

ORDINANCE NO. 454

By: Public Affairs Committee

AN ORDINANCE DECLARING AN EMERGENCY, AND RELATING TO NATIONAL DEFENSE, AND TO THE DEFENSE AND PROTECTION OF THE CITY OF PAYETTE, IDAHO, AND THE INHABITANTS THEREOF; PROVIDING A SYSTEM OF LAWS, RULES, REGULATIONS AND PROHIBITIONS PERTAINING TO AIR RAID PROTECTION, BLACKOUTS AND EMERGENCY ALARMS; PROVIDING FINES AND PENALTIES FOR THE VIOLATION THEREOF; AND FOR OTHER RELATED PURPOSES.

WHEREAS, The United States of America is at war, and a public emergency exists by reason thereof, the Mayor and the City Council of the City of Payette, Idaho.

Section 1. A state of public emergency is hereby declared to exist, by reason of the fact that the United States of America is at war, and the Mayor and City Council of Payette, Idaho, do hereby exercise their governmental authority and police power for the protection of the public health, peace, safety and welfare of Payette, Idaho, and its inhabitants.

Section 2. The following words and phrases are defined as hereinafter provided:

a. AIR RAID ALARM and EMERGENCY ALARM - a warning signal given in such manner and places as to be heard throughout the city by means of whistles, sirens, or other audible means; and such signal shall be accompanied during the night time by the extinguishing of all street lights in Payette. The exact form of signal shall be proclaimed by the Mayor. The terms Air Raid and/or Emergency Alarm shall also include the entire period between the Alarm Signal and the All Clear Signal.

b. ALERT SIGNAL - A signal similar to that provided in paragraph a above, given, if possible, prior to a blackout, air raid alarm or emergency alarm, and as a preliminary warning that such an alarm may follow. The exact form of signal shall be as proclaimed by the Mayor.

c. DAYTIME - That period beginning at the time of sunrise and ending at the time of sunset.

d. NIGHT-TIME - That period beginning at the time of sunset and ending at the time of sunrise

e. BLACKOUT - That period beginning immediately upon the sounding of any air raid alarm or emergency alarm during the night-time, and continuing until the all clear signal is given, or if none is given then continuing until daytime as hereinabove defined.

f. ALL CLEAR SIGNAL - A signal similar to that provided for in paragraph a above, but of shorter duration, accompanied during the night-time by the lighting of street lights in Payette, Idaho, or any part thereof. The exact form of signal shall be as proclaimed by the Mayor.

g. VEHICLE - Every device in, upon, or by which any person or property is or may be transported, propelled or drawn upon or over any street, alley, highway or ground.

Section 3. During the period of any blackout, as hereinabove defined, it shall be unlawful to make or show any visible fire or light, and the same is hereby prohibited, including but not limited to the following:

a. It shall be unlawful to make or show, or permit to be seen, any light from an window, door, opening or other place, or from any ground, room, residence, building, sign, structure, vehicle, or other property, public or private.

b. It shall be unlawful to light or strike any match or other fire, or to smoke any pipe, cigar or cigarette, in any outdoor place or in any vehicle in Payette, Idaho.

c. It shall be unlawful to light or use any flashlight, torch or other light in any outdoor place or in any vehicle in Payette, Idaho. The intermittent use of flashlights, vehicle lights, or any other outdoor lights is specifically prohibited.

d. It shall be unlawful to burn or have lighted any lamp, flashlight, candle, electric bulb, tube, sign, device or other light in any residence, store, hotel, theater, barn, shed, garage, or other building or any structure whatsoever, unless within an inner room or place, and/or in such manner as completely to shield and to prevent such light from being visible in any manner outdoors.

Section 4. During the period of any blackout, and during the period of any air raid alarm or emergency alarm, whether in the daytime or the nighttime, and until the all clear signal is given, it shall be unlawful for any person to drive or move any vehicle upon or along any street, alley, or public highway in Payette, Idaho, and all drivers of automobiles or other vehicles shall immediately stop and park the same at the nearest available place outside of the lanes of traffic, and remain there with all lights on said vehicle extinguished; and it shall be unlawful to double park, or to stop or park any vehicle on any bridge or the approach thereto, or in front of any fire plug, fire exit, hospital entrance, or at the entrance to any street or alley, or in any street intersection, or in any street except at the curb or extreme side thereof, or in any manner so as to obstruct, impede or hinder any fire engine, police car, ambulance or other duly authorized emergency vehicle. During the period of any blackout in Payette, Idaho, all incoming vehicular traffic shall stop at the city limits, extinguish all vehicle lights, and remain stationary until the blackout is ended, and no vehicle shall enter Payette, Idaho, during the period of any blackout.

Section 5. During the period of any blackout all pedestrian traffic within Payette, Idaho, is hereby prohibited and declared unlawful; provided, that immediately upon the sounding of any air raid alarm or emergency alarm, pedestrians shall take shelter.

Section 6. The provisions of Section 4 of this ordinance shall not apply to any fire engine or fire truck, police car, ambulance vehicles or the armed forces of the United States of America, vehicles used in line of duty by any duly licensed physician, surgeon or nurse.

Or to any duly authorized emergency vehicle operating in the necessary line of duty, but all such vehicles shall proceed with due caution under the circumstances, and in all cases shall be equipped with dim headlight and rearlight coverings approved by the Chief of Police of Payette, Idaho, and no other lights shall be used on any such vehicle.

Section 7. The provisions of Section 5 of the ordinance shall not apply to any fireman, police officer, members of the armed forces of the United States of America, duly licensed physicians, surgeons and nurses, and other officially authorized persons, if and when acting in the line of their respective duties.

Section 8. This ordinance is enacted for the protection, health, safety and welfare of the inhabitants of Payette, Idaho, and neither the city nor any lawfully authorized or deputized individual enforcing, or aiding and assisting in the enforcement of the provisions of this ordinance shall be liable in a suit for damages in connection herewith.

Section 9. Any person who, during the period of any blackout or of any air raid alarm or emergency alarm, whether in the daytime or the night-time, shall wilfully cause, create or participate in any panic, or unnecessary disturbance, or who shall wilfully and wantonly break or destroy any property or commit other wanton violence or destruction, or who shall break and enter any building, property or place, shall upon conviction of any such offense, be punished by fine not exceeding One Hundred Dollars (\$100.00) and by imprisonment in the city jail for not less than ten (10) days or not more than thirty (30) days.

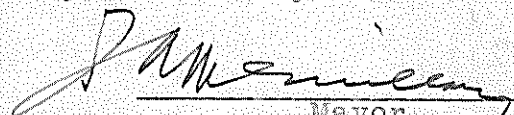
Section 10. Except as herein otherwise provided, any person, firm or corporation, including proprietors, occupants and tenants, violating any of the provisions of this ordinance shall be guilty of misdemeanor, and upon conviction thereof shall be punished ^{BY IMPRISONMENT} in the city jail for not exceeding thirty (30) days, or be fined not exceeding One Hundred Dollars (\$100.00), or by both such fine and imprisonment.

Section 11. Any person who shall operate a whistle, siren or other audible device in such manner as to simulate an alert signal, air raid alarm or emergency alarm, shall be guilty of a misdemeanor.

Section 12. The Mayor of Payette, Idaho, is hereby authorized and directed to make, promulgate and publish such rules and regulations as he deems necessary for the enforcement of the provisions of this ordinance and protection of the inhabitants of Payette, Idaho, which said rules and regulations, upon publications in the official newspaper of Payette, Idaho, shall have the full force and effect of law.

Section 13. This ordinance shall be in full force and effect immediately upon the passage, approval, and publication.

Passed and approved this 2nd day of February, 1942.



Mayor

ATTEST:



City Clerk