

AN ORDINANCE AMENDING ADA COUNTY CODE TITLE 2 AS FOLLOWS: AMENDING ADA COUNTY CODE TITLE 2 TO ADD A NEW CHAPTER 8 ENTITLED ADA COUNTY LANDFILL; TO PROVIDE FOR THE PURPOSE OF THE CHAPTER; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR RESPONSIBILITY AND LIMITATION ON ACCESS; TO PROVIDE REGULATIONS AND RESTRICTIONS FOR THE ADA COUNTY LANDFILL PROPERTY; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 2 BE AMENDED AS FOLLOWS:

**SECTION 1:** Amending the Ada County Code Title 2 to add a new Chapter 8 as follows:

**CHAPTER 8  
ADA COUNTY LANDFILL**

**2-8-1: SHORT TITLE AND PURPOSE:**

This chapter shall be known as the *ADA COUNTY LANDFILL ORDINANCE* and is enacted for the purpose of regulating operation of the Ada County Landfill and controlling the activities of the public within such areas and providing penalties for the violation of the provisions of this chapter.

**2-8-2: DEFINITIONS:**

For the purposes of this chapter, the following terms, phrases, and words shall have the meanings given herein. All other words contained in this chapter not specifically defined shall have their ordinary and customary meanings.

**ADA COUNTY LANDFILL:** Real property owned by Ada County that is operated and maintained as a solid waste disposal site, located at and around 10300 N. Seaman Gulch Rd., Boise, ID 83714.

**BOARD:** The board of county commissioners of Ada County, Idaho.

**CAMP OR CAMPING:** The use of land for living accommodation purposes such as sleeping, making preparations to sleep (including laying down bedding for the purpose of sleeping), storing personal belongings, making fire, using tents, shelter or a vehicle for sleeping.

**DEPARTMENT:** The Ada County Solid Waste Department.

**DIRECTOR:** The director of the Ada County Solid Waste Department appointed by the Board.

**ELECTRONIC CIGARETTE:** Any electronic oral device, such as one composed of a heating or ultrasonic element, better and/or electronic current, which provides a vapor of nicotine or any other substance, and use or inhalation of which simulates smoking. The term shall include any such

device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, or under any other product name or descriptor.

**EXCRETE:** Discharge of human waste from the body, including the acts of defecation and urination.

**HUMAN WASTE:** Human feces or human urine.

**LOITER:** The act of (i) entering without the purpose of conducting, or assisting in conducting, or accompanying someone conducting lawful business with Ada County in or on the Ada County Landfill property, or (ii) remaining in or on the Ada County Landfill property for an unreasonable amount of time after conducting lawful business with the County.

**PARK, PARKED OR PARKING:** The condition of any vehicle stopped or left standing, whether attended or unattended.

**SMOKE OR SMOKING:** Inhaling, exhaling, burning, carrying, or processing any combusting (heated, lit, or smoldering) tobacco or any other substance, whether contained in a cigar, cigarette, or pipe, or any other object. Smoking does not include possession of an unlit cigar, cigarette, or pipe.

**VEHICLE:** Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or horse drawn or used exclusively upon stationary rails or tracks.

**2-8-3: RESPONSIBILITY AND LIMITATION ON ACCESS:**

A. **Limitation on Liability:** Ada County, and its agents or employees, are not responsible for damages to, or the theft of, personal property within the boundaries of the Ada County Landfill.

B. **Authority Conferrable on Employees:** The Director may authorize any employee of the Department to exercise any power granted to, or perform any duty imposed upon, the Director.

C. **Limit or Deny Access:** The Director shall have the authority to limit or deny access to any area covered by this chapter and may declare any section or part of the Ada County Landfill as closed to the public entirely or for certain uses, at any time and for any interval of time.

**2-8-4: PARKING, DRIVING AND CAMPING REGULATIONS:**

A. **Parking:** It shall be unlawful for any person to park any vehicle on, or own any vehicle found to be parked on or in any area on Ada County Landfill property in violation of posted parking restrictions. It shall also be unlawful for any person to park any vehicle, or to own any vehicle found to be parked on, any area blocking an emergency exit, fire lane, or access point to a public parking area and/or public parking space.

B. Motor Vehicle Code: The provisions of title 49, chapters 6, 7 and 8, Idaho Code, shall be applicable to motor vehicles in any area on the Ada County Landfill property.

C. Speed Limit: The speed limit on all Ada County Landfill property shall be ten (10) miles per hour unless otherwise specifically posted at a different speed.

D. Motorized Vehicles: All motorized and off-road vehicles must stay on authorized, established roadways at the Ada County Landfill. Law enforcement personnel, emergency service providers, Ada County employees in the course of their employment, and others (including contractors) authorized by the Director, and persons operating a wheelchair, electric wheelchair, other handicapped vehicles or an electric personal assistive mobility device are exempt from this regulation.

E. Overnight Camping and Parking: Overnight camping and parking is prohibited on Ada County Landfill property except as specifically permitted by the Director or the Board.

F. Penalties: Violation of this section 2-8-4 is an infraction, and each such violation is punishable by a fine of one hundred dollars (\$100.00). Any vehicle parked in violation of this section may be cited and/or removed at the expense of the owner.

#### **2-8-5: PROHIBITION AGAINST UNCOVERED LOADS:**

A. No person shall drive or move any vehicle with any load on a roadway on the Ada County Landfill property unless such load is covered, constructed, or loaded so as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping from the vehicle.

B. No person shall operate any vehicle with any load on any roadway on the Ada County Landfill property unless the load and its covering are securely fastened to prevent the covering or load from becoming loose, detached, or a hazard to other users of the roadway.

C. Exceptions: This section shall not apply to a County employee or contractor dropping sand, gravel, or ice melt to enhance traction, or sprinkling water or other substances to clean or maintain a roadway. Nor does this section apply to County employees or contractors performing construction or other activities at the Ada County Landfill under the authority and/or direction of the Director or the Board.

D. Penalties: A person who violates the provisions of this section 2-8-5 shall be guilty of an infraction and be subject to a fine of fifty dollars (\$50.00). For each subsequent violation of this chapter, the fine shall be increased by twenty-five dollars (\$25.00) but shall not exceed one hundred dollars (\$100.00).

#### **2-8-6: GENERAL REGULATIONS TO PROTECT HEALTH, SAFETY, PROPERTY AND HABITAT:**

A. Public Property: The destruction, injury, defacement, removal or disturbance of any public building, sign, equipment, monument, statue, marker or any other structure or any other public

property of any kind which is located at the Ada County Landfill is prohibited. No person shall use the Ada County Landfill property for access to adjoining or nearby privately owned property for any purpose, or to construct or install any facility or improvement upon, over or beneath any Ada County Landfill property without the consent of the Board.

B. Protection of Wildlife: It shall be unlawful for any person within the Ada County Landfill to hunt, molest, chase, injure, harm, or kill any animal or bird. This provision does not apply to depredation efforts undertaken at the direction of the Director or the Board under a duly authorized permit.

C. Public Health: To promote and protect the public health of the inhabitants of Ada County, it shall be unlawful for any person to excrete human waste, except in designated restroom facilities, on Ada County Landfill property.

D. Wheeled Devices: No person shall ride or operate a skateboard, roller skates, scooter, in-line skates, bicycle or other wheeled recreation equipment on any roadway, trail, concrete sidewalk, curbing, parking lot, hand railing or other structure or surface at the Ada County Landfill unless done in designated areas where such wheeled devices are permitted or as expressly permitted by the Director.

E. Aircraft Restrictions: No person shall operate, land, or take off in a balloon, plane or other aircraft, manned or unmanned, on or above Ada County Landfill property without written consent from Ada County that authorizes such activity, except in an emergency or as otherwise specifically permitted by federal or state law.

F. Penalties: Violation of subsections D and E of this section 2-8-6 is an infraction, and each such violation is punishable by a fine of one hundred dollars (\$100.00).

#### **2-8-7: SOLICITATION, LOITERING AND PET REGULATIONS:**

A. Solicitation of Business, Demonstrations, Picketing, Distribution of Material, Parade, Rally Prohibited: No person may, or attempt to, for any purpose, solicit business, demonstrate, picket, distribute any material, parade, or rally in or on the Ada County Landfill property.

B. Loitering Prohibited: No person may loiter in or on the Ada County Landfill property, unless providing goods or performing services under a contract with Ada County.

C. Pet Policy: Members of the public are prohibited from bringing pets onto the Ada County Landfill property, with the exception of disability related service dogs and law enforcement K-9s. Dogs, which are allowed, must be on a leash. This section does not prohibit pets that are left in vehicles while the owner/caretaker is conducting lawful business at the Ada County Landfill.

D. Penalties: Violation of this section 2-8-7 is an infraction, and each such violation is punishable by a fine of one hundred dollars (\$100.00)

## **2-8-8: SMOKING AND ALCOHOL RESTRICTIONS:**

A. Open Flames, Smoking or Other Ignition Devices Prohibited: It shall be unlawful for any person to smoke cigarettes, electronic cigarettes, cigars, or pipes, or in any way strike or use matches, cigarette lighters, candles, or other devices with an open flame within the Ada County Landfill.

B. Alcohol: It shall be unlawful for any person to consume or have in his or her possession any open container of alcoholic liquor, beer, or wine, as defined in Idaho Code, within the Ada County Landfill.

## **2-8-9: FIRE, FIREWORKS AND FIREARMS RESTRICTIONS:**

A. Fires: All fires are prohibited on Ada County Landfill property except fires for culinary purposes in gas, electric or charcoal grills with prior special approval of the Director.

B. Fireworks: No person shall possess or use fireworks of any kind within the Ada County Landfill.

C. Personal Safety, Weapons or Firearms: Except upon prior special approval by the Director, no person, except for authorized law enforcement personnel, shall discharge firearms, pneumatic weapons, air rifles, spring guns, bows and arrows, slings, or any other form of weapon. Any permitted discharge shall not purposefully or negligently endanger, damage, or injure the property or the life of any person or animal within the Ada County Landfill. This provision does not apply to depredation efforts undertaken at the direction of the Director or the Board under a duly authorized permit.


## **2-8-10: PENALTIES FOR VIOLATIONS:**


Any person, firm or entity failing to comply with sections 2-8-4 through 2-8-9 of this chapter shall be guilty of a misdemeanor, unless such offense is specifically designated herein as an infraction and shall be subject to penalties and punishment as provided in Idaho Code, sections 18-111 and 18-113. Each such violation shall constitute a separate offense. The above penalties shall in no way limit the rights of Ada County to file a civil claim against a violator to collect for damages to Ada County property.

**PASSED** this 26th day of December, 2023.

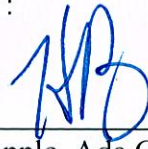
**Board of Ada County Commissioners**

By:   
Rod Beck, Commissioner

By:   
Ryan Davidson, Commissioner

By:   
Thomas Dayley, Commissioner

ATTEST:

  
Trent Tripple, Ada County Clerk

BY HEATH RIBORDY, ASSISTANT DEPUTY CLERK

## SUMMARY OF ADA COUNTY ORDINANCE NO. 966

AN ORDINANCE AMENDING ADA COUNTY CODE TITLE 2 AS FOLLOWS: AMENDING ADA COUNTY CODE TITLE 2 TO ADD A NEW CHAPTER 8 ENTITLED ADA COUNTY LANDFILL; TO PROVIDE FOR THE PURPOSE OF THE CHAPTER; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR RESPONSIBILITY AND LIMITATION OF ACCESS; TO PROVIDE FOR PARKING, DRIVING AND CAMPING REGULATIONS AT THE ADA COUNTY LANDFILL AND TO MAKE VIOLATION OF SUCH REGULATIONS AN INFRACTION PUNISHABLE BY A ONE HUNDRED DOLLAR (\$100) FINE; TO PROVIDE FOR A PROHIBITION AGAINST UNCOVERED LOADS AT THE ADA COUNTY LANDFILL AND TO MAKE VIOLATION OF SUCH PROHIBITION AN INFRACTION PUNISHABLE BY A FIFTY DOLLAR (\$50) FINE; TO PROVIDE FOR GENERAL REGULATIONS TO PROTECT HEALTH, SAFETY, PROPERTY AND HABITAT AT THE ADA COUNTY LANDFILL AND TO MAKE VIOLATION OF SUCH REGULATIONS A MISDEMEANOR EXCEPT FOR UNAUTHORIZED USE OF WHEELED RECREATION DEVICES AND AIRCRAFT WHICH SHALL BE INFRACTIONS PUNISHABLE BY A ONE HUNDRED DOLLAR (\$100) FINE; TO PROVIDE FOR SOLICITATION, LOITERING AND PET REGULATIONS AT THE ADA COUNTY LANDFILL AND TO MAKE VIOLATION OF SUCH REGULATIONS AN INFRACTION PUNISHABLE BY A ONE HUNDRED DOLLAR (\$100) FINE; TO PROVIDE FOR SMOKING AND ALCOHOL RESTRICTIONS AT THE ADA COUNTY LANDFILL AND MAKE VIOLATION OF SUCH RESTRICTIONS A MISDEMEANOR; AND TO PROVIDE FOR FIRE, FIREWORKS AND FIREARMS RESTRICTIONS AT THE ADA COUNTY LANDFILL AND MAKE VIOLATION OF SUCH RESTRICTIONS A MISDEMEANOR.

ORDINANCE NO. 966 SHALL BE EFFECTIVE UPON PUBLICATION. A FULL TEXT OF THE ORDINANCE IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ADA COUNTY CLERK, 200 W. FRONT STREET, BOISE, IDAHO 83702, BETWEEN THE HOURS OF 8:00 AM AND 5:00 PM, MONDAY THROUGH FRIDAY, COUNTY OBSERVED HOLIDAYS EXCEPTED.

APPROVED BY THE BOARD OF ADA COUNTY COMMISSIONERS THIS 26<sup>TH</sup>  
DAY OF DECEMBER, 2023.


**Board of Ada County Commissioners**

By:   
Rod Beck, Commissioner

By:   
Ryan Davidson, Commissioner

By:   
Thomas Dayley, Commissioner

ATTEST:

  
BY HEATH RIBORDY, ASSISTANT DEPUTY CLERK  
\_\_\_\_\_  
Trent Tripple, Ada County Clerk

PUBLISHED: \_\_\_\_\_



**STATEMENT OF APPROVAL**

I, Trent Tripple, Ada County Clerk, do hereby declare that the attached summary of the Ada County Ordinance No. 966 is true and complete and provides adequate notice to the public, pursuant to Idaho Code § 31-715A.



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Trent Tripple  
Ada County Clerk

BY HEATH RIBORDY, ASSISTANT DEPUTY CLERK