

Rules and Regulations



FOR MUSCATINE COUNTY CONSERVATION BOARD AREAS

This brochure is intended to help you use and enjoy your County Parks. 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 Park Law applies to County Parks unless they have been modified by the Conservation Board. 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 in all County Parks.

CONSERVATION AND 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 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 hereinbefore 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 threat 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.

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 Director or his representative and will depend upon the load and road conditions.

461A.38 PARKING. All vehicles shall be parked in designated parking areas, and no vehicle shall be left unattended in any state park or preserve drive, road or highway, except in the case of an emergency. (In addition to 461A.38 see Section 8F.)

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 a 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 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, EXPLOSIVES, WEAPONS AND FIREWORKS PROHIBITED - EXCEPTIONS. 1. The use of firearms, explosives, and weapons of all kinds by a person is prohibited in all state parks and preserves except under the following conditions:

A. A firearm or other weapon authorized for hunting may be used in preserves or parts of preserves designated by the state advisory board on preserves at the request of the

commission.

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 by rule of the commission.

C. The commission may establish, by rule, the state parks or parts of state parks where firearms may be discharged during special events, festivals and education programs, or a special hunt to control animal populations. The rules governing special hunts to control animal populations shall be applied separately to each designated state park.

2. The use of fireworks, as defined in Section 727.2, in state parks and preserves is prohibited except as authorized by a permit issued by the department. The commission shall establish, by rule adopted pursuant to Chapter 17A, a fireworks permit system which authorizes the issuance of a limited number of permits to qualified persons to use or display fireworks in selected state parks and preserves. A person violating this subsection is guilty of a simple misdemeanor. In addition to any other penalties, the punishment imposed for a violation of this subsection shall include assessment of a fine of not less than two hundred fifty dollars. The court shall order restitution if any damages were caused by the violation which may include, but is not limited to, community service. (For exceptions to 461A.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 of the Director or his representative.

461A.45 ANIMALS ON LEASH. No privately owned animals shall be allowed to run at large in any state park of 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 animals 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 exception to 461A.45 see Section 6 of the county parks rules and regulations.)

461A.46 CLOSING TIME. Except by arrangement of 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 such 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. (For exceptions to 461A.46 see Section 25 of the county park rules and regulations.)

461A.47 CAMPING. The commission is hereby authorized to fix fees for camping and other special privileges which shall be in such amounts as may be determined by the commission upon such 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 designed 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 through 461A.56 is guilty of a simple misdemeanor.

350.5 REGULATIONS - PENALTY - OFFICERS. The County Conservation Board may make, alter, amend or repeal regulations for the protection, regulation and control of all museums, parks, preserves, parkways, playgrounds, recreation centers, and other property under its control. The regulations shall not be contrary to, or inconsistent with, the laws of this state. The regulations shall not take effect until ten days after their adoption by the Board and after their publication as provided in Section 331.305 and after a copy of the regulations has been posted near each gate or principal entrance to the public grounds to which they apply. After the publication and posting, a person violating a provision of the regulations which are then in effect is guilty of a simple misdemeanor. The Board may designate the Director and those employees as the Director 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 this state and the apprehension of violators. **The Director and those employees of the Board designated as police officers may enforce the provisions of chapters 462A, 481A, 483A, 461A, and 321G on land not under the control of the Board within the county.**

350.10 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", shall include a county conservation board, and the words "state conservation director" shall include a county conservation board or its executive director, with respect to any lands or waters under the control of a county conservation board. However, Sections 461A.35 through 461A.57 may be modified or superceded by rules and regulations adopted as provided in Section 4350.5.

Section 1. Definitions: Pursuant to the authority of Chapter 350.5 of the Code of Iowa, the Muscatine County, Iowa 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 Muscatine County, Iowa Conservation Board.

B. The term "**Department**" shall mean the Department of Conservation.

C. The term "**Director**" shall mean the Director of the Department of Conservation.

D. The term "**area**" shall mean all or any part of the land and/or water owned, leased, managed or by other means under the control of the Board.

E. The term "**authorized representative**" shall

include park officers and other persons designated from time to time by the Director.

F. The term "**special use permit**" 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.

G. The term "**camp**" or "**camping**" shall mean the use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, or sleeping bag for temporary residence at a campground.

H. The term "**campground**" shall mean any area designated by the Board for camping.

I. The term "**family campground**" shall mean any campground designated by the Board for camping by families of groups consisting of six persons or less.

J. The term "**group campground**" shall mean any campground designated by the Board for camping by groups consisting of six persons or more.

K. The term "**campsite**" shall mean a segment of campground designated by the Board for camping by a camping unit or camping party.

L. 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, 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.

M. The term "**camping party**" shall mean any individual, family, or informal unorganized group of not more than five persons occupying one campsite.

N. The term "**family**" shall mean a parent or parents with their unmarried children and not more than two other lineal relatives or not more than two minor guests.

O. The term "**youth group**" shall mean a group consisting of minor members of an established organization and under the leadership of at least one competent, mature adult for each eight minors in the group and using any number of camping units or occupying a group campground.

P. The term "**adult group**" shall mean a parent or group of adults, whether or not organized into a formal organization.

Q. 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.

R. 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.

S. The term "**noise**" shall mean any loud, confused or senseless shouting or outcry; a sound lacking in agreeable musical quality or which is noticeably unpleasant.

T. The term "**Owner**" in addition to its ordinary meaning, include any person who keeps or raises livestock.

U. The term "**livestock**" shall mean animals kept for use or pleasure, especially farm animals kept for use and profit, including poultry.

V. The term "**stray**" shall mean any animal unlawfully running at large, the ownership of which cannot with reasonable investigation be determined, or any animal which has been abandoned by its owner.

W. The term "**at large**" shall mean any animal when

off the property of its owner and not under the control of its owner or an agent of the owner.

X. The term “**control**” shall be established when an animal is secured by a lead or confined in a fenced-in area or a vehicle.

Y. The term “**disturbance**” shall mean the act of trespassing, damaging or destroying personal property, biting or attempting to bite a person.

Z. The term “**Peace Officer**” shall mean the individuals(s) appointed by the Board to enforce the provisions of this regulation.

AA. The term “**vessel**” shall mean any watercraft used or capable of being used as a means of transportation.

BB. The term “**alcoholic beverage**” shall mean any beverage containing more than one-half of one percent of alcohol by volume including alcoholic liquor, wine, and beer.

Section 2. Scope: The provision of these regulations shall apply to all Muscatine County Conservation Board Areas.

Section 3. Fees and Charges:

A. Fees or charges made for services or for the use of land, facilities, equipment, material or supplies on any area to be collected by the Department 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, equipment or materials for such entrance fees are prescribed without payment of same, except those persons on official business or authorized by special use permits.

Section 4. Collections of Fruits and Nuts: Section 461A.41 of the Code of Iowa entitled “Removing plants, flowers or fruit” is hereby modified under the authority of Section 350.10 of the Code of Iowa as follows: It shall be lawful to collect the fruit of all nut and berry producing plants or mushrooms for noncommercial home use, provided that the collector does not otherwise damage the parent plant.

Section 5. Use of Firearms:

A. Section 461A.42 of the Code of Iowa entitled “Use of firearms prohibited - exceptions” is hereby modified under the authority of Section 350.10 of the 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 Department shall post all such areas with official signs to constructively notify the public that this activity is lawful.

B. It shall be unlawful to target shoot on all areas designated as hunting areas by the Board. Target shooting is defined as the discharge of a firearm for any reason other than the taking of, or attempting to take any game birds, game animals, or furbearers.

Section 6. Training and Exercising Dogs:

A. Section 461A.45 of the Code of Iowa entitled “Animals on leash” is hereby modified under the authority of Section 350.10 of the 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, except on the Saulsbury Bridge Recreation Area where dogs may only be trained from 6:00 a.m.-10:30 p.m. during the months of April through September.

B. **REMOVAL OF DROPPINGS:** It shall be unlawful for any person who is in charge of any dog not to immediately remove excrement deposited by that animal upon roadways, parking lots, sidewalks, walking trails, or any mowed areas in Discovery Park. Excrement deposited by dogs in Discovery Park shall be removed and disposed of in the proper receptacle or removed from the area.

Section 7. Hunting:

A. **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.

B. **HUNTING WITHIN 200 YARDS:** It shall be unlawful to hunt, shoot or carry a loaded gun within 200 yards of any buildings, camping areas, or picnic areas while hunting on all areas designated as hunting areas by the Board.

C. **TREE STANDS:** It shall be unlawful to build permanent tree stands on any county hunting area. Portable tree stands may be placed on county hunting areas no more than two weeks prior to opening day of deer season and must be removed from all county hunting areas within two weeks after the closing of the deer season.

D. **BLINDS AND DECOYS:** Duck blinds and decoys are prohibited on all county hunting areas between the hours of one hour after legal shooting time and midnight of each day.

E. **POSTED AREAS:** No waterfowl hunting will be allowed on posted dikes, dams, or roads within any county hunting area.

Section 8. Camping:

A. **VIOLATIONS:** Violation of any state law or 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. **FEES:** When any campground is open and in useable condition all charges and fees shall be in effect and shall be enforced as set forth in the official fee schedule approved by the Board.

C. **TIME LIMIT:** 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. **RESERVATIONS:** Campsites cannot be reserved. A campsite will only be considered occupied when a camping unit, vehicle, or special sign from the campground host is in place at the site and the proper fees have been paid.

E. **ONE UNIT PER SITE:** It shall be unlawful for more than one camping party or camping unit to occupy a campsite, except when such use has been approved by the Director or his authorized representative.

F. **PARKING:** It shall be unlawful to park any motor vehicle outside the parking area designated at each campsite, and no parking is allowed along the roadways in any campground.

G. **NOISE:** 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.

H. **SET-UP/TAKE DOWN:** No camping party shall set up or take down their equipment between the hours of 11:00 p.m. and 6:00 a.m.

I. **REGISTERING:** All camping parties must register

and pay for the site immediately after placing a camping unit or vehicle on the site.

J. **MOVING:** No camping unit or camping party shall move from its assigned campsite to another campsite without prior approval from the Director or his authorized representative.

K. **RESTORING SITE:** Campers shall restore their campsite to the same approximate condition or better than when they found it.

L. **CHECK-OUT TIME:** Check-out time at all campgrounds is 5:00 p.m., except as follows: the Director or his representative has authority to extend check-out time to 8:00 p.m. when it is in the public interest and furthers the orderly management of the facility.

M. **GRACE PERIOD:** Campers may be extended a “no charge” grace period for the day of arrival. This period shall be from their arrival time until 5:00 p.m. that same day.

N. **BEER:** See Section 24.

Section 10. Special Fishing Regulations for Discovery Park’s Ponds:

A. **ICE FISHING:** No fishing will be allowed through the ice except when a special use permit is issued by the Board.

Section 11. 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 his authorized representative.

Section 12. Radio, Television, or Telephone Equipment Restricted: It shall be unlawful to install aerial or other special radio, television, or telephone equipment in or on any area without the approval in writing of the Director or his authorized representative.

Section 13. Livestock: It shall be the responsibility of an owner of livestock through the use of methods deemed reasonable and proper and in accordance with all other laws, to comply with the following provisions:

A. It shall be a violation of this regulation for an owner of livestock to permit such an animal to run at large upon public lands within Muscatine County, Iowa, which have been designated as County Conservation Areas.

B. It shall be a violation of this regulation for an owner of livestock to allow or permit such an animal to cause serious annoyance or disturbance to any person upon the public lands of Muscatine County, Iowa, which have been designated as County Conservation Areas.

C. When livestock is found at large upon County Conservation Area Lands, a peace officer designated and appointed by the Board shall determine the name and address of the owner of the livestock. The officer shall issue one or more citations to the owner of that livestock for violating the terms of this regulation by allowing the livestock to be at large upon County Conservation Area Lands, an owner may be required to remove the livestock from the lands or to reimburse the Board for expenses incurred in removing the livestock.

Section 14. Use of Horses Restricted: It shall be unlawful to ride, lead, or otherwise allow the entry or use of horses or horse-drawn wagons on any portion of any area, except as provided herein. Horses are allowed at the Saulsbury Bridge Recreation Area on designated hiking trail and roads.

Section 15. ATV’s and Snowmobiles Restricted: It shall be unlawful to operate any snowmobile, tote bike, air sled, swamp buggy, all terrain vehicle, or any other land conveyance propelled by a gasoline or electrical engine and run on wheels, tracks, or runners in or on any area, except for those trails and roads which the Board shall from time to time designate and those other areas for which a special use permit has been issued.

Section 16. Trapping:

A. **TRAPPING RESTRICTED:** It shall be unlawful to trap or attempt to trap any animal on any portion of any area, except those areas or portions of areas which have been designated from time to time as hunting areas by the Board.

B. **MARKING TRAP SITES:** No one shall place on any area open to trapping, any trap, stake, flag, marker, or any other item or device to be used for trapping furbearers or to mark or otherwise claim any site for trapping furbearers, except during the open season for taking furbearers.

Section 17. Sledding Equipment Restricted: It shall be unlawful to use any part of a car body, plywood, metal sheet, or any other similar unsafe device for use in any downhill winter sports activities in or on any area.

Section 18. Swimming Restricted: It shall be unlawful to swim, wade or engage in related water activities in or on any ponds or waters, in or on any area, except for those ponds or waters designated from time to time by the Board.

Section 19. Reserving Park Facilities: It shall be unlawful for a minor to reserve a park facility. If a group consists of mixed adults and minors, a ratio of at least one adult to each eight minors must be maintained unless the group is a “registered youth group”. A registered youth group may maintain different ratios if the group is sponsored for the activity by the Director or his authorized representative.

Section 20. Domestic Refuse Not Allowed: It shall be unlawful to deposit garbage, refuse, or litter from any household, business, or any other place to any area for the purpose of disposing of the same in any refuse or litter container there provided.

Section 21. Boats:

A. **BOATS UNATTENDED NOT PERMITTED:** It shall be unlawful to leave unattended any boat or other form of water conveyance on or attached to any area, except those areas designated from time to time by the Board, for more than twelve consecutive hours. Any water conveyance 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 claimed within six months of its removal hereunder, such water conveyance shall be considered abandoned and shall thereafter be disposed of.

B. **DISCOVERY PARK:** It shall be unlawful to use a vessel on any body of water within the boundary of Discovery Park except when a special use permit is issued by the Board.

Section 23. 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 signs.

Section 24. Alcohol:

A. **POSSESSION AND CONSUMPTION OF BEER PROHIBITED:** It shall be unlawful for any person to possess or consume beer, as defined in Section 123.1(7)

of the Code of Iowa between the hours of 10:30 p.m. and 6:00 a.m. in or on any area, except that beer may be possessed within a camping unit or out of sight between said hours by an adult member of any camping party or an adult camping at a family or group campground. Any beer possessed in violation of this rule shall be confiscated by the Director or his authorized representative and destroyed.

B. **CONTAINER SIZE REGULATED:** No person or group shall have in his , her or their possession on any area, beer in a keg or any other container larger than one quart without first obtaining a special use permit from the Director or his authorized representative. The request for the special use permit shall be made at least one week prior to the date of activity.

C. **DISCOVERY PARK:** It shall be unlawful for any person to possess or consume alcoholic beverages within the boundary of Discovery Park except when a special use permit is issued by the Board.

Section 25. Closing Time: All areas shall be closed to the public between the hours of 10:30 p.m. and 6:00 a.m. unless otherwise specified by the Board, in which case official signs will be erected giving the public constructive notice of such change. The Director or his authorized representative may issue special permits in conformity with Board Policy which, when issued, shall allow groups or persons to observe other hours. The provisions in this Section shall not apply to authorized camping by registered camping groups in designated camping areas.

Section 26. Ice Skating: It shall be unlawful to ice skate on any body of water within the boundary of the Discovery Park except when a special use permit is issued by the Board.

Section 27 Special Events: A special events permit shall be required from the Muscatine County Conservation Board to hold any event in Discovery Park that meets one or more of the following criteria:

A. Any event or gathering not sponsored by the Conservation Board and numbering one hundred (100) people or more.

B. Any event or gathering charging admission or charging for services regardless of the number of people.

C. Any event or gathering advertising that it is open to the public.

Section 28 Paintball Guns: The use of paintball guns in all county parks, recreation areas and wildlife areas is prohibited.

Section 29. Exceptions: Nothing in these rules and regulations shall prohibit or hinder the Department, its Supervisors, Park Officers, or duly authorized agents or any other peace officers from performing their official duties.