

CHAPTER 41

PUBLIC HEALTH AND SAFETY

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41.01 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)

41.02 FALSE REPORTS TO OR COMMUNICATIONS WITH PUBLIC SAFETY ENTITIES.

No person shall do any of the following:

(Code of Iowa, Sec. 718.6)

1. Report or cause to be reported false information to a fire department, a law enforcement authority or other public safety entity, knowing that the information is false, or report the alleged occurrence of a criminal act knowing the act did not occur.
2. Telephone an emergency 911 communications center, knowing that he or she is not reporting an emergency or otherwise needing emergency information or assistance.
3. Knowingly provide false information to a law enforcement officer who enters the information on a citation.

41.03 REFUSING TO ASSIST OFFICER. Any person who is requested or ordered by any 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)

41.04 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)

41.05 INTERFERENCE WITH OFFICIAL ACTS. No person shall knowingly resist or obstruct anyone known by the person to be a peace officer, jailer, emergency medical care provider under Chapter 147A of the *Code of Iowa*, medical examiner, or firefighter, whether paid or volunteer, or a person performing bailiff duties pursuant to Section 602.1303[4] of the *Code of Iowa*, in the performance of any act that is within the scope of the lawful duty or authority of that officer, jailer, emergency medical care provider, medical examiner, or firefighter, or person performing bailiff duties, 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. The terms “resist” and “obstruct” as used in this section do not include verbal harassment unless the verbal harassment is accompanied by a present ability and apparent intention to execute a verbal threat physically.

(Ord. 1159 – Aug. 21 Supp.)

(Code of Iowa, Sec. 719.1)

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

41.07 ANTENNA AND RADIO WIRES. It is unlawful for a person to allow antenna wires, antenna supports, radio wires or television wires to exist over any street, alley, highway, sidewalk, public way, public ground or public building without written consent of the Council.

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

41.08 BARBED WIRE AND ELECTRIC FENCES. It is unlawful for a person to use barbed wire or electric fences to enclose land within the City limits without the written consent of the Council unless such land consists of ten (10) acres or more and is used as agricultural land.

41.09 DISCHARGING WEAPONS.

1. It is unlawful for a person to discharge rifles, shotguns, revolvers, pistols, guns, or other firearms of any kind within the City limits except by written consent of the Council. Peace officers and City employees in performance of their duties are exempt from this prohibition.
2. No person shall intentionally discharge a firearm in a reckless manner.

41.10 THROWING AND SHOOTING.

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

1. It is unlawful for a person to play ball or to throw stones or snow balls, bricks or missiles of any kind in any street, alley or public place in the City, or to shoot arrows, rubber guns, slingshots, air rifles, BB guns, CO² pellet guns or other dangerous instruments or toys anywhere within the limits of the City. Upon application, the Police Chief may authorize archery practice activities within the City limits under appropriate supervision. Such authorization shall specifically state the location and the time period and the required supervision to be observed and shall be signed by the Police Chief or designee of the Police Chief.

2. Special Deer Hunt. Properly licensed bow hunters may hunt in the City three weeks prior to the State-designated deer hunting season until three weeks after the State-designated deer season ends. Hunters may hunt upon private property with the signed, written permission of the owner and provided no arrow is shot within 200 yards of any residence (except residence of the owner of the property). Bow hunting will only be allowed on eligible property within the City limits and said property will be designated on a map that will be on file with the City Clerk. Prior to engaging in any hunting activity, any person desiring to hunt deer with a bow and arrow shall obtain a permit from the Iowa Falls Police Department. The permit application shall require a showing of a valid State of Iowa hunting license, a picture identification, and the signed, written permission of the property owner to engage in hunting. The written permission from the landowner shall include the date and location that the applicant desires to hunt. In addition, applicants may be required to produce their hunting equipment for inspection and all hunters shall be required to submit to a test of their shooting proficiency. All hunters shall clean up and remove from the premises any residue from field dressing of any deer.

(Ord. 963 – Oct. 09 Supp.)

41.11 URINATING AND DEFECATING. It is unlawful for any person to urinate or defecate onto any sidewalk, street, alley, or other public way, or onto any public or private building, including but not limited to the wall, floor, hallway, steps, stairway, doorway or window thereof, or onto any public or private land.

41.12 FIREWORKS.

(Code of Iowa, Sec. 727.2)

1. Definitions. For purposes of this section:

A. “Consumer fireworks” means the following fireworks, as described in Chapter 3 of the American Pyrotechnics Association (“APA”) Standard 87-1:

(1) First-class consumer fireworks:

- a. Aerial shell kits and reloadable tubes;
- b. Chasers;
- c. Helicopters and aerial spinners;
- d. Firecrackers;
- e. Mine and shell devices;
- f. Missile-type rockets;
- g. Roman candles;
- h. Sky rockets and bottle rockets;
- i. Multiple tube devices under this paragraph B which are manufactured in accordance with APA Standard 87-1, Section 3.5.

(2) Second-class consumer fireworks:

- a. Cone fountains;
- b. Cylindrical fountains;
- c. Flitter sparklers;
- d. Ground and hand-held sparkling devices, including multiple tube ground and hand-held sparkling devices that are manufactured in accordance with APA Standard 87-1, Section 3.5;
- e. Ground spinners;
- f. Illuminating torches;
- g. Toy smoke devices that are not classified as novelties pursuant to APA Standard 87-1, Section 3.2;
- h. Wheels;
- i. Wire or dipped sparklers that are not classified as novelties pursuant to APA Standard 87-1, Section 3.2.

B. “Display fireworks” includes any explosive composition, or combination of explosive substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, and includes fireworks containing any explosive or flammable compound, or other device containing any explosive substance. “Display fireworks” does not include novelties or consumer fireworks enumerated in Chapter 3 of the APA Standard 87-1.

C. "Novelties" includes all novelties enumerated in Chapter 3 of the APA Standard 87-1, and that comply with the labeling regulations promulgated by the United States Consumer Product Safety Commission.

2. Display Fireworks. It is unlawful for any person to use or explode any display fireworks; provided, the City Council may, upon application in writing, grant a permit for the display of display fireworks by municipalities, fair associations, amusement parks, and other organizations or groups of individuals approved by the City when the display fireworks will be handled by a competent operator, but no such permit shall be required for the display of display fireworks at the Iowa State Fairgrounds by the Iowa State Fair Board, at incorporated county fairs, or at district fairs receiving State aid. No permit shall be granted hereunder unless the operator or sponsoring organization has filed with the City evidence of insurance in the following amounts:

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| A. | Personal Injury: | \$250,000.00 per person |
| B. | Property Damage: | \$50,000.00 |
| C. | Total Exposure: | \$1,000,000.00 |

3. Consumer Fireworks. It is unlawful for any person to use or explode consumer fireworks within the City.

4. Novelties. This section does not apply to novelties.

5. Sale. Sale of consumer fireworks is limited to the Arterial Commercial, Commercial, Light Industrial and Heavy Industrial Zoned Districts and is subject to the *Code of Iowa* and regulations of the State Fire Marshal.

(Ord. 1169 – Oct. 22 Supp.)

6. Permitting. A permit fee of \$100 will be required to sell fireworks within the City limits, also required is a posting that only novelties are allowed to be set off within the City limits.*(Ord. 1122 – Oct. 18 Supp.)*

41.13 JUMPING FROM BRIDGES. No person shall jump, dive or leap from any public vehicle or pedestrian bridge located within the City limits.

41.14 PROVIDING FALSE IDENTIFICATION INFORMATION. No person shall knowingly provide false identification information to anyone known by the person to be a peace officer, emergency medical care provider, or firefighter, whether paid or volunteer, in the performance of any act that is within the scope of the lawful duty or authority of that officer, emergency medical care provider, or firefighter.

(Ord. 986 – Nov. 10 Supp.)

(Code of Iowa, Sec. 719.1A)

41.15 REMOVAL OF AN OFFICER'S COMMUNICATION OR CONTROL DEVICE. No person shall knowingly or intentionally remove or attempt to remove a communication device or any device used for control from the possession of a peace officer or correctional officer, when the officer is in the performance of any act which is within the scope of the lawful duty or authority of that officer and the person knew or should have known the individual to be an officer.

(Ord. 1044 – Oct. 13 Supp.)

(Code of Iowa, Sec. 708.12)

41.16 FAILURE TO ASSIST. A person who reasonably believes another person is suffering from a risk of serious bodily injury or imminent danger of death shall, if the person is able, attempt to contact local law enforcement or local emergency response authorities, if doing so does not place the person or other person at risk of serious bodily injury or imminent danger of death. No person shall without lawful cause violate the provisions of this section. A person shall not be required to contact local law enforcement or

emergency response authorities if the person knows or reasonably believes that the other person is not in need of help or assistance.

(Ord. 1158 – Aug. 21 Supp.)

(Code of Iowa, Sec. 727.12)