

CHAPTER 46

PARK REGULATIONS

46.01 Purpose	46.13 Trapping Prohibited
46.02 Definitions	46.14 Parking and Moving Vehicles
46.03 Employee Exemption from Certain Rules	46.15 Fees; Requirements for Use of Park Facilities
46.04 Protection to Trees and Shrubbery	46.16 Selling Prohibited Except by Authority of Board
46.05 Prohibited Areas	46.17 Permit Required for Certain Activities
46.06 Injuring Park Property	46.18 Hours Open to Public
46.07 Vehicle Parking	46.19 Vehicles Prohibited After Hours
46.08 Littering Prohibited	46.20 Structures Prohibited Except by Authority of Board
46.09 Restriction on Abutting Landowners	46.21 Alcoholic Beverages Prohibited; Exceptions
46.10 Handbills and Signs Prohibited	46.22 Authority of Board to Prohibit Certain Conduct
46.11 Firearms, Guns and Fireworks Prohibited	46.23 Overnight Camping
46.12 Animals Protected	46.24 Horses

46.01 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)

46.02 DEFINITIONS. As used in connection with parks and recreation activities for the City, the following terms are defined:

1. “Board” means the duly authorized, selected and appointed Parks and Recreation Board for the City, as defined under Iowa statutes and in Chapter 22 of this Code of Ordinances.
2. “Park” means any park, playground, boulevard, lake, river, stream, recreational center, zoo area, golf course, ball park, or any other area outside of or in the City owned or used by the Parks and Recreation Board and devoted to active and passive recreation by the general public.
3. “Vehicle” means any motorized or unmotorized wheeled conveyance and trailers in tow of any size, kind or description, excluding bicycles.

46.03 EMPLOYEE EXEMPTION FROM CERTAIN RULES. The sections in this chapter governing activities and the general rules are not applicable to employees of the Board or of the City while within a park on required or official duties and in the course of such employment.

46.04 PROTECTION TO TREES AND SHRUBBERY. No person shall pick or cut any wild or cultivated flowers, or cut, break, dig or in any way deface any trees, shrubs or plants within the limits of any park.

46.05 PROHIBITED AREAS. No person shall go on foot or otherwise upon the grass or turf of any park or parkway where any prohibitory sign is posted.

46.06 INJURING PARK PROPERTY. No person shall cut, break, scratch, mark, mar or in any way injure or deface any building, fence, wall, lamp, flagpole, construction improvement, facility or any other feature or property upon or within any park.

46.07 VEHICLE PARKING. No person shall operate or park any vehicle in any park, except on clearly marked and designated roadways or parking areas therein.

46.08 LITTERING PROHIBITED. No person shall throw, deposit, place or leave in any park or parkway, or water therein, any paper, rubbish, waste, cans, bottles or refuse of any kind, whether or not the same is offensive to the senses or is injurious to health, except in the receptacles provided for waste, and then only that waste material that is generated in the park area.

46.09 RESTRICTION ON ABUTTING LANDOWNERS. The owner, occupant or person in charge of any land abutting upon any park shall not allow any earth, rubbish or refuse of any kind, whether or not the same is offensive to the senses or injurious to health, to fall or to wash upon or into any part of any park.

46.10 HANDBILLS AND SIGNS PROHIBITED. No person shall distribute any handbills or erect any signs or post or affix any notice or bills or other writing to any tree, post, wall, fence or building or any other structure or improvement within any park.

46.11 FIREARMS, GUNS AND FIREWORKS PROHIBITED. No person shall fire or discharge any gun or any other type of firearm or discharge or set off any type of rocket, firecracker or other fireworks or anything containing any substance of an explosive character within any public park except upon authority granted by the Board.

46.12 ANIMALS PROTECTED. No person shall rob, injure or destroy any bird nests within the limits of any park, or aim or discharge any air gun, slingshot or other weapon, or throw any stones or other missiles at any bird or bird nest or any wild creature within any park or in any other manner capture or attempt to capture or kill any bird or wild creature in any park.

46.13 TRAPPING PROHIBITED. No person shall at any time trap, set, lay, prepare or have in possession any trap, snare, artificial light, net or any other device whatever for the purpose of catching, taking or killing any bird or wild creature in any park with the exception of those devices which are necessarily used for fishing in the streams and lakes within the park system and permitted by the Board.

46.14 PARKING AND MOVING VEHICLES. Park employees and the police department have authority to direct the parking and moving of vehicles in the parks.

46.15 FEES; REQUIREMENTS FOR USE OF PARK FACILITIES. The Board is authorized to set such fees as are necessary for the use of facilities operated by the Board. Such fees shall be posted at the entrance to the recreational facility and shall be collected at that place. Individuals desiring to use such facilities are required to enter and exit at the designated places and use only designated areas. Opening and closing times for recreational facilities shall be set by the Board and posted at the entrance to the facilities.

46.16 SELLING PROHIBITED EXCEPT BY AUTHORITY OF BOARD. No person shall sell or offer to sell any article or anything of any type in any park, but this prohibition does not apply to sales of refreshments and other articles authorized by the Board or under its direction at pavilions or stands conducted and authorized by the Board.

46.17 PERMIT REQUIRED FOR CERTAIN ACTIVITIES. Bands, processions, parades, military displays, entertainment, exhibitions, and public meetings are allowed in any park after a written permit is obtained from the Council, and the Council may seek the Board's opinions and recommendations for the issuance of such a permit.

46.18 HOURS OPEN TO PUBLIC. Parks shall be open to the public every day from five o'clock (5:00) a.m. to ten o'clock (10:00) p.m. No one is permitted to be in the parks during any other hour unless such person has a valid permit. Any part of a park may be closed to the public by the Board if found to be reasonably necessary and notice of such closing is posted prominently. It is unlawful for anyone to go into any area of any park after closing hours and before opening hours the next day or when any area has been declared to be closed by the Board.

46.19 VEHICLES PROHIBITED AFTER HOURS. It is unlawful for anyone to park or leave parked a vehicle within any park after closing hours unless specifically authorized by the Mayor, Police Chief or Chairperson of the Board.

46.20 STRUCTURES PROHIBITED EXCEPT BY AUTHORITY OF BOARD. No person shall build or maintain or be permitted to build or maintain any structure, even a temporary structure, within any park except as may be erected by the Board for park purposes, and such statues, monuments, works of art or structures intended for ornamentation only as may be erected by authority of the Board.

46.21 ALCOHOLIC BEVERAGES PROHIBITED; EXCEPTIONS. It is unlawful for any person to drink or consume any alcoholic beverages within the parks of the City except that such restrictions do not apply to low point beer or where alcoholic beverages are licensed to be served.

46.22 AUTHORITY OF BOARD TO PROHIBIT CERTAIN CONDUCT. The parks of the City exist and shall be operated and maintained for the enjoyment, benefit and recreation of those persons using the parks. No person shall take part in any activity, conduct or game which interferes with another person's use of the park. The Board has the authority to prohibit conduct in those areas of the parks when and where the Board deems conduct dangerous or unduly interfering with another's use of the parks, such as but not limited to picnicking areas. The notice prohibiting activity within a specific area shall be conspicuously displayed, setting forth which activity, conduct or games are restricted.

46.23 OVERNIGHT CAMPING. Overnight camping within the parks is prohibited. This section is not to be so interpreted as to prevent persons driving various types of recreational vehicles from parking temporarily in designated parking areas during normal daylight hours.

46.24 HORSES. Horses are not to be ridden in the park area or otherwise allowed to roam at large or to be tethered to any building, stake, tree, shrub or park fixture of any kind.