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2022 Idaho Code

Title 39 - HEALTH AND SAFETY

Chapter 4 - PUBLIC HEALTH DISTRICTS

Section 39-419 - VIOLATION OF PUBLIC HEALTH LAWS — MISDEMEANOR — CIVIL LIABILITY FOR EXPENSE — INFRACTION.

Universal Citation: ID Code § 39-419 (2022)

39-419. VIOLATION OF PUBLIC HEALTH LAWS — MISDEMEANOR — CIVIL LIABILITY FOR EXPENSE — INFRACTION. (1) It shall be unlawful for any person to willfully violate, disobey, or disregard the provisions of the public health laws or the terms of any lawful notice, order, standard, rule, regulation, or ordinance issued pursuant thereto.

(2) Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding three hundred dollars (\$300), or by imprisonment in the county jail for a term not exceeding six (6) months, or by both such fine and imprisonment. In addition to fine and imprisonment, any person found to be in violation of this chapter or the rules promulgated thereunder shall be liable for any expense incurred by the district board of health in enforcing this chapter, or in removing or terminating any nuisance, source of filth, cause of sickness, or health hazard. Conviction under the penalty provisions of this chapter or any other health

law or rules promulgated thereunder shall not relieve any person from any civil action in damages that may exist for any injury resulting from any violation of the public health laws or rules promulgated by the district board of health.

(3) A violator of any law or rule within the jurisdiction of the district shall be liable in an amount not in excess of the limits prescribed in section 39-108, Idaho Code. The district board may seek recovery by commencing an action in the district court of the county wherein the violation occurred. Amounts recovered shall be deposited as required by the provisions of section 39-414(5), Idaho Code.

(4) Notwithstanding the provisions of subsection (2) of this section, if an order is applicable to all persons in a county or a public health district, then a person who willfully violates such order is guilty of an infraction punishable by a fine of fifty dollars (\$50.00). No court costs or fees apply to such infraction.

History:

[39-419, added 1970, ch. 90, sec. 8, p. 218; am. 1973, ch. 29, sec. 11, p. 56; am. 1986, ch. 63, sec. 6, p. 183; am. 1992, ch. 122, sec. 2, p. 400; am. 2000, ch. 132, sec. 35, p. 344; am. 2021, ch. 90, sec. 2, p. 318.]

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