

Chapter 10-24

PROHIBITED TRAFFIC ACTIVITY IN AND AROUND THE BOISE RIVER

Section:

- 10-24-01 Prohibited Traffic Activity In and Around the Boise River**
- 10-24-02 Penalties**

Section 10-24-01 Prohibited Traffic Activity In and Around the Boise River

This Ordinance is intended to address certain acts on or about the Boise River and in and around Boise City parks as defined in BCC 13-03-01. Through regulation of those acts, the Ordinance seeks to preserve the safety of recreational traffic on and around the Boise River and in and around city parks to ensure the protection of life and property. In addition to city parks, the provisions of this ordinance shall apply to all public property seventy (70) feet horizontally landward from the ordinary high water mark on either side of the river and including the bed and banks of the river itself. In the above delimited area it shall be unlawful for any person or persons to:

- A. Jump from, throw, or drop any object, including a person, from any bridge, tree or other landscape features into the Boise River within fifty (50) feet of any boater, floater, rafter or tuber.
- B. Obstruct the path way, bicycle lane, sidewalk, or roadway of any bridge in the city or cause the flow or movement of pedestrians, bicycles, or vehicles to be obstructed in the passage across a bridge, including the immediate area surrounding the access to the bridge. "Obstruct" means to stand more than two persons deep along the railing or side of any bridge or along the side of any bridge access way. Alternatively, "obstruct" means to occupy all or such portion of the path, lane, sidewalk, or road, as to block or delay more than momentarily safe passage of another person or vehicle using the path, lane, sidewalk, or road lawfully and carefully.
- C. Use or ride in or upon the Boise River within the City of Boise any object commonly referred to as a "Boogie Board," "body board," or "river board," which for the purposes of this section shall be defined to mean any object regardless of the type of material from which it is constructed which creates a surf-type wave upon or within the water surface or is used to ride upon or against the current and which is secured by, tied to, held or belayed from any rope, line, cord, bungee, or the like attached at any time to any object or fixture within, adjacent to, or spanning any portion of the Boise River, except as may be authorized by the Parks and Recreation Commission by rule or regulation with notice of such posted by City of Boise in the location where the activity is permitted.

Section 10-24-02 Penalties

A violation of this chapter is 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.

(6845, Enacted, 05/15/2012)