

ORDINANCE NO. 338

ORDINANCE OF THE CITY OF MALAD CITY, IDAHO, PROHIBITING TRESPASSING ON PRIVATE PROPERTY; PROHIBITING PARKING OF VEHICLES ON PRIVATE PROPERTY WITHOUT CONSENT OF THE OWNER THEREOF; PROHIBITING MALICIOUS INJURY TO PRIVATE PROPERTY; PROVIDING FOR THE REMOVAL OF VEHICLES ILLEGALLY PARKED ON PRIVATE PROPERTY; PROVIDING PENALTY THEREFOR.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MALAD CITY, ONEIDA COUNTY, STATE OF IDAHO:

Section 1: Trespass.

It shall be unlawful for any person to take down any fence or let down any bars, or open any gate so as to expose any enclosure or to ride, drive, walk, lodge, camp or sleep in or upon the property of another without the consent of the owner, occupant or person in charge thereof.

Section 2: Malicious Injury to Property.

It shall be unlawful for any person to wilfully and maliciously injure, deface, mutilate, remove, pull down, break or in any manner interfere with or molest, or secrete, or destroy any real or personal property belonging to or under the control of any private person, firm, or corporation or to City or any any other public property.

Section 3: Removal of Vehicles or Other Personal Property From Private Property.

No person shall cause any motor vehicle or other personal property to be parked, placed or left on any private property without securing the consent of the owner thereof or his agent. A Complaint having been duly signed by the owner of the property, or his agent of the action prohibited herein shall permit the police department to remove or caused to be removed said vehicle or other personal property to the nearest garage or other place of safety.

Section 4: When Police May Remove Vehicles Illegally Parked on Private Property.

If, at any time, a vehicle is parked upon private property without the consent of the owner of such property, or his agent, the Police Department is hereby authorized to remove said vehicle therefrom, and to cause the same to be stored providing the owner of such private property, or his agent, has first signed a writtencomplaint against the owner or operator of said vehicle. Said Complaint being filed with the Police Department.

The municipality shall have a lien for all necessary costs of removing and storing vehicles removed in accordance with provisions of this section and said vehicle or vehicles may be held by said municipality until such lien is paid.

Section 5: Violation - Penalty.


Any person violating provisions of this Ordinance shall be guilty of

a Misdemeanor and shall be fined not more than \$300.00 or confined in the City/County Jail not more than thirty (30) days or punished by both said fine and imprisonment for each offense.

Section 6:

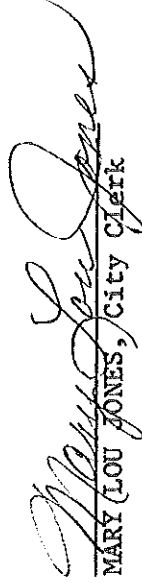
This Ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed by the City Council and approved by the Mayor of the City of Malad City, Oneida County, Idaho, this 20th day of JULY, 1983.



SETH THOMAS, Mayor

ATTEST:



MARY LOU JONES, City Clerk