

GREENE COUNTY, IOWA, CONSERVATION BOARD RULES AND REGULATIONS

APPLICABLE IOWA CODE PROVISIONS

Pursuant to Iowa Code sections 350.5 and 350.10, the following Code provisions, as herein modified, shall apply to all areas:

461A.35 PROHIBITED DESTRUCTIVE ACTS. Except as otherwise provided under these Rules and Regulations or as expressly authorized by the Department, it is unlawful for any person to use, enjoy the privileges of, destroy, injure, or deface plant life, trees, buildings, or other natural or material property; to construct or operate for private or commercial purposes any structure; to remove any plant life, trees, buildings, sand, gravel, ice, earth, stone, wood, or other natural material; or to operate vehicles for any purpose whatsoever.

461A.36 SPEED LIMIT. The maximum speed limit of all vehicles on county park and preserve drives, roads, and highways shall be fifteen miles per hour. All driving shall be confined to designated roadways. Whenever the Department determines that a fifteen-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 Department 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.37 EXCESSIVE LOADS. Excessively loaded vehicles shall not operate over county park or preserve drives, roads, or highways. The determination as to whether the load is excessive will be made by the County Conservation Director or the Director's authorized 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 county park or preserve drive, road, or highway, except in the case of an emergency. It is unlawful to leave any motor vehicle unattended in any area between the hours of 10:30 p.m. and 5:30 a.m. without the permission of the Director or the Director's authorized representative. Vehicles left unattended in violation of this section may be towed at the discretion of the Director or the Director's authorized representative.

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 county property.

461A.40 FIRES. No fires shall be built, except in a place provided therefor, and such fire shall be extinguished when the site is vacated unless it is immediately used by some other party. No person shall collect wood from any area to be used as firewood. No lumber containing nails, screws, or other hardware may be used for firewood. In the event that the State Fire Marshall proclaims an open burn ban in Greene County, the Department may impose temporary restrictions on the use of open fires in any area.

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 or natural attraction; provided, however, that this section shall not apply to activities of the Department or its officers or employees when caring for and managing the land and waters under its jurisdiction; the removal of certain specimens for scientific purposes upon the written permission of the Director; or the collection of mushrooms or the fruit of a nut or berry producing plant for noncommercial home use in a manner that does not otherwise damage the parent plant.

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 areas, except under the following conditions: (a) a firearm or other weapon authorized for hunting as provided by law may be used in areas designated for hunting by the Department; and (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 under the rules and regulations prescribed by the Iowa Department of Natural Resources.

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 any area or facility under the jurisdiction of the Department in disregard of official signs forbidding entrance, except by permission of the Director or the Director's authorized representative.

461A.45 ANIMALS ON LEASH. No privately owned animal shall be allowed to run at large in any area, except that dogs may be allowed to run at large for the purpose of training or exercising them in areas or portions of areas designated as hunting areas by the Department. 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. All privately owned animals must be attended at all times. Owners or other responsible parties must pick up animal waste immediately and dispose of such waste properly. An owner or responsible party's failure to pick up and properly dispose of animal waste shall be subject to a fine not to exceed one hundred dollars.

461A.46 CLOSING TIME. Except by arrangement or permission granted by the Director or the Director's authorized representative, all areas shall be closed to public use between the hours of 10:30 p.m. and 5:00 a.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 or to fishing at the North Racoon River Access areas.

461A.48 CAMPING AREAS. No person shall camp in any area except in portions prescribed or designated by the Department.

461A.49 TIME LIMIT. No camping unit shall be permitted to camp for a period longer than that designated by the Department for the specific county park or preserve, and in no event longer than for a period of two weeks, except by special permit. After two weeks the camping unit must

vacate the park overnight. Extensions may be granted by the Director or the Director's authorized representative for emergencies or unusual circumstances.

461A.50 REGISTERING - VACATING. Any person who camps in any county 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. Unless another punishment is provided, any person violating any of the provisions of the foregoing sections numbered 461A.35 to 461A.51 inclusive, or any other rule or regulation promulgated by the Department, is guilty of a simple misdemeanor.

ADDITIONAL RULES AND REGULATIONS

SECTION 1. DEFINITIONS: Pursuant to section 350.5 of the Code of Iowa, the Greene County, Iowa, Conservation Board hereby promulgates and places into effect the following additional regulations. The following terms shall have the following assigned meanings for the purpose of all regulations either adopted or promulgated by the Department, unless a different meaning is clearly indicated.

- A. The term "all-terrain vehicle" shall mean an "all-terrain vehicle" as defined in Iowa Code section 321I.1(1)(a).
- B. The term "area" shall mean all or any part of the land or water owned, leased, managed, or by other means under the control of the Department.
- C. The term "authorized representative" shall include Park Rangers and other persons designated from time to time by the Director.
- D. The term "bicycle" shall mean a "bicycle" as defined in Iowa Code section 321.1(40)(c).
- E. The term "campground" shall mean any area designated by the Department for camping.
- F. The term "camping unit" shall mean a tent, trailer, or motor vehicle specifically designed for such use as a temporary residence at a campsite. A tent must be fully erect and staked into the ground to qualify as a camping unit. An additional children's tent shall be allowed if occupied by members of the same family who are under the age of eighteen.
- G. The term "campsite" shall mean a segment of a campground designated by the Department for camping by a camping unit or camping party.
- H. The term "Department" shall mean the Greene County, Iowa, Conservation Board.
- I. The term "Director" shall mean the Director of the Department.

- J. The term “family” shall mean a parent or parents with their children.
- K. The term “motor vehicle” shall mean a “motor vehicle” as defined in Iowa Code section 321.1(42)(a).
- L. The term “noise” shall mean any loud, confused, or senseless shouting, outcry, or other sound.
- M. The term “off-road utility vehicle” shall mean an “off-road utility vehicle” as defined in Iowa Code section 321I.1(17)(a).
- N. 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 Department.
- O. The term “other power-driven mobility device” shall mean an “other power-driven mobility device” as defined in 28 C.F.R. § 35.104 of the United States Code of Federal Regulations.
- P. The term “pet” shall mean a “pet” as defined in Iowa Code section 717E.1(5).
- Q. The term “primitive campsite” shall mean a campsite without electricity.
- R. The term “service animal” shall mean a “service animal” or a “service-animal-in-training” as defined in Iowa Code section 216C.1A.
- S. The term “special event” shall mean any of the following: (1) an event or gathering not sponsored by the Department with an anticipated or actual attendance of 100 or more persons; (2) an event or gathering charging admission or charging for services; or (3) an event or gathering utilizing a party tent or amplified music.
- T. The term “special use permit” shall mean any use permit issued by the Department and signed by the Director or the Director’s authorized representative.
- U. The term “wheelchair” shall mean a “wheelchair” as defined in 28 C.F.R. § 35.104 of the United States Code of Federal Regulations.

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

SECTION 3. FEES AND 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 Department or authorized concessionaires shall be prescribed and approved by the Department.

- 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 a special use permit.

SECTION 4. HUNTING AND TRAPPING RESTRICTED: It shall be unlawful to hunt, pursue, trap or attempt to trap, or in any manner molest any birds or wild animals, except under the following conditions: (a) a person may hunt as provided by law in areas designated for hunting by the Department; (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 under the rules and regulations prescribed by the Department of Natural Resources; and (c) a person may trap or attempt to trap a wild animal pursuant to a special use permit.

SECTION 5: CAMPING:

- A. Designated campsites are reservable. Reservations for the next calendar year will be available after the current date at www.mycountyparks.com. There is an additional \$4.00 charge per night for reservations.
- B. Reservations must be made at least five days prior to the date of arrival.
- C. Check-in/check-out time for a reserved campsite is 4:00 p.m.
- D. Reservations are posted five days in advance. If not reserved, sites are available on a first come, first served basis; however, campers obtaining a campsite on a first come, first served basis shall not be able to reserve the campsite for more than five days.
- E. Violation of any state law or any county park rule or regulation by any member of a camping party is cause for revocation of camping privileges and the entire camping party may be required to leave the area.
- F. Campers must have the camping unit on the site before registering and must register the unit within ½ hour of setting up camp. A camping party may hold additional campsites for another camping party by paying all required fees for the campsite and physically occupying the campsite with a camping unit.
- G. All camping units must back on to rock pads where provided, with the exception of motor homes. The camping unit, including awnings, slide outs, and vehicles, must be parked between numbered signposts.
- H. Only two licensed vehicles for travel will be allowed at a designated campsite. Visitor and extra vehicles must be parked at a picnic area or beach parking lot.
- I. Camp visitors must vacate campgrounds by 10:30 p.m. Registered campers must be in the camping area by 10:30 p.m. It is unlawful for a vehicle to be driven in the camping area or park grounds from 10:30 p.m. to 5:30 a.m. Park gates shall be shut and secured at 10:30 p.m. and opened at 5:30 a.m.

- J. All campers shall maintain quiet and avoid excessive noise in the campgrounds between the hours of 10:30 p.m. and 6:00 a.m.
- K. Campers must restore their campsite to the same approximate condition as existed upon arrival.
- L. Campers shall pay a registration fee in the amount of \$10 per camping unit per night for a primitive campsite located in any county park with river access. The Department is authorized to fix additional fees for camping and other special privileges in such amounts as may be determined by the Department based upon the cost of providing, and the reasonable value of, such privileges.
- M. Unattended camping equipment may be removed or impounded as provided by law.
- N. No portable generators are allowed at primitive campsites.

SECTION 6. NOISE PRODUCING DEVICES: It shall be unlawful to operate or use any radio, television, stereo, musical instrument, electric generating plants, power saws, or any similar equipment in or on any area in such a manner as to create excessive noise or to disturb other persons. Said equipment shall under no circumstances be used between the hours of 10:30 p.m. and 6:00 a.m. No live music or disc jockeys or karaoke shall be allowed in any area.

SECTION 7. PUBLIC ADDRESS SYSTEMS RESTRICTED: It shall be unlawful to operate or use any public address system whether fixed, portable, or vehicular mounted, in or on any area except when such use or operation has been approved in writing by the Director or the Director's authorized representative.

SECTION 8. RECREATION USES ONLY ALLOWED: It shall be unlawful for any person to occupy any portion of any area for washing or repairing vehicles; advertising or political campaigning; hawking, peddling, or any other commercial activity, except concessionaires acting under the authority of a lease or contract with the Department; or any other purpose not primarily recreational.

SECTION 9. ANIMALS: No privately owned animals except a dog used in law enforcement under the control of a certified peace officer, a service animal, or a pet are allowed in any area; provided, however, that a pet is not allowed in any area unless the pet's owner or another responsible party has proof the pet is licensed and has received all required vaccinations. It shall be unlawful for any person to permit an animal under such person's control or within such person's custody to become a nuisance. An animal shall be considered a nuisance if it: (a) deposits any fecal material in any area unless the person promptly removes and properly disposes of the fecal material; (b) causes unsanitary, dangerous, or offensive conditions; or (c) causes a disturbance by frequent and habitual howling, yelping, barking, or otherwise; by running after or chasing persons, bicycles, automobiles, or other vehicles; or by molesting, attacking, or interfering with one or more persons or privately owned animals.

SECTION 10. USE OF HORSES RESTRICTED: It shall be unlawful to ride, lead or otherwise allow entry of horses on trails, roads, campgrounds, beaches, and picnic areas except for those trails and roads designated by the Department. This restriction does not apply to a miniature horse being used as a service animal.

SECTION 11. SWIMMING RESTRICTED: It shall be unlawful to swim, wade, or engage in related water activities at Spring Lake except at the designated swimming area.

SECTION 12. RESERVING PARK FACILITIES: It shall be unlawful for a minor to reserve a park facility.

SECTION 13. POSSESSION OF BEER PROHIBITED: It shall be unlawful for any person to possess or consume beer, as defined in Iowa Code section 123.3(6), between the hours of 10:30 p.m. and 6:00 a.m. in any area. This rule shall not apply to a person of legal drinking age in possession of beer within a camping unit or otherwise kept out of sight. Any beer possessed in violation of this rule shall be confiscated by the Director or the Director's authorized representative and destroyed.

SECTION 14. POSSESSION OF ALCOHOLIC BEVERAGES PROHIBITED: It shall be unlawful for any person to possess or consume any alcoholic beverage, as defined in Iowa Code section 123.3(3), in the designated beach area of Spring Lake Park.

SECTION 15. BEER CONTAINERS REGULATED: No person shall bring, use, or have in his or her possession beer in a keg or any other container larger than one liter in any area, except in a reserved shelter house upon the written approval of the Director or the Director's authorized representative and payment of a \$100 deposit.

SECTION 16. CUTTING OF TREES RESTRICTED: It shall be unlawful to cut any part of a dead, live, standing, or fallen tree for any purpose with a chain saw in any area without a special use permit.

SECTION 17. EXCEPTIONS: Nothing in these Rules and Regulations shall prohibit or hinder the Department, the Director, the Director's authorized representatives, or any peace officer from performing their official duties.

SECTION 18. TARGET PRACTICE: It is unlawful to target practice, trap shoot, or practice shooting by any other method in all areas except in those areas designated by the Department for target practice.

SECTION 19. PARK USER RIGHTS REFUSED: Park rangers and the Director are authorized to refuse park user privileges for just cause. Park rangers and the Director are also authorized to rescind an individual's park privileges for a period of up to five years for just cause. A person whose park privileges have been rescinded may appeal such rescission to the Department. Any appeal must be made in writing and must be received by the Director within thirty days of the rescission. Any written appeal timely received by the Director shall be immediately placed on the agenda for the next regular Department meeting in accordance with

Chapter 21 of the Code of Iowa, provided that such appeal shall not be heard sooner than five days after the appeal is taken. The appellant shall be informed by certified mail of the date and time of the hearing before the Department and shall be granted access to any relevant records in the possession of the Department. The Department shall review the decision of the park ranger or the Director de novo at the time scheduled for the appeal, unless a continuance is requested by the appellant. The appellant shall be permitted to present whatever evidence is desired in support of the appeal, including his or her own testimony, the testimony of other witnesses, and documentary evidence. At the appeal hearing, the technical rules of evidence shall not apply, and the Department may set reasonable time limits for the parties to present their evidence. The Department may question the appellant, and the park ranger or the Director who rescinded the appellant's park privileges shall present the Department with the grounds for his or her decision. The appeal hearing shall be audio recorded. When the Department deliberates on the appeal, no parties shall be present. The Department's decision shall be based solely on the evidence submitted to the Department at the hearing. Within five days of the appeal hearing, the Department shall mail the appellant its decision in writing by certified mail. The Department's written decision shall include the reasons for its decision, as well as the method by which the appellant may appeal the Department's decision. A person aggrieved by the Department's decision may appeal the decision as if it were a contested case before an agency and as if the person had exhausted administrative remedies in accordance with the procedures and standards in Iowa Code sections 17A.19 and 17A.20.

SECTION 20. DEPOT AND SHELTER HOUSE RESERVATIONS: The Milwaukee Train Depot, the Lakeside and Eastside shelter houses at Spring Lake Park, and the shelter houses at Hyde Park, Seven Hills Park, and Squirrel Hollow are available on a reservation basis. The fee to reserve the Depot or a shelter house shall be set by the Director and may vary by location. A person may reserve the Depot or a shelter house up to one year in advance; however, a person may not reserve more than one shelter house per month. The reserving party shall be assessed any cleaning costs or costs for the repair of damages incurred by the Department to restore the reserved property to its prior condition before the reserving party's use of the property.

SECTION 21. USE OF PAINTBALL/AIRSOFT GUNS: The use of paintball or airsoft guns shall not be allowed in any area with camping and picnic activity or in any wildlife area.

SECTION 22. SPRING LAKE RESTRICTIONS DURING DEER SEASON: Spring Lake Park may be closed to vehicular traffic during shotgun deer season. The roads shall be closed as determined necessary by the Director or the Director's authorized representative.

SECTION 23. USE OF TREE STANDS ON PUBLIC AREAS: No person may drive or otherwise place any nail, spike, pin, or any other object, metal or otherwise, into any tree on a game management area to construct a blind or to make access to a blind or to a hunting location above the ground. Portable blinds placed in trees and used for purposes other than waterfowl may be left on an area for a continuous period of time from seven days prior to the relevant open season to seven days after the final day of the season.

SECTION 24. NONTOXIC SHOT REQUIREMENTS: Anyone hunting any animal except turkey or deer or using a shotgun is required to use nontoxic shot at Pound Pits, Bristol Wildlife

Area, Willow Township Wildlife Area, Squirrel Hollow Wildlife Area, and Adkins Bridge Wildlife Area.

SECTION 25. CAMPING RATES FOR YOUTH GROUPS: No camping fee shall be charged to organized, supervised youth activity groups such as scouts or church groups.

SECTION 26. MOTOR VEHICLE RESTRICTIONS: The operation of motor vehicles is prohibited in all areas, except under the following circumstances: (a) the operation of a properly registered motor vehicle, including a registered all-terrain vehicle or a registered off-road utility vehicle, on designated roadways and parking lots; (b) the operation of a wheelchair or other power-driven mobility device by an individual with a mobility disability; (c) the operation of an electric personal assistive mobility device by a person at least sixteen years of age on sidewalks and bikeways in accordance with the requirements of section 321.235A of the Iowa Code; or (d) the operation of a snowmobile on such trails and roadways, and during such times, as the Department shall from time to time designate.

SECTION 27. BICYCLES: Bicycles may be used on all trails under the jurisdiction of the Department unless otherwise designated by the Department or the Director.

SECTION 28. POSTED RULES: It shall be unlawful for any person to perform any act in violation of any rule, regulation, or sign posted by the Department.

SECTION 29. RACCOON RIVER VALLEY TRAIL: Hunting shall be permitted along the Raccoon River Valley Trail between Winkleman Switch and the Guthrie County line. Shooting shall be prohibited within 200 yards of a building inhabited by people or domestic livestock or a feedlot.

SECTION 30. SPECIAL EVENTS:

- A. A special event may not be held in any area without a permit issued by the Director.
- B. A permit shall not be issued for a special event except under the following conditions:
 - 1. The permit application is submitted to the Director at least thirty days prior to the event.
 - 2. A certificate of liability insurance is submitted with the permit application naming the Department and Greene County as additional insureds in an amount of at least \$1 million.
 - 3. A non-refundable filing fee of \$75.00 is submitted with the permit application.
 - 4. The applicant has arranged for sanitary facilities at a minimum rate of one portable restroom per fifty people. The applicant is responsible for payment of the cost of these facilities.

5. If the event has an anticipated or actual attendance of 250 people or more, the applicant has arranged for security at a minimum rate of one uniformed officer per 250 people. The applicant is responsible for payment of the cost of the required security. The contract with the security service must be included with the application and is subject to approval by the Director or the Director's authorized representative.
6. At the discretion of the Director, the applicant may be required to arrange for first aid personnel at the special event. The applicant is responsible for payment of the cost of any required first aid personnel. A contract with a first aid service is required upon the request of the Director or the Director's authorized representative and is subject to approval by the Director or the Director's authorized representative.
7. Any event requiring a permit must not exceed the natural or physical limits of the proposed site or facility.
8. The Director may deny an application for a permit for a special event if the applicant fails to comply with the conditions for the issuance of a permit specified in this section, with any other rules or regulations promulgated by the Department, or with any additional conditions imposed by the Director which the Director reasonably determines to be necessary to maintain the peace, to protect Department property, or to ensure the safety or security of event attendees, Department employees, or the general public.
9. The applicant must agree to indemnify, defend, and hold the Department, Greene County, and its employees harmless from any action or liability arising from the special event.
10. The applicant must sign and date all required waivers and agreements and include such waivers and agreements with the applicant's application.
11. All state and local laws shall apply to the special event.