

THE CITY OF VICTOR, IDAHO  
ORDINANCE O546

AN ORDINANCE OF THE CITY OF VICTOR, IDAHO AMENDING AND REENACTING TITLE 4 CHAPTER 1 SECTION 1 OF THE VICTOR CITY CODE REGARDING DISTURBING THE PEACE; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF VICTOR, COUNTY OF TETON, STATE OF IDAHO:

SECTION 1. The following Section 1 of Chapter 1 of Title 4 of the Victor City Code shall be amended as follows:

4-1-1:           **DISTURBING THE PEACE:**

- A. Unlawful: Every person who maliciously and willfully disturbs the peace or quiet of any neighborhood, family or person within the city by loud or unusual noises or by tumultuous or offensive conduct or by threatening, traducing, quarrelling, challenging to fight or fighting or who, on any of the public streets of the city, runs any horserace either for wager or for amusement or fires any gun or pistol or uses any vulgar or profane or indecent language within the presence or hearing of women or children is guilty of a misdemeanor.
- B. ~~It shall be unlawful for a driver of any vehicle to use or operate or cause to be used or operated within the corporate city limits of the city of Victor, an engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual, or explosive noise from such vehicle. (Ord. 05-0804, 08-04-05)~~
- BC. Penalty: any person who violates the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in accordance to the Victor Fee and Fines Schedule which may be amended from time to time by resolution of the Victor city council or imprisoned in the city jail not exceeding thirty (30) days or both so fined and imprisoned.

(Ord. O546 § 1, 2019; Ord. 3, 7-1-1912)

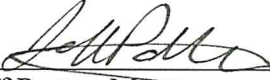
SECTION 2. All ordinances, resolutions or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 3. This ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.

PASSED BY THE COUNCIL OF THE CITY OF VICTOR, IDAHO, this 12<sup>th</sup> day of June, 2019.

APPROVED BY THE MAYOR OF THE CITY OF VICTOR, IDAHO, this 12<sup>th</sup> day of June, 2019.

ATTEST:

  
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Jeff Potter, Mayor

  
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Michelle Smith, City Clerk

**NOTICE AND PUBLISHED SUMMARY  
OF ORDINANCE PURSUANT TO I.C. § 50-901(A)**

**CITY OF VICTOR ORDINANCE NO. 0546  
AN ORDINANCE OF THE CITY OF VICTOR, IDAHO AMENDING TITLE 4 CHAPTER  
1 SECTION 1 OF THE VICTOR CITY CODE REGARDING DISTURBING THE  
PEACE; AND ESTABLISHING AN EFFECTIVE DATE.**

The principal provisions of this ordinance are as follows: Removal of the provision establishing that it shall be unlawful for a driver of any vehicle to use or operate or cause to be used or operated within the corporate city limits of the city of Victor, an engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual, or explosive noise from such vehicle. Related provisions are established elsewhere in the Victor City Code.

A full text of this ordinance is available for inspection at Victor City Hall, City of Victor, 32 Elm Street, Victor, Idaho. This Ordinance shall become effective upon passage and publication.

*Michelle Smith*

City of Victor

Mayor and City Council

By: Michelle Smith, City Clerk

First Reading: June 12, 2019

Adopted after first reading pursuant to Idaho Code § 50-902

**STATEMENT OF VICTOR CITY ATTORNEY  
AS TO ADEQUACY OF SUMMARY OF ORDINANCE NO. 0546**

The undersigned, Herbert J. Heimerl III, City Attorney of the City of Victor, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Ordinance No.0546 of the City of Victor, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A(3).

DATED this 12th day of June, 2019.

*Herbert J. Heimerl III*

Herbert J. Heimerl III  
City Attorney