

Chapter 10-01

DEFINITIONS

Sections:

10-01-01 DEFINITIONS OF WORDS AND PHRASES

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Except for the following words or terms used in this Title, which shall have the meaning herein ascribed to them, all words and phrases used in Title 10, Boise City Code, shall be as defined in Title 49, Chapter 1, Idaho Code:

ABANDONED OR UNIDENTIFIED VEHICLE:

The phrase "Abandoned or Unidentified Vehicle" shall mean any vehicle which is left, or which is parked upon any street, alley or public property for a period of twenty four (24) hours or longer within the restricted parking district, as defined by Section 10-11-3 or for a period of seventy two (72) hours or longer within any other district or part of the City, and the owner of which vehicle cannot be found, located or determined, or the owner of which refuses to remove such vehicle from such street, alley or public property upon notice, oral or written, given by the Judge or by any member of the Police Department.

ALLEY or ALLEYWAY:

The term "Alley or Alleyway" shall mean a minor public way providing secondary access at back or side of property for vehicle or pedestrian traffic.

AUTHORIZED EMERGENCY VEHICLE:

The phrase "Authorized Emergency Vehicle" shall mean vehicles operated by any Fire Department, fire district, nonprofit fire protection corporation, publicly or privately owned fire protection or fire patrol organization, police, sheriff or other law enforcement agency, ambulances and like emergency vehicles authorized by the Chief of Police to mount and use a siren and light of the type approved by the Chief of Police.

BICYCLE:

Every vehicle having two (2) tandem wheels or two (2) parallel wheels and one (1) forward wheel, any two of which are not less than twelve (12) inches in diameter propelled exclusively by human power upon which any person may ride, except scooters and similar devices.

BOISE RIVER GREENBELT ("Greenbelt"):

The paved or improved pathways and connecting trails and the twenty (20) feet of publicly owned greenspace on either side, including picnic tables, barbeque stands, benches and other improvements and fixtures connecting Boise Parks along the Boise River and maintained by the Department of Parks and Recreation and delineated generally in the publication known as the Map, and/or specifically in the Inventory of Park Properties at the office of the Director. Greenbelt does not include any private property which may lie within twenty (20) feet of the paved or improved pathways and connecting trails.

CITY:

Boise City, Idaho, or the area within the city limits of Boise City, Idaho.

COMMERCIAL VEHICLE:

The phrase "Commercial Vehicles" shall mean every vehicle designed, maintained or used primarily for the transportation of property or persons for hire, compensation or profit.

COMMON AREA(S):

The area(s) of a facility, complex, apartment unit, hotel, motel or the like that are open either to the general public or persons with the permission of the owner or agent of the owner of the area. This definition would include but not be limited to the following: swimming pools, restaurants, patios, hot tubs, saunas, laundry rooms, meeting rooms, lobbies, lounges, bars and other areas within the facility that are either constructed or designed for use in this manner.

CROSSWALK:

The word "Crosswalk" shall mean (a) That part of a street included within the connections of the lateral lines of the sidewalks at intersections measured from the curbs or in the absence of curbs from the edges of the traversable roadway.(b) Any portion of a street distinctly indicated for pedestrian crossing by lines or other traffic control devices.

DRIVER:

The word "Driver" shall mean every person who drives or is in actual physical control of a vehicle.

ELECTRIC POWER-ASSISTED BICYCLE ("E-bike"):

A vehicle having two (2) tandem wheels or two (2) parallel wheels and one (1) forward wheel, any two of which are not less than twelve (12) inches in diameter, that is designed to be operated by human power with the assistance of an electric motor that has a power output of not more than seven hundred fifty (750) watts that: (i) is incapable of propelling the vehicle at a speed of more than twenty (20) miles per hour; and (ii) disengages or ceases to function when the vehicle's brakes are applied. An E-bike is not a motor vehicle for purposes of this Chapter.

EMERGENCY:

Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage demanding immediate attention.

EMERGENCY VEHICLE:

A motor vehicle belonging to a fire department, fire-fighting association, or fire district, an ambulance, or a motor vehicle belonging to a federal, state, county, or municipal law enforcement agency.

GROSS WEIGHT:

The phrase "Gross Weight" shall mean the weight of a vehicle without load plus the weight of any load thereon.

INTERSECTION:

The word "Intersection" shall mean the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the intersecting highways or the area within which vehicles traveling on different highways may come into conflict.

LANED ROADWAY:

The phrase "Laned Roadway" shall mean a roadway which is divided into two (2) or more clearly

marked lanes for vehicular traffic.

LOADING ZONE:

The term "Loading Zone" shall mean a space or section of a street which has been set aside for the exclusive purpose of loading and unloading persons, supplies and merchandise.

LOUD AMPLIFICATION DEVICE:

Any equipment designed or used for sound production, reproduction, or amplification, including, but not limited to any radio, television, phonograph, musical instrument, stereo, tape player, compact disc player, loud speaker, public address (P.A.) system, sound amplifier, or comparable sound broadcasting device.

MOTOR VEHICLE:

The term "Motor Vehicle" shall mean every vehicle which is self-propelled, and for the purpose of titling and registration meets federal motor vehicle safety standards as defined in section 49-107, Idaho Code. Motor vehicle does not include vehicles moved solely by human power, electric personal assistive mobility devices and motorized wheelchairs or other such vehicles that are specifically exempt from titling or registration requirements under title 49, Idaho Code.

MOTORCYCLE:

The word "Motorcycle" shall mean every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.

OFFICIAL TIME STANDARD:

The phrase "Official Time Standard" shall mean the standard time or daylight saving time as may be in current use in the City.

OFFICIAL TRAFFIC-CONTROL DEVICES:

The phrase "Official Traffic-Control Devices" shall mean all signs, signals, markings and devices placed or erected by authority of the City or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

OPERATOR:

The word "Operator" shall mean every person who shall operate a vehicle upon any street in the City.

PARK or PARKING:

The words "Park or Parking" shall mean the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actively engaged in loading or unloading goods, merchandise or persons.

PARKING SERVICES OFFICE:

The phrase "Parking Services Office" or "Parking Services" refers to a division of the Boise City Department of Finance and Administration, or such other administrative arrangements as the city may establish, and all designated representatives thereof.

PARKING METERS:

The phrase "Parking Meters" shall mean a mechanical device which is so adjusted as to show the length of time of parking upon the streets in the City.

PARKING METER ZONE:

The phrase "Parking Meter Zone" shall mean any and all areas or streets established by authority of the City or official having jurisdiction, as those areas within or upon which the parking of vehicles shall be controlled and inspected with the aid of timing devices and meters.

PEDESTRIAN:

The word "Pedestrian" shall mean any person who is afoot, including infants in a carriage being pushed or pulled by a person.

PERSON:

Any individual, association, organization, or entity having a legally recognized existence, whether public or private.

PLACE OF RESIDENCE:

Any building or portion thereof adapted or used and intended for the overnight accommodation of persons. In the event the building is used for multiple individual units (i.e. apartment, condominium, hotel, motel, duplex, triplex, etc.) each individual unit shall be considered a separate residence for the purposes of this ordinance.

PLAINLY AUDIBLE:

Sound for which the information content is clearly communicated to the listener, including, but not limited to understandable spoken speech, comprehension of whether a voice is raised or normal, comprehensible musical rhythms, melody, or instrumentation, and the source of which is identifiable to the listener.

PRIVATE ROAD DRIVEWAY:

The phrase "Private Road or Driveway" shall mean or every way or place in private ownership and used for vehicular travel only by the owner or by those having express or implied permission from the owner.

RIGHT-OF-WAY:

The word "Right-of-Way" shall mean that the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

RESTRICTED PARKING DISTRICT:

The term "Restricted Parking District" shall mean the area of the City so designated for the purpose of providing special regulations for the control of parking and traffic.

ROADWAY:

The word "Roadway" shall mean that portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two (2) or more separate roadways, the word "roadway" applies separately but not to all such roadways collectively.

SCHOOL BUS:

The phrase "School Bus" shall mean every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school, or privately owned and

operated for compensation for the transportation of children to and from school.

SIDEWALK:

The word "Sidewalk" shall mean that portion of a street between the curb lines, or lateral lines defining vehicular traffic and the adjacent property lines, and intended for pedestrian travel.

STAND or STANDING:

The words "Stand or Standing" shall mean the halting of a vehicle, whether occupied or not, other than for the purpose of and while actually engaged in receiving or discharging passengers.

STOLEN VEHICLE:

The phrase "Stolen Vehicle" shall mean any vehicle, whether located upon private or public property, which the Police Department has reasonable grounds to believe that the owner thereof has been, or is, unlawfully deprived of possession.

STOP:

The word "Stop" shall mean the complete cessation of movement.

STOP or STOPPING:

The words "Stop or Stopping" when prohibited shall mean any halting even momentarily if a vehicle, whether occupied or not, except when necessary to avoid conflict with or in compliance with the direction of a police officer or traffic-control sign or signal.

STREET or HIGHWAY:

The words "Street or Highway" shall be used interchangeably and shall mean the entire width between the boundary lines of every way or place open to the public, as a matter of right for public vehicular travel but not to include alleys.

THROUGH STREET:

The phrase "Through Street" shall mean every street or portion thereof on which vehicular traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting roadways is required by law to yield the right-of-way to vehicles on such through streets.

TRAFFIC:

The word "Traffic" shall mean either persons or vehicles while using any street or sidewalk for the purpose of travel.

TRAFFIC CONTROL SIGNAL:

The phrase "Traffic Control Signal" shall mean any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and proceed.

TRUCK:

The word "Truck" shall mean (1) General-Every motor vehicle designed, used or maintained primarily for the transportation of property; (2) Pickup truck, every motor vehicle eight thousand (8,000) pounds gross weight or less which is designed, used or maintained primarily for the transportation of property; (3) Truck camper, any structure designed, used or maintained primarily to be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office or commercial space; and (4) Truck tractor, every motor vehicle designed and used primarily for drawing other vehicles.

VEHICLE:

The word "Vehicle" shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a street, except devices used exclusively upon stationary rails or tracks.

WRECKED VEHICLE:

The phrase "Wrecked Vehicle" shall mean any vehicle damaged by accidental or other cause and left unattended upon any street alley or public property.

(Ord35-17, Amended, 12/19/17; 6762, Amended, 01/12/2010; 6606, Amended, 09/25/2007; 5788, Amended, 03/18/1997; 5746, Amended, 08/20/1996; 4558, Added, 09/29/1980)