



BOISE COUNTY ORDINANCE #2025-03

BOISE COUNTY NO PARKING ORDINANCE

AN ORDINANCE REPEALING BOISE COUNTY ORDINANCE #2013-03; ESTABLISHING AN ORDINANCE PROVIDING THAT PARKING IN A “NO PARKING-TOW AWAY ZONE” AS DESIGNATED ON OR NEAR ROADWAYS IS AN INFRACTION OFFENSE; PROVIDING FOR “NO PARKING-TOW AWAY ZONE” AUTHORITY PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BOISE COUNTY, IDAHO AS FOLLOWS:

Section I – TITLE

- A. This section shall be known and cited as the Boise County No Parking Ordinance.

Section II – PURPOSE

- A. To protect safety, the promotion of the health and prosperity and the improvement of the morals, peace and good order, comfort and convenience of the county and the inhabitants thereof, and for the protection of public and private property situated within the county.
- B. To ensure first responders and residents have adequate space to drive on roadways to respond to emergencies or to access their own properties.

Section III – DEFINITIONS

- A. “Impounding Bailee” means any towing or wrecking service or the like, so employed by Boise County, or as designated by the Boise County Sheriff’s office or Road Department, to remove vehicles unlawfully parked within Boise County, Idaho.
- B. “Motor Vehicle” means any car, truck, trailer, boat, motorcycle, RV, ATV, or UTV, or any other vehicle or device that requires licensing from the Idaho Department of Transportation, or “vehicle” as defined by Idaho Code § 49-123(2).
- C. “No Parking – Tow Away Zone” means a linear one-hundred (100) yards area of either side of any posted sign which designates a no parking area by the Board of County Commissioners, Boise County Sheriff or his designee, or Boise County Road and Bridge Department Superintendent, where such posting shall comport

with the definition of "Posted".

- D. "Officer" means any full-time or reserve officer employed by the Boise County Sheriff, Idaho State Police, or police officers from a municipality located within Boise County, Idaho or any other law enforcement officer who works for a law enforcement agency within the State of Idaho that is covered by a joint powers or mutual aid agreement with the Boise County Sheriff's office.
- E. "Posted" means sign(s) that have either a red legend on a white background and shall be no less than 12" x 6" in dimension, or are a temporary digital reader board, which either may bear "No Parking", or "Tow Away Zone" or the like, whether the signs designate a specific no parking area or not.

Section IV – VIOLATION AND PENALTIES

- A. **No Parking within a "No Parking – Tow Away Zone"**. It is unlawful and shall constitute an infraction for a motor vehicle to be parked, be left, or be found unattended in a posted or designated "No Parking – Tow Away Zone".
- B. **Penalties**. Any person convicted of a violation of this ordinance shall be punished by a fine of seventy five dollars (\$75.00). The liable party shall also be subject to any applicable court costs and fees.
 - i. The liable party shall also be subject to any towing expenses and impoundment costs, pursuant to Idaho Code § 49-1808, Storage of Vehicle.
- C. **Service of Citation**. Service of the citation upon the registered owner or person in control of the motor vehicle shall be deemed complete upon the officer hand delivering the citation or by leaving a copy of the citation on or with the motor vehicle. It shall be no defense to this violation to claim a lack of proper service.
- D. **Registered Owner Liability**. For purposes of this ordinance, the registered owner of the motor vehicle unlawfully parked, left, or found unattended, shall be held liable for payment of any fines, towing expenses or impoundment fees, as applicable. Unless, however, the registered owner can prove that the motor vehicle was stolen or was used against the will of the owner. In such case, the person in control of the motor vehicle at the time of the illegal parking shall be held personally liable.
- E. **Impoundment and Release**. A motor vehicle may be towed away and impounded at the request of the Boise County Sheriff's Office by any duly licensed automobile wrecking and towing service operator, known as the Impounding Bailee.
 - i. When a citation has been issued and the motor vehicle has been impounded, such motor vehicle may not be released by the Impounding Bailee until such citation has been paid in full, to the Clerk of the District Court, or otherwise disposed of by the Court.

Section V – POSTING AND DESIGNATION AUTHORITY

- A. The Boise County Board of County Commissioners shall have the authority designate areas within Boise County that shall be posted as "No Parking – Tow Away Zone" areas by resolution.
- B. The Boise County Sheriff or his designee, and the Boise County Road Department Superintendent shall have the authority to temporarily or permanently designate

and post certain areas within Boise County as “No Parking – Tow Away Zone” areas if, in the discretion of the Sheriff or the Road Department Supervisor, there is a public safety concern. Any “No Parking – Tow Away Zone” created by the Sheriff or the Road Department Supervisor shall be subject to cancellation by the Board of County Commissioners.

- C. The Idaho Transportation Department shall also have the authority to designate “No Parking – Tow Away Zone” areas in specific location within Boise County where such agencies have recognized or agreed upon jurisdiction.

Section VI – SEVERABILITY

- A. If any section, subsection, sentence, clause, or phrase of this title is held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this title and they shall remain in full force and effect.

Section VII – EFFECTIVE DATE

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

Section VIII – REPEAL

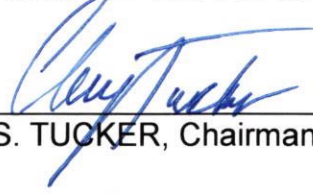
- A. The provisions of this ordinance shall repeal all previously enacted resolutions or ordinances pertaining to parking in “No Parking-Tow Away Zone”, specifically Boise County Ordinance #2013-03.

Section IX – AUTHORITY

- A. This ordinance is adopted pursuant to the authority vested in Boards of County Commissioners in the State of Idaho under Idaho Code §§ 67-7112 and 31-714, and the Idaho Open Meeting Law, Idaho Code § 67-2340, et seq.

PASSED and APPROVED by the Boise County Board of County Commissioners on this 12th day of August, 2025.

BOISE COUNTY BOARD OF COMMISSIONERS



CLAY S. TUCKER, Chairman

ABSENT

LINDY E. LINDSTROM, Commissioner



ROBERT CALLAHAN, Commissioner



ATTEST:



MARY T. PRISCO, Clerk to the Board