

CHAPTER 41

PUBLIC HEALTH AND SAFETY

41.01 Distributing Dangerous Substances	41.09 Discharging Weapons
41.02 False Reports to or Communications with Public Safety Entities	41.10 Throwing and Shooting
41.03 Refusing to Assist Officer	41.11 Urinating and Defecating
41.04 Harassment of Public Officers and Employees	41.12 Fireworks
41.05 Interference with Official Acts	41.13 Jumping From Bridges
41.06 Abandoned or Unattended Refrigerators	41.14 Providing False Identification Information
41.07 Antenna and Radio Wires	41.15 Removal of an Officer's Communication or Control Device
41.08 Barbed Wire and Electric Fences	

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, emergency medical care provider 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, emergency medical care provider 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. 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.

(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. The sale, use and exploding of fireworks within the City is subject to the following:

1. **Definition.** The term “fireworks” 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 specifically includes blank cartridges, firecrackers, torpedoes, skyrockets, roman candles, or other fireworks of like construction and any fireworks containing any explosive or flammable compound, or other device containing any explosive substance. *(Code of Iowa, Sec. 727.2)*

2. **Regulations.** It is 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 or sponsoring organization has filed with the City evidence of insurance in the following amounts:

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

(Code of Iowa, Sec. 727.2)

3. **Exceptions.** This section does not prohibit the sale by a resident, dealer, manufacturer or jobber of such fireworks as are not prohibited; or the sale of any kind of fireworks if they are to be shipped out of State; or the sale or use of blank cartridges for a show or theatre, or for signal purposes in athletic sports or by railroads or trucks for signal purposes, or by a recognized military organization. This section does not apply to any substance or composition prepared and sold for medicinal or fumigation purposes.

(Code of Iowa, Sec. 727.2)

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)

[The next page is 217]