

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, AMENDING NAMPA CITY CODE TITLE 9, CHAPTER 1, SECTION 09-01-09, PERTAINING TO THE PENALTY FOR RESIDING ON A PUBLIC RIGHT-OF-WAY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO;

Section 1. Nampa City Code Title 9, Chapter 1, Section 09-01-09, is hereby amended as follows:

9-1-9. - Residing on a public right-of-way.

It shall be unlawful for any person(s) to reside or stay more than 72 hours in an "unauthorized dwelling unit" on public rights-of-way. "Public rights-of-way" shall mean all roadways, sidewalks, and land directly appurtenant to such roadways and sidewalks that are under the jurisdiction of the City of Nampa or the State of Idaho or any of its political subdivisions. "Unauthorized dwelling units" are and shall include: vehicles (i.e., cars, trucks, trailers [office, camp, horse, vehicle transport and utility types, etc.], buses, RVs, towed pop tents, camper shells, fifth wheels, boats) and other portable and temporary shelters including, but not limited to, tents and boxes. A violation of this section shall constitute an infraction, punishable as follows:

1. A first violation is subject to a fine in the amount of \$100.00.
2. A second violation within three years is subject to a fine in the amount of \$200.00.
3. A third violation within three years is subject to a fine in the amount of \$300.00.
4. A fourth violation within three years shall constitute a misdemeanor, punishable by a fine of up to \$1000 and/or term of imprisonment not to exceed six (6) months.

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

Section 3. This ordinance is hereby declared to be severable. If any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the ordinance before the declaration of partial invalidity.

Section 4. All ordinances, resolutions, orders and parts thereof in conflict herewith are repealed.

PASSED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, THIS ____ DAY OF _____, 2025.

APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS ____ DAY OF _____, 2025.

Attest:

Mayor Debbie Kling

City Clerk