compensation, but their reasonable expenses shall be reimbursed by the Board.
- C. Terms: The Board shall appoint members of the Waterways Advisory Committee for a term of up to three (3) years.

D. Meetings: The Waterways Advisory Committee or the Director or Board may schedule Waterways Advisory Committee meetings by giving reasonable notice of the time and place of such meeting in accordance with the Open Meetings Act, Idaho Code §§ 67-2340, *et seq.*, as it may be amended from time to time. The Waterways Advisory Committee shall adopt reasonable procedural rules not inconsistent with either this chapter or the provisions of any policy manual the Board or Director may adopt and elect such officers, as it deems necessary.

2-2-15: PARKS, OPEN SPACE AND TRAILS ADVISORY BOARD:

A. Establishment and Purpose: Pursuant to Idaho Code §§ 31-806 and 31-828, there is hereby established the Parks, Open Space and Trails Advisory Board, whose purpose shall be:

1. To provide the Board a current inventory of open space and trails in Ada County.
2. To provide recommendations to the Board based on the Ada County Comprehensive Plan, concerning potential open space and trails for preservation, conservation, or acquisition by Ada County, or for which Ada County might facilitate preservation, conservation or acquisition by others.
3. To provide nonbinding advice to the Director or Board concerning the operation and administration of Ada County Parks and Recreation Areas.
4. To provide the Board and the Director with recommendations and proposed rules of use for Ada County Park and Recreation Areas, and other open space and trails where appropriate. In the absence of the Director, the Parks, Open Space and Trails Advisory Board shall manage Ada County Park and Recreation Areas for the Board.
5. To serve as a liaison between Ada County and the residents of Ada County, users and patrons of Ada County Park and Recreation Areas, and users of open space and trails in unincorporated Ada County.

B. Membership: The Parks, Open Space and Trails Advisory Board shall be made up of seven (7) members, all of whom shall be residents of Ada County. Each Parks, Open Space and Trails Advisory Board member shall serve at the pleasure of the Board. Members of the Parks, Open Space and Trails Advisory Board shall serve without compensation, but their reasonable expenses shall be reimbursed by the Board.

C. Terms: Terms of appointment shall be for three (3) consecutive fiscal years commencing October 1st and ending September 30th of the third fiscal year; provided, however, that the initial appointments to the Parks, Open Space and Trails Advisory Board shall be three (3) appointments for one (1) year terms, two (2) appointments for two (2) year terms and two (2) appointments for three (3) year terms.

D. Meetings: The Parks, Open Space and Trails Advisory Board or the Director or Board may schedule Parks, Open Space and Trails Advisory Board meetings by giving reasonable notice

of the time and place of such meeting in accordance with the Open Meetings Act, Idaho Code §§ 67-2340, *et seq.*, as it may be amended from time to time. The Parks, Open Space and Trails Advisory Board shall adopt reasonable procedural rules not inconsistent with either this chapter or the provisions of any policy manual the Board or Director may adopt and elect such officers as it deems necessary.

2-2-16 CONTINUATION OF EXISTING MEMBERSHIP.

The membership of the Expo Idaho Advisory Board, the Waterways Advisory Committee and the Parks, and the Open Space and Trails Advisory Board shall continue to be those members in office immediately preceding the enactment of this ordinance. The terms of such members shall continue until their previously designated time. The enactment of this ordinance shall have no affect on the business or membership of the Expo Idaho Advisory Board, the Waterways Advisory Committee or the Parks, and the Open Space and Trails Advisory Board.

2-2-17 SEVERABILITY.

If any paragraph, or portion of this chapter is subsequently deemed in any way contrary to law, inapplicable, or otherwise void by a court of competent jurisdiction, that portion will be severed from this section and in no way affect the remaining portions.

TITLE 2, CHAPTER 3

PUBLIC SAFETY COMPLEX ORDINANCE

2-3-1: SHORT TITLE AND PURPOSE:

This chapter shall be known as the *PUBLIC SAFETY COMPLEX ORDINANCE*, and is enacted for the purpose of regulating the operation of the Ada County Public Safety Complex and controlling the activities of the public within such areas and providing for penalties for the violation of the provisions of this chapter.

2-3-2: DEFINITIONS:

For the purposes of this chapter, the following terms, phrases and words shall have the meanings given herein. All other words contained in this chapter not specifically defined shall have their ordinary and customary meanings.

BOARD: The Board of County Commissioners of Ada County, Idaho.

PARK, PARKED OR PARKING: The condition of any vehicle stopped or left standing, whether attended or unattended.

PUBLIC SAFETY COMPLEX: The property owned by Ada County adjacent to Barrister Drive in Boise, Idaho.

VEHICLE: Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or horse drawn or used exclusively upon stationary rails or tracks.

2-3-4: PARKING, DRIVING AND CAMPING REGULATIONS:

- A. **Parking.** It shall be unlawful for any person to park any vehicle on, or own any vehicle found to be parked on or in any area in any Ada County owned or leased property in violation of posted parking restrictions. It shall also be unlawful for any person to park any vehicle, or to own any vehicle found to be parked on, any area blocking an emergency exit, fire lane, or access point to a public parking area and/or public parking space.
- B. **Prohibited Activities.** It shall be unlawful for any person to operate go-carts, remote controlled airplanes, windsurfing boards, skateboards, or engage in in-line hockey, skating, or driver's training on any Ada County owned or leased parking lots.
- C. **Motor Vehicle Code.** The provisions of Title 49, Chapters 6, 7 and 8, Idaho Code, shall be applicable to motor vehicles in any area on all Ada County owned or leased property.
- D. **Speed Limit.** The speed limit on all Ada County owned or leased property shall be ten (10) miles per hour unless specifically posted at a different speed.

- E. Motorized Vehicles: All motorized and off road vehicles must stay on authorized established roadways. No motorized vehicles shall be permitted on any sidewalk, bike path, trail or area designated for use by pedestrians, bicyclists, and other wheeled activities moved solely by human power. Law enforcement personnel, emergency service providers, Ada County employees in the course of their employment, others authorized by the director, and persons operating a wheelchair, electric wheelchair, other handicapped vehicles or an electric personal assistive mobility device are exempt from this regulation.
- F. Overnight Camping and Parking: Overnight camping and parking is prohibited on any Ada County owned or leased property except as permitted by the Board for special group activities, festivals or holiday events.
- G. Violation of this section 2-3-4 is specifically designated herein as an infraction punishable by a \$100 fine. Any vehicle found parked in violation of this chapter may be cited, and/or removed at the expense of the owner.
- H. Enforcement and Penalties. It shall be the duty of the Ada County Sheriff, or any deputy sheriff, to leave notice at or on any vehicle or other property parked in violation of this chapter. This notice shall bear the date and hour of leaving the same at or upon the vehicle. The notice shall instruct the owner or operator of the vehicle or property to report to the magistrate's division of the district court in regard to such violation. It shall be the duty of such sheriff or deputy sheriff to leave at or upon such vehicle a separate notice for each hour thereafter that such vehicle and/or property remains parked in violation of this chapter. In the event such owner or operator fails to report to the magistrate's division at the time provided in said notice, a warrant for the arrest of said person will be issued. In addition to the penalty assessed by the court for violation of this chapter, the owner or operator of any vehicle or other property shall be liable for any expense incurred by the county involving said vehicle to be towed away or otherwise removed. The owner or operator of any vehicle shall be liable for any and all other reasonable expenses for storage charged by the company removing said vehicle and causing said vehicle to be stored.

2-3-5: COUNTY EMPLOYEE RESERVED PARKING:

- A. It shall be unlawful for any person to park any vehicle on, or own any vehicle found to be parked on, or to otherwise obstruct with such person's property, or own any property found to be obstructing any space reserved for the parking of the vehicles of the employees of the county of Ada, and which reserved parking space is located on real property owned by or leased to Ada County. Violation of this section shall constitute a misdemeanor. Also any vehicles so parked may be removed at the expense of the owner thereof.
- B. This chapter shall not be construed to apply to the person for whom the parking space is reserved, or to anyone who parks or owns any vehicle which is parked on any reserved parking space with the consent of the person for whom said parking space is reserved.

2-3-6: HEALTH AND SAFETY:

- A. To promote and protect the public health of the inhabitants of Ada County, it shall be a misdemeanor for any person to excrete human waste, except in designated restroom facilities, on any Ada County owned or leased property. For purposes of this subsection, the following definitions shall apply:

EXCRETION: The discharge of human waste from the body, including the acts of defecation and urination.

HUMAN WASTE: Human feces or human urine.

2-3-7: SOLICITATION, LOITERING AND ADDITIONAL PARKING REGULATIONS:

- A. Solicitation of Business, Demonstrations, Picketing, Distribution of Material, Parade, Rally Prohibited:

1. No person may, or attempt to, for any purpose, solicit business, demonstrate, picket, distribute any material, parade, or rally in or on the property of the Public Safety Complex.

- B. Loitering Prohibited:

1. No person may loiter in or on the property of the Public Safety Complex, unless providing goods or performing services under a contract entered into with Ada County. The term "loiter" means: a) entering without the purpose of conducting, or assisting in conducting, or accompanying someone conducting lawful business with a government agency in or on the property of the Public Safety Complex, or b) remaining in or on the property for an unreasonable amount of time after conducting lawful business with a government agency located in or on the Public Safety Complex.

- C. Parking, Camping And Parking Lot Usage Regulations:

1. It shall be unlawful for any person to park any vehicle on, or own any vehicle found to be parked on or in any areas on the Public Safety Complex, including the parking lot in violation of posted parking restrictions. It shall also be unlawful for any person to park any vehicle or to own any vehicle found to be parked on any area blocking an emergency exit, fire lane, or access point to a public parking area and/or public parking space. It shall also be unlawful for any person to park any vehicle or to own any vehicle found to be parked on any Public Safety Complex property, including the parking lot, if the person is not then conducting business in the Public Safety Complex.

2. Overnight camping or parking is not permitted on any portion of the Public Safety Complex grounds and parking lots except as authorized in writing by the sheriff, police chief, or their designee.
3. No person shall knowingly enter the restricted areas of the Public Safety Complex or its adjacent property without authorization. It shall be a misdemeanor for any person to violate the provisions of any rule or regulation adopted by the Sheriff and the Board. All such rules will be conspicuously posted at each entrance to the Public Safety Complex. Crossing over or through a fence onto the Public Safety Complex shall be a violation regardless of signage.

D. Pet Policy:

1. Members of the public are prohibited from bringing pets onto the Public Safety Complex property, including parking lots, with the exception of disability related guide dogs and law enforcement K-9s. Dogs, which are permitted, must be on a leash. This section does not prohibit pets that are left in vehicles while the owner/caretaker is conducting lawful business at the Public Safety Complex.

2-3-8: PENALTIES FOR VIOLATIONS:

Any person failing to comply with the provisions of this chapter shall be guilty of a misdemeanor, unless such offense is specifically designated herein as an infraction, and shall be subject to the penalties provided in Idaho Code §§ 18-111 and 18-113. The above penalties shall in no way limit the rights of Ada County to file a civil claim against a violator to collect for damages to Ada County property. Any vehicle found parked in violation of this chapter may be cited, and/or removed at the expense of the owner.

TITLE 2, CHAPTER 4

BENJAMIN CAMPUS ORDINANCE

2-4-1: SHORT TITLE AND PURPOSE:

This chapter shall be known as the *BENJAMIN CAMPUS ORDINANCE*, and is enacted for the purpose of regulating the operation of the Ada County Public Safety Complex and controlling the activities of the public within such areas and providing for penalties for the violation of the provisions of this chapter.

2-4-2: DEFINITIONS:

For the purposes of this chapter, the following terms, phrases and words shall have the meanings given herein. All other words contained in this chapter not specifically defined shall have their ordinary and customary meanings.

BENJAMIN CAMPUS: The property owned by Ada County adjacent to Benjamin Lane in Boise, Idaho.

BOARD: The board of county commissioners of Ada County, Idaho.

PARK, PARKED OR PARKING: The condition of any vehicle stopped or left standing, whether attended or unattended.

VEHICLE: Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or horse drawn or used exclusively upon stationary rails or tracks.

2-4-3: PARKING, DRIVING AND CAMPING REGULATIONS:

- A. **Parking.** It shall be unlawful for any person to park any vehicle on, or own any vehicle found to be parked on or in any area in any Ada County owned or leased property in violation of posted parking restrictions. It shall also be unlawful for any person to park any vehicle, or to own any vehicle found to be parked on, any area blocking an emergency exit, fire lane, or access point to a public parking area and/or public parking space.
- B. **Prohibited Activities.** It shall be unlawful for any person to operate go-carts, remote controlled airplanes, windsurfing boards, skateboards, or engage in in-line hockey, skating, or driver's training on any Ada County owned or leased parking lots.
- C. **Motor Vehicle Code.** The provisions of Title 49, Chapters 6, 7 and 8, Idaho Code, shall be applicable to motor vehicles in any area on all Ada County owned or leased property.

- D. Speed Limit. The speed limit on all Ada County owned or leased property shall be ten (10) miles per hour unless specifically posted at a different speed.
- E. Motorized Vehicles: All motorized and off road vehicles must stay on authorized established roadways. No motorized vehicles shall be permitted on any sidewalk, bike path, trail or area designated for use by pedestrians, bicyclists, and other wheeled activities moved solely by human power. Law enforcement personnel, emergency service providers, Ada County employees in the course of their employment, others authorized by the director, and persons operating a wheelchair, electric wheelchair, other handicapped vehicles or an electric personal assistive mobility device are exempt from this regulation.
- F. Overnight Camping and Parking: Overnight camping and parking is prohibited on any Ada County owned or leased property except as permitted by the Board for special group activities, festivals or holiday events.
- G. Violation of this section 2-4-3 is specifically designated herein as an infraction punishable by a \$100 fine. Any vehicle found parked in violation of this chapter may be cited, and/or removed at the expense of the owner.
- H. Enforcement and Penalties. It shall be the duty of the sheriff of Ada County, or any deputy sheriff, to leave notice at or on any vehicle or other property parked in violation of this chapter. This notice shall bear the date and hour of leaving the same at or upon the vehicle. The notice shall instruct the owner or operator of the vehicle or property to report to the magistrate's division of the district court in regard to such violation. It shall be the duty of such sheriff or deputy sheriff to leave at or upon such vehicle a separate notice for each hour thereafter that such vehicle and/or property remains parked in violation of this chapter. In the event such owner or operator fails to report to the magistrate's division at the time provided in said notice, a warrant for the arrest of said person will be issued. In addition to the penalty assessed by the court for violation of this chapter, the owner or operator of any vehicle or other property shall be liable for any expense incurred by the county involving said vehicle to be towed away or otherwise removed. The owner or operator of any vehicle shall be liable for any and all other reasonable expenses for storage charged by the company removing said vehicle and causing said vehicle to be stored.

2-4-4: COUNTY EMPLOYEE RESERVED PARKING:

- A. It shall be unlawful for any person to park any vehicle on, or own any vehicle found to be parked on, or to otherwise obstruct with such person's property, or own any property found to be obstructing any space reserved for the parking of the vehicles of the employees of the county of Ada, and which reserved parking space is located on real property owned by or leased to Ada County. Violation of this section shall constitute a misdemeanor. Also any vehicles so parked may be removed at the expense of the owner thereof.
- B. This chapter shall not be construed to apply to the person for whom the parking space is reserved, or to anyone who parks or owns any vehicle which is parked on any reserved parking space with the consent of the person for whom said parking space is reserved.

2-4-5: HEALTH AND SAFETY:

A. To promote and protect the public health of the inhabitants of Ada County, it shall be a misdemeanor for any person to excrete human waste, except in designated restroom facilities, on any Ada County owned or leased property. For purposes of this subsection, the following definitions shall apply:

EXCRETION: The discharge of human waste from the body, including the acts of defecation and urination.

HUMAN WASTE: Human feces or human urine.

2-4-6: PENALTIES FOR VIOLATIONS:

Any person failing to comply with the provisions of this chapter shall be guilty of a misdemeanor, unless such offense is specifically designated herein as an infraction, and shall be subject to the penalties provided in Idaho Code §§ 18-111 and 18-113. The above penalties shall in no way limit the rights of Ada County to file a civil claim against a violator to collect for damages to Ada County property.

ADOPTED this 2nd day of March, 2010.

Board of Ada County Commissioners

By: _____
Fred Tilman, Chairman

By: _____
Sharon M. Ullman, Commissioner

By: _____
Rick Yzaguirre, Commissioner

ATTEST:

J. David Navarro, Ada County Clerk

PUBLISHED: _____