

**TITLE 4**  
**HEALTH, SANITATION AND ENVIRONMENT**

Subject	Chapter
Vehicle Storage; Junk And Litter Control . . . . .	1

## CHAPTER 1

**VEHICLE STORAGE; JUNK AND LITTER CONTROL**

## SECTION:

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4-1-1: **DEFINITIONS:** For the purpose of this chapter, the following terms shall have the meanings ascribed to them in this section:

**COMMERCIAL VEHICLES:** As defined in Idaho Code section §49-123(c).

**GARBAGE:** Any waste resulting from the preparation, cooking, consumption, or handling of food or other edible substance, whether for human or animal consumption, including, without limitation, waste from the handling, storage and sale of produce.

**JUNK:** Any waste consisting of any mechanical appliance, vehicle, machinery, equipment or apparatus, or any parts therefrom, including, without limitation, all nonfunctional appliances, automobiles, automobile parts, recreational vehicles, boats, snowmobiles, motorcycles, farming and construction equipment. Antique vehicles or equipment used for decoration purposes shall not be considered junk.

**LITTER:** "Garbage", "junk", "refuse" "waste", "debris", and "weeds" as defined herein.<sup>1</sup>

**OCCUPANT:** Any person or tenant having control, possession or charge over real property. Any person or tenant who occupies the whole or any part of a building or land, whether alone or with others.

**OWNER:** Any person having a fee ownership in real property, including any part owner, joint owner, or tenant in common.

**REFUSE:** All waste of any kind or nature, including, but not limited to, handbills, newspapers, paper, cartons, boxes, barrels, wood, brush, weeds, branches, yard trimmings, leaves, furniture, bedding, tin cans, metals, bottles (including but not limited to glass bottles), ashes, clinkers, automobile bodies and parts, appliances, nails, tacks, hooks, hoops, glass, broken concrete, rock, crockery, mineral waste, street sweepings, industrial waste, lighted material, barbed wire, sawdust, lumber scraps, boards, shavings, animal carcasses, wire and plastics.<sup>1</sup>

**WASTE:** Any material having little or no value beyond its value for recycling purposes, or any material for which there is no practical use other than for recycling, and which if placed or deposited as prohibited in this chapter, is markedly offensive or unsightly, or which creates an offensive odor or is unsanitary or unsafe, attracts insects or rodents or in any way creates a public nuisance or health or safety hazard.

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1. IC §§ 18-3906, 18-7031

**WEEDS:**

Any plant, growing or dead, more than ten inches (10") in height, measured from the surface of the ground, except plants grown for ornamental purposes or for production of food for man or beast. Noxious plants, regardless of height, shall be considered weeds. (Ord. 02-03, 9-9-2003)

**4-1-2:****STORAGE OF AUTOMOBILES AND MACHINERY:**

Any automobile, automobile body, vehicle or item of machinery that is not licensed with current registration or is not in operating condition, and any stripped, dismantled or junked machinery, automobile, automobile body or parts may not be parked, stored or maintained upon any roads, streets, sidewalks, city rights of way, highways, or other public property; and none of the items described above may be parked, stored, or maintained on any private premises unless stored or maintained behind the building setback line and concealed from public view by landscaping, fences, garages, outbuildings, or other methods. A violation notice shall be posted on all such items located on any roads, streets, sidewalks, city rights of way, highways, or other public property and such item(s) shall be towed or otherwise removed by the City at owner's expense (7) days after the violation notice is posted on such item(s). (Ord., 9-8-2010, 2018-5)

**4-1-3:****RECREATIONAL OR COMMERCIAL VEHICLES; BUSES:**

- A. **Recreational Vehicles:** No recreational vehicles or trailers may be parked, stored or maintained upon any roads, streets, sidewalks, city rights of way, or highways for longer than one week.
- B. **Commercial Vehicles:** No commercial vehicles may be parked, stored or maintained upon any roads, streets, sidewalks, city rights of way, or highways.
- C. **Buses:** No buses may be parked, stored or maintained upon any roads, streets, sidewalks, city rights of way, or highways. (Ord. 02-03, 9-9-2003)

**4-1-4:****OBSTRUCTING SIDEWALKS, WALKWAYS AND PATHS:**

No vehicle, object, or equipment shall be parked, placed, maintained or obstruct any sidewalk, designated walkway, bridle path, or bicycle path. (Ord. 02-03, 9-9-2003)

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**4-1-5: STORAGE BETWEEN CITY PROPERTY LINE AND SETBACK LINE:**

- A. **Items Enumerated:** The following items must not be parked, stored, or otherwise maintained in the area between the city property line and the required setback line. Material such as, but not limited to: newspapers, cartons, boxes, pallets, barrels, wood, brush, weeds, branches, yard trimmings, furniture, tin cans, appliances, broken glass, broken concrete, lumber scraps, wire, plastics, recyclable materials, bedding, sawdust, ashes, clinkers, and industrial waste. (Ord. 02-03, 9-9-2003)
- B. **Concealed From Public View:** All such items shall be stored or maintained behind the building setback line and concealed from public view by landscaping, fences, garages, outbuildings, or other methods. (Ord., 9-8-2010)

**4-1-6: LITTERING:**

- A. **Public Or Private Places:** No person shall throw or deposit litter in or upon any private property, canal right of way, public street, alley, sidewalk, park, right of way or upon any publicly owned property within the city, except in receptacles designed therefor.
- B. **Accumulation Upon Private Property:** It shall be unlawful for any person owning or having control of private property within the city to deposit, store or allow the accumulation of litter upon such property, except:
  - 1. The temporary storage or accumulation of construction debris or materials in a manner which prevents the same from being blown upon adjoining property, while a building or structure is being constructed upon the premises, or during remodeling or reconstruction thereof.
  - 2. Upon any property owned or operated by any recycler, salvage dealer, or junkyard dealer licensed by the city, subject to all provisions and restrictions contained in any ordinance or statute governing the operation of such licensed business.
- C. **Littering From Vehicles:** No person shall throw, or permit to be thrown, from any vehicle, any litter or handbills while a driver or passenger in a vehicle being operated upon a public street or alley. (Ord. 02-03, 9-9-2003)

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4-1-7:       **DEPOSIT OF PETROLEUM PRODUCTS:** No person shall pour or deposit oil or any other petroleum product upon any private property, canal right of way, public street, alley, sidewalk, park or other public property, provided nothing herein shall prevent the use of oil, asphalt or other petrochemicals for the purpose of construction, maintenance or operation of a street or alley. (Ord. 02-03, 9-9-2003)

4-1-8:       **PENALTY, WARNING AND COMPLIANCE:** The first violation of any of the provisions of this chapter shall be an infraction punishable by a fine of one hundred fifty dollars (\$150.00). A second violation of any of the provisions of this chapter within two (2) years of a prior violation is an infraction punishable by a fine not exceeding three hundred dollars (\$300.00). A third violation of any of the provisions of this chapter within three (3) years of the first violation is a misdemeanor, and shall be punishable by a fine, not to exceed one thousand dollars (\$1,000.00) and by imprisonment in the county jail not exceeding thirty (30) days. Each day during which the condition is allowed to exist subsequent to the first cited violation shall be deemed a separate offense. (Ord. 02-03, 9-9-2003; amd. 2012 Code) (amd. Ord. 2015-2 eff. 6-10-2015)