

CHAPTER 40

PUBLIC PEACE

40.01 Assault	40.04 Unlawful Assembly
40.02 Harassment	40.05 Failure to Disperse
40.03 Disorderly Conduct	

40.01 ASSAULT. No person shall, without justification, commit any of the following:

1. Pain or Injury. Any act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act.

(Code of Iowa, Sec. 708.1 [1])

2. Threat of Pain or Injury. Any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting, or offensive, coupled with the apparent ability to execute the act.

(Code of Iowa, Sec. 708.1 [2])

However, where the person doing any of the above enumerated acts, and such other person, are voluntary participants in a sport, social or other activity, not in itself criminal, and such act is a reasonably foreseeable incident of such sport or activity, and does not create an unreasonable risk or serious injury or breach of the peace, the act is not an assault. Provided, where the person doing any of the above enumerated acts is employed by a school district or accredited nonpublic school, or is an area education agency staff member who provides services to a school or school district, and intervenes in a fight or physical struggle, or other disruptive situation that takes place in the presence of the employee or staff member performing employment duties in a school building, on school grounds or at an official school function regardless of the location, the act is not an assault, whether the fight or physical struggle or other disruptive situation is between students or other individuals if the degree and the force of the intervention is reasonably necessary to restore order and to protect the safety of those assembled.

(Code of Iowa, Sec. 708.1)

40.02 HARASSMENT. No person shall commit harassment.

1. A person commits harassment when, with intent to intimidate, annoy or alarm another person, the person does any of the following:

A. Communicates with another by telephone, telegraph, writing or via electronic communication without legitimate purpose and in a manner likely to cause the other person annoyance or harm.

(Code of Iowa, Sec. 708.7)

B. Places any simulated explosive or simulated incendiary device in or near any building, vehicle, airplane, railroad engine or railroad car, or boat occupied by the other person.

(Code of Iowa, Sec. 708.7)

C. Orders merchandise or services in the name of another, or to be delivered to another, without such other person's knowledge or consent.

(Code of Iowa, Sec. 708.7)

D. Reports or causes to be reported false information to a law enforcement authority implicating another in some criminal activity, knowing that the information is false, or reports the alleged occurrence of a criminal act, knowing the same did not occur.

(Code of Iowa, Sec. 708.7)

2. A person commits harassment when the person, purposefully and without legitimate purpose, has personal contact with another person, with the intent to threaten, intimidate or alarm that other person. As used in this section, unless the context otherwise requires, "personal contact" means an encounter in which two or more people are in visual or physical proximity to each other. "Personal contact" does not require a physical touching or oral communication, although it may include these types of contacts.

40.03 DISORDERLY CONDUCT. No person shall do any of the following:

1. Fighting. Engage in fighting or violent behavior in any public place or in or near any lawful assembly of persons, provided that participants in athletic contests may engage in such conduct which is reasonably related to that sport.

(Code of Iowa, Sec. 723.4 [1])

2. Noise. Make loud and raucous noise in the vicinity of any residence or public building which causes unreasonable distress to the occupants thereof.

(Code of Iowa, Sec. 723.4 [2])

3. Abusive Language. Direct abusive epithets or make any threatening gesture, which the person knows or reasonably should know is likely to provoke a violent reaction by another.

(Code of Iowa, Sec. 723.4 [3])

4. Disrupt Lawful Assembly. Without lawful authority or color of authority, disturb any lawful assembly or meeting of persons by conduct intended to disrupt the meeting or assembly.

(Code of Iowa, Sec. 723.4 [4])

5. False Report of Catastrophe. By words or action, initiate or circulate a report or warning of fire, epidemic, or other catastrophe, knowing such report to be false or such warning to be baseless.

(Code of Iowa, Sec. 723.4 [5])

6. Disrespect of Flag. Knowingly and publicly using the flag of the United States in such a manner as to show disrespect for the flag as a symbol of the United States, with the intent or reasonable expectation that such use will provoke or encourage another to commit a public offense.

(Code of Iowa, Sec. 723.4 [6])

7. Obstruct Use of Street. Without authority or justification, obstruct any street, sidewalk, highway, or other public way, with the intent to prevent or hinder its lawful use by others.

(Code of Iowa, Sec. 723.4 [7])

40.04 UNLAWFUL ASSEMBLY. It is unlawful for three (3) or more persons to assemble together, with them or any of them acting in a violent manner, and with intent that they or any of them will commit a public offense. No person shall willingly join in or remain part of an unlawful assembly, knowing or having reasonable grounds to believe it is such.

(Code of Iowa, Sec. 723.2)

40.05 FAILURE TO DISPERSE. A peace officer may order the participants in a riot or unlawful assembly or persons in the immediate vicinity of a riot or unlawful assembly to disperse. No person within hearing distance of such command shall refuse to obey.

(Code of Iowa, Sec. 723.3)

CHAPTER 41

PUBLIC HEALTH AND SAFETY

41.01 Distributing Dangerous Substances	41.08 Discharging Weapons
41.02 False Reports to or Communications with Public Safety Entities	41.09 Throwing and Shooting
41.03 Refusing to Assist Officer	41.10 Urinating and Defecating
41.04 Harassment of Public Officers and Employees	41.11 Fireworks
41.05 Abandoned or Unattended Refrigerators	41.12 Drug Paraphernalia
41.06 Antenna and Radio Wires	41.13 Interference with Official Acts
41.07 Barbed Wire and Electric Fences	41.14 Pseudoephedrine Restrictions
	41.15 Definitions – Possession of Firearms Prohibited

41.01 DISTRIBUTING DANGEROUS SUBSTANCES. No person shall distribute samples of any drugs or medicine, or any corrosive, caustic, poisonous or other injurious substance unless the person delivers such into the hands of a competent person, or otherwise takes reasonable precautions that the substance will not be taken by children or animals from the place where the substance is deposited.

(Code of Iowa, Sec. 727.1)

41.02 FALSE REPORTS TO OR COMMUNICATIONS WITH PUBLIC SAFETY ENTITIES. No person shall do any of the following:

(Code of Iowa, Sec. 718.6)

1. Report or cause to be reported false information to a fire department, a law enforcement authority or other public safety entity, knowing that the information is false, or report the alleged occurrence of a criminal act knowing the act did not occur.
2. Telephone an emergency 911 communications center, knowing that he or she is not reporting an emergency or otherwise needing emergency information or assistance.
3. Knowingly provide false information to a law enforcement officer who enters the information on a citation.

41.03 REFUSING TO ASSIST OFFICER. Any person who is requested or ordered by any magistrate or peace officer to render the magistrate or officer assistance in making or attempting to make an arrest, or to prevent the commission of any criminal act, shall render assistance as required. No person shall unreasonably and without lawful cause, refuse or neglect to render assistance when so requested.

(Code of Iowa, Sec. 719.2)

41.04 HARASSMENT OF PUBLIC OFFICERS AND EMPLOYEES. No person shall willfully prevent or attempt to prevent any public officer or employee from performing the officer's or employee's duty.

(Code of Iowa, Sec. 718.4)

41.05 ABANDONED OR UNATTENDED REFRIGERATORS. No person shall abandon or otherwise leave unattended any refrigerator, ice box, or similar container, with doors that may become locked, outside of buildings and accessible to children, nor shall any person allow any such refrigerator, ice box, or similar container, to remain outside of buildings on premises in the person's possession or control, abandoned or unattended and so accessible to children.

(Code of Iowa, Sec. 727.3)

41.06 ANTENNA AND RADIO WIRES. It is unlawful for a person to allow antenna wires, antenna supports, radio wires or television wires to exist over any street, alley, highway, sidewalk, public way, public ground or public building without written consent of the Council.

(Code of Iowa, Sec. 364.12 [2])

41.07 BARBED WIRE AND ELECTRIC FENCES. It is unlawful for a person to use barbed wire or electric fences to enclose land within the City limits without the written consent of the Council unless such land consists of ten (10) acres or more and is used as agricultural land.

41.08 DISCHARGING WEAPONS.

1. It is unlawful for a person to discharge rifles, shotguns, revolvers, pistols, guns, BB guns or other firearms of any kind within the City limits except by written consent of the Council, or for State-licensed hunters. State-licensed hunters can apply for a hunting permit from the City and are permitted to discharge weapons whose ordnance is appropriate to the prey and hunting season, but only upon areas zoned as "A-1 Agriculture" as long as no hunting occurs within 200 yards of any building inhabited or utilized by people or domestic livestock or within 200 yards of any public recreational facility and the owner and tenant, if applicable, of the property have given written permission for hunting to occur on the property. State-licensed hunters can apply for a City of Bondurant Hunting Permit by providing a copy of the person's individual hunting license, the address or map of where they are hunting, and a copy of the property owner/tenant permission slip to the City Clerk for the City to keep on file. The permission slip can be obtained from the City Clerk. City of Bondurant Hunting Permits will expire one year from the date of issue.

(Ordinance No. 17-216)

41.09 THROWING AND SHOOTING. It is unlawful for a person to throw stones, bricks or missiles of any kind or to shoot arrows, rubber guns, slingshots, air rifles or other dangerous

instruments or toys on or into any street, alley, highway, sidewalk, public way, public ground or public building, without written consent of the Council.

(Code of Iowa, Sec. 364.12 [2])

41.10 URINATING AND DEFECATING. It is unlawful for any person to urinate or defecate onto any sidewalk, street, alley, or other public way, or onto any public or private building, including but not limited to the wall, floor, hallway, steps, stairway, doorway or window thereof, or onto any public or private land.

41.11 FIREWORKS. The use or exploding of fireworks within the City are subject to the following:

1. Definition. “Fireworks” or “Consumer Fireworks” as used in this section, shall mean those items listed or referred to under the definition of “First-Class Consumer Fireworks” and “Second-Class Consumer Fireworks” as set forth Under Iowa Code Chapter 100.

2. No person shall use, explode, discharge any consumer fireworks on days other than July 3, between the hours 2:00 p.m. and 10:00 p.m. and July 4, between the hours 2:00 p.m. and 11:00 p.m.

3. No person shall use or ignite Fireworks of any Class (as set forth under Iowa Code Chapter 100), unless they are at least 18 years of age or they are in the immediate presence of a parent or guardian who has consented to supervise. *This age prohibition shall not be applicable in regards to use of: Snakes, sparklers, or caps.*

4. A person shall not use, explode or discharge Consumer Fireworks on real property other than that person’s real property or on the real property of a person who has consented in writing to the use of consumer fireworks on that property. A person shall not use, explode or discharge Consumer Fireworks on Bondurant Farrar School District property, or any other publicly owned property (including streets, sidewalks, and city parks) except as specifically authorized by permit issued pursuant to Bondurant Municipal Code section 161.19, *Exceptions: Snakes, sparklers, or caps can be discharged on a public place so long as all trash, wrappers, and wires are properly disposed of.*

5. Fireworks shall not be discharged by persons showing visible signs of, or determined to be, intoxicated or under the influence of a drug or narcotic.

6. In the event that a user of fireworks discharges any firework debris on property other than real property that they own (or property they are utilizing at the consent of the owner), the user shall be responsible for removing any such debris that lands on public property. Additionally, should the debris land on property other than the real property the user of fireworks owns (or are utilizing at the consent of the owner), the user must immediately contact the owner of the property where the debris lands to coordinate clean up of the debris.

7. A person shall not use, explode or discharge Consumer Fireworks within 600 feet of the property line of a property containing any structure which offers for sale in any manner combustible material including, but not limited to, gas stations, propane sales, or fireworks sales establishments.

8. A person shall not use, explode or discharge Consumer Fireworks within 600 feet of the property line of a property containing a medical clinic, hospital, child care facility, or senior living facility (for purposes of this section, senior living facility shall include Courtyard Estates Assisted Living Facility and Candleridge Apartments).

9. Aerial Shell kits and reloadable tubes are strictly prohibited from being used, exploded or discharged in the City. Sky lantern open flame devices are not permitted to be released within the city limits, except if tethered by a retrievable rope so long as the person discharging has control over the sky lantern.

10. A person who violates this section commits a simple misdemeanor punishable by a fine of not less than \$250.00 per violation.

(Ordinance No. 17-207)

41.12 DRUG PARAPHERNALIA.

1. As used in this section “drug paraphernalia” means all equipment, products or materials of any kind used or attempted to be used in combination with a controlled substance, except those items used in combination with the lawful use of a controlled substance, to knowingly or intentionally and primarily do any of the following:

A. Manufacture a controlled substance.

B. Inject, ingest, inhale or otherwise introduce into the human body a controlled substance.

C. Test the strength, effectiveness or purity of a controlled substance.

D. Enhance the effect of a controlled substance. Drug paraphernalia does not include hypodermic needles or syringes if manufactured, delivered, sold or possessed for a lawful purpose.

2. It is unlawful for any person to knowingly or intentionally manufacture, deliver, sell or possess drug paraphernalia.

(Code of Iowa, Sec. 124.414)

41.13 INTERFERENCE WITH OFFICIAL ACTS. No person shall knowingly resist or obstruct anyone known by the person to be a peace officer, emergency medical care provider or fire fighter, whether paid or volunteer, in the performance of any act which is within the scope of the lawful duty or authority of that officer, emergency medical care provider or fire fighter, or

shall knowingly resist or obstruct the service or execution by any authorized person of any civil or criminal process or order of any court. The terms “resist” and “obstruct” as used in this section do not include verbal harassment unless the verbal harassment is accompanied by a present ability and apparent intention to execute a verbal threat physically.

(Code of Iowa, Sec. 719.1)

41.14 PSEUDOEPHEDRINE RESTRICTIONS.

1. A retailer shall not sell and a person shall not purchase in a single transaction more than two packages containing pseudoephedrine as the product’s sole active ingredient.

2. Except as otherwise provided, a retailer who offers for sale a product containing pseudoephedrine as the product’s sole active ingredient shall display and offer such product for sale behind a counter where the public is not permitted or within twenty feet of a counter which allows the attendant to view the products in an unobstructed manner. A retailer may display or offer for sale without restriction a product containing pseudoephedrine as the sole active ingredient if the product is displayed using any type of antitheft device system, including but not limited to an electronic antitheft device system that utilizes a product tag and detection alarm, which prevents the theft of the product.

3. A retailer shall post a notice at the location where a product containing pseudoephedrine as its sole active ingredient is displayed or offered for sale stating the following:

Iowa Law prohibits the sale or purchase of more than two packages containing pseudoephedrine as the sole ingredient.

4. The provisions of this section do not apply to:

A. Any package of a product containing pseudoephedrine as the product’s sole active ingredient, which is in liquid form.

B. Any package of a product containing pseudoephedrine as the product’s sole active ingredient, which is primarily intended for administration to children under twelve years of age according to the label, regardless of whether the product is in liquid or solid form.

C. Any package of a product containing pseudoephedrine as the product’s sole active ingredient that the Board of Pharmacy Examiners, with the concurrence of the Department of Public Safety, upon application of a manufacturer, exempts from this section because the product is formulated to effectively prevent conversion of the active ingredient into methamphetamine or its salts or precursors.

5. An employee of a retailer who sells or a person who purchases pseudoephedrine in violation of subsection 1 of this section commits a simple misdemeanor, punishable in an amount to equal to a scheduled violation under Section 805.8C (4a) of the Code of Iowa. If a citation is

issued for a violation of subsection 1, the citation shall be issued to both the employee and the purchaser. For each violation of subsections 1, 2 or 3 of this section by a retailer, the retailer shall be assessed an amount equal to a scheduled fine under Section 805.8C (4b) of the Code of Iowa, which is a civil penalty.

(Code of Iowa, Sec. 126.23A)

(Ordinance No. 04-209)

41.15 (1) DEFINITIONS.

A. “Firearm” – Any weapon from which a shot may be fired by the force of an explosive or propellant, including but not limited to rifles, pistols, shotguns, air guns, and BB guns.

B. “Weapons free zone” – Any area as defined as a weapons free zone pursuant to Iowa Code Section 724.4.

(Ordinance No. 230710-218)

41.15 (2) POSSESSION OF FIREARMS PROHIBITED. No person except duly authorized City, county, state or federal law enforcement officers specifically authorized by law to carry firearms shall possess a firearm while in any weapons free zone within the City.

(Ordinance No. 12-202)

(Ordinance No. 230710-218)

CHAPTER 42

PUBLIC AND PRIVATE PROPERTY

42.01 Trespassing	42.04 Unauthorized Entry
42.02 Criminal Mischief	42.05 Fraud
42.03 Defacing Proclamations or Notices	42.06 Theft

42.01 TRESPASSING. It is unlawful for a person to knowingly trespass upon the property of another. As used in this section, the term “property” includes any land, dwelling, building, conveyance, vehicle or other temporary or permanent structure whether publicly or privately owned. The term “trespass” means one or more of the following acts:

(Code of Iowa Sec. 716.7 and 716.8)

1. **Entering Property Without Permission.** Entering upon or in property without the express permission of the owner, lessee, or person in lawful possession with the intent to commit a public offense or to use, remove therefrom, alter, damage, harass, or place thereon or therein anything animate or inanimate.

(Code of Iowa, Sec. 716.7 [2a])

2. **Entering or Remaining on Property.** Entering or remaining upon or in property without justification after being notified or requested to abstain from entering or to remove or vacate therefrom by the owner, lessee, or person in lawful possession, or by any peace officer, magistrate, or public employee whose duty it is to supervise the use or maintenance of the property.

(Code of Iowa, Sec. 716.7 [2b])

3. **Interfering with Lawful Use of Property.** Entering upon or in property for the purpose or with the effect of unduly interfering with the lawful use of the property by others.

(Code of Iowa, Sec. 716.7 [2c])

4. **Using Property Without Permission.** Being upon or in property and wrongfully using, removing therefrom, altering, damaging, harassing, or placing thereon or therein anything animate or inanimate, without the implied or actual permission of the owner, lessee, or person in lawful possession.

(Code of Iowa, Sec. 716.7 [2d])

None of the above shall be construed to prohibit entering upon the property of another for the sole purpose of retrieving personal property which has accidentally or inadvertently been thrown, fallen, strayed, or blown onto the property of another, provided that the person retrieving the property takes the most direct and accessible route to and from the property to be retrieved, quits the property as quickly as is possible, and does not unduly interfere with the lawful use of the property.

(Code of Iowa, Sec. 716.7(3))

42.02 CRIMINAL MISCHIEF. It is unlawful, for any person who has no right to do so, to intentionally damage, deface, alter or destroy property.

(Ordinance No. 02-210)

(Code of Iowa, Sec. 716.1)

42.03 DEFACING PROCLAMATIONS OR NOTICES. It is unlawful for a person intentionally to deface, obliterate, tear down, or destroy in whole or in part, any transcript or extract from or of any law of the United States or the State, or any proclamation, advertisement or notification, set up at any place within the City by authority of the law or by order of any court, during the time for which the same is to remain set up.

(Code of Iowa, Sec. 716.1)

42.04 UNAUTHORIZED ENTRY. No unauthorized person shall enter or remain in or upon any public building, premises or grounds in violation of any notice posted thereon or when said building, premises or grounds are closed and not open to the public. When open to the public, a failure to pay any required admission fee also constitutes an unauthorized entry.

42.05 FRAUD. It is unlawful for any person to commit a fraudulent practice as defined in Section 714.8 of the Code of Iowa.

(Code of Iowa, Sec. 714.8)

42.06 THEFT. It is unlawful for any person to commit theft as defined in Section 714.1 of the Code of Iowa.

(Code of Iowa, Sec. 714.1)

CHAPTER 45

ALCOHOL CONSUMPTION AND INTOXICATION

45.01 Persons Under Legal Age	45.03 Open Containers in Motor Vehicles
45.02 Public Consumption or Intoxication	

45.01 PERSONS UNDER LEGAL AGE. As used in this section, “legal age” means twenty-one (21) years of age or more.

1. A person or persons under legal age shall not purchase or attempt to purchase or individually or jointly have alcoholic liquor, wine or beer in their possession or control; except in the case of liquor, wine or beer given or dispensed to a person under legal age within a private home and with the knowledge, presence and consent of the parent or guardian, for beverage or medicinal purposes or as administered to the person by either a physician or dentist for medicinal purposes and except to the extent that a person under legal age may handle alcoholic beverages, wine, and beer during the regular course of the person’s employment by a liquor control licensee, or wine or beer permittee under State laws.

(Code of Iowa, Sec. 123.47[2])

2. A person under legal age shall not misrepresent the person’s age for the purpose of purchasing or attempting to purchase any alcoholic beverage, wine or beer from any licensee or permittee.

(Code of Iowa, Sec. 123.49[3])

45.02 PUBLIC CONSUMPTION OR INTOXICATION.

1. As used in this section unless the context otherwise requires:

A. “Arrest” means the same as defined in Section 804.5 of the Code of Iowa and includes taking into custody pursuant to Section 232.19 of the Code of Iowa.

B. “Chemical test” means a test of a person’s blood, breath, or urine to determine the percentage of alcohol present by a qualified person using devices and methods approved by the Commissioner of Public Safety.

C. “Peace Officer” means the same as defined in Section 801.4 of the Code of Iowa.

D. “School” means a public or private school or that portion of a public or private school which provides teaching for any grade from kindergarten through grade twelve.

2. A person shall not use or consume alcoholic liquor, wine or beer upon the public streets or highways. A person shall not use or consume alcoholic liquor in any public place, except premises covered by a liquor control license. A person shall not possess or consume alcoholic liquors, wine or beer on public school property or while attending any public or private school-related function. A person shall not be intoxicated or simulate intoxication in a public place.

3. When a peace officer arrests a person on a charge of public intoxication under this section, the peace officer shall inform the person that the person may have a chemical test administered at the person's own expense. If a device approved by the Commissioner of Public Safety for testing a sample of a person's breath to determine the person's blood alcohol concentration is available, that is the only test that need be offered the person arrested. In a prosecution for public intoxication, evidence of the results of a chemical test performed under this subsection is admissible upon proof of a proper foundation. The percentage of alcohol present in a person's blood, breath, or urine established by the results of a chemical test performed within two hours after the person's arrest on a charge of public intoxication is presumed to be the percentage of alcohol present at the time of arrest.

(Code of Iowa, Sec. 123.46)

45.03 OPEN CONTAINERS IN MOTOR VEHICLES. (See Section 62.08 of this Code of Ordinances.)

CHAPTER 46

MINORS

46.01	Cigarettes and Tobacco	46.03	Curfew
46.02	Contributing to Delinquency	46.04	Disorderly House

46.01 CIGARETTES AND TOBACCO. It is unlawful for any person under eighteen (18) years of age to smoke, use, possess, purchase or attempt to purchase any tobacco, tobacco products or cigarettes. Possession of cigarettes or tobacco products by a person under eighteen years of age shall not constitute a violation of this section if said person possesses the cigarettes or tobacco products as part of the person's employment and said person is employed by a person who holds a valid permit under Chapter 453A of the Code of Iowa and lawfully offers for sale or sells cigarettes or tobacco products.

(Code of Iowa, Sec. 453A.2)

46.02 CONTRIBUTING TO DELINQUENCY. It is unlawful for any person to encourage any child under eighteen (18) years of age to commit any act of delinquency.

(Code of Iowa, Sec. 709A.1)

46.03 CURFEW. A curfew applicable to certain minors is established and shall be enforced as follows:

1. Definition. The term "minor" shall mean, in this section, any person below the age of sixteen (16) years.
2. Time limits. It is unlawful for any minor to be or remain upon any of the alleys, streets or public places or to be in places of business and amusement in the City between the hours of eleven (11) o'clock p.m. and five (5) o'clock a.m. of the following day on Sunday through Thursday and between the hours of twelve (12) o'clock a.m. (i.e., midnight and five (5) o'clock a.m. on Saturday and Sunday.
3. Exceptions. The restriction provided by Subsection 46.03(2) shall apply to any minor who is emancipated, accompanied by a guardian, parent or other person charged with the care and custody of such minor, or other responsible person over twenty-one (21) years of age, nor shall the restriction apply to any minor who is traveling between his home or place of residence and the place where any approved place of employment, church, municipal or school function is being held.

4. Responsibility of Adults. It is unlawful for any parent, guardian or other person charged with the care and custody of any minor to allow or permit such minor to be in or upon any of the streets, alleys, places of business, or amusement or other public places within the curfew hours set by Subsection 46.03(2), except as otherwise provided in Subsection 46.03(3).

(Code of Iowa, section 613.16)

5. Responsibility of Business Establishments. It is unlawful for any person, firm or corporation operating a place of business or amusement to allow or permit any minor to be in or upon any place of business or amusement operated by them within the curfew hours set by Subsection 46.03(2), except as otherwise provided in Subsection 46.03(3).

6. Enforcement. Any peace officer of the City while on duty, is hereby empowered to arrest any minor who violates any of the provisions of Subsections 46.03(2 & 3). Upon arrest, the minor shall be returned to the custody of the parent, guardian or other person charged with the care and custody of the minor.

(Ordinance No. 06-207)

46.04 DISORDERLY HOUSE.

1. Definition. The term “disorderly house” shall mean, and include any building, house, enclosure or place within the City where riotous, noisy or disorderly conduct or loud or unusual noises or loud, profane or vulgar language or drunkenness, quarreling or fighting is engaged in or permitted; or around which prostitutes and vagrants are located.

2. No person shall keep, maintain, operate, or be concerned in keeping, maintaining or operating within the City any illegal gambling place; disorderly house; house of prostitution; place where illegal narcotics are kept, used, or sold; or place where intoxicating liquor is illegally kept, sold or served. No person shall frequent or be found in any such place or be employed therein.

3. No person knowing the character or reputation of any such place shall transport others to or from any disorderly house.

4. Responsibility of Adults. It is unlawful for any parent, guardian or other person charged with the care and custody of any minor to allow or permit such minor to be in or upon any of the streets, alleys, places of business, or amusement or other public places within the curfew hours set by Subsection 46.03(2), except as otherwise provided in Subsection 46.03(3).

(Ordinance No. 06-208)

CHAPTER 47

PARK REGULATIONS

47.01 Purpose	47.07 Quiet Hours
47.02 Use of Drives Required	47.08 Smoking
47.03 Fires	47.09 Lake Petocka Park Regulations
47.04 Littering	47.10 Public Fishing Regulations
47.05 Parks Closed	47.11 Dog Park Regulations
47.06 Camping	

47.01 PURPOSE. The purpose of this chapter is to facilitate the enjoyment of park facilities by the general public by establishing rules and regulations governing the use of park facilities.

(Code of Iowa, Sec. 364.12)

47.02 USE OF DRIVES REQUIRED. No person shall drive any car, cycle or other vehicle, or ride or lead any horse, in any portion of a park except upon the established drives or roadways therein or such other places as may be officially designated by the City.

47.03 FIRES. No fires shall be built, except in a place provided therefore, and such fire shall be extinguished before leaving the area unless it is to be immediately used by some other party.

47.04 LITTERING. No person shall place, deposit, or throw any waste, refuse, litter or foreign substance in any area or receptacle except those provided for that purpose.

47.05 PARKS CLOSED. No person, except for patrons at Lake Petocka who are actively fishing with a current State of Iowa fishing license, shall enter or remain within any park between dusk (defined as 30 minutes after sundown, and six o'clock (6:00) a.m.

(Ordinance No. 17-208)
(Ordinance No. 200518-215)

47.06 CAMPING. No person shall camp in any portion of a park except in portions prescribed or designated by the Council, and the City may refuse camping privileges or rescind any and all camping privileges for cause.

47.07 QUIET HOURS. Commuter trails that ravel through the community and connect with other trails shall have "quiet hours" from park between dusk (defined as 30 minutes after sundown) and six o'clock (6:00) a.m. Trail loops inside parks, such as the trail loop at Lake Petocka, observe park closing hours.

47.08 SMOKING. Smoking in public parks and on public trails is prohibited.

(Ordinance No. 17-208)

47.09 LAKE PETOCKA PARK REGULATIONS.

1. No alcoholic beverages to be sold on the premises except with permission from the City Council.
2. No off gravel driving.
3. Park hours: 6:00 a.m., to dusk (30 minutes after sundown), except for patrons who are actively fishing with a current State of Iowa fishing license or with special permission from the City.
4. Ice shacks will be permitted on the lake according to the regulations set by the Department of Natural Resources. Patrons enter ice at their own risk.
5. All Iowa Department of Natural Resources fishing regulations apply.
QR Code to: (<http://www.iowadnr.gov/Fishing/FishingLicensesLaws.aspx>)
6. In addition to a fishing license, a Trout Fee is required to possess Trout.
7. No swimming or wading, except with special permission from the City Council.
8. Motorized watercraft shall not be allowed to be operated or used on Lake Petocka.
9. Non-motorized watercraft may be hand launched only, and operated on Lake Petocka as long as said watercraft's length does not exceed 18 feet, excluding City or government owned equipment.
10. Motorized model boats may be operated on Lake Petocka; however, anyone operating a motorized model boat must first obtain a permit from the City Administrator. There shall be no charge for the permit.
11. No hunting. No weapons allowed.
12. City pet ordinance will be enforced in the park (pets on leash only).
13. No open fires (fire rings and burning barrels may be used with permission from the City Council).
14. No overnight camping only with special permission from the City Council.
15. No littering. Please put trash in receptacles provided.
16. Handicap parking is available in the designated areas.
17. 15 mph speed limit.

(Ordinance No. 08-215)
(Ordinance No. 12-211)
(Ordinance No. 12-214)
(Ordinance No. 13-203)
(Ordinance No. 15-206)
(Ordinance No. 17-208)
(Ordinance No. 200518-215)
(Ordinance No. 230821-220)

47.10 PUBLIC FISHING REGULATIONS.

1. Public fishing areas include Lake Petocka, West Wolf Creek Pond, North Eagle Park Pond, and Park Side Pond.
2. Parking allowed in designated public parking areas only.
3. Public Fishing hours follow park hours except with special permission from the City.
4. Ice fishing is permitted at Lake Petocka only. The Iowa Department of Natural Resources recommends a minimum of four inches of clear ice for fishing. Patrons enter ice at their own risk. Any person who stands, walks, ice fishes or otherwise enters on such frozen surfaces does so at his or her own risk and is solely responsible for his or her own safety.
5. Ice skating is prohibited at all public fishing areas.
6. All Iowa Department of Natural Resources (DNR) fishing regulations apply.
7. Snowmobiles, ATVs, UTVs and other vehicles are not allowed.
8. No swimming or wading, except with special permission from the City Council.
9. Motorized watercraft shall not be allowed to be operated or used at public fishing areas.
10. Non-motorized watercraft allowed at Lake Petocka only, may be hand launched and operated.
11. No hunting. No weapons allowed.
12. No cleaning, disposing or gutting of fish is allowed on City-owned property including, but not limited to, City parks, ponds, trails, tables or shelters.
13. City pet ordinance will be enforced in all public fishing areas (pets on leash only).
14. No open fires (fire rings and burning barrels may be used with permission from the City Council).

15. No overnight camping only with special permission from the City Council.
16. Use of open waters for a private purpose is prohibited.
17. No littering.
19. No smoking.

(Ordinance No. 201221-221)
(Ordinance No. 220801-209)
(Ordinance No. 230821-220)

47.11 DOG PARK REGULATIONS.

1. No dogs with a known history of aggression, fighting, or biting. Dogs showing aggression must be removed immediately.
2. Children under the age of 10 (ten) are not allowed within the facility and those ages 10 (ten) to 15 (fifteen) must be accompanied by a person aged 16 (sixteen) or older.
3. Only 2 (two) dogs per handler.
4. Handlers must pick up and dispose of their dog's waste.
5. To maintain control, always carry a leash within the facility, one leash per dog, and never leave the dog unattended.
6. Dogs should be leashed before entering and prior to leaving the park.
7. Dog handlers must be 16 (sixteen) years old or older.
8. No pinch / prong / spiked collars.
9. Dogs must be over four months old and not be in heat.
10. No digging, and owners are responsible and liable for any damage caused by their dogs.
11. Sick dogs (i.e., Kennel Cough, etc.) should not be brought to the Dog Park.
12. Gates must be kept closed at all times.
13. Small Dog Area – Dogs must be under 15 (fifteen) inches at should and/or dogs under 20 (twenty) pounds.
14. No food, beverages, or glass inside the fenced area of the dog park. Small training treats are allowed.

15. Use of the facility is at the owner's/handler's own risk.
16. Dogs must be licensed through an appropriate authority (city or county).
17. Dogs must display rabies tags, be current on all vaccinations, and be healthy.
18. The off-leash dog area is for dogs and their handlers. No other use is permitted (including skateboard, bicycles, scooters, and rollerblades).
19. Violators will be subject to removal from the park and suspension of park privileges.

(Ordinance No. 220801-209)