

TITLE 18  
CRIMES AND PUNISHMENTS

CHAPTER 59  
PUBLIC NUISANCES

18-5901. PUBLIC NUISANCE DEFINED. Anything which is injurious to health, or is indecent, or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property by an entire community or neighborhood, or by any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, stream, canal or basin, or any public park, square, street, or highway, is a public nuisance.

[18-5901, added 1972, ch. 336, sec. 1, p. 958.]

18-5902. PUBLIC NUISANCE -- UNEQUAL DAMAGE. An act which affects an entire community or neighborhood, or any considerable number of persons, as specified in the last section, is not less a nuisance because the extent of the annoyance or damage inflicted upon individuals is unequal.

[18-5902, added 1972, ch. 336, sec. 1, p. 958.]

18-5903. PUNISHMENT FOR NUISANCE. Every person who maintains or commits any public nuisance, the punishment for which is not otherwise prescribed, or who wilfully omits to perform any legal duty relating to the removal of a public nuisance, is guilty of a misdemeanor.

[18-5903, added 1972, ch. 336, sec. 1, p. 958.]

18-5904. NO SMOKING DURING PUBLIC MEETINGS. For the purpose of this act, any meeting or hearing of any board, commission, council, department or agency of state, county, or local government, held within a building owned, rented, or being used by a governmental agency, to which the public is invited, or solicited, or legally entitled to attend is defined as a public meeting. Cigarette, cigar, and pipe smoking are prohibited during all periods when such public hearings or meetings are in progress.

[I.C., sec. 18-5904, as added by 1975, ch. 121, sec. 1, p. 252.]

18-5905. SIGNS TO BE DISPLAYED. No smoking signs shall be displayed in the place of any such public meeting and upon request an area nearby, but outside the room in which the meeting is being held, shall be designated as an area where smoking is permitted.

[I.C., sec. 18-5905, as added by 1975, ch. 121, sec. 2, p. 252.]

18-5906. PENALTY FOR VIOLATION. A violation of section [18-5904](#), Idaho Code, is punishable by a fine of not less than five dollars (\$5.00) nor more than ten dollars (\$10.00).

[I.C., sec. 18-5906, as added by 1975, ch. 121, sec. 3, p. 252.]