

TITLE III COMMUNITY PROTECTION

CHAPTER 1 OFFENSES

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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.

1. Assault. No person shall apply or threaten or attempt to apply, an unlawful and unpermitted physical force to the person of another, in a rude and insolent manner, or with the intent to do physical harm, with the apparent ability to execute any attempt or threat.
2. Affray. No person shall with another voluntarily or by the agreement engage in any fight, or use any blows or violence towards each other in an angry or quarrelsome manner, in any public place, to the disturbance of others.
3. Disturbance of peace. No person shall make or excite any disturbance in a tavern, store or grocery, or at any election or public meeting, or other place where citizens are peaceably and lawfully assembled.
4. Disturbing congregations or other assemblies. No person shall willfully disturb or interrupt any school, school meeting, literary society or other lawful assembly of persons.
5. Unlawful assembly and riot. It shall be prohibited for three (3) or more persons in a violent or tumultuous manner to assemble together to do or attempt to do an unlawful act, when together, to commit an act, whether lawful, unlawful, in an unlawful, violent or tumultuous manner to the disturbance of others.
6. Noise. No person shall disturb the peace by excessive loud or unusual noise, by blowing horns or ringing bells, or by the use of sirens, radios or any type of speaking devices or noise makers or squealing tires or racing motors.
7. Mufflers, prevention of noise. No person shall operator or drive on a street a motor vehicle that is not equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, or to use a muffler cutout, bypass or similar device.
8. Engine/compression brakes prohibited. It is unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the City any engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in loud, unusual or explosive noise from such vehicle, except in response to an imminent traffic accident. Violation of this ordinance will be considered a simple misdemeanor with a scheduled fine of at least \$100.00 but not to exceed \$500.00.

3-1-3 PUBLIC MORALS

1. Prostitution. No person shall resort to, use, occupy or inhabit for the purpose of prostitution or lewdness any house of ill fame or place kept for such purpose, or to be found at any hotel, boarding house, cigar store or other place, leading a life of prostitution or lewdness.
2. Soliciting. No person shall ask, request or solicit another to have carnal knowledge with any male or female for a consideration or otherwise.
3. Keeping house of ill fame. No person shall keep a house of ill fame which is resorted to for the purpose of prostitution or lewdness.
4. Leasing house for prostitution. No person shall let any house, knowing that the lessee intends to use it as a place or resort for the purpose of prostitution and lewdness, or knowingly permit such lessee to use the same for such purpose.
5. Lewdness-indecent exposure. No person shall engage in open and gross lewdness, nor designedly make an open and indecent or obscene exposure of his or her person, or of the person of another.
6. Keeping gambling houses. No person shall keep a house, shop or place resorted to for the purpose of gambling, or knowingly to permit for suffer any person in any house, shop or other place under the permitter's control or care to play at cards, dice, faro, roulette, equality, punchboard, slot machine or other game for money or other things of value, unless a permit has been obtained from the State of Iowa.
7. Gaming and betting; pool selling – places used for gaming, betting, staking and booking. No person shall play at any game for any sum of money or other property of any value, or to make any bet or wager for money or other property of value; or to record or register bets or wagers or sell pools on the result of any trial or contest of skill, speed or power of endurance of man or beast, or on the result of any political nomination or election, or to keep a place for the purpose of doing any such thing, or to own, lease, or occupy any premises where the same is permitted, or any part thereof is used for any such purpose, or to receive a custodian or depository, for hire or reward, money, property, or things of value staked, wagered or bet on any such result.
8. Possession of gambling devices. No person shall in any manner or for any purpose whatever except under proceeding to destroy the same to have, keep or hold in possession or control any roulette wheel, klondike table, poker table, punchboard, faro, or keno layouts, or any other machines used for gambling, or any slot machine or device with an element of chance attending such operation, unless a permit has been obtained from the State of Iowa.
9. Lotteries and lottery tickets. No person shall, unless a permit has been obtained from the State of Iowa make or aid in making or establishing, or advertise or make public any scheme for any lottery; or advertise, offer for sale, sell, negotiate, dispose of, purchase or receive any ticket or part of a ticket in any lottery or number thereof, or have in one's possession any ticket, part of a ticket or paper purporting to be the number of any ticket of any lottery, with intent to sell or dispose of the same on such person's own account or as the agent of another.

10. Blasphemous or obscene language. No person shall use blasphemous or obscene language publicly, to the disturbance of the public peace and quiet.
11. Illegal keeping of intoxicants. No person shall operate or conduct or allow to be operated, a place where intoxicating liquor is illegally kept, sold or given away.
12. 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 to be intoxicated or simulate intoxication in a public place.

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 that age to consume alcoholic liquors, wine, or beer, except in the case of alcoholic liquor, wine, or beer, given or dispensed to a 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.

3-1-5 ANIMALS

1. Cruelty to animals. No person shall torture, torment, mutilate, cruelly beat, 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, horses, swine, sheep or other similar animals or fowl to run at large within the limits of the municipal corporation.
4. Bothersome animals. No person shall keep within the city such bothersome animals as barking dogs, bees, cattle, horses, swine, fowl and sheep which tend to disrupt the peace and good order of the community.

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 things, 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.

2. Obstructing or defacing streets. No person shall obstruct, deface, or injure any public road in any manner by breaking up, plowing or digging within the boundary lines thereof, without permission from the Mayor.
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 to fail to remove snow, ice and accumulations from the sidewalk promptly.
4. Removal of hydrant caps, sewer caps 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 within any food establishment, restaurant, hotel, motor inn, cocktail lounge or tavern.
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.
3. Carrying concealed weapons. No person shall go armed with or carry, except as hereinafter provided, a dirk, dagger, sword, pistol, revolver, stiletto, metallic knuckles, pocket billy, sandbag, skull cracker, slug shot or other offensive or dangerous weapon, except hunting knives adapted and carried as such, concealed either on or about the person, except in one's own dwelling, house, place of business, or other land possessed by such person; or carry a pistol or revolver concealed on or about the person or whether concealed or otherwise in any vehicle operated by such person, except in such person's dwelling house or place of business or on other land possessed by such person, without a permit from the sheriff of the county.

However, it shall be lawful to carry one or more unloaded pistols or revolvers for the purpose of or in connection with lawful target practice, lawful exhibit or showing, or other lawful use, if such unloaded weapon or weapons are carried either: (1) in the trunk compartment of a vehicle, or (2) in a closed container, which is too large to effectively concealed on the person or within the clothing of an individual, and such container may be carried in a vehicle or in any other manner; and no permit shall be required therefore.

4. False alarms. No person shall give or cause to be given any false alarm of a fire, to set fire to any combustible material, or to 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 bomb, 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, their duties, or to licensed physicians, nurses, pharmacists and other similar persons licensed under the laws of this state; nor to any established place of business or home having tear gas installed as a

protection against burglary, robbery or holdup, nor to any bank or other messenger carrying funds or other valuables.

6. Fireworks. No person, firm partnership or corporation shall offer for sale, expose for sale, sell at retail any fireworks within the City limits. Upon application in writing the City may grant a permit for the use of fireworks outside of the restricted dates as stated; the use of fireworks will be restricted to the following dates and times: July 1-8 between the hours of 6 p.m. – 10 p.m. and December 31 from 9:00 p.m. – January 1 at 12:30 a.m.
7. Abandoned refrigerators. No person shall place, or allow to be placed, any discarded, abandoned, unattended or unused refrigerator, ice box 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.
8. Falsely assuming to be officer. No person shall falsely assume to be a judge, magistrate, sheriff, deputy sheriff, peace officer, special agent of the Iowa Department of Public Safety or conservation officer, and act as such, or require anyone to aid or assist such person in any manner.
9. Resisting execution of process. No person shall knowingly or willfully resist or oppose any office of the state or any person authorized by law in serving or attempting to execute any legal written, rule, order or process whatsoever, or knowingly and willfully resist any such officer in the discharge of such officer's duties without such written, rule, order or process.
10. Refusing to assist an officer. No person shall, when lawfully required by any sheriff, deputy sheriff, constable or other officer, willfully neglect or refuse to assist such officer in execution of the duties of such officer's office in any criminal case, or in any case of escape or rescue.
11. Resisting arrest. No person shall attempt to escape or forcibly resist when arrest is being made by an officer under the authority of a warrant, after information of the intention to make the arrest.
12. Antenna and radio wires. No person shall allow antenna wires, antenna supports, radio wires or television wires to exist over any street, alley, highway, sidewalk or public property.
13. Throwing and shooting. No person shall 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.
14. Interference with city officers. No person shall interfere with or hinder any policeman, fireman, officer or city official in the discharge of such officer's duty.
15. Barb wire. No person shall use barb wire to enclose land within the city limits without the consent of the city council.
16. 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.

17. 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, packaged goods, or other articles of food, or sell or offer for sale the flesh of any animal that was diseased.
18. Discharging firearms. No person shall discharge a rifle, shotgun, revolver, pistol, gun or firearm of any kind within the city limits except by authorization of the city council.

3-1-8 PUBLIC PROPERTY

1. Defacing public grounds. No person shall cut, break or deface any tree or shrub in a public park or on any avenue thereto by willfully defacing, cutting, breaking or injuring, except by the authority of the mayor.
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.
3. Destroying park equipment. No person shall destroy or injure any property or equipment in public swimming pools, playgrounds or parks by willfully defacing, breaking, damaging, mutilating or cutting.
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.
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 for the protection, ornamentation of said cemetery, or of any tomb, vault, monument or gravestone, or other structure aforesaid, on any 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.
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.
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.
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 place 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 any public road or 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 in so doing.

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.
11. Obstructing ditches and breaking levees. No person shall divert, obstruct, impede, or fill up, without legal authority, any ditch, drain, or watercourse, or break down any levee established, constructed, or maintained under any provision of the law.