

TITLE II – COMMUNITY PROTECTION
 DIVISION 2 – ENFORCEMENT: PUBLIC OFFENSES

CHAPTER 48
 PUBLIC HEALTH AND SAFETY

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48.01 SPITTING. It shall be unlawful for a person to spit within any food establishment, restaurant, hotel, motor inn, cocktail lounge or tavern.

48.02 SALE OF TAINTED FOOD. It shall be unlawful for a person to sell or offer for sale any tainted, unsound or rotten meat, fish, fowl, fruit, vegetables, eggs, butter, canned goods, packaged goods, or other articles of food, or to sell or offer for sale the flesh of any animal that was diseased.

48.03 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)

48.04 FIREWORKS. The sale, use or exploding of fireworks within the City shall be subject to the following:

1. **Definition.** The term "fireworks" means and includes any explosive composition, or combination of explosive substances, or articles prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, firecrackers, torpedoes, skyrockets, roman candles, or other fireworks containing any explosive or inflammable compound, or other device containing any explosive substance.

(Code of Iowa, Sec. 727.2)

2. **Regulations.** It shall be unlawful for any person to offer for sale, expose for sale, sell at retail, or use or explode any fireworks; provided the City may, upon application in writing, grant a permit for the display of fireworks by a City agency, fair associations, amusement parks and other organizations or groups of individuals approved by City authorities when such fireworks display will be handled by a competent operator. No permit shall be granted

hereunder unless the operator of sponsoring organization has filed with the City evidence of insurance in the following amounts:

- A. Personal Injury: - \$250,000.00 per person.
 - B. Property Damage: - \$50,000.00
 - C. Total Exposure: - \$1,000,000
(Code of Iowa, Sec. 727.2)
3. Exceptions. This shall not be construed to prohibit any resident, dealer, manufacturer or jobber from selling such fireworks as are not herein prohibited; or the sale of kind of fireworks provided the same are to be shipped out of State; or the sale or use of blank cartridges for a show or theatre, or 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 sold for medicinal or fumigation purposes.
(Code of Iowa, Sec. 727.2)
4. Fireworks shall be used or exploded only during the hours of 9:00 a.m. to 10:00 p.m. on June 27 through July 8 and December 24 through January 3 with the following exceptions:
- a. On July 4 and any Friday and Saturday within the above stated timeframe, the time shall be from 9:00 a.m. to 11:00 p.m.
 - b. On December 31 and January 1, the time shall be from 9:00 a.m. to 12:30 a.m.
(Amended by Ordinance No. 197 and 204)

48.05 FALSE REPORTS TO LAW ENFORCEMENT AUTHORITIES. No person shall report or cause to be reported false information to a fire department or a law enforcement authority, knowing that the information is false, or shall report the alleged occurrence of a criminal act knowing the same did not occur.

(Code of Iowa, Sec. 718.6)

48.06 FALSE REPORTS OF DESTRUCTIVE SUBSTANCES. No person shall, knowing the information to be false, convey or cause to be conveyed to any person any false information concerning the placement of any incendiary or explosive device or material or other destructive substance or device in any place where persons or property would be endangered.

(Code of Iowa, Sec. 712.7)

48.07 IMPERSONATING A PUBLIC OFFICIAL. No person shall falsely hold himself or herself out or assume to act as an elected or appointed officer, magistrate, peace officer, or person authorized to act on behalf of the State or any subdivision thereof, having no authority to do so.

(Code of Iowa, Sec. 718.2)

48.08 INTERFERENCE WITH OFFICIAL ACTS. No person shall knowingly resist or obstruct anyone known by the person to be a peace officer 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 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.

(Code of Iowa, Sec. 719.1)

48.09 REFUSING TO ASSIST OFFICER. Any person who is requested or ordered by an 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)

48.10 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)

48.11 ABANDONED OR UNATTENDED REGRIGERATORS. No person shall abandon or otherwise leave unattended any refrigerator, ice box, or similar container, with doors that may become locked, outside or 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)

48.12 RECKLESS USE OF FIRE OR EXPLOSIVES. No person shall so use fire or any incendiary or explosive device or material as to endanger recklessly the property or safety of another.

(Code of Iowa, Sec. 712.5)

48.13 BOMB THREATS. No person shall threaten to place or attempt to place any incendiary or explosive device or material, or any destructive substance or device in any place where it will endanger persons or property.

(Code of Iowa, Sec. 712.8)

48.14 ANTENNA AND RADIO WIRES. It shall be unlawful for a person to allow 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])

48.15 BARBED WIRE. It shall be unlawful for a person to use barbed wire to enclose land within the City limits without the consent of the Council unless such land consists of ten (10) acres or more and is used as agriculture land.

48.16 DISCHARGING WEAPONS. It shall be unlawful for a person to discharge rifles, shotguns, revolvers, pistols, guns or firearms of any kind within the City limits except by authorization of the Council.

48.17 THROWING AND SHOOTING. It shall be unlawful for a person to throw stones 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, highway, alley, sidewalk or public place, except when under proper supervision of persons authorized by the Council.

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

48.18 CARRYING WEAPONS. No person shall go armed with a dangerous weapon concealed on or about his person, or shall, within the limits of the City, go armed with a pistol or revolver, or any loaded firearm of any kind, whether concealed or not, or shall knowingly carry or transport in a vehicle a pistol or revolver, provided that this section shall not apply to any of the following:

(Code of Iowa, Sec. 724.4)

1. Own Premises. A person who goes armed with a dangerous weapon in his or her own dwelling or place of business, or on land owned or possessed by the person.

(Code of Iowa, Sec. 724.4[1])

2. Peace Officer. Any peace officer, when his or her duties require the person to carry such weapons.

(Code of Iowa, Sec. 724.4[2])

3. Armed Forces. Any member of the armed forces of the United States or of the national guard or person in the service of the United States, when the weapons are carried in connection with his or her duties as such.

(Code of Iowa, Sec. 724.4[3])

4. Within Container. Any person who for any lawful purpose carries an unloaded pistol, revolver, or other dangerous weapon inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person.

(Code of Iowa, Sec. 724.4[5])

5. Within Vehicle. Any person who for any lawful purpose carries or transports an unloaded pistol or revolver in any vehicle inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person or inside a cargo or luggage compartment where the pistol or revolver will not be readily accessible to any person riding in the vehicle or common carriers.

(Code of Iowa, Sec. 724.4[6])

6. Target Practice. Any person while he or she is lawfully engaged in target practice on a range designed for that purpose or while engaged in lawful hunting for game in any place designated by local law as a hunting area.

(Code of Iowa, Sec. 724.4[7])

7. Valid Permit. Any person who has in his or her possession and who displays to any peace officer on demand a valid permit to carry weapons which has been issued to the person, and whose conduct is within the limits of that permit. No person shall be convicted of a violation of this section if the person produces at his or her trial a permit to carry weapons

which was valid at the time of the alleged offense and which would have brought that person's conduct within this exception if the permit had been produced at the time of the alleged offense.

(Code of Iowa, Sec. 724.4[8])

8. Correctional Officer. Any correctional officer, when such officer's duties require, service under the authority of the Iowa Department of Corrections.

(Code of Iowa, Sec. 724.4[4])

48.19 STORAGE AND USE OF EXPLOSIVES. No person shall purchase, possess, transport, store, or detonate explosive materials without first obtaining a use permit from the County Sheriff except when the explosives are possessed for the sole purpose of transporting them through the City.

(Code of Iowa, Sec. 101A.3)

48.20 URINATING IN PUBLIC. It is unlawful for any person to urinate or defecate onto any sidewalk, street, alley, or other public way, or onto the floor, hallway, steps, stairway, doorway or window of any public building or any privately owned building open to the public.
