

CODE OF IOWA 461A PUBLIC LANDS AND WATERS

Public Notice

Code of Iowa Chapter 461A Public Lands and Waters - Applicable to Hancock County Conservation Board Areas. In addition to the rules and regulations adopted by the Conservation Board under Iowa Code 350, state laws apply to conduct in County Parks. Section 461A.35 through 461A.57 of the State Park Law applies to County Parks unless they have been modified by the Conservation Board as outlined below.

350.5 Rules And Regulations – Officers. The County Conservation Board may create, alter, amend or repeal rules and regulation for the protection, regulation and control of all museums, parks, preserves, parkways, playgrounds, recreation centers, and other property under its control. ...a person violating a provision of the regulations which are in effect is guilty of a simple misdemeanor.

The Board may designate the executive director and such employees as police officers who shall have the powers conferred by law on police officers, peace officers or sheriffs in the enforcement of the laws of the State of Iowa and the apprehension of violators thereof.

Section 1 – Definitions
Board – when used hereunder shall mean the Hancock County Conservation Board, Hancock County Iowa.

Director – shall mean the person employed by the Board to carry out its policies as prescribed in Chapter 350 of the Code of Iowa.

Authorized Representative – shall include Rangers or persons designated from time to time by the Director.

Person – shall mean any person, firm, partnership or corporation.

Camper – shall mean any person engaged in the act of camping or occupying a campsite or cabin.

Campsite – shall mean the area within a campground designated by the Board for the erecting of camping equipment or camping unit.

Camperground – shall mean the area within a county park, recreation or conservation area set aside for the act of overnight camping.

Special Use Permit – shall mean any permit issued and signed by the Director or authorized representative pursuant to authority delegated by the Board.

Camping Unit – shall mean either a single tent, pickup camper, motor home or converted bus, recreation trailer, boat and trailer or a motor vehicle used for a camp by a camping party, except those shelters used exclusively for dining purposes, plus at the option of the camping party, a second tent may be placed on the same campsite for dependent members of the family occupying said campsite.

Official Signs – shall mean signs provided for in the Iowa State Department of Transportation Manual on Uniform Traffic Control Devices for Iowa Streets and Highways and other signs designated from time to time by the Board.

Section 2 – Closing And Opening Time – Except by arrangement or permission granted by the Director or Authorized Representative, all persons shall vacate all county parks under control of the Board before 11 PM daily and no person or persons shall enter into such areas until 6 AM daily. The provisions of this section shall not apply to registered and authorized campers in areas authorized for camping.

Section 3 – Campground Regulations – It shall be unlawful to camp or occupy a campsite in any campground under the control of the Board without observing the following rules:

3.1 Violation of any state law or Conservation Board rule and regulation by any member of a camping party is cause for revocation of the camping permit without refund and the entire camping party shall be required to leave the area.

3.2 Campers must restore campsite to the same approximate condition as existed when campers first occupied said site. All registered campsites must remain clean and all garbage must be placed in designated refuse containers.

3.3 Campers must erect their camping equipment and camp at designated campsites only.

3.4 Camper registration is done by self-registration process on forms provided by the Board. Campers shall within one hour of arrival at the campground, complete the registration process by: filling out the registration form, placing the appropriate fee in the envelope and placing it in the depository. One copy must be

retained and placed in the holder at the campsite. When all of the above requirements are met, the campsite is considered occupied.

3.5 No camping equipment of any kind may occupy a campsite in any campground for more than 14 days. Campers and their party must vacate the campground immediately after the fourteenth consecutive day and may not return to the same campground until a minimum of three days has passed.

3.6 Unattended camping units or equipment which occupies an unregistered or unpaid campsite, may be removed and stored at the expense of its owner, such expense shall not be less than \$25.00. If not reclaimed within six months of the removal date, all such camping equipment shall be considered abandoned and shall thereafter be disposed of as prescribed by law.

3.7 It shall be unlawful to register for a campsite unless that person making the reservation has attained the age of 18 years.

3.8 All campers and their party shall maintain quiet in the county campgrounds after 11 PM until 6 AM the following day.

3.9 A single campsite can be occupied by: (a) A parent or parents with children and not more than 2 lineal relatives or guests not totaling more than six campers. (b) An unorganized group of 6 or less persons who are 18 years of age or older. The Director or authorized representative may upon meeting with a parent allow persons age 16 or 17 to occupy a campsite. (c) Up to 10 of an organized juvenile group.

3.10 Only registered campers are permitted in the campgrounds during the hours of 11:00 PM and 6:00 AM. All campers are restricted to the campground after 11 PM until 6 AM the following day except by arrangement or permission granted by the Director or authorized representative.

3.11 Camping is restricted to one "camping unit" per campsite, except at the option of the camping party, a second tent may be placed on the same campsite for dependent members of the family occupying said campsite. Each campsite is permitted one table, unless otherwise granted by the Director or authorized representative.

3.12 Campers occupying a campsite shall vacate the campground or register for another night prior to 4 PM daily. Registration can be made for more than one night at a time.

3.13 Each campsite will be allowed a maximum of two motor vehicles in addition to that being used as a camping unit. Such motor vehicles must be parked within the boundaries of that particular campsite.

Watercraft or additional storage trailers will be permitted to park on the grass within the appropriate campsite. An extra adjacent campsite may be rented for the sole purpose to park vehicles. All extra vehicles and visitor's vehicles must be parked outside the campground at a location designated for that purpose.

3.14 No camping unit or party shall move from the assigned campsite to another campsite without prior approval from the Director or an authorized representative.

3.15 No privately owned animals are allowed to run at large within park and campground areas. All animals shall be kept on a leash not to exceed six feet in length. All pets must be kept quiet.

Section 4 – Vehicle Regulations – It shall be unlawful to operate or park a vehicle subsequent to the following rules of the Conservation Board by the authority of Section 321.236 of the Code of Iowa.

4.1 All vehicles, including, but not limited to, automobiles, trucks, motorcycles, trailers, campers, boats, bicycles or any other equipment and the operator shall be licensed as defined by the Code of Iowa to be operated on all Conservation Board roadways. All-terrain vehicles, UTV's, electric powered vehicles, golf carts and snowmobiles are not allowed to be operated on roadways and within the boundaries of any areas under the control of the Board.

4.2 Speed limits for developed Conservation Board areas are posted at the entrance road.

4.3 It shall be unlawful to leave any motor vehicle unattended or abandoned on any land under the jurisdiction of the Board for more than 24 hours without the permission of the Director or authorized representative. Any motor vehicle left unattended or abandoned for more than 24 hours shall be consid-

ered abandoned and shall thereafter be disposed of as prescribed by law.

4.4 Operation of any authorized motor vehicle shall be restricted to designated roadways and parking areas on all areas under the control of the Board.

Section 5 – Hitching to Trees, Posts or Structures – Section 461A.39 titled "Hitching to Trees" is hereby modified under the authority of Section 350.5 of the Code of Iowa as follows: It shall be unlawful to hitch, tie or in any way secure to trees, shrubs, light poles, landscape fence, electric camping boxes, or any Board structure a rope, cord, wire, string or any other type of lashing material for the purpose of support or restraint of animals, clotheslines, banners, camper awnings, tents or any other personal property in all Board managed areas.

Section 6 – Removing Plants, Flowers Or Fruit - Section 461A.41 of the Code of Iowa entitled "Removing plants, flowers, or fruit" is hereby modified under the authority of Section 350.5 of the Code of Iowa as follows: It shall be lawful to collect the fruit of all nut and berry producing plants or mushrooms for non-commercial home use, providing that the collector does not otherwise damage the parent plant, except on those areas as may be designated from time to time by the Board as prohibiting such activity. No person shall, in any manner, remove, destroy, injure or deface any tree, shrub or other plant life; dead or alive, or disturb or injure any structure or natural attraction at any time in or on any areas under the control of the Board, except that upon written permission of the Board or Board representative certain specimens may be removed for scientific purposes. County personnel may harvest trees under a forestry management plan, in the interest of public safety or with permission granted by the Board or Board representative.

Section 7 – Hunting And Fishing
7.1 Section 461A.42 of the Code of Iowa entitled, "Use of Firearms Prohibited – Exceptions" is hereby modified under the authority of Section 350.5 of the Code of Iowa as follows: It shall be lawful to hunt or pursue game birds or wild animals in or on all areas designated from time to time as hunting areas by the Board. Such areas shall be posted with official signs to constructively notify the public that this activity is lawful.

7.2 Fishing is permitted on waters in Board managed areas, except it shall be unlawful to fish directly from boat ramps, designated swimming areas or other areas from time to time designated by the Director or authorized representative.

7.3 It shall be unlawful for any person to enter on to any area or disturb or attempt to disturb any wildlife within any area under the jurisdiction of the Board that has been proclaimed an "inviolate refuge" without first being granted permission by the Director or authorized representative. Inviolate refuges shall be posted as such with signs placed around the perimeter stating "INVIOLATE REFUGE NO TRESS-PASSING NO ADMITTANCE".

7.4 It shall be unlawful for any person to trap or attempt to trap, or take or attempt to take any birds or wild animals on any areas under the jurisdiction of the Board, except for those areas designated as Public Hunting areas. Public Hunting areas shall be posted as such with signs placed around the perimeter stating "PUBLIC HUNTING" or "HUNTING IS ALLOWED".

7.5 – Use Of Blinds Restricted
(a) Any person may construct a blind on a public hunting area under control of the Board using only natural vegetation found on the area, except no trees or parts of trees other than willows may be cut for that purpose. The construction of such blinds does not give that person any proprietary right to use the blind. (b) No person shall bring onto a public hunting area of the Board, to use for the construction of a blind thereon, any sawed lumber, wire, nails, bolts, screws, posts or pipe, metal cable or any hardware of any type, except when these materials are parts of portable blinds which are self-contained units readily moveable from one site to another. (c) All portable blinds mentioned in "(b)" that are placed in trees and used for purposes other than hunting waterfowl may be left on an area for a continuous period of time beginning seven days prior to the opening season for hunting deer

or wild turkey and ending seven days after the final day of that open season. (d) All portable blinds used in an attempt to take waterfowl on Public Hunting areas of the Board shall be removed by hour after legal shooting time until midnight each day. Decoys shall be removed by one hour after legal shooting time until midnight each day. (e) No person shall drive or otherwise place any nail, spike, pin, or any other object, metal or otherwise, into any tree on a Public Hunting area for the purpose of placing or constructing a blind, or gaining access to a blind or hunting location above the ground. (f) Any blinds or materials found on areas under the control of the Board, in violation of any of the above sections shall be removed and confiscated by any peace officer or Board personnel.

7.6 It shall be unlawful to hunt any migratory game bird or resident game or furbearers, except deer and turkeys, or target shoot with a shotgun while having in one's possession any shot other than nontoxic shot approved by the U.S. Fish and Wildlife Service on all Hancock County Conservation Board areas.

7.7 All firearms must be cased and unloaded while passing through a wildlife refuge to access a Public Hunting area.

Section 8 – Domestic Animal – It shall be unlawful to permit dogs to run at large for any reason on areas designated as Public Hunting areas by the Board from March 15 to July 15, yearly. Section 461A.45 of the Code of Iowa entitled "Animals on Leash" is hereby modified under the authority of Section 350.5 of the Code of Iowa as follows: It shall be lawful to permit dogs to run at large for the purpose of training, exercising them or hunting in or on all areas designated from time to time as hunting areas by the Board during the time periods when hunting is permitted.

Section 9 – Use of Horses Restricted – It shall be unlawful to ride, lead or otherwise allow the entry or use of horses or horse-drawn carriages on any portion of any area, except as provide herein. The Board, Director or authorized representative may, by issuing a special permit, allow such activity on any county conservation area.

Section 10 – Watercraft
10.1 By authority of section 350.5 of the Code of Iowa the Conservation Board amends Section 462A.26 Right of Way Rules – Zoning Water Areas as follows: (a) The Conservation Board may adopt rules governing all activities on waters and ice under their jurisdiction, including federal government impoundments, when necessary to permit appropriate utilization of specific water areas. (b) Eldred Sherwood Park– All watercraft restricted to manual propulsion or electric trolling motors. (c) Docks located at Crystal Lake Park and Eldred Sherwood Park are for loading and unloading watercrafts only. No extended mooring is allowed.

10.2 It shall be unlawful to leave unattended any boat or other form of water conveyance on or attached to water or land under the jurisdiction of the Board, except in certain specified areas which may be designated from time to time, for more than 12 consecutive hours. Any water conveyance in violation hereof shall be removed and stored at the expense of the owner, which expense shall not be less than \$25.00. If not reclaimed within six months of its removal hereunder, such water conveyance shall be considered abandoned and shall be disposed of as prescribed by law.

Section 11 – Recreation Use Only Allowed – It shall be unlawful for any person to: approach Board area patrons with intent of; or to occupy any portion of any area, for washing or repairing vehicles; advertising or political campaigning; solicitation, hawking; peddling; or any other commercial activity, except concessionaires acting under the authority of a lease or contract with the Board and those activities provided for by Board Policy; or any other purpose not primarily recreational.

Section 12 – Fees, Charges And Reserves
12.1 Fees or charges made for services or use of land, facilities, equipment, materials, or supplies on any area to be collected by the Director or his authorized representative or authorized concessionaires shall be prescribed and approved by the Board.

12.2 It shall be unlawful for any person or persons to enter or use any facilities for which entrance fee

or user fees are prescribed without payment of same, except those persons on official business, authorized by special use permits or employees.

12.3 It shall be unlawful to reserve a facility, equipment, materials or supplies of the Board designated on a reservation list unless that person making the reservation has attained the age of 18 years, except cabin renters at Crystal Lake Park must be at least 21 years of age to reserve the cabins.

Section 13 – Swimming Restricted - It shall be unlawful for any person to swim in any waters on any area under the jurisdiction of the Board, except that persons may swim within the boundaries of a designated beach. The boundaries of such beaches are marked by ropes, buoys, or signs. If no designated beach exists within a particular area, swimming is prohibited in that area.

Section 14 – Audible Disturbances

14.1 Audio Devices – It is unlawful to operate or use any audio device including radio, television, musical instrument, or any similar noise producing devices in such a manner or at such times as to disturb other persons.

14.2 Portable Equipment – It shall be unlawful to operate electric generating plants, power saws, electric or gas chain saws or any similar equipment driven by a motor or engine in Board areas. The Director or authorized representative, with prior approval, may allow from time to time the above described devices limited usage in Board areas. Under no circumstances may these devices be used prior to 9:00 AM or later than 7:00 PM.

14.3 Public Address Systems – It shall be unlawful to operate or use any public address system whether fixed, portable, or vehicular mounted except when such use or operation has been approved by the Director or authorized representative.

Section 15 – Metal Detectors – It shall be lawful to use a metal detector on any land under the jurisdiction of the Board, recovery of objects will be restricted to a maximum 3 inch diameter hole and all dirt and sod must be replaced.

Section 16 – Fires And Firewood – Section 461A.40 titled "Fires" is hereby modified under the authority of 350.5 of the Code of Iowa to include the following:

16.1 Firewood collected in campgrounds, picnic areas or any other Board managed areas must be already dead and lying on the ground, dead standing trees are not allowed to be felled. All cutting of firewood must be with a hatchet, axe or bow saw.

Section 17 – Officers And Employees Exempt – These rules and regulations shall not prohibit or hinder activities of the Board, its officers, employees, duly authorized agents or any other peace officers from performing their official duties.

Section 18 – Speech Or Conduct Unreasonable – Unprovoked speech commonly perceived as offensive or abusive is prohibited when such speech unreasonably interferes with lawful use and enjoyment of Board areas by another member of the public. A citation may be issued if such unreasonable interference continues after the speaker has been warned of the prohibition.

Section 19 – Squealing Of Tires Prohibited – The causing of squealing tires or displacement of gravel through too rapid of acceleration or too high speed turning of a motor vehicle is unlawful within the boundaries of areas under the jurisdiction of the Board.

Section 20 – Severance – These rules and regulations are separate and complete, however separated. Should any section or part be declared unenforceable for any reason, the remaining portion or sections shall continue in full force and effect.

Section 21 – Official Signs – It shall be unlawful for any person to enter, use or occupy any area or facility under the jurisdiction of the Board contrary to or in disregard to any official signs.

Section 22 – Policy
22.1 The operator of any vehicle, vessel or aircraft as described in the Code of Iowa shall be presumed to be responsible for its use on Board areas. In the event where an operator cannot be determined, the owner of the vehicle, vessel or aircraft, whether attended or unattended, will be presumed responsible. Unless proven otherwise, such presumption will be sufficient to issue a

citation for the violation of rules and regulations applicable to the use of such vehicle, vessel or aircraft.

22.2 The registered user of a campsite, picnic area, boat ramp or other facility under the jurisdiction of the Board, shall be presumed to be responsible for its use. Unless proven otherwise, such presumption will be sufficient to issue a citation for the violation of rules and regulations applicable to the use of such facilities.

22.3 Any violation of any section of these rule and regulations shall constitute a separate violation for each calendar day in which it occurs.

Section 23 – Personal Property – It shall be unlawful to abandon, store or leave unattended personal property upon land or waters under the jurisdiction of the Board. After a period of 24 hours or at any time the Director or authorized representative, for the purpose of providing public safety or resource protection, may impound and store unattended personal property at the expense of the owner, such expense shall not be less than \$25.00. If the personal property is not reclaimed within six months of the removal date, all such person property shall be considered abandoned and disposed of as prescribed by law, except items at registered campsites or hunting blinds in hunting areas during legal hunting seasons.

Section 24 – Alcohol
24.1 It shall be lawful to consume beer and wine cooler products of not more than 5% by volume and wine of not more than 17% by volume in Board areas as prescribed by the Code of Iowa.

24.2 It is unlawful to possess kegs of beer in Board areas.

24.3 The possession of and/or consumption of alcoholic beverages on any portion of Board areas may be prohibited when designated and such areas will be posted as to notify the public.

Section 25 – Littering and Removal of Waste

25.1 Section 461A.43 titled "Littering" is hereby modified under the authority of 350.5 Code of Iowa to include the following: It shall be unlawful to remove any items that have been discarded in waste receptacles or enter into dumpsters to remove discarded items in Board managed areas for the purpose of redeeming for deposit, consumption, scrap metal resale or any other purpose.

25.2 It shall be unlawful to transport garbage, refuse or litter from any household, business, industry or any other place for the purpose of disposing it in or on any areas of the Board or in their refuse receptacles provided for the use by the Board and its current facility users.

Section 26 – Paint Ball/Airsoft/BB and Air Guns – It shall be unlawful to use any type of apparatus that will propel or fire a commercially produced paint ball, airsoft projectiles, BB's or Pellets including but not limited to a wrist rocket slingshot, compressed air gun or a paintball gun utilizing a CO2 cartridge in Board areas.

Section 27 – Smoking – Smoking is prohibited in public buildings. This includes toilet and shower buildings and other facilities in Board managed areas.

Section 28 – Special Events– The Hancock County Conservation Board has adopted a Special Event Policy, which requires an application process for any special event on board property. Additional insurance, sanitation facilities, and other requirements or fees may apply. Contact the Conservation Office for further information.

Section 29 – Use of Drones/UAV – The use of drones or unmanned aerial vehicle "UAV" shall be unlawful within the park campground, shelter houses, public beaches, playground, and parking lot. The operation of a drone or UAV shall be a minimum of 100 feet from the areas listed in this subsection and a minimum of 300 feet above the areas listed. In all other areas of the parks, the operation of a drone or UAV shall be done safely and responsibly. The operation shall not occur within 30 feet of other park visitors.

Section 30 – Adoption of Rules and Regulations – The foregoing rules and regulations, having been adopted by the Hancock County Conservation Board April 20, 2021 are hereby declared effective after having been published and posted according to law.

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