

# RULES AND REGULATIONS



The Rules and Regulations governing the use of the park area are intended to protect the park visitor and the park itself from abuse and misuse. In addition to the Rules and Regulations adopted by a Conservation Board, state laws apply to conduct in County Parks. Section 461A.35 through 461A.57 of the State Law Applies to County Parks unless the Conservation Board has modified them. The traffic laws of the State of Iowa apply to County Park roads in the same manner as they do on state highways. Other sections of the law concerning alcoholic beverages and destruction of public buildings apply to all County Parks.

## RULES & REGULATIONS #85-1

**SECTION 1. DEFINITIONS:** Pursuant to the authority of Chapter 461A.5 of the Code of Iowa, the Cherokee County Conservation Board hereby promulgates and places into effect the following regulations. The following terms, as used in these regulations, shall for the purpose of these regulations have the meanings assigned hereto, unless a different meaning is clearly indicated.

- A. The term “**BOARD**” shall mean the Cherokee County Conservation Board.
- B. The term “**DIRECTOR**” shall mean the Executive Director of the Cherokee County Conservation Board.
- C. The term “**AREA**” shall mean all or any part of the land and/or water owned, leased, managed or by other means under control of the Board.
- D. The term “**AUTHORIZED REPRESENTATIVE**” shall include Park Rangers and other persons designated from time to time by the Executive Director.
- E. The term “**SPECIAL USE PERMT**” shall mean any use permit issued by the Department, pursuant to authority delegated by the Board, and signed by the Director or his authorized representative.
- F. The term “**CAMPGROUND**” shall mean any area designated by the Board for camping.
- G. The term “**CAMPSITE**” shall mean a segment of a campground designated by the Board for camping by a camping unit or camping party.
- H. The term “**CAMPING UNIT**” shall mean either a single tent not larger than 140 square feet in size at its base, pickup camper, motor home or converted bus, recreation 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 said camping party, a second tent or an additional tent no larger than 140 square feet in size at its base, if same is used and occupied by members of that camping party.
- I. The term “**CAMPING PARTY**” shall mean any individual, family, or informal unorganized group of not more than 6 persons occupying one campsite.
- J. The term “**CAPACITY**” shall mean the maximum number of camping parties or camping units that the Board shall from time to time determine may occupy an area, campground or campsite.
- K. The term “**OFFICIAL SIGNS**” shall mean signs provided for in the Iowa State Highway Commission Manual on Uniform Traffic Control Devices for Iowa Streets and Highways and other signs designated from time to time by the Board.
- L. The term “**NOISE**” shall mean any loud, confused or senseless shouting or outcry; a sound lacking in agreeable musical quality or which is noticeable unpleasant.

**SECTION 2. SCOPE:** The provisions of these regulations shall apply to all areas.

## SECTION 3. FEES & CHARGES:

- A. Fees or charges made for services or for the use of land, facilities, equipment, materials or supplies on any area to be collected by the Conservation Board or authorized concessionaires shall be prescribed and approved by the Board.
- B. It shall be **unlawful** for any person or persons to enter or use any facilities for which entrance fees or user fees are prescribed without payment of same, except those persons on official business or authorized by special use permits.

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**SECTION 4. COLLECTION OF FRUITS & NUTS:** SECTION 461.41 of the 1975 Code of Iowa entitled “Removing plants, flowers or fruit” is hereby modified under the authority of SECTION 461A.10 of the 1975 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, provided that the collector does not otherwise damage the parent plant.

**SECTION 5. USE OF FIREARMS:** SECTION 461A.42 of the 1975 Code of Iowa entitled “use of firearms prohibited – exceptions” is hereby modified under authority of SECTION 461A.10 of the 1975 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. The Board shall post all such areas with official signs to constructively notify the public that this activity is lawful.

**SECTION 6. TRAINING & EXERCISING DOGS:** SECTION 461.45 of the 1975 Code of Iowa entitled “**Animals on leash**” is hereby modified under the authority of SECTION 461A.10 of the 1975 Code of Iowa as follows: It shall be lawful to permit dogs to run at large for the purpose of training or exercising them in or on all areas designated as hunting areas by the Board.

**SECTION 7. RIDING HORSES.** Horses must be confined to bridle trails and areas designated for their use. Horses are specifically not allowed in any picnic, play, or camping area.

**SECTION 8. HUNTING RESTRICTED.** It shall be unlawful to hunt, pursue or in any manner molest any birds or wild animals or to use or carry firearms, fireworks, explosives and weapons of all kinds, except as otherwise provided by law, in or on any area not designated as a hunting area by the Board.

**SECTION 9. CAMPING:**

- A. Violation of any state law or any county park rule and regulation by any member of a camping party is cause for revocation of the camping permit and the entire camping party shall be required to leave the area.
- B. When any campground is open and in a usable condition all charges and fees shall be in effect and shall be enforced as set forth in the official fee schedule fee schedule approved by the Board.
- C. No camping party or camping unit of any kind shall occupy any campground more than **fourteen days** out of any twenty one day period. On all parks or areas with more than one campground this shall apply to the entire area and all campgrounds in the area.
- D. A member of the registered camping party shall occupy each campsite or camping unit on the first night of the camping period and no campsite or camping unit shall be left unoccupied by the camping party for more than twenty-four hours.
- E. It shall be **unlawful** for more than one camping party or camping unit to occupy a campsite, except by special permission.

- F. It shall be **unlawful** to park any motor vehicle outside the parking area designated at each campsite, and not more than two licensed vehicles are permitted to any campsite.

**SECTION 19. MOTOR VEHICLES**

**UNATTENDED NOT PERMITTED:** It shall be unlawful to leave any motor vehicle unattended on any area for more than twenty-four hours without the permission of the Director or his authorized representative. Any motor vehicle left in violation hereof shall be removed and stored at the expense of its owner, which expense shall not be less than \$25.00. If not reclaimed within six months of its removal hereunder, all such motor vehicles shall be considered abandoned and shall thereafter be disposed of.

**SECTION 20. OFFICIAL SIGNS:** It shall be unlawful for any person to enter, use or occupy any area or facilities within said area in disregard of any official sign.

**SECTION 21. CONTAINER SIZE**

**REGULATED:** No person or group shall bring, use, or have in his, her or their possession on any area, beer in a keg, or any container larger than one quart without first obtaining a special use permit from the Director or his authorized representative.

**SECTION 22. EXCEPTIONS:** Nothing in these rules and regulations shall prohibit or hinder the Board, its Supervisors, Park Rangers, or duty authorized agents or any other peace officers from performing their official duties.

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## **CONSERVATION & PUBLIC PARKS**

The following portions of the State Code entitled **CONSERVATION AND PUBLIC PARKS** apply to County Parks.

### **461A.35 PROHIBITED DESTRUCTIVE**

**ACTS.** 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 conservation commission for any purpose whatsoever, except upon the terms, conditions, limitations and restrictions as set forth by the conservation commission.

**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 state conservation commission shall determine that the speed limit herein before set forth 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, said commission shall determine and declare a reasonable and safe speed limit thereat which shall be effective when appropriate signs giving notice thereof are erected at such places of congestion or other parts of the park roads, drives or highways.

**COMMENTS OF SPEED LIMIT.** Using the authority provided for in the State Traffic Code the Conservation Board has established a universal 15-MILE PER HOUR limit on all county park roads in Cherokee County.

**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 State Conservation Director or his representative and will depend upon the load and the road condition.

**461A.38 PARKING.** All vehicles shall be parked in designated parking areas, and no vehicle shall be left unattended on any state park or preserve drive, road or highway, except in the case of an emergency.

**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.40 FIRES.** No fires shall be built, except in a place provided therefore, 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.** 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 of natural attraction, except that upon written permission of the commission certain

specimens may be removed for scientific purposes.

**FOR EXCEPTIONS TO 461A.41 SEE SECTION 4 OF THE COUNTY PARK RULES AND REGULATIONS.**

### **461A.42 USE OF FIREARMS**

**PROHIBITED – EXCEPTIONS.** The use by the public of firearms, fireworks, explosives, and weapons of all kinds is prohibited in all state parks and preserves, except preserves or portions of preserves designated as hunting areas by the State Advisory Board on preserves upon the request of the State Conservation Commission. However, any person may use a bow and arrow with attached bow fishing reel and ninety-pound minimum line attached to the arrow to take rough fish under rules and regulations prescribed by the State Conservation Commission. No target practicing, skeet or trap will be allowed in any areas.

**FOR EXCEPTIONS TO 461.42 SEE SECTION 5 OF THE COUNTY PARK RULES AND REGULATIONS.**

**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 from the State Conservation Director or his representative.

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**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.

**FOR EXCEPTIONS TO 461A.45 SEE SECTION 6 OF THE COUNTY PARK RULES AND REGULATIONS.**

**461A.46 CLOSING TIME.** Except by arrangement or permission granted by the Director or his authorized representative, all persons shall vacate state parks and preserves before ten-thirty o'clock 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 authorized camping in areas provided for that purpose.

**461A.47 CAMPING.** The Commission is hereby authorized to fix fee for camping and other special privileges which shall be in such amounts as may be determined by the commission upon a basis of the cost of providing and reasonable value of such privileges.

**461A.48 CAMPING AREAS.** No person shall camp in any portion of a state park or preserve except in portions prescribed or designated by the commission.

**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 his or her 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.

**461A.57 PENALTIES.** Any person violating any of the provisions of the foregoing sections numbered 461A.35 to 461A.56, inclusive, shall upon conviction be fined not to exceed one hundred dollars or be imprisoned in the county jail not to exceed thirty days.

**461A.5 RULES AND REGULATIONS –**

**OFFICERS.** The County Conservation Board may make, alter, amend or repeal rules and regulations for the protection, regulation and control of all museums, parks, preserves, parkways, playgrounds, recreation centers, and other property under its control. No rules and regulations adopted shall be contrary to, or inconsistent with, the laws of the State of Iowa. Such rules and regulations shall not take effect until ten days after their adoption by said board and after their publication once a week for two weeks in at least one paper circulating in the county and after a copy thereof has been posted near each gate or principal entrance to the public ground to which they apply. After such

publication and posting, any person violating any provision of such rules and regulations, which are then in effect, shall, upon conviction be fined not more than one hundred dollars or be imprisoned in the county jail not more than thirty days. The board may designate the executive officer and such employees as he 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 the State of Iowa and the apprehension of violators thereof.

**461A.10 STATUTES APPLICABLE.** The provisions of sections 461A.35 through 461A.57, inclusive, shall apply to all lands and waters under the control of any County Conservation Board, in the same manner as if such lands and waters were state parks, lands, or waters. Wherever used in said sections, the words “**STATE CONSERVATION COMMISSION**”, “**CONSERVATION COMMISSION**”, and “**COMMISSION**” shall include a County Conservation Board and the words “**STATE CONSERVATION DIRECTOR**” shall include a County Conservation Board or its executive officer, with respect to any lands or waters under the control of a County Conservation Board. However, the provisions of said sections may be modified or superseded by rules and regulations adopted as provided in section 461A.5.