

Ordinance TBD-2023

AN ORDINANCE OF THE CITY OF NEW MEADOWS, ADAMS COUNTY, IDAHO, AMENDING TITLE 5, CHAPTER 3 SECTION 16, OF THE NEW MEADOWS CITY CODE AS FOLLOWS: IN SECTION 5-3-16, ADMINISTRATION & ENFORCEMENT, ADDING ANIMAL CONTROL FEES AND PENALTIES; REMOVING ADMINISTRATIVE PROCEDURES; AND CHANGING MISDEMEANOR VIOLATION TO INFRACTION VIOLATION.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NEW MEADOWS, IDAHO:

Section 1: Title 5, Chapter 3, Section 16, *Administration and Enforcement*, is hereby amended as follows, to wit:

5-3-16 Administration And Enforcement

A. Enforcement Official:

1. The enforcement of this chapter shall be the responsibility of the City, and the City may designate an animal control officer and give him the authority of a police officer in regard to animal control issues. Such officer shall be responsible to the City for the enforcement of all animal control regulations.
2. It shall be unlawful for any person to hinder, molest or in any way interfere with the animal control officer, or any person authorized and acting through him, while he is lawfully engaged in the performance of his duties pursuant to this chapter.

B. Fees To Clerk:

1. Fees To Clerk-Treasurer: All fees collected shall be turned over to the City Clerk-Treasurer

C. Administrative Procedure:

1. **Animal Control Fees & Penalties: Animal Control fees and penalties are as set forth in the most recent City of New Meadows Consolidated Fee & Penalty Resolution.**
2. **Infraction** Violation: Any violation of this chapter shall be an ~~misdemeanor~~ infraction punishable as provided in subsection 1-4-1A of this Code **and the current City of New Meadows Consolidated Fee & Penalty Resolution.** (Ord. 358-2019, 5-20-2019)
3. ~~In order to eliminate burdening the court system with violations of this chapter, and as a convenience to the public, a law enforcement officer or animal control officer may, in addition to or in lieu of impounding an animal running at large or being unlicensed, or in lieu of issuing a misdemeanor criminal misdemeanor citation for a violation of this chapter, issue to any person who is in violation of this chapter a notice of ordinance violation~~
4. ~~Any person receiving a notice of ordinance violation may pay, in addition to any required license fee or impound fees, a fixed penalty as set forth by resolution of the City Council from time to time. Such penalty and/or license fee and impound fees shall be paid to the City Clerk-Treasurer, in person or~~

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~~by mail, within ten (10) days of the issuance of the notice of ordinance violation~~

- ~~5. In the event that a person does not make payment of the penalty and/or license and impound fees as set forth in this subsection C, a misdemeanor citation for violation of this chapter for which the notice of ordinance violation was given shall be issued.~~
- ~~6. No fine and/or tattooing requirement shall be suspended by any court of competent jurisdiction.~~

~~D. Misdemeanor **Infraction** Violation: Any violation of this chapter shall be a misdemeanor infraction punishable as provided in subsection 1-4-1A of this Code **and the current City of New Meadows Consolidated Fee & Penalty Resolution.** (Ord. 358-2019, 5-20-2019)~~

Section 2: This ordinance shall be in full force and effect after its passage, approval, and publication, according to law.

PASSED AND APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF NEW MEADOWS, IDAHO THIS 13TH DAY OF MARCH 2023.

By: _____
Julie A. Good, Mayor

ATTEST By: _____
Kyla Gardner, City Clerk