CHAPTER 41
PUBLIC HEALTH AND SAFETY

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 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)

41.06 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])

41.07 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.

41.08 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, unless it is for the purpose of hunting within property zoned agricultural (A-1), except by written consent of the Council.

(Ord. 2010-100 – May 10 Supp.)

2. No person shall intentionally discharge a firearm in a reckless manner.

41.09 THROWING AND SHOOTING. It is unlawful for a person to throw stones, bricks or missiles of any kind or to shoot arrows, paintballs, rubber guns, slingshots, air rifles, BB guns or other dangerous instruments or toys on or into 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])

41.10 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.

41.11 FIREWORKS.

1. Definition.

A. “Consumer Fireworks” means those fireworks as defined by Iowa Code Section 727.2 that may be sold within the City even though the use of those items is prohibited.

B. “First-class Consumer Fireworks” means the following Consumer Fireworks, as described in the American Pyrotechnics Association’s Standard 87-1, Chapter 3:

(1) Serial shell kits and reloadable tubes.
(2) Chasers.
(3) Helicopter and aerial spinners.
(4) Firecrackers.
(5) Mine and shell devices.
(6) Missile type rockets.
(7) Roman candles.
(8) Skyrockets and bottle rockets.
(9) Multiple tube devices under this paragraph (b) that are manufactured in accordance with APA 87-1, Section 3.5.

C. “Second-class Consumer Fireworks” means the following Consumer Fireworks, as described in APA 87-1, Chapter 3:

(1) Cone fountains.
(2) Cylindrical fountains.
(3) Flitter sparklers.
(4) Ground and hand-held sparkling devices, including multiple tube ground and hand-held sparkling devices that are manufactured in accordance with APA 87-1, Section 3.5.
(5) Ground spinners.
(6) Illuminating torches.
(7) Toy smoke devices that are not classified as novelties pursuant to APA 87-1, Section 3.2.
(8) Wheels.
(9) Wire or dipped sparklers that are not classified as novelties pursuant to APA 87-1, Section 3.2.

D. “Display Fireworks” means those fireworks as defined by Iowa Code Section 727.2(1)(b).

E. “Novelties” includes all novelties enumerated in Chapter 3 of the American Pyrotechnics Association’s Standard 87-1, and that comply with the labeling regulations promulgated by the United States consumer product safety commission.

(Code of Iowa, Sec. 727.2)
(Subsection 1 – Ord. 2017-500 – Jan. 18 Supp.)

2. Regulations.

A. Except between 9:00 a.m. – 10:00 p.m. on July 3 and except between 9:00 a.m. – 11:00 p.m. on July 4 where persons 18 years and older may use or explode, it shall be unlawful for any person to use or explode any explosive, explosive material, First-class Consumer Fireworks or Second-class Consumer Fireworks within the corporate limits of the City.

C. It shall be unlawful for any person to use or explode any Display Fireworks within the corporate limits of the City unless, upon application in writing, the City has issued a permit to a City agency, fair association, amusement park or other organizations or groups of individuals approved by City authorities to display fireworks and such display will be handled by a competent operator.

(Code of Iowa, Sec. 727.2)
(Subsection 2 – Ord. 2018-800 – Dec. 18 Supp.)
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)

41.12 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)