



# Public Notice

## Ida County, Iowa, Conservation Board 299 Jasper Avenue Ida Grove, IA 51445 Rules and Regulations

### **SECTION I - Definitions.**

Pursuant to the authority of Chapter 350.5 of the Code of Iowa, the Ida County, Iowa, Conservation Board hereby promulgates and places into effect the following Rules and Regulations deemed by the Board to be necessary for the protection, regulation and control of all areas under the jurisdiction of the Board.

- A. The term “Board” shall mean the Ida County, Iowa, Conservation Board (ICCB).
- B. The term “Director” shall mean the Director of the Conservation Board.
- C. The term “Authorized Representative” shall mean the ICCB staff and other persons designated from time to time by the Director.
- D. The term “Area” shall mean all or any part of the land or water owned, leased, managed, or by any other means under control of the Board and all buildings and facilities on any part of the land and/or water.
- E. The term “campground” shall mean any area designated by the Board for camping.
- F. The term “campsite” shall mean a segment of a campground designated by the Board for camping by a camping unit or camping part.
- G. The term “camping party” shall mean any individual, family, or informal unorganized group of not more than six persons occupying one campsite.
- H. “Lawful camping” shall mean the persons must have the sufficient equipment to shelter themselves and those located in their party with due regard to inclement weather without resorting to shelter houses, restrooms, or other facilities located within the county parks. In addition, persons must have paid for the appropriate fees associated with the location they camp.
- I. The term “noise” shall mean any loud, confused or senseless shouting or outcry; a sound lacking in agreeable musical quality or which is noticeably unpleasant.
- J. The term “alcoholic liquor” shall mean all beverages which contain more than five (5) percent of alcohol by weight and as defined in Chapter 123.3(5) of the Code of Iowa.



K. The term “beer” shall mean all beverages which contain *not* more than five (5) percent of alcohol by weight and as defined in Chapter 123.3(7) of the Code of Iowa.

L. The term “tree stand” shall mean any portable place of concealment, either free-standing or placed in a tree. No nails, spikes, pins or other objects, metal or otherwise, shall be driven or placed within a tree.

M. The term “beach” shall mean that portion of a county area designated for swimming activity including the water area as designated and marked by the Board.

N. The term “camper cabin” shall mean any wooden structure provided for overnight camping that does not contain restroom or bathroom or kitchen within the structure.

## **SECTION II – Powers of the Board.**

### **350.5 Regulations — penalty — officers.**

A. The county conservation board may make, alter, amend or repeal regulations for the protection, regulation, and control of all museums, parks, preserves, parkways, playgrounds, recreation centers, and other property under its control. The regulations shall not be contrary to, or inconsistent with, the laws of this state.

B. The regulations shall not take effect until ten days after their adoption by the board and after their publication as provided in section 331.305 and after a copy of the regulations has been posted near each gate or principal entrance to the public ground to which they apply.

C. After the publication and posting, a person violating a provision of the regulations which are then in effect is guilty of a simple misdemeanor.

D. The board may designate the director and those employees as the director may designate as police officers who shall have all the powers conferred by law on police officers, peace officers, or sheriffs in the enforcement of the laws of this state and the apprehension of violators upon all property under its control within and without the county. The board may grant the director and those employees of the board designated as police officers the authority to enforce the provisions of chapters 321G, 321I, 461A, 462A, 481A, and 483A on land not under the control of the board within the county.

## **SECTION III – Board Properties.**

### **350.10 Statutes applicable.**

Sections 461A.35 through 461A.57 apply to all lands and waters under the control of a county conservation board (ICCB), in the same manner as if the lands and waters were state parks, lands, or waters. As used in sections 461A.35 through 461A.57, “natural resource commission” includes a county conservation board, and “director” includes a county conservation board or its director, with respect to lands or waters under the control of a county conservation board. However, sections 461A.35 through 461A.57 may be modified or superseded by rules adopted as provided in section 350.5 of the Iowa Code.



#### **461A.35 Prohibited destructive acts.**

A. It shall be unlawful for any person to use, enjoy the privileges of, destroy, injure, or deface plant life, trees, buildings, or other natural or material property, or to construct or operate for private or commercial purposes any structure, or to remove any plant life, trees, buildings, sand, gravel, ice, earth, stone, wood, or other natural material, or to operate vehicles, within the boundaries of any state park, preserve, or stream or any other lands or waters under the jurisdiction of the commission for any purpose whatsoever, except upon the terms, conditions, limitations, and restrictions as set forth by the commission.

B. A person who violates this section commits a simple misdemeanor, punishable as a scheduled violation pursuant to section 805.8B, subsection 6, and paragraph "c".

#### **461A.35 (350.5) Special Regulations.**

All motor vehicles shall be confined to maintained roads and parking areas.

#### **461A.36 Speed limit.**

The maximum speed limit of all vehicles on state park and preserve drives, roads, and highways shall be thirty-five miles per hour. All driving shall be confined to designated roadways. Whenever the commission determines that a thirty-five mile-per-hour speed limit is greater than is reasonable or safe under the conditions found to exist at any place of congestion or upon any part of the park roads, drives, or highways, the commission shall determine and declare a reasonable and safe speed limit, which shall be effective when appropriate signs giving notice of the changed speed limit are erected at the places of congestion or other parts of the park roads, drives, or highways.

#### **461A.36 (350.5) Special Regulations.**

The maximum speed limit in all Ida County-owned parks and preserves shall be twenty miles per hour except where posted as being lower.

#### **461A.37 Excessive loads.**

Excessively loaded vehicles shall not operate over state park or preserve drives, roads or highways. The determination as to whether the load is excessive will be made by the director or the director's representative and will depend upon the load and the road conditions.

#### **461A.38 Parking.**

All vehicles shall be parked in designated parking areas, and no vehicle shall be left unattended on any state park or on Ida County Conservation Board areas.

#### **461A.39 Hitching to trees.**



No horse or other animal shall be hitched or tied to any tree or shrub, or in such a manner as to result in injury to state property.

#### **461A.39 (350.5) Special Regulations.**

Section 461A.39 applies to Ida County's properties and the state owned lands managed by Ida County Conservation Board. No trailers or transportation vehicles shall be attached, by any means, to trees, shrubs, or facility as to result in injury or degradation of value for any state or county property.

#### **461A.40 Fires.**

No fires shall be built, except in a place provided therefor, and such fire shall be extinguished when site is vacated unless it is immediately used by some other party.

#### **461A.41 Removing plants, flowers, or fruit.**

A. No person shall, in any manner, remove, destroy, injure, or deface any tree, shrub, plant, or flower, or the fruit thereof, or disturb or injure any structure or natural attraction, except that upon written permission of the commission certain specimens may be removed for scientific purposes.

B. This section shall not apply to activities of the commission or its officers, or employees when caring for and managing state-owned land and waters under the jurisdiction of the commission. This section shall not apply to the gathering or removal of any tree, shrub, plant, flower, fruits, structures, or natural attractions under terms, conditions, limitations, and restrictions adopted by the commission as rules under chapter 17A.

#### **461A.42 Use of firearms, explosives, weapons, and fireworks prohibited — exceptions.**

A. The use of firearms, explosives, and weapons of all kinds by a person is prohibited in all state parks and preserves except under the following conditions: a. A firearm or other weapon authorized for hunting may be used in preserves or parts of preserves designated by the state advisory board on preserves at the request of the commission. b. A person may use a bow and arrow with an attached bow fishing reel and ninety-pound minimum line attached to the arrow to take rough fish as provided by rule of the commission. c. The commission may establish, by rule, the state parks or parts of state parks where firearms may be discharged during special events, festivals and education programs, or a special hunt to control animal populations. The rules governing special hunts to control animal populations shall be applied separately to each designated state park.

B. The use of consumer fireworks or display fireworks, as defined in section 727.2, in state parks and preserves is prohibited except as authorized by a permit issued by the department. The commission shall establish, by rule adopted pursuant to chapter 17A, a fireworks permit system which authorizes the issuance of a limited number of permits to qualified persons to use or display fireworks in selected state parks and preserves.



C. A person violating this section is guilty of a simple misdemeanor punishable as a scheduled violation pursuant to section 805.8B, subsection 6, and paragraph “c”.

#### **461A.42 (350.5) Special Regulations.**

A. Permitted hunting areas, hunting and seasons will include; Moorehead Park: Bow and arrow hunting for deer and turkey during regular season as set by the DNR. Pursuant to Iowa Code Section 481A.1 (32), individuals shall **not** be allowed to pursue, drive, or push deer at Moorehead Park during any hunting season, including shotgun seasons. Crawford Creek Recreation Area (CCRA): Migratory water fowl and upland bird hunting open during the regular season as set by the DNR. CCRA hunting area is described as that south of the entrance and the south and west sides of the lake.

B. It is unlawful to hunt migratory game birds or resident game or furbearers with a firearm while possessing ammunition other than nontoxic ammunition in all ICCB owned areas.

C. All tree stands and blinds used for hunting, photographing, and viewing wildlife shall be temporary. All blinds and stands shall include the owner’s name and address on the bottom of the stand in such a manner so that it can be read from the ground. No person shall drive or otherwise place any nail, spike, pin or any other object into any tree on county property for the purpose of construction a blind or stand. Stands and blinds may be up not more than two weeks before deer hunting season (bow and arrow) and must be removed within two weeks after the close of the season. All stands and blinds not meeting these qualifications will be removed by the county conservation board staff and become the property of the conservation board. Confiscated stands may be returned to the owner for a fee of \$25.00 per stand.

D. It shall be unlawful to use bow and arrows, snagging devices or spears to fish or hunt white amur in any lake managed by the Ida County Conservation Board.

#### **461A.43 Littering grounds.**

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

#### **461A.44 Prohibited areas.**

No person shall enter upon portions of any state park or preserve in disregard of official signs forbidding same, except by permission of the director or the director’s representative.

#### **461A.45 Animals on leash.**

No privately owned animal shall be allowed to run at large in any state park or preserve or upon lands or in waters owned by or under the jurisdiction of the commission except by permission of the commission. Every such animal shall be deemed as running at large unless the owner carries such animal or leads it by a leash or chain not exceeding six feet in length, or keeps it confined in or attached to a vehicle.



**461A.45 (350.5) Special Regulations. (Adopted by ICCB on 10/06/2022)**

Off leash dog training may occur **on the west side of the Crawford Creek Recreation Area (CCRA) Lake only**. Dogs must remain under control of their trainer and the use of firearms for training will not be allowed except during seasons when CCRA is open to hunting. **The leash law will remain in effect in all other portions of the park.**

**461A.46 Closing time. (Amended 12/13/2021 by ICCB)**

Except by arrangement or permission granted by the director or the director's authorized representative, all persons shall vacate state parks and preserves before 10:30 p.m. Areas may be closed at an earlier or later hour, of which notice shall be given by proper signs or instructions. The provisions of this section shall not apply to authorize camping in areas provided for that purpose.

**461A.46 (350.5) Special Regulations.**

Moorehead Park and Crawford Creek Recreation Area shall be closed between the hours of **10:30pm** and 6:30am. Persons lawfully fishing, hunting, camping, or **photographing** will be allowed in the parks during closed hours.

**461A.47 Camping.**

Repealed by 2018 Acts, ch 1129, §2. See §455A.14.

**455A.14 Camping and rental facilities and other privileges — fees.**

A. Notwithstanding any provision of law to the contrary, the department is authorized to establish fees for camping and use of rental facilities and other special privileges at state parks and recreation areas under the jurisdiction of the department.

B. The fees established by the department pursuant to this section shall be in such amounts as may be determined by the department to be reasonably competitive with fees established in other public parks or recreation areas that provide the same or similar privileges and are located within sixty miles of the perimeter of the state park or recreation area for which the department is establishing fees. Such fees may be increased, reduced, or waived by the department on a statewide basis or on the basis of an individual state park or recreation area for special promotional events or efforts or on the basis of special seasonal or holiday rates.

C. Fees established pursuant to this section shall be considered a specification of prices to be charged for goods or services as provided in section 17A.2, subsection 11, paragraph "g".

D. The department shall adopt rules pursuant to chapter 17A for the purpose of setting forth the methodology to be used in establishing fees pursuant to this section.

E. The department shall prepare an annual report reviewing the fees established pursuant to this section. The report shall include information about fees and occupancy rates at each camping and rental facility in the state under the jurisdiction of the department, special



promotional events or holiday rates for which fees were increased, reduced, or waived at those camping and rental facilities, and any recommendations for changes in fees or rules adopted pursuant to this section. The report shall be submitted to the senate standing committee on natural resources and environment and the house standing committee on natural resources by December 31 of each year.

#### **461A.48 Camping areas.**

No person shall camp in any portion of a state or preserve except in portions prescribed or designated by the commission.

#### **461A.48 (350.5) Special Regulations.**

Designated areas will be posted and shall include: Crawford Creek Recreation Area; areas along and either side of the north two roads of the park. Moorehead Park; the mowed portion at the top of the hill directly north of the depot, the lawns directly bordering the north side of the lake and the lawn west of the playground. Other areas may be designated for special groups upon prior approval of the board.

#### **461A.49 Time limit.**

No camping unit shall be permitted to camp for a period longer than that designated by the commission for the specific state park or preserve, and in no event longer than for a period of two weeks.

#### **461A.50 Registering — vacating.**

Any person who camps in any state park or preserve shall register the person's name and address with the park custodian and advise the custodian when the camp is vacated.

#### **461A.51 Camping refused.**

Custodians are given authority to refuse camping privileges and to rescind any and all camping permits for cause.

#### **123.46 Consumption or intoxication in public places — notifications — chemical tests — expungement.**

A. As used in this section unless the context otherwise requires: a. "Arrest" means the same as defined in section 804.5 and includes taking into custody pursuant to section 232.19. 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.





B. 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 a public or private school-related function. A person shall not be intoxicated in a public place. A person violating this subsection is guilty of a simple misdemeanor.

C. A person shall not simulate intoxication in a public place. A person violating this subsection is guilty of a simple misdemeanor.

D. 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.

E. a. A peace officer shall make a reasonable effort to identify a person under the age of eighteen who violates this section and refer the person to juvenile court. b. A juvenile court officer shall notify the person's custodial parent, legal guardian, or custodian of the violation. In addition, the juvenile court officer shall make a reasonable effort to identify the elementary or secondary school the person attends, if any, and to notify the superintendent of the school district or the superintendent's designee, or the authorities in charge of the nonpublic school, of the violation. A reasonable attempt to notify the person includes, but is not limited to, a telephone call or notice by first-class mail.

F. Upon the expiration of two years following conviction for a violation of this section or of a similar local ordinance, a person may petition the court to expunge the conviction, and if the person has had no other criminal convictions, other than local traffic violations or simple misdemeanor violations of chapter 321 during the two-year period, the conviction shall be expunged as a matter of law. The court shall enter an order that the record of the conviction be expunged by the clerk of the district court. Notwithstanding section 692.2, after receipt of notice from the clerk of the district court that a record of conviction has been expunged, the record of conviction shall be removed from the criminal history data files maintained by the department of public safety if such a record was maintained in the criminal history data files

### **123.46 (350.5) Special Regulations.**

ICCB prohibits the use or possession of keg beer in parks and recreation areas under their jurisdiction (Moorehead Park, Crawford Creek Recreation Area, Washta Access, and Fairview Cemetery). An exception will be when keg beer is being used in a reserved shelter house after payment has been made for the reservation of such shelter house and the ICCB staff have been made aware of the intention to have keg beer. Violations of this resolution will be cited under Iowa Code 123.46 Alcoholic Beverages.





### **321G.13 Snowmobile Unlawful Operation.**

A. A person shall not drive or operate a snowmobile in any park, wildlife area, preserve, refuge, game management area, or any portion of a meandered stream, or any portion of the bed of a non-meandered stream which has been identified as a navigable stream or river by rule adopted by the department and which is covered by water, except on designated snowmobile trails. B. A person shall not drive or operate a snowmobile on public land or a designated snowmobile trail without a measurable snow cover.

### **(350.5) Special Regulations. UTV's, ATVs, and Snowmobiles. 07.12.2021**

The Ida County Conservation Board does not permit use of UTVs, ATVs, and snowmobiles on ICCB owned and managed areas and roads.

### **(350.5) Special Regulations. Trail Resolution. 10.1.2001.**

A. Motorized vehicles of any kind (including snowmobiles) are not allowed on park trails. An exception is made for maintenance vehicles authorized by the Ida County Conservation Board.

B. Horseback riding of any type is not allowed on the trail.

C. The trail will be closed during any time when snow or ice has accumulated on the trail.

D. Hunting will not be allowed within 30 yards of the trail.

### **571—45.4(462A) Horsepower limitations on artificial lakes.**

45.4(1) General horsepower limitation. On artificial lakes of 100 acres or less, a vessel shall only be operated with an electric motor or with an outboard motor where permitted by subrule 45.4(2).

A. General Horsepower limitation: Moorehead Lake, a boat shall not be operated with an electric motor larger than 1.5 horsepower or with an outboard motor.

B. Horsepower limitations exceptions for artificial lakes of 100 acres or less: Boat motors of any horse power may be operated at a no-wake speed on Crawford Creek Recreation Area Lake, Ida County.

### **06.05.2000. Paintball Resolution.**

ICCB hereby prohibits the use of paintball guns or any devices used to propel rupturing containers of paint and that such violation shall be written under Chapter 461A35, Prohibited Destructive Acts: "That it shall be unlawful for any person to injure or deface plants life, trees, buildings, or other natural or material property".