

Chapter 10-19

WATERCRAFT

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Section 10-19-01 PURPOSE

It is the intent of the Boise City Council to place reasonable limitations on the recreational use of public waterways to improve safety, foster the greater development, use and enjoyment of the waters in the City by watercraft users consistent with the Idaho Safe Boating Act and the other provisions of this Code.

(Ord. No. 5744, Enacted, 08/20/96)

Section 10-19-02 DEFINITION

For purposes of this chapter, the following terms shall apply:

"Watercraft" means every vessel used or capable of being used as a means of transporting a person or persons on water, including motorized and nonmotorized devices such as inflatable rafts, canoes, kayaks, and single inner tubes. Watercraft for purposes of this chapter shall not include diver's aids operated and designed primarily to propel a diver below the surface of the water.

(Ord. No. 5744, Enacted, 08/20/96)

Section 10-19-03 INTERFERENCE WITH WATERCRAFT PROHIBITED

It shall be unlawful for any person to interfere with the lawful operation of any watercraft upon public waters by: jumping, throwing, or dropping any object or another from, any bridge or public place into the waters of the Boise River within fifty (50) feet of watercraft.

This section shall not apply to Boise Fire Department Dive Team rescue efforts or other emergency rescue operations.

(6844, Amended, 05/08/2012; Ord. No. 5744, Enacted, 08/20/96)

Section 10-19-04 PROHIBITED ACTIVITIES BY PERSONS IN WATERCRAFT

It shall be unlawful for any person to:

- A. Throw any object such as glass, cans, litter or garbage, from a watercraft. This section shall not apply to otherwise lawful activities such as fishing.
- B. Operate a watercraft carelessly and heedlessly or without due caution and circumspection, or at a speed or in a manner as to endanger or be likely to endanger any person or property.

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(Ord. No. 5744, Enacted, 08/20/96)

Section 10-19-05 PENALTY

- A. Any person found in violation of this Chapter, except Section 03 of this Chapter, shall be subject to a fine of not more than One Thousand dollars and no cents (\$1,000.00) and six (6) months imprisonment in jail.
- B. Any person in violation of the provisions of Section 03 of this Chapter shall be guilty of an infraction, the penalty for which shall be as specified in the Idaho Infraction Rules for pedestrian and bicycle infractions. An infraction is a civil public offense, not constituting a crime, which is punishable only by a penalty not exceeding one hundred dollars (\$100.00) and for which no period of incarceration may be imposed. There is no right to trial by jury of a citation or complaint for an infraction and such trials shall be held before the court without a jury.

(6844, Amended, 05/08/2012; Ord. No. 5744, Enacted, 08/20/96)