

## TITLE III COMMUNITY PROTECTION

### CHAPTER 1 OFFENSES

- 3-1-1 Violations of Chapter
- 3-1-2 Public Peace
- 3-1-3 Public Morals
- 3-1-4 Minors
- 3-1-5 NIMALS
- 3-1-6 Streets
- 3-1-7 Public Safety and Health
- 3-1-8 Public Property

3-1-1 VIOLATIONS OF CHAPTER - Commission of any of the acts named in the following sections by any person shall constitute a violation of this chapter.

3-1-2 PUBLIC PEACE. It shall be unlawful for any person to do any of the following:

1. Engage in fighting or violent behavior or invite or defy another person to fight, 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. Make unusually loud or excessive noise which results in the disturbance of the peace and the public quite of a neighborhood. (Code of Iowa, Sec. 723.4(2))
3. Willfully permit upon any premises owned, occupied, possessed or controlled by such person any unusually loud or excessive noise in such a manner calculated to provoke a breach of the peace of others, or the public quiet of the neighborhood. (Code of Iowa, Sec. 723.4(2))
4. Direct abusive language 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))
5. Without lawful authority or order of authority, disturb, any lawful assembly or meeting or persons by conduct intended to disrupt the meeting or assembly. (Code of Iowa, Sec. 723.4(4))
6. Without authority, solicit contributions, distribute literature, or otherwise peddle or sell goods and services within the traveled portion of any roadway. (Code of Iowa, Sec. 364.12(2)(a))

3-1-3 PUBLIC MORALS

1. Indecent exposure, It shall be unlawful for any person to expose such person's genitals, pubes, female nipples or buttocks to another or to urinate or defecate in the presence of or in view of another, if the person knows or reasonably should know that such behavior would be offensive to a reasonable person.

2. Consumption in public places- intoxication. No person shall use or consume any alcoholic liquors upon the public streets or highways or in any public place, except premises covered by a liquor control license, or be intoxicated or simulate intoxication in a public place. (Code of Iowa, Sec. 123.46)

#### 3-1-4 MINORS

1. Supplying liquor to minors. No person shall sell, give or otherwise supply alcoholic liquor, wine or beer to any person under twenty-one(21) years of age, or knowingly permit any person under the age to consume alcoholic liquors, wine, or beer, except in the case of alcoholic liquor, wine, or beer, given or dispensed to person under twenty-one (21) years of age within a private home and with the knowledge and consent of the parent or guardian for beverage or medicinal purposes or as administered to such person by a physician or dentist for medicinal purposes. (Code of Iowa, Sec. 123.47)

#### 3-1-5 ANIMALS

1. Cruelty to animals. No person shall torture, torment, mutilate, cruelly beat, or cruelly kill any animal, or unnecessarily fail to provide the same with proper food, shelter, protection from the weather, or drive or work the same when unfit for labor, or cruelly abandon the same or cause the same to be cruelly carried on any vehicle or otherwise; or commit any other act or omission by which unjustifiable pain, distress, suffering or death is caused or permitted to any animal or animals, whether the acts or omissions herein contemplated are committed either maliciously, willfully or negligently.
2. Bullfights and other contests. No person shall keep or use, or in any way be connected with, or be interested in the management of, or receive money for the admission of any person to, any place kept or used for the purpose of fighting or baiting any bull, bear, dog, cock or other creature, or engage in, aid, abet, encourage or assist in any bull, bear, dog or cock fight, or a fight between any other creatures
3. Animals running at large. No person shall allow cattle, horsed, swine, sheep or other similar animals or fowl to run at large within the limits of the municipal corporation. At large means an animal found off the premises of the owner or upon the public street, alleys, public grounds or parks within the City. A dog or cat shall not be deemed at large:
  - a. If it is attached to a leash or sufficient strength of not more than ten(10) feet in length and such leash is held by a competent person' or
  - b. It is a companied by or at the side of the owner or a competent person and obedient to commands of the owner or competent person.
4. Nuisance. It shall be unlawful for any person to permit an animal under such person's control or within such person's custody to commit a nuisance. An animal shall be considered a nuisance if it:
  - a. Damages, soils, defiles or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner.
  - b. Causes unsanitary, dangerous or offensive conditions.

- c. Causes a disturbance by excessive barking or other noisemaking or chases vehicles or molests, attacks or infers with persons or other domestic animals on public property.

3-1-6 STREETS

1. Removal of safeguards or danger signals. No person shall willfully remove, tear down, destroy or carry away from any highway, street, alley, avenue or bridge any lamp, obstruction, guard or other article or thins, or extinguish any lamp or other light, erected or placed thereupon for the purpose of guarding or enclosing unsafe or dangerous places in said highway, street, alley, avenue or bridge without the consent of the person in control thereof. (Code of Iowa, Sec. 716.5)
2. Obstructing or defacing streets. No person shall obstruct, deface, or injure any public road to any manner by breaking up, plowing or digging within the boundary lines thereof, without permission form the Mayor. (Code of Iowa, Sec. 716.1)
3. Allowing water, snow, ice and accumulations on sidewalk. No abutting property owner shall allow water from an improperly located eave or drain, or from any roof, to fall onto a public sidewalk, or fail to remove snow, ice and accumulations from the sidewalks promptly. (Code of Iowa, Sec. 364.12(2)(b and e))
4. Removal of hydrant caps, sewer camps or manhole covers. No person shall remove or carry away hydrant caps, sewer caps or manhole covers, without the consent of the person in control thereof.

3-1-7 PUBLIC SAFETY AND HEALTH.

1. Expectorating. No person shall expectorate on the ground or on the floor of any structure within the City limits. (Code of Iowa, Sec 364.1)
2. Putting glass, etc. on streets and sidewalks. No person shall throw or deposit on any street or sidewalk any glass bottle, glass, nails, tacks, wire, cans trash, garbage, rubbish, litter, offal, or any other debris, or any other substance likely to injure any person, animal or vehicle. (Code of Iowa, Sec.369)
3. Carrying a concealed weapon. It shall be unlawful for any person to carry under such person's clothers ofr concealed about their person or to be found in possession of any slingshot, knuckles, or metal or other material, air gun or any other weapon other than a knife. (Code of Iowa, Sec. 72.4)
4. False alarms. No person shall give or cause to be given any false alarm of a fire, nor set fire to any combustible material, or cry or sound an alarm or by any other means without cause.

5. Stench bombs. No person shall throw, drop, pour, explode, deposit, release, discharge or expose any stench bomb or tear bombs, or any liquid, gaseous, or solid substance or matter of any kind that is injurious to persons or property, or that is nauseous, sickening, irritating or offensive to any of the senses in , on or about a theater, restaurant, car, structure, place of business, or amusement, or any place of public assemblage, or attempt to do any of these acts, or prepare or possess such devices or materials with intent to do any of these acts. This provision shall not apply to duly constituted police, military authorities, or peace officers in the discharge of their duties, or to licensed physicians, nurses, pharmacists and other similar persons licensed under the laws of this state; to any established place of business or home having tear gas installed as a protection against burglary, robbery or holdup, not to any bank or other messenger carrying funds or other valuables.
  
6. Discharging firearms and fireworks.  
(Code of Iowa, Sec. 727.2)
  - a. No person, firm or corporation shall discharge or fire any cannon, gun, bomb, pistol, air gun, or other firearms or set off or burn firecrackers, torpedoes, sky rockets, roman candles, or other fireworks, of like construction or any fireworks containing any explosive or inflammable compound, or other device containing any explosive.
  
  - b. The City Council may upon application in writing, grant a permit for the display and use of fireworks by any organization or groups of individuals when such fireworks display will be handled by a competent operator.
  
  - c. The City council may, upon application in writing, grant a permit for the operation of a firing range in which the discharge of firearms for training, recreational or competitive events would be allowed upon showing that the range would be under the direction of a competent organization, group or individual.
  
  - d. In the interest of public health and safety and at such times as approved by the Chief of Police, the police or their designee may use firearms to control rodent or animal problems when it is evident that conventional control methods have not resolved the problem.
  
  - e. Nothing herein shall be construed to prohibit the use of blank cartridge for a show or the theater, or for signal purposes in athletic sports or by railroads, or trucks, for signal purposes, or by a recognized military organization and provided further that nothing in this section shall apply to any substance or composition prepared and used for medicinal or fumigation purposes.
  
7. Abandoned refrigerators. No person shall place, or allow to be placed, any discarded, abandoned, unattended or unused refrigerator, icebox or similar container equipped with an air-tight door or lid, snap lock, or other locking device which cannot be released from the inside, in a location accessible to children, outside any building, dwelling, or within an unoccupied or abandoned building or dwelling, or other structure, under such person's control without first removing the door, lid, snap lock, or other locking device from said icebox, refrigerator or similar container. This provision applies equally to the owner of any such refrigerator, icebox or similar container, and to the owner or occupant of the premises where the hazard is permitted to remain. (Code of Iowa, Sec. 727.3)

8. Impersonating an officer. No person shall falsely represent themselves or falsely assume to be any law enforcement officer, judge or magistrate. It shall be unlawful to wear or adopt the uniform or insignia of any law enforcement officer on any street or public place. (Code of Iowa, Sec. 718.2)
9. Harassment of City Employees.
  - a. It shall be unlawful for any person to willfully prevent, resist or obstruct or attempt to prevent, resist or obstruct any City employee from the performance of any official duty.
  - b. It shall be unlawful for any person to communicate by any means, any threat of bodily or property harm to any City employee or to any member of his or her family during the course of, or as a result of, the performance of any official duty by said City employee.
10. Antenna and radio wires. No person shall allow, locate or maintain any antenna wires, antenna supports, radio wires or television wires to exist over any street, alley, highway, sidewalk, or public property. (Code of Iowa, Sec. 364.12(2))
11. Barbed wire. No person shall install, allow to be installed or use barbed wire without the consent of the City Council.
12. Playing in streets. No person shall coast, sled or play games on streets or highways except in areas blocked off by the Chief of Police for such purposes. (Code of Iowa, Sec. 364.12)
13. Sale of food. No person shall sell or offer for sale any, tainted, unsound or rotten meat, fish, fowl, fruit, vegetables, eggs, butter, canned goods, or other articles of food, or sell or offer for sale the flesh of any animal that was diseased.

### 3-1-8 PUBLIC PROPERTY

1. Defacing public grounds. No person shall cut, break or deface any tree or shrub in public park or on any avenue thereto by willfully defacing, cutting, breaking or injuring, except by the authority of the Mayor. (Code of Iowa, Sec. 364.12(2))
2. Injuring new pavement. No person shall injure new pavement in any street, alley or sidewalk by willfully driving, walking or making marks on such pavement before it is ready for use. (Code of Iowa, Sec. 364.12(2))
3. Destroying park equipment. No person shall destroy or injure any property of equipment in public swimming pools, playgrounds or parks by willfully defacing, breaking, damaging, mutilating or cutting. (Code of Iowa, Sec. 364.12(2))
4. Injury to public library books or property. No person shall willfully, maliciously or wantonly tear, deface, mutilate, injure or destroy, in whole or in part, any newspaper, periodical, book, map pamphlet, chart, picture or other property belonging to any public library or reading room.

5. Defacing or destroying proclamations or notices. No person shall intentionally 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 of this State, or any proclamation, advertisement or notification, set up at any place within the City by authority of 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)
6. Injury to gravestones or property in cemetery. No person shall willfully and maliciously destroy, mutilate, deface, injure or remove any tomb, vault, monument, gravestone or other structure placed in any public or private cemetery, or any fences, railing or other work of the protection, ornamentation of said cemetery lot within such cemetery, or willfully and maliciously destroy, cut break or injure any tree, shrub, plant or lawn within the limits of said cemetery, or drive outside of said avenues and roads, and over the grass or graves of said cemetery. (Code of Iowa, Sec. 716.1)
7. Injury to fire apparatus. No person shall willfully destroy or injure any engines, hose carriage, hose, hook and ladder carriage, or other things used and kept for extinguishment of fires. (Code of Iowa, Sec. 716.1)
8. Obstructing or defacing roads. No person shall obstruct, deface or injure any public road by breaking up, plowing or digging within the boundary lines thereof. (Code of Iowa, Sec. 716.1)
9. Injury to roads, railways, and other utilities. No person shall maliciously injure, remove or destroy any electric railway or apparatus belonging thereto, or any bridge, rail or plank road; or cause to be placed any obstruction on any electric railway, or on any such bridge, rail, or plank road ; or willfully obstruct or injure or destroy any post or pole used in connection with any system of electric lighting, electric highway; or maliciously cut, burn, or in any way break down, injure or destroy any post or pole used in connection with any system of electric lighting, electric railway, or telephone or telegraph system; or break down and destroy or injure and deface any electric light, telegraph or telephone instrument; or in any way cut, break or injure the wires of any apparatus belonging thereto; or willfully without proper authorization tap, cut injure, break, disconnect, connect, make any connection with, or destroy any of the wires, mains, pipes, conduits, meters or other apparatus belonging to or attached to, the power plant or distributing system of any electric light plant, electric motor, gas plant or water plant; or aid or abet any other person is so doing. (Code of Iowa, Sec. 716.1)
10. Tapping telegraph or telephone wires No person shall wrongfully or unlawfully tap or connect a wire with the telephone or telegraph wires of any person, company or association engaged in the transmission of messages on telephone or telegraph lines. (Code of Iowa, Sec. 727.8)
11. Obstruction ditches and breaking levees. No person shall divert, obstruct, impede, or fill up, without legal authority, any ditch or watercourse, or break down any levee established, constructed, or maintained under any provision of law. (Code of Iowa, Sec. 716.1)