

TITLE 11 - COMMUNITY PROTECTION
DIVISION 2 – ENFORCEMENT PUBLIC OFFENSES

Chapter 45 - Public Peace 113
Chapter 46 - Public Morals 117
Chapter 47 - Minors 119
Chapter 48 - Public Health and Safety 121
Chapter 49 - Public Property 131
Chapter 50 - Private Property 137
Chapter 51 - Storage and Handling of Liquefied
Petroleum Gases 139
Chapter 52 - Unlawful Possession and Manufacture of
Controlled Substances and Drug
Paraphernalia 140.1

ENFORCEMENT: NUISANCES

Chapter 55 - General Provisions 141
Chapter 56 - Administrative Procedure 149

ENFORCEMENT: TRAFFIC CODE

Chapter 60 – General Provisions 153
Chapter 61 – Traffic Control Devices..... 161
Chapter 62 – General Regulations 163
Chapter 63 – Speed Regulations 171
Chapter 64 – Turning Regulations 179
Chapter 65 – Stop or Yield Required 181
Chapter 66 – Load and Weight Restrictions 191
Chapter 67 – Pedestrians 195
Chapter 68 – One-Way Traffic 197
Chapter 69 – Parking Regulations 199
Chapter 70 – Parking of Vehicles 225
Chapter 71 – Enforcement Procedures 229

ENFORCEMENT: RECREATIONAL VEHICLES

Chapter 75 – Bicycle Regulations..... 237
Chapter 80 – All-Terrain Vehicles and Snowmobiles 243

ENFORCEMENT: ANIMAL PROTECTION AND CONTROL

Chapter 85 – General Provisions 247
Chapter 86 – County Dog License Required (REPEALED) 251

CHAPTER 45

PUBLIC PEACE

45.01 Assault
45.02 Willful Injury
45.03 Harassment
45.04 Willful Disturbance
45.05 Disorderly Conduct

45.06 Riot
45.07 Unlawful Assembly
45.08 Failure to Disperse
45.09 Terrorism

45.01 ASSAULT. No person shall, without justification, commit any of the following:

1. Pain or Injury. Any act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act.

(Code of Iowa, Sec. 708.1 [1])

2. Threat of Pain or Injury. Any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting, or offensive, coupled with the apparent ability to execute the act.

(Code of Iowa, Sec. 708.1 [2])

3. Dangerous Weapon. Intentionally point any firearm toward another, or display in a threatening manner any dangerous weapon toward another.

(Code of Iowa, Sec. 708.1 [3])

4. Exceptions. Provided, that where the person doing any of the above enumerated acts, and such other person, are voluntary participants in a sport, social or other activity, not in itself criminal, and such act is a reasonably foreseeable incident of such sport or activity, and does not create an unreasonable risk or serious injury or breach of the peace, the act shall not be an assault.

(Code of Iowa, Sec. 708.1)

45.02 WILLFUL INJURY. No person shall do any act which is not justified and which is intended to cause and does cause serious injury to another.

(Code of Iowa, Sec. 708.4)

45.03 HARASSMENT. No person shall commit harassment.

1. A person commits harassment when, with intent to intimidate, annoy or alarm another person, the person does any of the following:

A. Communications. Communicate with another by telephone, telegraph, writing or via electronic communication without legitimate purpose and in a manner likely to cause the other person annoyance or harm. (*Ord 1553 - Nov. 00 Supp.*)
(*Code of Iowa, Sec. 708.7*)

B. Simulated Explosive. Place any simulated explosive or simulated incendiary device in or near any building, vehicle, airplane, railroad engine or railroad car, or boat occupied by the other person.

(*Code of Iowa, Sec. 708.7*)

C. Merchandise or Services. Order merchandise or services in the name of another, or to be delivered to another, without such other person's knowledge or consent.

(*Code of Iowa, Sec. 708.7*)

D. False Reports. Report or cause to be reported false information to a law enforcement authority implicating another in some criminal activity, knowing that the information is false, or report the alleged occurrence of a criminal act, knowing the same did not occur.

(*Code of Iowa, Sec. 708.7*)

2. A person commits harassment when the person, purposefully and without legitimate purpose, has personal contact with another person, with the intent to threaten, intimidate or alarm that other person. As used in this section, unless the context otherwise requires, "personal contact" means an encounter in which two or more people are in visual or physical proximity to each other. "Personal contact" does not require a physical touching or oral communication, although it may include these types of contacts.

(*Ord 96-1462*)

45.04 WILLFUL DISTURBANCE. No person shall willfully disturb any deliberative body or agency of the State, or subdivision thereof, with the purpose of disrupting the functioning of such body or agency by tumultuous behavior, or coercing by force or the threat of force any official conduct or proceeding.

(*Code of Iowa, Sec. 718.3*)

45.05 DISORDERLY CONDUCT. No person shall do any of the following:

1. Fighting. Engage in fighting or violent behavior in any public place or in or near any lawful assembly of persons, provided that participants in athletic contests may engage in such conduct which is reasonably related to that sport. (Code of Iowa, Sec. 723.4 [1])

2. Noise. make loud and raucous noise in the vicinity of any residence or public building which causes unreasonable distress to the occupants thereof.

(Code of Iowa, Sec. 723.4 [2])

3. Abusive Language. Direct abusive epithets or make any threatening gesture which the person knows or reasonably should know is likely to provoke a violent reaction by another.

(Code of Iowa, Sec. 723.4 [3])

4. Disrupt Lawful Assembly. without lawful authority or color of authority, disturb any lawful assembly or meeting of persons by conduct intended to disrupt the meeting or assembly.

(Code of Iowa, Sec. 723.4 [4])

5. False Report of Catastrophe. By words or action, initiate or circulate a report or warning of fire, epidemic, or other catastrophe, knowing such report to be false or such warning to be baseless. (Code of Iowa, Sec. 723.4 [5])

6. Disrespect of Flag. Knowingly and publicly use the flag of the United States in such a manner as to show disrespect for the flag as a symbol of the United States, with the intent or reasonable expectation that such use will provoke or encourage another to commit a public offense.

(Code of Iowa, Sec. 723.4 [6])

7. Obstruct Use of Street. Without authority or justification, obstruct any street, sidewalk, highway, or other public way, with the intent to prevent or hinder its lawful use by others.

(Code of Iowa, Sec. 723.4 [7])

8. Sound System Noise.

A. No person shall operate a motor vehicle in a public place or any public street, highway or alley in which a stereo (stereo, tape player, compact disc player, radio or any other sound amplification device) can be heard a distance of one hundred (100) feet or more from the vehicle. The provisions of this subsection may be enforced following personal observation or hearing by any police officer or upon receipt of a written complaint made or filed with the Police Department by the person or persons disturbed by such noise.

CHAPTER 45

PUBLIC PEACE

B. Variances. The Chief of Police or the Council may grant a temporary variance to this subsection to facilitate special events, subject to such terms and conditions as may be established. Any violation of any of the terms and conditions of the variance shall be considered a violation of this subsection.

C. Penalty. Any person who is convicted of violating the provisions of this subsection shall be deemed guilty of a simple misdemeanor.

(Ord. 2002-1585-Sep. 02 Supp.)

45.06 RIOT. It shall be unlawful for three (3) or more persons to assemble together in a violent manner, to the disturbance of others, and with any use of unlawful force or violence by them or any of them against another person, or causing property damage. No person shall willingly join in or remain part of a riot, knowing or having reasonable grounds to believe that it is such.

(Code of Iowa, Sec. 723- 1)

45.07 UNLAWFUL ASSEMBLY. It shall be unlawful for three (3) or more persons to assemble together, with them or any of them acting in a violent manner, and with intent that they or any of them will commit a public offense. No person shall willingly join in or remain part of an unlawful assembly, knowing or having reasonable grounds to believe it is such.

(Code of Iowa, Sec. 723.2)

45.08 FAILURE TO DISPERSE. A peace officer may order the participants in a riot or unlawful assembly or persons in the immediate vicinity of a riot or unlawful assembly to disperse. No person within hearing distance of such command shall refuse to obey.

(Code of Iowa, Sec. 723.3)

45.09 TERRORISM. No person shall shoot, throw, launch, or discharge a dangerous weapon at or into any building, vehicle, airplane, railroad engine or railroad car, or boat occupied by another person, and thereby place the occupants thereof in reasonable apprehension of serious injury.

(Code of Iowa, Sec. 708.6)

TITLE II - COMMUNITY PROTECTION
DIVISION 2 - ENFORCEMENT: PUBLIC OFFENSES

CHAPTER 46
PUBLIC MORALS

46.01 Prostitution
46.02 Pimping
46.03 Pandering

46.04 Leasing Premises for Prostitution
46.05 Indecent Exposure
46.06 Adult Entertainment Businesses

46.01 PROSTITUTION. No person shall sell or offer for sale his or her services as a partner in a sex act, or purchase or offer to purchase such services.

(Code of Iowa, Sec. 725.1)

46.02 PIMPING. No person shall solicit a patron for a prostitute, or knowingly take or share in the earnings of a prostitute, or knowingly furnish a room or other place to be used for the purpose of prostitution, whether for compensation or not.

(Code of Iowa, Sec. 725.2)

46.03 PANDERING. No person shall persuade or arrange for another to become an inmate of a brothel, or to become a prostitute, such person not having previously engaged in prostitution, or to return to the practice of prostitution after having abandoned it, or keep or maintain a brothel or knowingly take a share in the income from a brothel.

(Code of Iowa, Sec. 725.3)

46.04 LEASING PREMISES FOR PROSTITUTION. No person shall rent or let any building, structure or part thereof, boat, trailer or other place offering shelter or seclusion, when such person knows, or has reason to know, that the lessee or tenant is using such for the purposes of prostitution, and who does not, immediately upon acquiring such knowledge, terminate the tenancy or effectively put an end to such practice of prostitution in such place.

(Code of Iowa, Sec. 725.4)

46.05 INDECENT EXPOSURE. No person shall expose his or her genitals or pubes to another not his or her spouse, or commit a sex act in the presence of or view of a third person, if:

(Code of Iowa, Sec. 709.9)

Supp. Jul-95

1. Sexual Desire. The person does so to arouse or satisfy the sexual desires of either party; and
2. Offensive. The person knows or reasonably should know that his act is offensive to the viewer.

46.06 ADULT ENTERTAINMENT BUSINESSES. Any "adult entertainment business," as defined herein, which is distinguished or characterized by an emphasis on "sex acts" or "specified anatomical areas," as defined herein shall not be established within one thousand (1,000) feet from another business, school, church, public park, public playground, public plaza, day nursery, day care center, nursery school, regularly scheduled school bus stop, or any dwelling (one family, two family or multiple dwelling).

1. Definitions of Adult Entertainment Businesses include the following:

A. "Adult Amusement or Entertainment." An amusement or entertainment which is distinguished or characterized by an emphasis on acts or material depicting, describing or relating to "sex act(s)" or "specified anatomical areas," as defined herein, including, but not limited to, topless or bottomless dancers, exotic dancers, strippers, male or female impersonators or similar entertainment.

B. "Adult Bookstore. 11 An establishment having as a significant portion of its stock in trade books, films, magazines and other periodicals or goods and items held for sale which are distinguished or characterized by an emphasis on matter depicting or describing "sex act(s)" or "specified anatomical areas."

C. "Adult Hotel or Motel." A building with accommodations used for the temporary occupancy of one or more individuals and is an establishment wherein material is presented which is distinguished or characterized by an emphasis on depicting or describing "sex act(s)" or "specified anatomical areas" for observation by the individuals therein.

D. "Adult Motion Picture Arcade." Any place to which the public is permitted or invited wherein coin or slug operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any

Supp. Jul-95

Copyright Iowa Codification, Inc.

- 118 -

one time, and where the images so displayed are distinguished or characterized by an emphasis on matter depicting or describing "sex act(s)" or "specified anatomical areas."

E. "Adult Motion Picture Theater." An enclosed building used for presenting material distinguished or characterized by an emphasis on matter depicting or describing "sex act(s)" or "specified anatomical areas."

F. "Adult Photo Studio." An establishment which, upon payment of a fee, provides photographic equipment and/or models for the purpose of photographing "specified anatomical areas" or "sex acts" as defined herein.

G. "Massage Parlor." Any building, room, place or establishment, where manipulated massage or manipulated exercise is practiced for pay upon the human body with an emphasis on "sex act(s)" or "specified anatomical areas," by anyone not a duly licensed physician, osteopath, chiropractor, registered nurse or practical nurse operating under a physician's direction, physical therapist, registered speech pathologist and physical or occupational therapist who treat only patients recommended by a licensed physician and operate only under such physician's direction, whether with or without the use of mechanical, therapeutic or bathing devices. The term shall not include a regular licensed hospital, medical clinic or nursing home, duly licensed beauty parlors or barber shops.

H. "Sexual Encounter Center." Any business, agency or persons who, for any form of consideration or gratuity, provides a place where three or more persons may congregate, assemble or associate for the purpose of engaging in "sex act(s)" or exposing "specified anatomical areas."

2. Definitions of "Sex Act(s)." For the purpose of the above, the terms "sex act(s)" and "specified anatomical areas" are defined as follows:

A. "Sex Act(s)" means any sexual contact, actual or simulated, either natural or deviate, between two or more persons, or between a person and an animal, by penetration of the penis into the vagina or anus, or by contact between the mouth or tongue and genitalia or anus, or by contact between a finger of one person and

Supp. Jul-95

Copyright Iowa Codification, Inc.

- 118.1 -

the genitalia of another, or by use of artificial sexual organs or substitute therefore in contact with the genitalia or anus.

B. "Specified Anatomical Areas" include the following: human genitals, pubic region, buttocks, and female breast below a point immediately above the top of the areola.

3. Establishment of Adult Entertainment Business.

A. The "establishment" of an adult entertainment business shall include the opening of such business as a new business, the relocation of such business, or the conversion of an existing business location to any of the uses described as an adult entertainment business.

B. Measurement of the one thousand (1,000) foot restriction shall be taken on a direct line from the property line of such adult entertainment business to the point on the property line of another business, school, church, public park, public playground, public plaza, day nurseries, day care center, nursery school, regularly scheduled school bus stop, or any dwelling (one family, two family or multiple dwelling).

C. All buildings used for adult entertainment business shall have their openings, entries, windows, etc., constructed, located, covered, or screened in such a manner as to prevent a view into the interior of such building from any pedestrian sidewalk, walkway, street or other public or semi-public area. Advertisements, displays or other promotional materials shall not be shown or exhibited so as to be visible to the public from the pedestrian sidewalks, walkways, or other public or semi-public area.

D. No alcohol shall be permitted in any adult entertainment business, unless specifically authorized by Iowa Law. This prohibition applies equally to the proprietor and the patrons of the adult entertainment business.

E. No minors, as defined by chapter 47 of the Webster City Code of ordinances, shall be permitted in any adult entertainment business.

Supp. Jul-95

4. A violation of this section shall result in those penalties applicable to a municipal infraction pursuant to Chapter 9 of the Code of ordinances of the City of Webster City.

(Section 46.06 added by Ordinance No. 95-1451)

Supp. Jul-95

Copyright Iowa Codification, Inc.

- 118.3 -

CHAPTER 47

MINORS

47.01 Curfew

47.02 Minors in Billiard Rooms

47.03 Cigarettes and Tobacco

47.01 CURFEW. A curfew applicable to minors is established and shall be enforced as follows:

1. Definition. The term "minor" means in this section, any person below the age of sixteen (16) years.
2. Time Limits. It is unlawful for any minor to be or remain upon any of the alleys, streets or public places or to be in places of business and amusement in the City between the hours of
 - A. Ten-thirty o'clock (10:30) p.m. on Sunday, Monday, Tuesday, Wednesday and Thursday evenings to five o'clock (5:00) a.m. of the following morning; and
 - B. Eleven-thirty o'clock (11:30) p.m. on Friday and Saturday evenings to five o'clock (5:00) a.m. of the following morning.
3. Exceptions. The restriction provided by subsection 47.01(2) shall not apply to any minor who is accompanied by a guardian, parent or other person charged with the care and custody of such minor, or other responsible person over eighteen (18) years of age, nor shall the restriction apply to any minor who is traveling between his home or place of residence and the place where any approved employment, church, municipal or school function is being held.
4. Responsibility of Adults. It is unlawful for any parent, guardian or other person charged with the care and custody of any minor to allow or permit such minor to be in or upon any of the streets, alleys, places of business, or amusement or other public places within the curfew hours set by subsection 47.01(2), except as otherwise provided in subsection 47.01(3).

(Code of Iowa, Sec. 613.16)

5. Responsibility of Business Establishments. It is unlawful for any person, firm or corporation operating a place of business or amusement to allow or permit any minor to be in or upon any place of business or

amusement operated by them within the curfew hours set by subsection 47.01(2) except as otherwise provided in subsection 47.01(3).

6. Enforcement. Any peace officer of the City while on duty is hereby empowered to arrest any minor who violates any of the provisions of Subsections 47.01(2) and (3). Upon arrest, the minor shall be returned to the custody of the parent, guardian or other person charged with the care and custody of the minor.

47.02 MINORS IN BILLIARD ROOMS. It is unlawful for any person who keeps a billiard hall where beer, liquor or wine is sold, or the agent, clerk or employee of any such person, or any person having charge or control of any such hall, to permit any minor to remain in such hall or to take part in any of the games known as billiards or pool.

47.03 CIGARETTES AND TOBACCO. It is unlawful for any person under eighteen (18) years of age to smoke, use, possess, purchase or attempt to purchase any tobacco, tobacco products or cigarettes. Possession of cigarettes or tobacco products by a person under eighteen years of age shall not constitute a violation of this section if said person possesses the cigarettes or tobacco products as part of the person's employment and said person is employed by a person who holds a valid permit under Chapter 453A of the Code of Iowa and lawfully offers for sale or sells cigarettes or tobacco products.

(Ord. 1554 -Nov. 00 Supp.)

(Code of Iowa, Sec. 453A.2)

TITLE II - COMMUNITY PROTECTION
DIVISION 2 - ENFORCEMENT: PUBLIC OFFENSES

CHAPTER 48
PUBLIC HEALTH AND SAFETY

- | | | | |
|-------|--|-------|--|
| 48.01 | Distributing Dangerous Substances | 48.11 | Bomb Threats |
| 48.02 | Fireworks | 48.12 | Antenna and Radio Wires |
| 48.03 | False Reports to Law Enforcement Authorities | 48.13 | Barbed Wire |
| 48.04 | False Reports of Destructive Substances | 48.14 | Electric Fences |
| 48.05 | Impersonating a Public Official | 48.15 | Discharging Weapons |
| 48.06 | Interference with Official Acts | 48.16 | BB Guns, Air Rifles or Similar Devices |
| 48.07 | Refusing to Assist Officer | 48.17 | Throwing and Shooting |
| 48.08 | Harassment of Public Officers and Employees | 48.18 | Carrying Weapons |
| 48.09 | Abandoned or Unattended Refrigerators | 48.19 | Storage and Use of Explosives |
| 48.10 | Reckless Use of Fire or Explosives | 48.20 | Urinating in Public |
| | | 48.21 | Excavation and Demolition Work |

48.01 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)

48.02 FIREWORKS. The sale, use or exploding of fireworks within the City shall be subject to the following:

1. Definition. The term "fireworks" means and 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 shall include blank cartridges, firecrackers, torpedoes, skyrockets, roman candles, or other fireworks of like construction and any fireworks containing any explosive or inflammable compound, or other device containing any explosive substance.

(Code of Iowa, Sec. 727.2)

2. Regulations. It shall be 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: - \$250,000.00 per person.
- B. Property Damage: - \$50,000.00.
- C. Total Exposure: - \$1,000,000.
(Code of Iowa, Sec. 727.2)

3. Exceptions. This shall not be construed to prohibit any resident, dealer, manufacturer or jobber from selling such fireworks as are not herein prohibited; or the sale of any kind of fireworks provided the same 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, trucks, for signal purposes, or by a recognized military organization; and provided further that nothing in this section shall apply to any substance or composition prepared and sold for medicinal or fumigation purposes.

(Code of Iowa, Sec. 727.2)

48.03 FALSE REPORTS TO LAW ENFORCEMENT AUTHORITIES. No person shall report or cause to be reported false information to a fire department or a law enforcement authority, knowing that the information is false, or shall report the alleged occurrence of a criminal act knowing the same did not occur.

(Code of Iowa, Sec. 718.6)

48.04 FALSE REPORTS OF DESTRUCTIVE SUBSTANCE. No person shall, knowing the information to be false, convey or cause to be conveyed to any person any false information concerning the placement of any incendiary or explosive device or material or other destructive substance or device in any place where persons or property would be endangered.

(Code of Iowa, Sec. 712.7)

48.05 IMPERSONATING A PUBLIC OFFICIAL. No person shall falsely hold himself or herself out or assume to act as an elected or appointed officer, magistrate, peace officer, or person authorized to act on behalf of the State or any subdivision thereof, having no authority to do so.

(Code of Iowa, Sec. 718.2)

48.06 INTERFERENCE WITH OFFICIAL ACTS. No person shall knowingly resist or obstruct anyone known by the person to be a

peace officer 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 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.

(Code of Iowa, Sec. 719.1)

48.07 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)

48.08 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)

48.09 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)

48.10 RECKLESS USE OF FIRE OR EXPLOSIVES. No person shall so use fire or any incendiary or explosive device or material as to endanger recklessly the property or safety of another.

(Code of Iowa, Sec. 712.5)

48.11 BOMB THREATS. No person shall threaten to place or attempt to place any incendiary or explosive device or material, or any destructive substance or device in any place where it will endanger persons or property.

(Code of Iowa, Sec. 712- 8).

48.12 ANTENNA AND RADIO WIRES. It shall be unlawful for a person to allow antenna wires, antenna supports, radio wires or television wires to exist over any street, alley, highway, sidewalk, or public property.

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

48.13 BARBED WIRE. It shall be unlawful for a person to use barbed wire to enclose land within the City limits without the consent of the Council unless such land consists of ten (10) acres or more and is used as agricultural land.

48.14 ELECTRIC FENCES. It shall be unlawful for a person to place, maintain or operate any electrically operated fence in any part of the City, except in purely agricultural areas, and then only after the City Manager has by investigation determined that such fence can be maintained without hazard to children or adults and has issued a permit therefore. Any such permit may be revoked at any time, and the continued maintenance after revocation shall constitute an offense.

48.15 DISCHARGING WEAPONS. It shall be unlawful for a person to discharge rifles, shotguns, revolvers, pistols, guns or firearms of any kind within the City limits except by authorization of the Police Chief.

48.16 BB GUNS, AIR RIFLES OR SIMILAR DEVICES. No person shall possess, carry, or in any manner use any BB gun, air rifle, air pistol, sling shot, bean shooter, or any other similar device, within the City without first having obtained the written permission of the Police Chief. No permit shall be issued by the Police Chief except for good cause shown.

48.17 THROWING AND SHOOTING. It shall be unlawful for a person to throw stones or missiles of any kind or to shoot arrows, rubber guns, slingshots, air rifles or other dangerous instruments or toys on or into any street, highway, alley, sidewalk or public place, except when under proper supervision of persons authorized by the Council.

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

48.18 CARRYING WEAPONS. No person shall go armed with a dangerous weapon concealed on or about his person, or shall, within the limits of the City, go armed with a pistol or revolver, or any loaded firearm of any kind, whether concealed or not, or shall knowingly carry or transport in a vehicle a pistol or revolver, provided that this section shall not apply to any of the following:

(Code of Iowa, Sec. 724.4)

1. Own Premises. A person who goes armed with a dangerous weapon in his or her own dwelling or place of business, or on land owned or possessed by the person.

(Code of Iowa, Sec. 724.4[1])

2. Peace Officer. Any peace officer, when his or her duties require the person to carry such weapons.

(Code of Iowa, Sec. 724.4[2])

3. Armed Forces. Any member of the armed forces of the United States or of the national guard or person in the service of the United States, when the weapons are carried in connection with his or her duties as such.

(Code of Iowa, Sec. 724.4[3])

4. Within Container. Any person who for any lawful purpose carries an unloaded pistol, revolver, or other dangerous weapon inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person.

(Code of Iowa, Sec. 724.4[5])

5. Within Vehicle. Any person who for any lawful purpose carries or transports an unloaded pistol or revolver in any vehicle inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person or inside cargo or luggage compartment where the pistol or revolver will not be readily accessible to any person riding in the vehicle or common carrier.

(Code of Iowa, Sec. 724.4[6])

6. Target Practice. Any person while he or she is lawfully engaged in target practice on a range designed for that purpose or while engaged in lawful hunting for game in any place designated by local law as a hunting area.

(Code of Iowa, Sec. 724.4[7])

7. Valid Permit. Any person who has in his or her possession and who displays to any peace officer on demand a valid permit to carry weapons which has been issued to the person, and whose conduct is within the limits of that permit. No person shall be convicted of a violation of this section if the person produces at his or her trial a permit to carry weapons which was valid at the time of the alleged offense and which would have brought the person's conduct within this exception if the permit had been produced at the time of the alleged offense.

(Code of Iowa, Sec. 724.4[8])

8. Correctional officer. Any correctional officer, when such officer's duties require, serving under the authority of the Iowa Department of Corrections.

(Code of Iowa, Sec. 724.4[4])

Copyright Iowa Codification, Inc.

- 125 -

48.19 STORAGE AND USE OF EXPLOSIVES. No person shall purchase, possess, transport, store, or detonate explosive materials without first obtaining a use permit from the County Sheriff except when the explosives are possessed for the sole purpose of transporting them through the City.

(Code of Iowa, Sec. 101A.3)

48.20 URINATING IN PUBLIC. It is unlawful for any person to urinate or defecate onto any sidewalk, street, alley, or other public way, or onto the floor, hallway, steps, stairway, doorway or window of any public building or any privately owned building open to the public.

48.21 EXCAVATION AND DEMOLITION WORK. No person shall perform any demolition or excavation work except in conformance with the following safety regulations:

1. Fencing Required. All demolition work and any excavation work on public or private property deeper than two (2) feet, shall be completely fenced in during the hours when workers are not on the premises. Fencing shall be a minimum of four (4) feet in height and shall be a snow fence in good repair or equal.
2. Barricades Required. Any excavation work on public property less than two (2) feet deep shall be barricaded during the hours when workers are not present on site.
3. Warning Lights. During the hours of darkness, all fencing and/or barricades on public property shall have red lights, warning lights or flares placed on or about the premises to ensure safety for pedestrian and vehicular traffic.
4. Temporary Walkways. If the demolition or excavation work is immediately bordering a walkway, sidewalk or thoroughfare, temporary footwalks beyond the curb shall be substantially constructed and provided with protection on both sides. In addition, on every demolition job or construction job above a sidewalk, a deck will be provided over the walkway to protect the pedestrians from falling objects.
5. Signs. Danger signs shall be conspicuously posted around the property, and all doorways or thoroughfares giving access to the property shall be kept barricaded except during the actual passage of workers or equipment.

WEBSTER CITY, IOWA

Copyright Iowa Codification, Inc.

- 127 -

WEBSTER CITY, IOWA

TITLE II - COMMUNITY PROTECTION

DIVISION 2 - ENFORCEMENT: PUBLIC OFFENSES

CHAPTER 49
PUBLIC PROPERTY

- | | | | |
|-------|--------------------------------------|-------|--------------------------------------|
| 49.01 | Defacing Public Grounds | 49.07 | Public Buildings |
| 49.02 | Injuring New Pavement | 49.08 | Obstructing Drainage |
| 49.03 | Destroying Park Equipment | 49.09 | Injury to Cemetery Property |
| 49.04 | Defacing Proclamations or Notices | 49.10 | Criminal Mischief |
| 49.05 | Injury to Fire Apparatus | 49.11 | Unauthorized Entry |
| 49.06 | Damage to Public or Utility Property | 49.12 | Possession of Traffic Control Device |

49.01 DEFACING PUBLIC GROUNDS. It shall be unlawful for a person to cut, break or deface any tree or shrub on public property or on any public way by willfully defacing, cutting, breaking or injuring.

(Code of Iowa, Sec. 364.1, 364.12[2])

49.02 INJURING NEW PAVEMENT. It shall be unlawful for a person to injure new pavement in any street, alley or sidewalk by willfully driving, walking or making marks on such pavement before it is ready for use.

(Code of Iowa, Sec. 364.12)

49.03 DESTROYING PARK EQUIPMENT. It shall be unlawful for a person to destroy or injure any property or equipment in public swimming pools, playgrounds or parks by willfully defacing, breaking, damaging, mutilating or cutting.

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

49.04 DEFACING PROCLAMATIONS OR NOTICES. It shall be unlawful for a person intentionally to deface, obliterate, tear down, or destroy in whole or in part, any transcript or extract from or of any law of the United States or the State, or any proclamation, advertisement or notification, set up at any place within the City by authority of the law or by order of any court, during the time for which the same is to remain set up.

(Code of Iowa, Sec. 716.1)

49.05 INJURY TO FIRE APPARATUS. It shall be unlawful for a person willfully to destroy or injure any engine, hose, hook and ladder truck, or other thing used and kept for extinguishment of fires.

(Code of Iowa, Sec. 716.1)

Copyright Iowa Codification-. Inc.

49.06 DAMAGE TO PUBLIC OR UTILITY PROPERTY. It shall be unlawful for a person maliciously to injure, remove, or destroy any bridge; or place, or cause to be placed, any obstruction on any such bridge; or willfully obstruct or injure any public road or highway; or maliciously cut, burn or in any way break down, injure, or destroy any post or pole used in connection with any system of electric lighting or telephone system; or break down and destroy or injure and deface any electric light, or telephone instrument; or in any way cut, break, or injure the wires of any apparatus belonging thereto; or to willfully tap, cut, injure, break, disconnect, connect,, make connection with, or destroy any of the wires, mains, pipes, conduits, meters, or other apparatus belonging to, or attached to, the power plant or distributing or collecting systems of any electric light plant, electric motor, gas plant, sewer plant, or water plant; or to aid or abet any other person in so doing.

(Code of Iowa, Sec. 716.1)

49.07 PUBLIC BUILDINGS. It shall be unlawful willfully to write, make marks, or draw characters on the walls or any other part of any church, college, academy, schoolhouse, court house, or other public building, or on any furniture, apparatus, or fixture therein; or willfully to injure or deface the same, or any wall or fence enclosing the same.

(Code of Iowa, Sec. 716.1)

49.08 OBSTRUCTING DRAINAGE. It shall be unlawful to divert, obstruct, impede, or fill up, without legal authority, any ditch, drain, or watercourse, or to break down any levee lawfully established, constructed or maintained.

(Code of Iowa, Sec. 716.1)

49.09 INJURY TO CEMETERY PROPERTY. It shall be unlawful for a person willfully and maliciously to destroy, mutilate, deface, injure or remove any tomb, vault, monument, gravestone or other structure placed in any public or private cemetery or other fences, railing or other work for the protection or ornamentation of said cemetery, or of any tomb, vault, monument or gravestone, or other structure aforesaid, on any cemetery lot within such cemetery, or to willfully and maliciously throw or leave any rubbish, refuse, garbage, waste, litter or foreign substance within the limits of said cemetery, or to drive at an unusual and forbidden speed over avenues or roads in said cemetery, or to drive outside of said avenues and roads, and over the grass or graves of said cemetery.

(Code of Iowa, Sec. 716.1)

49.10 CRIMINAL MISCHIEF. Any damage, defacing, alteration, or destruction of tangible property is criminal mischief when done intentionally by one who has no right to so act, and shall be unlawful.

(Code of Iowa, Sec. 716.1)

49.11 UNAUTHORIZED ENTRY. No person shall enter any public building or public enclosure unless authorized to do so. Any entry into public buildings and enclosures shall be considered to be unauthorized when said buildings or enclosures are closed and secured against entry and not open to the public. When open to the public, a failure to pay a required admission fee, if any, shall also constitute an unauthorized entry.

(Code of Iowa, Sec. 364.1)

49.12 POSSESSION OF TRAFFIC CONTROL DEVICE. It shall be unlawful for any person to have in that person's possession any official traffic control device except by reason of that person's employment.

(Code of Iowa, Sec. 321.260)

Copyright Iowa-Codification, Inc.

- 134 -

WEBSTER CITY, IOWA

Copyright Iowa, Codification., Inc..
- 135 -

TITLE II - COMMUNITY PROTECTION
DIVISION 2 - ENFORCEMENT: PUBLIC OFFENSES

CHAPTER 50
PRIVATE PROPERTY

50.01 Trespassing Prohibited

50.02 Electronic and Mechanical Eavesdropping

50.03 Damage to Property

50.04 Theft

50.05 Theft of Utility Services

50.01 TRESPASSING PROHIBITED. It shall be unlawful for a person to commit one or more of the following acts:

1 . Enter Property Without Permission. Enter upon or in property without the express permission of the owner, lessee, or person in lawful possession with the intent to commit a public offense or to use, remove there from, alter, damage, harass, or place thereon or therein anything animate or inanimate.

(Code of Iowa, Sec. 716.7 [2a])

2. Vacate Property When Requested. Enter or remain upon or in property without justification after being notified or requested to abstain from entering or to remove or vacate there from by the owner, lessee, or person in lawful possession, or by any peace officer, magistrate, or public employee whose duty it is to supervise the use or maintenance of the property.

(Code of Iowa, Sec. 716.7 [2b])

3. Interfere with Lawful Use of Property. Enter upon or in private property for the purpose or with the effect of unduly interfering with the lawful use of the property by others.

(Code of Iowa, Sec. 716.7 [2c])

4. Use of Property Without Permission. Be upon or in property and wrongfully use, remove there from, alter, damage, harass, or place thereon or therein anything animate or inanimate, without the implied or actual permission of the owner, lessee, or person in lawful possession.

(Code of Iowa, Sec. 716.7 [2d])

5. Retrieving Property. None of the above shall be construed to prohibit entering upon the property of another for the sole purpose of retrieving personal property which has accidentally or inadvertently been thrown, fallen, strayed, or blown onto the property of another, provided that the person retrieving the property takes the most direct and accessible route to and from the property to be retrieved, quits the property as quickly as is possible, and does not unduly interfere with the lawful use of the property.

(Code of Iowa, Sec. 716.7 [3])

50.02 ELECTRONIC AND MECHANICAL EAVESDROPPING. No person, having no right or authority to do so, shall tap into or connect a listening or recording device to any telephone or other communication wire, or shall by any electronic or mechanical means listen to, record, or otherwise intercept a conversation or communication of any kind; provided, that the sender or recipient of a message or one who is openly present and participating in or listening to a communication shall not be prohibited hereby from recording such message or communication; and further provided, that nothing herein shall restrict the use of any radio or television receiver to receive any communication transmitted by radio or wireless signal.

(Code of Iowa, Sec. 727.8)

50.03 DAMAGE TO PROPERTY. It shall be unlawful to cut, hack, break, deface or otherwise injure any ornamental or shade tree, fence, private building, railing or other property.

(Code of Iowa, Sec. 716.1)

50.04 THEFT. No person shall take possession or control of the property of another, or property in the possession of another, with the intent to deprive the other thereof.

(Code of Iowa, Sec. 714.1 [1])

50.05 THEFT OF UTILITY SERVICES. No person shall obtain gas, electricity or water from a public utility or obtain cable television or telephone service from an unauthorized connection to the supply or service line or by intentionally altering, adjusting, removing or tampering with the metering or service device so as to cause inaccurate readings.

(Code of Iowa, Sec. 714.1 [7])

TITLE II - COMMUNITY PROTECTION
DIVISION 2 - ENFORCEMENT: PUBLIC OFFENSES

CHAPTER 51
STORAGE AND HANDLING OF LIQUEFIED PETROLEUM GAS

51.01 Adoption of Code

51.02 Copies on File

51.01 ADOPTION OF CODE. Pursuant to published notice and public hearing, as required by law, the National Storage and Handling of Liquefied Petroleum Gases Code, 1989 Edition, published by the National Fire Protection Association, is hereby adopted in full.

51.02 COPIES ON FILE. An official copy of the aforementioned Storage and Handling of Liquefied Petroleum Gases Code is on file in the Office of the Clerk.

Copyright Iowa Codification, Inc.

TITLE II - COMMUNITY PROTECTION
DIVISION 2 - ENFORCEMENT: PUBLIC OFFENSES

CHAPTER 52
UNLAWFUL POSSESSION AND MANUFACTURE OF
CONTROLLED SUBSTANCES AND DRUG PARAPHERNALIA

52.01 Purpose

52.02 Definitions

52.03 Factors Used to Determine Drug Paraphernalia

52.04 Unlawful Possession of a Controlled Substance

52.05 Unlawful Possession of Drug Paraphernalia

52.06 Unlawful Manufacture or Delivery of Drug Paraphernalia

52.07 Penalty

52.01 PURPOSE. The purpose of this chapter is to assist law enforcement officials in their effort to combat the illegal use of controlled substances as defined in Iowa Code Chapter 124.

52.02 DEFINITIONS. For use in this chapter the following terms are defined:

1. "Controlled substance" is defined in the Uniform Controlled Substances Act, Chapter 124 of the Iowa Code, as it now exists or is hereafter amended.

2. "Drug paraphernalia" is defined as all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, concealing, containing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the Uniform Controlled Substances Act, Chapter 124 of the Iowa Code. It includes, but is not limited to:

A. Kits used, intended for use or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived.

B. Kits used, intended for use or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances.

Supp. Nov-95

Copyright Iowa Codification, Inc.

- C. Isomerization devices used, intended for use or designed for use in increasing the potency of any species of plant which is a controlled substance.
- D. Testing equipment used, intended for use or designed for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances.
- E. Scales and balances used, intended for use or designed for use in weighing or measuring controlled substances.
- F. Dilutents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose or lactose, used, intended for use or designed for use in cutting controlled substances.
- G. Separation gins and sifters used, intended for use or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining marijuana.
- H. Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding controlled substances.
- I. Capsules, balloons, envelopes and other containers used in packaging small quantities of controlled substances.
- J. Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances.
- K. Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances into the human body.
- L. Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing heroin, marijuana, cocaine, hashish, or hashish oil into the human body, such as:
 - (1) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

Supp. Nov-95

- (2) Water pipes, chamber pipes, carburetor pipes, electric pipes, air-driven pipes, chills, bongs, ice pipes or chiggers;
- (3) Carburetion tubes and devices;
- (4) Smoking and carburetion masks;
- (5) Roach clips, meaning objects used to hold burning materials, such as a marijuana cigarette that has become too small or too short to be held with the hand;
- (6) Miniature cocaine spoons and cocaine vials;

52.03 FACTORS USED TO DETERMINE DRUG PARAPHERNALIA.

In determining whether an object is drug paraphernalia for the purpose of enforcing this chapter, the following factors should be considered in addition to all other logically relevant factors:

1. Statements by an owner or by anyone in control of the object concerning the object's use.
2. Prior convictions, if any, of an owner or anyone in control of the object under any state or Federal law relating to any controlled substance.
3. The proximity of the object in time and space to a direct violation of the uniform Controlled Substances Act, Chapter 124 of the Iowa Code.
4. The proximity of the object to controlled substances.
5. The existence of any residue of controlled substances on the object.
6. Direct or circumstantial evidence of the intent of any owner or of anyone in control of the object, to deliver to persons whom he knows, or should reasonably know, intend to use the object to facilitate a violation of the Uniform Controlled Substances Act, Chapter 124 of the Iowa Code.
7. The innocence of an owner or of anyone in control of the object, as to a direct violation of the Uniform Controlled Substances Act, Chapter 124 of the Iowa Code, should not prevent a finding that the object is intended for use, or designed for use as drug paraphernalia.
8. Instructions, oral or written, provided with the object concerning its use.

Supp. Nov-95

9. Descriptive materials accompanying the object which explain or depict its use.
10. The manner in which the object is displayed for sale.
11. Whether the owner or anyone in control of the object is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products.
12. Direct or circumstantial evidence of the ratio of sales of the object(s) to the total sales of the business enterprise.
13. The existence and scope of legitimate uses for the object in the community.
14. Expert testimony concerning its use.

52.04 UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE. It is unlawful for any person knowingly or intentionally to possess a controlled substance, as defined in Chapter 124 of the Iowa Code, unless such substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by Chapter 124 of the Iowa Code. Any person who violates this provision of the chapter is guilty of a simple misdemeanor.

52.05 UNLAWFUL POSSESSION OF DRUG PARAPHERNALIA. It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substance Act, Chapter 124 of the Iowa Code. Any person who violates this provision of the chapter is guilty of a simple misdemeanor.

52.06 UNLAWFUL MANUFACTURE OR DELIVERY OF DRUG PARAPHERNALIA. It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, intending that the drug paraphernalia will be used, or knowing, or under circumstances where one reasonably should know that it will be used, or knowing that it is designed for use to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or

Supp. Nov-95

otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Act, Chapter 124 of the Iowa Code. Any person who violates this provision of the chapter is guilty of a simple misdemeanor.

52.07 PENALTY. Any person, firm or corporation violating any provision, section or paragraph of this chapter shall be subject to the general penalty provisions of the City Code of Webster City for simple misdemeanor violations.

(Chapter 52 added by Ordinance No. 95-1455)

Supp. Nov-95

Copyright Iowa Codification, Inc.

Copyright Iowa Codification, Inc.

- 140.6 -

CHAPTER 55

GENERAL PROVISIONS

55.01 Definitions

55.02 Declaration of Nuisances

55.03 Nuisance Prohibited

55.01 DEFINITIONS. The following terms are defined for use in the chapters of this Code of Ordinances pertaining to nuisances:

- I. "Abandoned vehicle" means any of the following:
 - A. A vehicle that has been left parked illegally on public property for more than forty-eight (48) hours lacking vital component parts, or
 - B. A vehicle that has been unlawfully parked on private property without the consent of the owner or person in control of the property for more than twenty-four (24) hours, or
 - C. A motor vehicle that has remained for a period of more than thirty (30) days on private property, with or without consent of the owner or person in control of the property, in an inoperable condition, unless it is kept in an enclosed garage or storage building, or
 - D. A vehicle that has been legally impounded by order of a police authority and has not been reclaimed for a period of ten (10) days, or
 - E. Any vehicle parked on the highway determined by a police authority to create a hazard to other vehicle traffic.
2. "All weather surface" means a surface as defined in Section 180.02(2) of this Code of Ordinances.
3. "Front yard area" means all the area between the front property line and a line drawn along the front face or faces of the principal structure on the property and extended to the side property lines.
4. "Inoperable condition" means that the vehicle has not substantial potential use consistent with its usual function, and includes a vehicle that (a) has a missing or defective part that is necessary for normal operation of the vehicle, or (b) is stored on blocks, jacks or other supports, or (c) has not had a current vehicle license for at least three (3) months.

5. "Junk" means old or scrap ferrous or non-ferrous metal, rope, rags, batteries, paper, trash, rubber, debris, waste or junked, dismantled or wrecked motor vehicles or parts of motor vehicles.

6. "Junk vehicle" means any vehicle legally placed in storage with the County Treasurer or unlicensed, stored within the corporate City limits and which has any one of the following characteristics:

A. Broken or Loose Part. Any vehicle with a broken or loose fender, door, bumper, hood, hood ornament, door handle, window handle, running board, steering wheel, trunk top, trunk handle, radio aerial, tail pipe or decorative piece.

B. Habitat for Nuisance Animals or Insects. Any vehicle which has become the habitat for rats, mice or snakes or other vermin or insects.

C. Flammable Fuel. Any vehicle which contains gasoline or any other flammable fuel.

D. Inoperable. Any motor vehicle which is in inoperable condition.

E. Defective or Obsolete Condition. Any other vehicle which, because of its defective or obsolete condition, in any other way constitutes a threat to the public health and safety.

F. Broken Glass. Any vehicle with a broken, cracked or missing windshield, window, headlight or tail light, or any cracked or broken glass.

7. "Motor home" means a motor vehicle designed as an integral unit to be used as a conveyance upon the public streets and highways and for use as a temporary recreational dwelling and having at least four (4), two of which shall be systems specified in paragraphs (1), (4) or (5) of this subsection, of the following permanently installed systems which meet American National Standards Institute and National Fire Protection Association standards in effect on the date of manufacture.

A. Cooking facilities.

B. Ice box or mechanical refrigerator.

C. Portable water supply including plumbing and a sink with faucet either self-contained or with connections for external water disposal, or both.

- D. Self-contained toilet or a toilet connected to a plumbing system with connection for external water disposal, or both.
 - E. Heating or air conditioning system or both, separate from the vehicle engine or the vehicle engine electrical system.
 - F. A one hundred ten (110) to one hundred fifteen (115) volt alternating current electrical system separate from the vehicle engine electrical system.
8. "Motor vehicle" means any motor vehicle as defined in Iowa Code Chapter 321. 1, including the following:
- A. Motorized bicycle
 - B. Motorcycle
 - C. All-terrain vehicles
9. "Nuisance" means whatever is injurious to health, indecent, or offensive to the senses, or an obstruction to the free use of property so as essentially to interfere with the comfortable enjoyment of life or property.
10. "Outside" means to be outside of an enclosed storage facility and visible from any other property, including the public right-of-way.
11. "Side yard corner lots" means the yard area adjacent to the street right-of-way on a corner lot extending from the front yard along the side of the structure to the rear property line.
12. "Trailer" means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that only tongue weight rests upon the towing vehicle.
13. "Travel trailer" means a vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed to permit the vehicle to be used as a place of human habitation by one or more persons. Said vehicle may be up to eight (8) feet in width and its overall length shall not exceed forty (40) feet unless width and length are in conflict with Chapter 321, Code of Iowa. Such a vehicle shall be customarily or ordinarily used for vacation or recreational purposes and not used as a place for human habitation. If any such vehicle is used in this State as a place for human habitation for more than ninety (90) consecutive days in one location, it shall be classed as mobile home regardless of the size limitations herein provided.

14. "Vehicle" means every device in, upon or by which a person or property is or may be transported or drawn upon a highway or street, excepting devices moved by human power or used exclusively upon stationary rails or tracks, and includes without limitation a motor vehicle, automobile, truck, motorcycle, tractor, buggy, wagon, farm machinery, any combination thereof.

15. "Vital component parts" means those parts of the motor vehicle that are essential to the mechanical functioning of the vehicle, including but not limited to, the motor, drive train and wheels.

16. "Weeds" means noxious or other otherwise, untended vines, brush and scrub bushes, grass and other similar vegetation.

55.02 DECLARATION OF NUISANCES. The following are declared to be nuisances:

1. Abandoned Vehicles. Abandoned and junk vehicles are declared to be a public nuisance creating a hazard to the health and safety of the public because they invite plundering, create fire hazards, attract vermin and present physical dangers to the safety and well being of children and other citizens. The accumulation and outside storage of such vehicles is in the nature of rubbish, litter and unsightly debris and is a blight on the landscape and a detriment to the environment.

2. Air Pollution. Emission of dense smoke, noxious fumes or fly ash.

3. Airport Air Space. Any object or structure hereafter erected within one thousand (1,000) feet of the limits of any municipal or regularly established airport or landing place, which may endanger or obstruct aerial navigation including take-off and landing, unless such object or structure constitutes a proper use or enjoyment of the land on which the same is located.

4. Billboards. Billboards, signboards and advertising signs, whether erected and constructed on public or private property, which so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard or alley or of a railroad or street railway track as to render dangerous the use thereof.

5. Blocking Public and Private Ways. Obstructing or encumbering, by fences, buildings or otherwise, the public roads, private ways, streets, alleys, commons, landing places or burying grounds.

6. Construction Materials. Any construction materials, including piles of dirt, rocks, sand and sod, left in the open on property or street right-of-way more than sixty (60) days after construction has been completed or a certificate of occupancy has been issued, whichever occurred first.

7. Dutch Elm Disease. Trees infected with Dutch Elm Disease.

8. Filth or Noisome Substance. Causing or suffering any offal, filth or noisome substance to be collected or to remain in any place to the prejudice of others.

9. Garbage and Trash. The depositing of, maintaining, permitting or failing to remove, garbage, trash, rubbish, bottles, cans and other refuse on any property within the City, including large quantities of organic debris and materials, which accumulated by other than natural means, except neatly maintained compost piles.

10. Houses of ILL Fame. Houses of ill fame, kept for the purpose of prostitution and lewdness; gambling houses; or houses resorted to by persons using controlled substances, as defined in Section 124.101[5] of the Code of Iowa, in violation of law, or houses where drunkenness, quarreling, fighting or breaches of the peace are carried on or permitted to the disturbance of others.

11. Impeding Passage of Navigable River. Obstructing or impeding without legal authority the passage of any navigable river, harbor or collection of water.

12. Machinery and Junk. The piling, storage or keeping of old machinery, junk, furniture, household furnishings or appliances or component parts thereof, or other debris within the City.

13. Offensive Smells. Erecting, continuing or using any building or other place for the exercise of any trade, employment or manufacture, which, by occasioning noxious exhalations, unreasonably offensive smells, or other annoyances, becomes injurious and dangerous to the health, comfort or property of individuals.

14. Parked Vehicles. Any vehicle whether occupied or not that is found stopped or parked in violation of any ordinance or State statute, or that is reported stolen, or that is found impeding fire fighting, snow removal or plowing or the orderly flow of traffic, is declared to be a public nuisance. Also, any vehicle which is impeding public road or utility repair, construction or maintenance activities after reasonable notice in writing of the proposed activities has been given to the vehicle

owner or user at least twelve (12) hours in advance, is declared to be a public nuisance.

15. Parking and Storage. The outside parking and storage on property used for residential purposes and/or residentially zoned property of large numbers of vehicles, watercraft, trailers, materials, supplies or equipment not customarily used for residential purposes in violation of the requirements set forth below is declared to be a nuisance because it (a) obstructs views on streets and private property, (b) creates cluttered and otherwise unsightly areas, (c) prevents the full use of residential streets for residential parkings, (d) decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood, and (e) otherwise adversely affects property values and neighborhood patterns. Unlawful Parking and Storage:

A. No person may place, store or allow the placement or storage of ice fish houses, skateboard ramps or other similar nonpermanent structures outside continuously for longer than twenty-four (24) hours in the front yard area or side yard corner lots on property used for residential purposes and/or residentially zoned property.

B. No person may place, store or allow the placement or storage of pipe, lumber, forms, steel, machinery or similar materials, including all materials used in connection with a business, outside on property used for residential purposes and/or residentially zoned property.

C. No person shall cause, undertake, permit or allow the outside parking and storage of vehicles on property used for residential purposes and/or residentially zoned property unless it complies with the following requirements:

- (1) Vehicles which are parked or stored outside in the front yard or side yard of corner lot areas must be on all weather surface driveway which shall not exceed thirty percent (30%) of the front yard or side yard corner lot. Driveways exceeding thirty percent (30%) of the front yard or side yard corner lot prior to adoption of the ordinance codified by this chapter, are exempt, providing no additional surface area is added. Exceptions: The prohibitions of this subsection shall not apply to the following:

(a) Any motor truck, pickup truck or similar vehicle being used by a public utility, moving company or similar company, which is actually bring used to serve a residence not belonging to or occupied by the operator of the vehicle.

(b) Any vehicle which is actually making a pickup or delivery at the location where it is parked. Parking for any period of time beyond the period of time reasonably necessary to make such pickup or delivery.

(c) Lawful nonconforming and permitted uses.

16. Storing of Inflammable Junk. Depositing or storing of inflammable junk, such as old rags, rope, cordage, rubber, bones and paper, by dealers in such articles within the fire limits of the City, unless in a building of fireproof construction.

17. Water Pollution. Corrupting or rendering unwholesome or impure the water of any river, stream or pond, or unlawfully diverting the same from its natural course or state, to the injury or prejudice of others.

18. Weeds. Any weeds or grass that is allowed to grow in excess of the height stated below for the respective area:

Eight (8) inches - Developed residential, commercial and industrial zoned areas

Twelve (12) inches Undeveloped residential, commercial and industrial zoned areas

Eighteen (18) inches Unplatted property and agricultural zoned property unless planted for farm cropping purposes

55.03 NUISANCES PROHIBITED. The creation or maintenance of a nuisance is prohibited, and a nuisance, public or private, may be abated in the manner provided for in Chapter 9 or 56 of this Code of Ordinances. *(Code of Iowa, Sec. 65 7.3)*

(Ch. 55 - Ord 99-1529 - May 99 Supp.)

CHAPTER 56

ADMINISTRATIVE PROCEDURE

56.01 Nuisance Abatement

56.02 Notice to Abate: Contents

56.03 Method of Service

56.04 Request for Hearing

56.05 Abatement in Emergency

56.06 Abatement by City

56.07 Collection of Costs

56.08 Installment Payment of Cost of Abatement

56.09 Failure to Abate

56.01 NUISANCE ABATEMENT. Whenever the City Manager or other authorized municipal officer finds that a nuisance exists, such officer shall cause to be served upon the property owner a written notice to abate the nuisance within a reasonable time after notice.

(Code of Iowa, Sec. 364.12[3h])

56.02 NOTICE TO ABATE: CONTENTS. The notice to abate shall contain:

(Code of Iowa, Sec. 364.12[3h])

1. Description of Nuisance. A description of what constitutes the nuisance or other condition.
2. Location of Nuisance. The location of the nuisance or condition.
3. Acts Necessary to Abate. A statement of the act or acts necessary to abate the nuisance or condition.
4. Reasonable Time. A reasonable time within which to complete the abatement.
5. Assessment of City Costs. A statement that if the nuisance or condition is not abated as directed and no request for hearing is made within the time prescribed, the City will abate it and assess the costs against such person.

56.03 METHOD OF SERVICE. The notice may be in the form of an ordinance or sent by certified mail to the property owner.

(Code of Iowa, Sec. 364.12[3h])

56.04 REQUEST FOR HEARING. Any person ordered to abate a nuisance may have a hearing with the Council as to whether a nuisance exists. A request for a hearing must be made in writing and delivered to the Clerk within the time stated in the notice, or it will be conclusively presumed that a nuisance exists and it must be abated as ordered. The hearing will be before the Council at a

CODE OF ORDINANCES, WEBSTER CITY, IOWA

- 149 -

time and place fixed by the Council. The findings of the Council shall be conclusive and, if a nuisance is found to exist, it shall be ordered abated within a reasonable time under the circumstances.

56.05 ABATEMENT IN EMERGENCY. If it is determined that an emergency exists by reason of the continuing maintenance of the nuisance or condition, the City may perform any action which may be required under this chapter without prior notice. The City shall assess the costs as provided in Section 56.07 after notice to the property owner under the applicable provisions of Sections 56.01, 56.02 and 56.03 and hearing as provided in Section 56.04.

(Code of Iowa, Sec. 364.12[3h])

56.06 ABATEMENT BY CITY. If the person notified to abate a nuisance or condition neglects or fails to abate as directed, the City may perform the required action to abate, keeping an accurate account of the expense incurred. The itemized expense account shall be filed with the Clerk who shall pay such expenses on behalf of the City.

(Code of Iowa, Sec. 364.12[3h])

56.07 COLLECTION OF COSTS. The Clerk shall send a statement of the total expense incurred by certified mail to the property owner who has failed to abide by the notice to abate, and if the amount shown by the statement has not been paid within one (1) month, the Clerk shall certify the costs to the County Treasurer and such costs shall then be collected with, and in the same manner, as general property taxes.

(Code of Iowa, Sec. 364.12[3h])

56.08 INSTALLMENT PAYMENT OF COST OF ABATEMENT. If the amount expended to abate the nuisance or condition exceeds one hundred dollars (\$100.00), the City may permit the assessment to be paid in up to ten (10) annual installments, to be paid in the same manner and with the same interest rates provided for assessments against benefited property under State law.

(Code of Iowa, Sec. 3 64.13)

56.09 FAILURE TO ABATE. Any person causing or maintaining a nuisance who shall fail or refuse to abate or remove the same within the reasonable time required and specified in the notice to abate is in violation of this Code of Ordinances.

EDITOR'S NOTE

A suggested form of notice for the abatement of nuisances is included in the appendix of this Code of Ordinances.

Caution is urged in the use of this administrative abatement procedure, particularly where cost of abatement is more than minimal or where there is doubt as to whether or not a nuisance does in fact exist. If compliance is not secured following notice and hearings, we recommend you review the situation with your attorney before proceeding with abatement and assessment of costs. Your attorney may recommend proceedings in court under Chapter 657 of the Code of Iowa rather than this procedure.

TITLE II - COMMUNITY PROTECTION
DIVISION 2 - ENFORCEMENT: TRAFFIC CODE

CHAPTER 60
GENERAL PROVISIONS

- 60.01 Title**
- 60.02 Definitions**
- 60.03 Administration and Enforcement**
- 60.04 Power to Direct Traffic**
- 60.05 Traffic Accidents: Reports**
- 60.06 Investigation of Traffic Accidents**
- 60.07 Traffic Accidents: Studies**
- 60.08 Files Maintained**
- 60.09 Habitual Traffic Violators**
- 60.10 Annual Safety Reports**
- 60.11 Peace Officer's Authority**
- 60.12 Obedience to Peace Officers**
- 60.13 Parades Regulated**
- 60.14 Traffic Study Committee**

60.01 TITLE. Chapters 60 through 71 of this Code of ordinances may be known and cited as the "Webster City Traffic Code."

60.02 DEFINITIONS. Where words and phrases used in the Traffic Code are defined by State law, such definitions apply to their use in said Traffic Code and are adopted by reference. Those definitions so adopted that need further definition or are reiterated, and other words and phrases used herein, have the following meanings:

- 1 . "Business District" means the territory contiguous to and including the following designated streets:
 - A. Second Street from Superior Street to Broadway Street;
 - B. Des Moines Street from Bank Street to the Illinois Central Railroad tracks;
 - C. Willson Avenue from Bank Street to Second Street;
 - D. Seneca Street from Bank street to the Chicago and Northwestern Railroad right-of-way;
 - E. Prospect Street from First Street to the Chicago and Northwestern Railroad right-of-way

2. "Park or Parking" means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

3. "Peace Officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(Code of Iowa, Sec. 321.1[45])

4. "Residence District" means the territory contiguous to and including a highway not comprising a business, suburban or school district, where forty percent (40%) or more of the frontage on such a highway for a distance of three hundred (300) feet or more is occupied by dwellings or by dwellings and buildings in use for business.

(Code of Iowa, Sec. 321.1[58])

5. "School District" means the territory contiguous to and including a highway for a distance of two hundred (200) feet in either direction from a school house.

(Code of Iowa, Sec. 321.1[59])

6. "Stand or Standing" means the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

7. "Stop" means when required, the complete cessation of movement.

8. "Stop or Stopping" means when prohibited, any halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control sign or signal.

9. "Suburban District" means all other parts of the city not included in the business, school or residence districts.

(Code of Iowa, 321.1[60])

10. "Traffic Control Device" means all signs, signals, markings, and devices not inconsistent with this chapter, lawfully placed or erected for the purpose of regulating, warning, or guiding traffic.

(Code of Iowa, Sec. 321.1[62])

11. "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, street, or alley.

(Code of Iowa, Sec. 321.1 [1])

60.03 ADMINISTRATION AND ENFORCEMENT. Provisions of this chapter and State law relating to motor vehicles and law of the road are enforced by the Police Chief.

(Code of Iowa, Sec. 372.13 [4])

Copyright Iowa Codification, Inc.

- 154 -

60.04 POWER TO DIRECT TRAFFIC. A peace officer and, in the absence of a peace officer, any officer of the fire department when at the scene of a fire, is authorized to direct all traffic by voice, hand or signal in conformance with traffic laws. In the event of an emergency, traffic may be directed as conditions require, notwithstanding the provisions of the traffic laws.

(Code of Iowa, Sec. 100B.4)

60.05 TRAFFIC ACCIDENTS: REPORTS. The driver of a vehicle involved in an accident within the limits of the City shall file a report as and when required by the Iowa Department of Public Safety. A copy of this report shall be filed with the City for the confidential use of peace officers and shall be subject to the provisions of Section 321.271 of the code of Iowa.

(Code of Iowa, Sec. 321.273 & 321.274),

60.06 INVESTIGATION OF TRAFFIC ACCIDENTS. The Police Chief shall investigate all accidents reported. If sufficient evidence of a violation is found, proper action will be taken to punish the violator.

(Code of Iowa, Sec. 372.13.[4])

60.07 TRAFFIC ACCIDENTS: STUDIES. Whenever the accidents at any particular location become numerous, the Police Chief shall conduct studies of such accidents and propose remedial measures.

(Code of Iowa, Sec. 372.13 [4])

60.08 FILES MAINTAINED. The Police Chief shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions and complaints reported for each driver during the most recent three (3) year period. Such reports shall be filed alphabetically under the name of the driver concerned.

(Code of Iowa, Sec. 372.13 [4])

60.09 HABITUAL TRAFFIC VIOLATORS. The Police Chief shall study the cases of all drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accident, and shall attempt to discover the reasons therefor, and shall take whatever steps are lawful and reasonable to prevent the same, or to have the license of such persons suspended or revoked as provided by State law.

(Code of Iowa, Sec. 321.201-321.215)

60.10 ANNUAL SAFETY REPORTS. The Police Chief shall prepare annually a traffic report which shall be filed with the Mayor and Council. Such report shall contain information on the number of traffic accidents, the number of persons killed and injured, the number and nature of violations, and other pertinent traffic data including plans and recommendations for future traffic safety activities.

(Code of Iowa, Sec. 372-13 [4])

Copyright codification, Inc.

-155 -

60.11 PEACE OFFICER'S AUTHORITY. Any peace officer is authorized to stop any vehicle to require exhibition of the driver's motor vehicle license, to serve a summons or memorandum of traffic violation, to inspect the condition of the vehicle, to inspect the vehicle with reference to size, weight, cargo, bills of lading or other manifest of employment, tires and safety equipment, or to inspect the registration certificate, the compensation certificate, travel order, or permit of such vehicle.

(Code of Iowa, Sec. 321-492)

60.12 OBEDIENCE TO PEACE OFFICERS. No person shall willfully fail or refuse to comply with any lawful order or direction of any peace officer invested by law with authority to direct, control, or regulate traffic.

(Code of Iowa, Sec. 321.229)

60.13 PARADES REGULATED. No person shall conduct or cause any parade on any street except as provided herein:

1. "Parade" Defined. "Parade" means any march or procession of persons or vehicles organized for marching or moving on the streets in an organized fashion or manner or any march or procession of persons or vehicles represented or advertised to the public as a parade.
2. Permit Required. No parade shall be conducted without first obtaining a written permit from the mayor or Police Chief. Such permit shall state the time and date for the parade to be held and the streets or general route therefor. Such written permit granted to the person organizing or sponsoring the parade shall be permission for all participants therein to parade when such participants have been invited by the permittee to participate therein. No fee shall be required for such permit.
3. Parade Not A Street obstruction. Any parade for which a permit has been issued as herein required, and the persons lawfully participating therein, shall not be deemed an obstruction of the streets notwithstanding the provisions of any other ordinance to the contrary.
4. Control By Police and Fire Fighters. Persons participating in any parade shall at all times be subject to the lawful orders and directions in the performance of their duties of law enforcement personnel and members of the fire department.

60.14 TRAFFIC STUDY COMMITTEE. A traffic study committee is established in accordance with the following to act in an advisory capacity to the Council in regard to vehicular traffic:

Copyright Iowa Codification, Inc.

1. Appointment and Term. Each Council member shall appoint, with the approval of the remaining members of the Council, one member to the traffic study committee for a term to coincide with that of the appointing Council Member. Any vacancy on the committee shall be filled by the Council Member whose appointed committee member caused the said vacancy. Said appointment shall be with the approval of the remaining members of the Council.
2. Qualifications. The committee shall be composed of five (5) members who shall be residents of the City, none of whom shall hold an elective position in the City.
3. Compensation. All members of said committee shall serve without compensation except for their actual expenses which shall be subject to the approval of the Council.
4. Powers. The committee shall have the power to make recommendations to the Council from time to time, as conditions require, amendments, changes or modifications with existing traffic laws within the City.

Copyright Iowa Codification, Inc.

WEBSTER CITY, IOWA

Copyright Iowa Codification, Inc.

- 160 -

TITLE II - COMMUNITY PROTECTION
DIVISION 2 - ENFORCEMENT: TRAFFIC CODE

CHAPTER 61
TRAFFIC CONTROL DEVICES

61.01 Installation

61.02 Crosswalks

61.03 Traffic Lanes

61.04 Standards

61.05 Compliance

61.01 INSTALLATION. The City Manager shall cause to be placed and maintained traffic control devices when and as required under the Traffic code of the City to make effective its provisions; emergency or temporary traffic control devices for the duration of an emergency or temporary condition as traffic conditions may require to regulate traffic under the traffic code of the City or under State law, or to guide or warn traffic. The City Manager shall keep a record of all such traffic control devices.

(Code of Iowa, Sec. 321.254 & 321.255)

61.02 CROSSWALKS. The City Manager is hereby authorized, subject to approval of the Council by resolution, to designate and maintain crosswalks by appropriate traffic control devices at intersections where, due to traffic conditions, there is particular danger to pedestrians crossing the street or roadway, and at such other places as traffic conditions require.

(Code of Iowa, Sec. 372.13[4] & 321-255)

61.03 TRAFFIC LANES. The City Manager is hereby authorized to mark lanes for traffic on street pavements at such places as traffic conditions require, consistent with the traffic code of the City. Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

(Code of Iowa, Sec. 372.13[4] & 321.255)

61.04 STANDARDS. Traffic control devices shall comply with standards established by The Manual of Uniform Traffic Control Devices for Streets and Highways.

(Code of Iowa, Sec. 321.255)

61.05 COMPLIANCE. No driver of a vehicle shall disobey the instructions of any official traffic control device placed in accordance with the provisions of this chapter, unless at the time otherwise directed by a peace officer.

(Code of Iowa, Sec. 321.256)

Copyright Iowa Codification, Inc.

CHAPTER 62

GENERAL TRAFFIC REGULATIONS

62.01 Violation of Regulations

62.02 Play Streets Designated

62.03 Vehicles on Sidewalks

62.04 Clinging to Vehicle

62.05 Quiet Zones

62.06 School Buses

62.07 Funeral or Other Processions

62.08 Tampering with Vehicle

62.09 Eluding or Attempting to Elude Pursuing Law Enforcement Vehicle

62.10 Obstructing View at Intersections

62.11 Excessive Acceleration

62.12 Careless Driving

62.01 VIOLATION OF REGULATIONS. Any person who willfully fails or refuses to comply with any lawful order of a peace officer or direction of a fire department officer during a fire, or who fails to abide by the applicable provisions of the following Iowa statutory laws relating to motor vehicles and the statutory law of the road is in violation of this section. These sections of the Code of Iowa are adopted by reference and are as follows:

1. Display of Registration and License to Drive: 321.20B, 321.32, 321.37, 321.38, 321.79, 321.91, 321.98, 321.99, 321.174, 321.174A, 321.180, 321.180B, 321.193, 321.194, 321.216, 321.216B, 321.216C and 321.219 through 321.224.
2. All Terrain Vehicles, Golf Carts and Bicycles to Obey Traffic Regulations, Radar Jamming Devices, Road Workers: 321.232 through 321.234A and 321.247.
3. Traffic Signs, Signals and Markings: 321.259 and 321.260.
4. Accidents and Accident Reporting: 321.262 through 321.265.
5. Operation of Motorcycles and Motorized Bicycles: 321.275.
6. Drag Racing, Speed and Control of Vehicle: 321.277, 321.278, 321.285, 321.288, 321.295, 321.382 and 321.383.
7. Driving on Right, Meeting, Overtaking, Following or Towing: 321.297 through 321.310.
8. Turning and Starting, Signals on Turning and Stopping: 321.312 through 321.317.
9. Right-of-Way 321.319 through 321.324.

CODE OF ORDINANCES, WEBSTER CITY, IOWA

-163 -

10. Pedestrian Rights and Duties and Safety Zones: 321.329, 321.330, 321.332, 321-333 and 321.340.
11. Railroad Crossings: 321.341 through 321.344 and 321.344B.
12. Stopping, Standing, Parking: 321.354 and 321.359.
13. Unattended Vehicle, Obstructing Driver's View, Crossing Median, Following Fire Apparatus, or Crossing Fire Hose, and Putting Glass, Etc., on Streets: 321.362 through 321.371.
14. School Buses: 321.372.
15. Lighting Equipment Required and Time of Use: 321-384 through 321-390, 321- 392 through 321.395, 321.398, 321.402 through 321.406, 321.408, 321.409, 321.415, 321.417 through 321.423. In accordance with authorization granted by Section 321.395, Code of Iowa, motor vehicles parked upon any street where permitted by this chapter need not display required lights where there is sufficient light emitted from City street lights to reveal any person or object within a distance of five hundred (500) feet upon such street.
16. Brakes, Horns, Sirens, Mufflers, Wipers, Mirrors, Tires, Flares, Windows, Safety Belts, and Special Markings for Transporting Explosives: 321.430 through 321.434; 321.436 through 321.442; 321.444 through 321.446, 321.449 and 321.450.
17. Size, Weight and Load: 321.454 through 321.458, 321.460 through 321.463, 321.465 and 321.466.
18. Unsafe Vehicles: 321.381 and 321.381A.

(Ord 1556 -Nov. 00 Supp.

62.02 PLAY STREETS DESIGNATED. The Council shall have authority to declare any street or part thereof a play street and cause to be placed appropriate signs or devices in the roadway indicating and helping to protect the same. Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

(Code of Iowa, Sec. 321.255)

62.03 VEHICLES ON SIDEWALKS. The driver of a vehicle shall not drive upon or within any sidewalk area except at a driveway. For purposes of snow removal or debris removal only, the following are exempt from this prohibition:

1. All-terrain vehicles as defined in Code of Iowa, Section 321.1(4).
2. Lawn-type tractors.

(Ord 2001-1561 -May 01 Supp.)

62.04 CLINGING TO VEHICLE. No person shall drive a motor vehicle on the streets of the City unless all passengers of said vehicle are inside the vehicle in the place intended for their accommodation. No person shall ride on the running board of a motor vehicle or in any other place not customarily used for carrying passengers. No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

62.05 QUIET ZONES. Whenever authorized signs are erected indicating a quiet zone, no person operating a motor vehicle within any such zone shall sound the horn or other warning device of such vehicle except in an emergency.

62.06 SCHOOL BUSES. The following school bus safety regulations shall apply within the City:

1. Signals. The driver of any school bus used to transport children to and from a public or private school shall, when stopping to receive or discharge pupils at any point within the City, turn on the flashing warning lamps at a distance of not less than three hundred (300) feet, nor more than five hundred (500) feet from the point where said pupils are to be received or discharged from the bus. At the point of receiving or discharging pupils the driver of the bus shall bring the bus to a stop, turn off the amber flashing warning lamps, turn on the red flashing warning lamps, and extend the stop arm. After receiving or discharging pupils, the bus driver shall turn off the flashing warning lights, retract the stop arm and then proceed on the route. Except to the extent that reduced visibility is caused by fog, snow or weather conditions, a school bus shall not stop to load or unload pupils unless there is at least three hundred (300) feet of unobstructed vision in each direction. However, the driver of a school bus is not required to use flashing warning lamps and the stop arm when receiving or discharging pupils at a designated loading and unloading zone at a school attendance center or at extracurricular or educational activity locations where students exiting the bus do not have to cross the street or highway. A school bus when operating on a

highway with four or more lanes, shall not stop to load or unload pupils who must cross the highway, except at designated stops where pupils who must cross the highway may do so at points where there are official traffic control devices or police officers.

(Code of Iowa, Sec. 321.372[1])

2. Lights On. The driver of a school bus shall, while carrying passengers, have its headlights turned on.

(Code of Iowa, Sec. 321.372[1])

3. Discharging Pupils. All pupils shall be received and discharged from the right front entrance of every school bus and if said pupils must cross the street or highway, they shall be required to pass in front of the bus, look in both directions, and proceed to cross the street or highway only on signal from the bus driver.

(Code of Iowa, Sec. 321.372[2])

4. Passing Prohibited. The driver of a vehicle overtaking a school bus shall not pass a school bus when red or amber warning signal lights are flashing and shall bring said vehicle to a complete stop not closer than fifteen (15) feet of the school bus when it is stopped and the stop arm is extended, and shall remain stopped until the stop arm is retracted and the school bus resumes motion, or until signaled by the driver to proceed.

(Code of Iowa, Sec. 321.372[4])

5. Stop When Meeting. The driver of a vehicle when meeting a school bus on which the amber warning signal lights are flashing shall reduce the speed of said vehicle to not more than twenty (20) miles per hour, and shall bring said vehicle to a Complete stop when the school bus stops and the signal arm is extended and said vehicle shall remain stopped until the stop arm is retracted after which driver may proceed with due caution.

(Code of Iowa, Sec. 321.372[3])

6. Multi-lane Roads. The driver of a vehicle upon a highway or street providing two or more lanes in each direction need not stop upon meeting a school bus which is traveling in the opposite direction even though said school bus has stopped.

(Code of Iowa, Sec. 321.372[4])

62.07 FUNERAL OR OTHER PROCESSIONS. The following regulations shall apply to funeral or other processions within the City:

1. Identified. A funeral or other procession composed of vehicles shall be identified as such by the display upon the

outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the Police Chief.

(Code of Iowa, Sec. 321.236 [3])

2. Manner of Driving. Each driver in a funeral or other procession shall drive as near to the right hand of the roadway as practical and shall follow the vehicle ahead as closely as is practical and safe.

(Code of Iowa, Sec. 321-236 [3])

3. Interrupting Procession. No driver of any vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this chapter. This provision shall not apply at intersections where traffic is controlled by traffic control signals or peace officers.

(Code of Iowa, Sec. 321-236 [3])

62.08 TAMPERING WITH VEHICLE. Any person who either individually, or in association with one or more other persons, willfully injures or tampers with any vehicle or breaks or removes any part or parts of or from a vehicle without the consent of the owner is guilty of a misdemeanor punishable as provided in Section 321.482 of the Code of Iowa.

62.09 DELUDING OR ATTEMPTING TO ELUDE PURSUING LAW ENFORCEMENT VEHICLE. No driver of a motor vehicle shall willfully fail to bring the motor vehicle to a stop or otherwise elude or attempt to elude a marked official law enforcement vehicle driven by a uniformed peace officer after being given a visual or audible signal to stop and in doing so exceed the speed limit by twenty-five (25) miles per hour or more. The signal given by the peace officer shall be by flashing red light or siren.

(Code of Iowa, Sec. 321.279)

62.10 OBSTRUCTING VIEW AT INTERSECTIONS. It shall be unlawful to allow any tree, hedge, billboard or other object to obstruct the view of an intersection by preventing persons from having a clear view of traffic approaching the intersection from cross streets. Any such obstruction shall be deemed a nuisance and in addition to the standard penalty may be abated in the manner provided by Chapter 56 of this Code of ordinances.

62.11 EXCESSIVE ACCELERATION. It shall be unlawful for any person in the operation of a motor vehicle, including motorcycles, to so accelerate such vehicle as to cause audible

Supp. Sep-97

noise by the friction of the tires on the pavement or to cause the tires of the vehicle to leave skid marks on the pavement, or to cause the wheel of a motorcycle to leave the ground more than two (2) inches, except when such acceleration is reasonably necessary to avoid a collision.

62.12 CARELESS DRIVING. No person shall intentionally operate a motor vehicle on a street or highway in any one of the following ways:

(Code of Iowa, Sec. 321.277A)

1. Creating or causing unnecessary tire squealing, skidding or sliding upon acceleration or stopping.
2. Simulating a temporary race.
3. Causing any wheel or wheels to unnecessarily lose contact with the ground.
4. Causing the vehicle to unnecessarily turn abruptly or sway.

(Added by ordinance No. 97-1501)

Supp. Sep-97

Copyright Iowa Codification, Inc.

WEBSTER CITY, IOWA

Copyright Iowa Codification, Inc.

- 169 -

Copyright Iowa Codification, Inc.

TITLE II - COMMUNITY PROTECTION
DIVISION 2 - ENFORCEMENT: TRAFFIC CODE

CHAPTER 63
SPEED REGULATIONS

- 63.01 General**
- 63.02 Business District**
- 63.03 Residence or School District**
- 63.04 Suburban District**
- 63.05 Parks, Cemeteries and Parking Lots**
- 63.06 Minimum Speed**
- 63.07 Emergency Vehicles**
- 63.08 Special Speed Restrictions**
- 63.09 Special 25 MPH Speed Zones**
- 63.10 Special 30 MPH Speed Zones**
- 63.11 Special 35 MPH Speed Zones**
- 63.12 Special 40 MPH Speed Zones**
- 63.13 Special 45 MPH Speed Zones**
- 63.14 Special 50 MPH Speed Zones**

63.01 GENERAL. Every driver of a motor vehicle on a street shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the street and of any other conditions then existing, and no person shall drive a vehicle on any street at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using said street will observe the law.

(Code of Iowa, Sec. 321.285)

63.02 BUSINESS DISTRICT. A speed in excess of twenty (20) miles per hour in the business district, unless specifically designated otherwise in this chapter, is unlawful.

(Code of Iowa, Sec. 321.285 [1])

63.03 RESIDENCE OR SCHOOL DISTRICT. A speed in excess of twenty-five (25) miles per hour in any school or residence district, unless specifically designated otherwise in this chapter, is unlawful.

(Code of Iowa, Sec. 321.285 [2])

63.04 SUBURBAN DISTRICT. A speed in excess of forty-five (45) miles per hour in any suburban district, unless specifically designated otherwise in this chapter, is unlawful.

(Code of Iowa, Sec. 321.285 [4])

63.05 PARKS, CEMETERIES AND PARKING LOTS. A speed in excess of fifteen (15) miles per hour in any public park, cemetery or parking lot, unless specifically designated otherwise in this chapter, is unlawful.

(Code of Iowa, Sec. 321.236[5])

Copyright Iowa Codification, Inc.

63.06 MINIMUM SPEED. No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation, or in compliance with law.

(Code of Iowa, Sec. 321- 294)

63.07 EMERGENCY VEHICLES . The speed limitations set forth in this chapter do not apply to authorized emergency vehicles when responding to emergency calls and the drivers thereof sound audible signal by bell, siren or whistle. This provision does not relieve such driver from the duty to drive with due regard for the safety of others.

(Code of Iowa, Sec. 321.231)

63.08 . SPECIAL SPEED RESTRICTIONS. In accordance with requirements of the Iowa State Department of Transportation, or whenever the Council shall determine upon the basis of an engineering and traffic investigation that any speed limit herein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of the City street system, the Council shall determine and adopt by ordinance such higher or lower speed limit as it deems reasonable and safe at such location. (Code of Iowa, Sec. 321.290)

63.09 SPECIAL 25 MPH SPEED ZONES. A speed in excess of twenty-five (25) miles per hour shall be unlawful on any of the following designated streets or parts thereof:

1. White Fox Road from Second Street to the Chicago, Central and Pacific Railroad crossing;
2. Beach Street from Second Street to Wall Street;
3. Ohio Street from Beach Street to Superior Street;
4. Des Moines Street from Ohio Street to Lewis Drive;
5. Des Moines Street from Second Street to Odell Street.
(Amended by ordinance No. 96-1473)

63.10 SPECIAL 30 MPH SPEED ZONES. A speed in excess of thirty (30) miles per hour shall be unlawful on any of the following designated streets or parts thereof.

1. Second Street from Prospect Street to Fair Street;
 2. Second Street from River Street to a point 170 feet east of Maple Avenue;
- Supp. Sep-96

- 3. Superior Street from Second Street to a point 300 feet south of Elm Street;
- 4. West Second Street from West Avenue to the Chicago, Central and Pacific Railroad crossing;
- 5. Maple Street from a point 300 feet north of Cherry Street to Kendall Young Road;
- 6. Third Street from Superior Street to Des Moines Street.
- 7. Des Moines Street from Odell Street to Hillcrest Drive.
- 8. Kendall Young Road from Maple Street to the East City limit.
(Subsections 7 and 8 added by ordinance No. 96-1473)

63.11 SPECIAL 35 MPH SPEED ZONES. A speed in excess of thirty-five (35) miles per hour shall be unlawful on any of the following designated streets or parts thereof.

- 1. Superior Street from Pleasant Street to a point 300 feet south of Elm Street;
- 2. White Fox Road from the Chicago, Central and Pacific Railroad crossing to the north corporate limit;
- 3. Overpass Drive from Fair Avenue to James Street;
- 4. Closz Drive from Des Moines Street to Edgewood Drive;
- 5. Edgewood Drive from Closz Drive to south City limit.
- 6. Beach Street from Wall Street to a point 1840 feet south of Wall Street.
- 7. Des Moines Street from Hillcrest Drive to Oak Park Drive.
- 8. Buxton Drive from Hamilton Road to the East City limit.

(Subsections 6-8 added by ordinance No. 96- 1473)

63.12 SPECIAL 40 MPH SPEED ZONES. A speed in excess of forty (40) miles per hour shall be unlawful on any of the following designated streets or parts thereof.

- 1 . Superior Street from Pleasant Street to a point south of Fairmeadow Drive.

Supp. Sep-96

63.13 SPECIAL 45 MPH SPEED ZONES. A speed in excess of forty- five (45) miles per hour shall be unlawful on any of the following designated streets or parts thereof.

- 1 . James Street from Overpass Drive to the west corporate limit;
2. (REPEALED BY ORDINANCE NO. 96-1473)
3. Superior Street from a point 100 feet south of Fairmeadow Drive to the U.S. Highway 20 and Iowa Highway 17 interchange north ramp terminal;
4. Second Street from High Street to Harris Drive.

63.14 SPECIAL 50 MPH SPEED ZONES. A speed in excess of fifty (50) miles per hour shall be unlawful on any of the following designated streets or parts thereof.

1. Second Street from Harris Drive to Clark Molenhoff Drive.

Supp. Sep-96

Copyright Iowa Codification, Inc.

WEBSTER CITY, IOWA

Copyright Iowa Codification, Inc.

-175 -

Copyright Iowa Codification, Inc.

WEBSTER CITY, IOWA

Copyright Iowa Codification, Inc.

- 177 -

Copyright Iowa Codification, Inc.

TITLE II - COMMUNITY PROTECTION
DIVISION 2 - ENFORCEMENT: TRAFFIC CODE

CHAPTER 64
TURNING REGULATIONS

64.01 Authority to Mark

64.02 U-Turns

64.01 AUTHORITY TO MARK . The Police Chief may cause markers, buttons or signs to be placed within or adjacent to intersections and thereby require and direct, as traffic conditions require, that a different course from that specified by the State law be traveled by vehicles turning at intersections, and when markers, buttons or signs are so placed, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons or signs.

(Code of Iowa, Sec. 321.311)

64.02 U-Turns. It shall be unlawful for a driver to make a U-turn except at an intersection, however, U-turns are prohibited within the business district and at intersections where there are automatic traffic signals.

(Code of Iowa, Sec. 321.255)

TITLE II - COMMUNITY PROTECTION
DIVISION 2 - ENFORCEMENT: TRAFFIC CODE

CHAPTER 65
STOP OR YIELD REQUIRED

- | | |
|---|---|
| 65.01 Through Streets – Stop | 65.06 School Stops |
| 65.02 Special Stops Required | 65.07 Stop Before Crossing Sidewalk |
| 65.03 Four-Way Stop Intersections | 65.08 Stop When Traffic Is Obstructed |
| 65.04 Three-Way Stop Intersections | 65.09 Yield to Pedestrians in Crosswalks |
| 65.05 Special Yield Required | 65.10 Official Traffic Controls |

65.01 THROUGH STREETS - STOP. Every driver of a vehicle shall stop, unless a yield is permitted by this chapter, before entering an intersection with the following designated through streets.

(Code of Iowa, Sec. 321.345)

1. Willson Avenue from Bank Street to Ohio Street;
2. Broadway Street from Second Street to Ohio Street;
3. Ohio Street from Des Moines Street to Beach Street;
4. Walnut Street from Beach Street to Broadway Street;
5. Walnut Street from Broadway Street to Des Moines Street;
6. Walnut Street from Willson Avenue to Superior Street;
7. Des Moines Street from north city limit to Bank Street;
8. Des Moines Street from Bank Street to Ohio Street;
9. Second Street from west City limit to east City limit;
10. Superior Street from Second Street to South City limit;
11. Des Moines Street from Ohio Street to to Fairmeadow Drive;
12. Bank Street from Superior Street to West Avenue, except the intersection at Broadway Street, Des Moines Street and Beach Street;
13. Beach Street from Second Street to south City limit;

Copyright Iowa Codification, Inc.

14. Dubuque Street from Superior Street to Bell Avenue;
15. Bank Street from Superior Street to Bell Avenue;
16. White Fox Road from Second Street to north City limit;
17. Buxton Drive from Bell Avenue to east City limit;
18. Bell Avenue from Buxton Drive to High Street;
19. High Street from Bell Avenue to Second Street;
20. James Street from the Chicago and Northwestern Railroad tracks to Overpass Drive;
21. Stockdale Street from Prospect Street to the Chicago and Northwestern Railroad tracks;
22. Division Street from Beach Street to Superior Street, except the intersection at Broadway Street and Des Moines Street;
23. First Street from Superior Street to Beach Street, except the intersection at Des Moines Street and Broadway Street;
24. Ohio Street from Superior Street to Des Moines Street.

65.02 SPECIAL STOPS REQUIRED. Every driver of a vehicle shall stop in accordance with the following:

(Code of Iowa, Sec. 321.345)

1. Mary Lane. Vehicles traveling east on Mary Lane shall stop at Sunset Drive;
2. Water Street. Vehicles traveling east on Water Street shall stop at Prospect Street;
3. Second Street. Vehicles traveling east on Second Street shall stop at Overpass Drive;
4. Third Street. Vehicles traveling east on Third Street shall stop at Grove Street and at Superior Street;
5. Third Street. Vehicles traveling west on Third Street shall stop at Superior Street, Des Moines Street and Grove Street;

Copyright Iowa Codification, Inc.

6. Division Street. Vehicles traveling west on Division street shall stop at West Street;
7. First Street. Vehicles traveling west on First Street shall stop at West Street;
8. Bank Street. Vehicles traveling on Bank Street shall stop at Broadway Street;
9. Beach Street. Vehicles traveling on Beach Street shall stop at Second Street;
10. Division Street. Vehicles traveling on Division Street shall stop at Broadway Street;
11. Division Street. Vehicles traveling on Division Street shall stop at Des Moines Street;
12. First Street. Vehicles traveling on First Street shall stop at Broadway Street;
13. First Street. Vehicles traveling on First Street shall stop at Des Moines Street.
14. Collins Street. Vehicles traveling on Collins Street shall stop at Lynx Avenue;
15. Grove Street. Vehicles traveling on Grove Street shall stop at Boone Street.
16. Lisa Drive. Vehicles traveling on Lisa Drive shall stop at South Street;
17. Des Moines Street. Vehicles traveling south on Des Moines Street between Highway 20 and Closz Drive shall stop at Closz Drive.
18. Edgewood Drive. Vehicles traveling south on Edgewood shall stop at Closz Drive.
19. Seneca Street. Vehicles traveling on Seneca Street shall stop at Third Street.
20. Stockdale Street. Vehicles traveling east on Stockdale Street shall stop at Prospect Street.
21. Marvel Street. Vehicles traveling east on Marvel Street shall stop at Second Street.
22. Grand Street. Vehicles traveling on Grand Street shall stop at Lynx Avenue.
(Ord 99-1539 - Jan. 00 Supp.)

23. Locust Street. Vehicles traveling on Locust Street shall stop at Lynx Avenue.
(Ord. 99-1539-Jan. 00 Supp.)
24. Seneca Street. Vehicles traveling on Seneca Street shall stop at Elm Street.
(Ord. 2000-1545-Jun. 00 Supp.)
25. Third Street. Vehicles traveling east on Third Street shall stop at Broadway Street.
(Ord. 2003-1591 – Feb. 03 Supp.)

65.03 FOUR-WAY STOP INTERSECTIONS. Every driver of a vehicle shall stop before entering the following designated four-way stop intersections:

(Code of Iowa, Sec. 321.345)

1. Des Moines Street at Ohio Street;
2. Willow Street at Oak Avenue;
3. Elm Street at Prospect Street.

65.04 THREE-WAY STOP INTERSECTIONS. Every driver of a vehicle shall stop before entering the following designated three-way stop intersections:

1. Des Moines Street and Bank Street. Vehicles approaching the intersection of Des Moines Street and Bank Street from the east, north and south shall stop before entering such intersection.

65.05 SPECIAL YIELD REQUIRED. Every driver of a vehicle shall yield in accordance with the following:

(Code of Iowa, Sec. 321.345)

- NONE -

65.06 SCHOOL STOPS. At the following school crossing zones every driver of a vehicle approaching said zone shall bring the vehicle to a full stop at a point ten (10) feet from the approach side of the crosswalk marked by an authorized school stop sign and thereafter proceed in a careful and prudent manner until the vehicle shall have passed through such school crossing zone. (Code of Iowa, Sec. 321.249)

1. Ohio Street at Des Moines Street.
2. Des Moines Street at Elm Street.
3. Bank Street at Prospect Street.
4. Walnut Street at a point 250 west of Funk Street.
5. Des Moines Street at Middle Street.

(Ord. 99-1528 – Mar. 99 Supp.)

CODE OF ORDINANCES, WEBSTER CITY, IOWA

-184-

65.07 STOP BEFORE CROSSING SIDEWALK. The driver of a vehicle emerging from a private roadway, alley, driveway, or building shall stop such vehicle immediately prior to driving onto the sidewalk area and thereafter shall proceed into the sidewalk area only when able to do so without danger to pedestrian traffic and shall yield the right-of-way to any vehicular traffic on the street into which the vehicle is entering.

(Code of Iowa, Sec. 321-353)

65.08 STOP WHEN TRAFFIC IS OBSTRUCTED. Notwithstanding any traffic control signal indication to proceed, no driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle.

65.09 YIELD TO PEDESTRIANS IN CROSSWALKS. Where traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping, if need be, to yield to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection.

(Code of Iowa, Sec. 321.327)

65.10 OFFICIAL TRAFFIC CONTROLS. Every driver shall observe and comply with the directions provided by official traffic control signals at the following intersections:

(Code of Iowa, Sec. 321.256)

1. Intersection of Second Street and Prospect Street;
2. Intersection of Second Street and Des Moines Street;
3. Intersection of Second Street and Willson Avenue;
4. Intersection of Second Street and Seneca Street;
5. Intersection of Second Street and Superior Street.
6. Intersection of Superior Street and Bank Street.
7. Intersection of Superior Street and Ohio Street
(Amended by Ordinance No. 92-1384)

Supp. Sep-97

Copyright Iowa Codification, Inc.

Copyright Iowa Codification, Inc.

WEBSTER CITY, IOWA

Copyright Iowa Codification, Inc.

- 187 -

Copyright Iowa Codification, Inc.

Copyright -Iowa Codification, Inc.

CHAPTER 66

LOAD AND WEIGHT RESTRICTIONS

66.01 Temporary Embargo

66.02 Permits for Excess Size and Weight

66.03 Load Limits Upon Certain Streets

66.04 Load Limits on Bridges

66.05 Truck Route

66.01 TEMPORARY EMBARGO. If the Council declares an embargo when it appears by reason of deterioration, rain, snow or other climatic conditions that certain streets will be seriously damaged or destroyed by vehicles weighing in excess of an amount specified by the signs, no such vehicles shall be operated on streets so designated by such signs.

(Code of Iowa, Sec. 321.471 & 472)

66.02 PERMITS FOR EXCESS SIZE AND WEIGHT. The Police Chief may, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight or load exceeding the maximum specified by State law or City ordinance over those streets named in the permit which are under the jurisdiction of the City and for which the City is responsible for maintenance.

(Code of Iowa, Sec. 321.4 73 & 321E.1)

66.03 LOAD LIMITS UPON CERTAIN STREETS. When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amounts specified on such signs at any time upon any of the following streets or parts of streets:

(Code of Iowa, Sec. 321.473 & 475)

- NONE -

66.04 LOAD LIMITS ON BRIDGES. Where it has been determined that any City bridge has a capacity less than the maximum permitted on the streets of the City, or on the street serving the bridge, the Police Chief may cause to be posted and maintained signs on said bridge and at suitable distances ahead of the entrances thereof to warn drivers of such maximum load limits, and no person shall drive a vehicle weighing, loaded or unloaded, upon said bridge in excess of such posted limit.

(Code of Iowa, Sec. 321.471)

66.05 TRUCK ROUTE. Truck route regulations are established as follows:

1. Truck Routes Designated. Every motor vehicle weighing five (5) tons or more, when loaded or empty, having no fixed terminal within the City or making no scheduled or definite stops within the City for the purpose of loading or unloading shall travel over or upon the following streets within the City and none other:

(Code of Iowa, Sec. 321.473)

A. White Fox Road (County Road R-33) from Second Street to the north City limit;

B. MacKinley Kantor Drive (County Road R-27) from Second Street to the north City limit;

C. Beach Street from Second Street to the south City limit;

D. Superior Street from Second Street to the U.S. 20-Iowa 17 Interchange;

E. Second Street from the east City limit to the west City limit, except the area on Second Street between Superior Street and Prospect Street, known as the 400 - 700 blocks.

(Ord 2000-1550 -Sep. 00 Supp.)

F. Des Moines Street from Second Street to Merritt Street;

G. All of the street known as West Second Street from Second Street at Fair Street west to James Street and MacKinley Kantor Drive;

H. Prospect Street from Second Street to Stockdale Street;

I. Superior Street from Second Street to Third Street;

J. Third Street from Superior Street to Des Moines Street;

K. The 700 block north alley parking lot.

(Ord. 2000-1550 - Sep. 00 Supp.)

2. Routes for Scheduled Stops. Any motor vehicle weighing five (5) tons or more, when loaded or empty, having a fixed terminal, making a scheduled or definite stop within the City for the purpose of loading or unloading shall proceed over or upon the designated routes set out in this section to the nearest point of its scheduled or definite stop and shall proceed thereto, load or unload and return, by the most direct route to its point of departure from said designated route.

3. Owner's Responsibility. The owner, or any other person, employing or otherwise directing the driver of any vehicle shall not require or knowingly permit the operation of such vehicle upon a street in any manner contrary to this section.

Copyright Iowa Codification-, Inc.

TITLE II - COMMUNITY PROTECTION
DIVISION 2 - ENFORCEMENT: TRAFFIC CODE

CHAPTER 67
PEDESTRIANS

67.01 Walking in Street
67.02 Hitch Hiking
67.03 Pedestrian Crossing
67.04 Use Sidewalks

67.01 WALKING IN STREET. Where sidewalks are not provided pedestrians shall at all times when walking on or along a street, walk on the left side of the street.

(Code of Iowa, Sec. 321.326)

67.02 HITCH HIKING. No person shall stand in the traveled portion of a street for the purpose of soliciting a ride from the driver of any private vehicle.

(Code of Iowa, Sec. 321.331)

67.03 PEDESTRIAN CROSSING. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(Code of Iowa, Sec. 321-328)

67.04 USE SIDEWALKS. Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent street.

CHAPTER 68

ONE-WAY TRAFFIC

68.01 One-Way Traffic Required

68.02 One Lane on Bridges

68.01 ONE-WAY TRAFFIC REQUIRED. Upon the following streets and alleys vehicular traffic, other than permitted cross traffic, shall move only in the indicated direction when appropriate signs are in place.

(Code of Iowa, Sec. 321.236 [4])

1. Water Street shall be west bound from Des Moines Street to Willson Avenue;
2. (Repealed by Ordinance No. 2000-1543 – Jun. 00 Supp.)
3. Fourth Street shall be west bound from Union Street to River Street;
4. Bank Street shall be west bound from Superior Street to Beach Street;
5. Division Street shall be east bound from Beach Street to Superior Street;
6. First Street shall be west bound from Superior Street to Beach Street;
7. Alley parallel to and immediately south of Second Street shall be west bound from Seneca Street to Des Moines Street;

(Ord. 2001-1559-May 01 Supp.)

8. Alley parallel to and immediately north of Second Street shall be east bound from Broadway Street to Seneca Street.

68.02 ONE LANE ON BRIDGES. When signs have been erected giving notice thereof, the following bridges are restricted on one lane traffic:

1. East Ohio Street Bridge.

CHAPTER 69

PARKING REGULATIONS

69.01 Park Adjacent to Curb	69.13 Parking Limited to Two Hours
69.02 Park Adjacent to Curb-One Way Street	69.14 Parking Limited to Four Hours
69.03 Diagonal Parking	69.15 Parking Limited to Eight Hours
69.04 Angle Parking – Manner	69.16 Parking Limited to Seventy-two Hours
69.05 Parking for Certain Purposes Illegal	69.17 Snow Removal
69.06 Parking Prohibited	69.18 Fire Lanes
69.07 Persons With Disabilities Parking	69.19 Parking on the Parking
69.08 No Parking Zones	69.20 Emergency Parking
69.09 All Night Parking Prohibited	69.21 Recreational Vehicles
69.10 Truck Parking Limited	69.22 Parking for Special Purposed in Designated Areas
69.11 Parking Limited to Five Minutes	69.23 Parking Signs Required
69.12 Parking Limited to Fifteen Minutes	69.24 Handicapped Parking Review Committee

69.01 PARK ADJACENT TO CURB. No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within eighteen (18) inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking and vehicles parked on the left-handed side of one-way streets.

(Code of Iowa Sec. 321.361)

69.02 PARK ADJACENT TO CURB – ONE-WAY STREET. No person shall stand or park a vehicle on the left-hand side of a one-way street other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the left-hand wheels of the vehicle within eighteen (18) inches of the curb or edge of the roadway except as hereinafter provided in the case of angle parking.

(Code of Iowa, Sec. 321.361)

69.03 DIAGONAL PARKING. Angle or diagonal parking is permitted only in the following locations:

(Code of Iowa, Sec. 321.361)

1. First Street, on the south side, from 264 feet west of Willson Avenue to Prospect Street;
(Ord. 2000-1551-Sep. 00 Supp.)
2. Des Moines Street, on the west side, from Bank Street to 220.3 feet south of Bank Street;
3. Seneca Street, on the east side, from Bank Street to Water Street during band concerts only;

CODE OF ORDINANCES, WEBSTER CITY, IOWA

4. Cedar Street on the north side from 30 feet west of the west line of Superior Street to 105 feet west of the west line of Superior Street;
5. Division Street, on the north side, from Des Moines Street west 75 feet;
6. Water Street, on the north side, from a point 135 feet east of Des Moines Street to a point 240 feet east of Des Moines Street;
7. West Avenue on the east side of the 700 block;
8. Bank Street, on the north side of the 500 block, from Seneca Street west 94 feet;
9. Bank Street on the north side of the 400 block;
10. Seneca Street, on the east side of the 900 block, from Bank Street to the alley north;
11. Second Street, on the north and south sides, between Seneca Street and Prospect Street, known as the 500 through 700 blocks.

(Ord. 2000-1551-Sep. 00 Supp.)

12. Boone Street, on the north side, from a point 40 feet west of the west line of Superior Street to a point 128 feet west of the west line of Superior Street.
13. Willson Avenue, on the west side from the south right of way line of Pleasant Street to a point 159 feet south of the south right of way line of Pleasant Street.

(Ord. 2009-1701 July 09 Supp.)

69.04 ANGLE PARKING – MANNER. Upon those streets or portions of streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at an angle to the curb or edge of the roadway or in the center of the roadway as indicated by such signs and markings. No part of any vehicle, or the load thereon, when parked within a diagonal parking district, shall extend into the roadway more than a distance of sixteen (16) feet when measured at right angles to the adjacent curb or edge of roadway.

(Code of Iowa, Sec. 321.361 [1])

69.05 PARKING FOR CERTAIN PURPOSES ILLEGAL. No person shall park a vehicle upon public property for any of the following principal purposes;

(Code of Iowa, Sec. 321.236 [1])

1. Sale. Displaying such vehicle for sale;
2. Repairing. For lubricating, repairing or for commercial washing of such vehicle except such repairs as are necessitated by an emergency;
3. Advertising. Displaying advertising;

CODE OF ORDINANCES, WEBSTER CITY, IOWA
- 200 -

WEBSTER CITY, IOWA

CHAPTER 69

4. Merchandise Sales. Selling merchandise from such vehicle except in a duly established market Place or when so authorized or licensed under this Code of Ordinances;
5. Storage. Storage for more than seventy-two (72) hours;
6. Conversation. Upon the traveled portion of the highway for visiting or conversing with the occupant of another vehicle.

69.06 PARKING PROHIBITED. No one shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic or traffic control device, in any of the following places:

1. Crosswalk. On a crosswalk at an intersection.
(Code of Iowa, Sec. 321.236 [1] & 321.358 [5])
2. Center Parkway. On the center parkway or dividing area of any divided street.
(Code of Iowa, Sec. 321.236 [1])
3. Mailboxes. Within twenty (20) feet on either side of a mailbox which is so placed and so equipped as to permit the depositing of mail from vehicles on the roadway.
(Code of Iowa, Sec. 321.236 [1])
4. Sidewalks. On or across a sidewalk.
(Code of Iowa, Sec. 321.358 [1])
5. Driveway. In front of a public or private driveway.
(Code of Iowa, Sec. 321.358 [2])
6. Intersection. Within an intersection of any street or alley or within thirty (30) feet of any Intersection except for the following:
(Code of Iowa, Sec. 321.358 [3])
 - A. Intersections in the C-2 area;
 - B. Northeast and Southeast corners of one-way streets going east;
 - C. Northwest and Southwest corners of one-way streets going west.
7. Fire Hydrant. Within five (5) feet of a fire hydrant.
(Code of Iowa, Sec. 321.358. [4])
8. Stop Sign or Signal. Within ten (10) feet upon the approach to any flashing beacon, stop or yield sign, or traffic control signal located at the side of a roadway.
(Code of Iowa, Sec. 321.358 [6])

9. Railroad Crossing. Within fifty (50) feet of the nearest rail of a railroad crossing, except when parked parallel with such rail and not exhibiting a red light.
(Code of Iowa, Sec. 321.358 [8])
10. Fire Station. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance when properly sign posted.
(Code of Iowa, Sec. 321.358 [9])
11. Excavations. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
(Code of Iowa, Sec. 321.358 [10])
12. Double Parking. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
(Code of Iowa, Sec. 321.358 [11])
13. Hazardous Locations. When, because of restricted visibility or when standing or parked vehicles would constitute a hazard to moving traffic, or when other traffic conditions require, the City Manager may cause curbs to be painted with a yellow color and erect no parking or standing signs.
(Code of Iowa, Sec. 321.358 [13])
14. Theatres, Hotels and Auditoriums. A space of fifty (50) feet is hereby reserved at the side of the street in front of any theatre, auditorium, hotel having more than twenty-five (25) sleeping rooms, hospital, nursing home, taxicab stand, bus depot, church, or other building where large assemblages of people are being held, within which space, when clearly marked as such, no motor vehicle shall be left standing, parked or stopped except in taking on or discharging passengers or freight, and then only for such length of time as necessary for such purpose.
(Code of Iowa, Sec. 321.360)
15. Alleys. No person shall park a vehicle within an alley except for such time as is reasonably necessary to load or unload freight or cargo, and in any event no such vehicle shall be parked for such purpose more than ten (10) minutes unless a permit therefore be first obtained from the Police Chief.

16. Adjacent to Schools. When official signs are erected indicating no parking upon that side of a street adjacent to any school property as authorized by resolution of the Council, no person shall park a vehicle in any such designated place.

17. Ramps. In front of a curb cut or ramp which is located on public or private property in a manner which blocks access to the curb cut or ramp.

(Code of Iowa, Sec. 321.358[15])

69.07 PERSONS WITH DISABILITIES PARKING. The following regulations shall apply to the establishment and use of disabilities parking spaces:

1. Nonresidential Off-street Facilities. Nonresidential off-street parking facilities shall set aside persons with disabilities parking spaces in accordance with the following:

A. Municipal off-street public parking facilities or an entity providing nonresidential

Parking in off-street public parking facilities shall provide not less than two percent (2%) of the total parking spaces in each parking facility as persons with disabilities parking spaces, rounded to the nearest whole number of persons with disabilities parking spaces. However, such parking facilities having ten (10) or more parking spaces shall set aside at least one persons with disabilities parking space.

(Code of Iowa, Sec. 321L.5[3a])

B. An entity providing off-street nonresidential public parking facilities shall review the utilization of existing persons with disabilities parking spaces for a one-month period not less than once every twelve months. If upon review, the average occupancy rate for persons with disabilities parking spaces in a facility exceeds sixty percent (60%) during normal business hours, the entity shall provide additional persons with disabilities parking spaces as needed.

(Code of Iowa, Sec. 321L.5[3b])

C. An entity providing off-street nonresidential parking as a lessor shall provide a persons with disabilities parking space to an individual requesting to lease a parking space, if that individual possesses a persons with disabilities parking permit issued in accordance with Section 321.L5[3c])

D. A new nonresidential facility in which construction has been completed on or after July 1, 1991, providing parking to the general public shall provide persons with disabilities parking spaces as stipulated below:

<u>TOTAL PARKING SPACE IN LOT</u>	<u>REQUIRED MINIMUM NUMBER OF PERSONS WITH DISABILITIES PARKING SPACES</u>
10 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	*
1001 and over	**

* TWO PERCENT (2%) OF TOTAL

** 20 SPACES PLUS 1 FOR EACH 100 OVER 1000

(Code of Iowa, Sec. 321L.5[3d])

2. Residential Buildings and Facilities. All public and private buildings and facilities, temporary and permanent, which are residences and which provide ten (10) or more tenant parking spaces, excluding extended health care facilities, shall designate at least one persons with disabilities parking space as needed for each individual dwelling unit in which a person with a disability resides. Residential buildings and facilities which provide public visitor parking of ten or more spaces shall designate persons with disabilities parking spaces in the visitor's parking area in accordance with the table contained in subsection (1) (D) of this section.

(IAC, 661-18.7[321L])

3. Business District. With respect to any on-street parking areas provided by the City within the business district, not less than two percent (2%) of the total parking spaces within each business district shall be designated as persons with disabilities parking spaces.

(Code of Iowa, Sec. 321L.5[4a])

4. Other Spaces. Any other person may set aside persons with disabilities parking spaces on the person's property provided each parking space is clearly and prominently designated as a persons with disabilities parking space. No unauthorized person shall establish any on-street persons with disabilities parking space without first obtaining Council approval.

(Code of Iowa, Sec. 321L.5[3e])

CODE OF ORDINANCES, WEBSTER CITY, IOWA

- 204 -

CHAPTER 69

WEBSTER CITY, IOWA

5. Improper Use. The following uses of a persons with disabilities parking space, located on either public or private property, constitute improper use of a persons with disabilities parking permit, which is a violation of this Code of Ordinances:

(Code of Iowa, Sec. 3211.4[2])

- A. Use by an operator of a vehicle not displaying a persons with disabilities parking permit;
- B. Use by an operator of a vehicle displaying a persons with disabilities parking permit but not being used by a person issued a permit or being transported in accordance with Section 321L.2[1b] of the Code of Iowa;
- C. Use by a vehicle in violation of the rules adopted under Section 321L.8 of the Code of Iowa.

6. Wheelchair Parking Cones. No person shall use or interfere with a wheelchair parking in violation of the following:

- A. A person issued a persons with disabilities parking permit must comply with the Requirements of Section 321L.2A(1) of the Code of Iowa when utilizing a wheelchair parking cone.
- B. A person shall not interfere with a wheelchair parking cone which is properly placed under the provisions of Section 321L.2A(1) of the Code of Iowa.
(Subsections 5 & 6 – Ord. 1555-Nov. 00 Supp.)

69.08 NO PARKING ZONES. No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal.

(Code of Iowa, Sec. 321.236[1])

34. Bank Street on both sides from Fair Avenue to West Avenue;

117. Bank Street on the north side from 80 feet east of Des Moines Street to 145 feet east of Des Moines Street.
(Ord. 2003-1599-June 03 Supp.)

59. Bank Street on the south side from Beach Street to Fair Avenue;

45. Bank Street on the south side from Prospect Street to Beach Street;

112. Bank Street on the south side from Seneca Street east 75 feet.
(Ord. 96-1484-June 97 Supp.)

11. Beach Street on both sides from Second Street to south City limit;

95. Boone Street on the north side from Mary Lane to Broadway Street.

CODE OF ORDINANCES, WEBSTER CITY, IOWA

- 205 -

WEBSTER CITY, IOWA

CHAPTER 69

- 48. Brewer Street on the south side from Des Moines Street to Willson Street;
- 20. Broadway Street on both sides from Second Street to 35 feet south of Second Street;
- 111. Broadway Street on both sides from Second Street to Third Street.
(Subsections 86-111-Ord. 96-1477-Dec. 96 Supp.)
- 6. Broadway Street on the east side from Second Street to alley north of Second Street.
- 21. Broadway Street on the west side from Second Street to 35 feet north of Second Street.
- 49. Broadway Street on the west side from Second Street to Ohio Street;
- 7. Broadway Street on the west side from Second Street to Third Street
- 105. Clark Street on the north side from Funk Street to Grove Street.
- 69. Closz Drive on both sides from Millards Lane to Superior Street (Iowa Highway No. 17);
- 80. Collins Street from College Street to Shashi Drive;
- 70. Darren Avenue on both sides from Industrial Park Road to James Street;
- 8. Des Moines Street on both sides from I.C. Railroad to Hillcrest Drive;
- 35. Des Moines Street on the east side from Bank Street to 40 feet north of Bank Street;
- 27. Des Moines Street on the east side from Brewer Street to Brewer Creek Bridge;
- 37. Des Moines Street on the east side from First Street to 75 feet south of First Street;
- 28. Des Moines Street on the east side from Ohio Street to 230 feet south of Ohio Street;
(Amended by Ordinance No. 90-1369)
- 36. Des Moines Street on the east side from Second Street to 50 feet south of Second Street;
- 115. Des Moines Street on the west side from Elm Street to fifty (50) feet north of Elm Street.
(Ord. 2002-1584-July 02 Supp.)
- 58. Des Moines Street on the west side from Elm Street to Ohio Street;
- 26. Des Moines Street on the west side from Ohio Street to Brewer Street;

CODE OF ORDINANCES, WEBSTER CITY, IOWA

- 206 -

WEBSTER CITY, IOWA

CHAPTER 69

30. Division Street on the north side from 90 feet east of Des Moines Street to 200 feet west of Seneca Street;
55. Division Street on the north side from Prospect Street to Beach Street;
33. Division Street on the north side from Prospect Street to Des Moines Street;
31. Division Street on the north side from Seneca Street to Superior Street;
84. Division Street on the south side from Superior Street to a point 115 feet west; (Ord. 95-1457)
40. Division Street, on the north side, from Seneca Street to seventy-five (75) feet west of Seneca Street;
9. Division Street, on the south side, from Des Moines Street west 131 feet;
(Ord. 2001-1571 – Dec. 01 Supp.)
10. Division Street, on the south side, from Seneca Street west 130 feet;
114. Dubuque Street on the north side from the west line of the 600 block, as vacated,
to a point 100 feet east. (Ord. 99-1535-Aug. 99 Supp.)
100. Dubuque Street on the south side from Des Moines Street to Seneca Street.
118. Elm Street on the North side from Lynx Avenue to 30 fgeet east of Lynx Avenue. (Ord 2004-1618 Jun. 04 Supp.)
50. Elm Street on the south side from Lynx Avenue to River Street;
64. Elm Street on the south side from the west line of Willson Avenue west 198 feet;
25. Fair Avenue on both sides from Division Street to Bank Street;
88. Fairmeadow Drive on the north side from Des Moines Street to North Terrace Drive;
103. First Street on the south side from Beach Street to West Avenue.
46. First Street on the south side from Prospect Street to Beach Street;
29. First Street on the south side from Seneca Street to Superior Street;

CHAPTER 69

WEBSTER CITY, IOWA

- 83. First Street on the south side from Superior Street to Union Street; (Ord. 95-1441)
- 17. Funk Street on both sides from Second Street to 35 feet north of Second Street;
- 16. Funk Street on both sides from Second Street to 35 feet south of Second Street;
- 109. Funk Street on the east side from James Street to John Street.
- 104. Funk Street on the west side from Second Street to Clark Street.
- 18. Grove Street on both sides from Second Street to 35 feet north of Second Street;
- 19. Grove Street on both sides from Second Street to 35 feet south of Second Street;
- 65. Grove Street on both sides, from Second Street north to the alley;
- 66. Grove Street on the east side from First Street north to the alley;
- 98. Grove Street on the east side from Ohio Street to Second Street.
- 87. Highland Drive on the west side;
- 110. Hillcrest Drive on both sides from Des Moines Street to Lincoln Drive.
- 71. Industrial Park Road on both sides from 120 feet west of Darren Avenue east;
- 43. James Street on both sides from Overpass Drive to west corporate limit;
- 108. John Street on the north side from Funk Street to Wood Street.
- 116. Locust Street on the north side from Beach Street to one hundred (100) feet west of Beach Street. (Ord. 2003-1590-Feb. 03 Supp.)
- 90. Maple Avenue on the east side from Willow to north end of concrete.
- 63. Marvel Street on both sides from Second Street west;
- 97. Mary Lane on the north side from Sunset Drive to Easy Street with an area from Sunset Drive to 270 feet west of Sunset Drive to be designated for school bus parking only; Mary Lane on the south side from Sunset Drive to 265 feet west of Sunset Drive.(Ord. 2004-1619)
- 61. Oak Avenue on the west side from Willow Street to Second Street;

79. Odell Street on the south side from Prospect Street to Des Moines Street;
113. Odell Street on the south side from the west curb line of Des Moines Street west 75 feet. (Ord. 98-1518-June 98 Supp.)
47. Ohio Street on the south side from Beach Street to Superior Street;
42. Overpass Drive on both sides from Fair Avenue to James Street;
52. Park Avenue on the east side from Lyons Creek Bridge to Second Street;
22. Prospect Street on both sides from Second Street to 35 feet south of Second Street;
68. Prospect Street on the east side between Stockdale Street and the Chicago Central and Pacific Railroad tracks;
32. Prospect Street on the east side from Bank Street to Walnut Street;
92. Prospect Street on the east side from Ohio Street to Webster Street.
82. Prospect Street on the east side from the Chicago Central and Pacific Railroad to Odell Street; (Ord. 93-1425)
77. Prospect Street on the east side of the 700 block from the north line of the alley north twelve feet;
23. Prospect Street on the west side from Second Street north 120 feet and on the east side from Second Street to 35 feet north of Second Street;
41. Repealed by Ordinance 92-1389
86. (REPEALED BY ORDINANCE NO. 96-1493)
39. Second Street from the west line of Park Avenue to the east corporate limit; from the west line of Union Street to the east line of River Street and on the Boone River Bridge;
38. Second Street from the west line of Prospect Street to the west corporate limit, except that parking on the south side of Second Street from three hundred (300) feet west of Fair Street to West Avenue shall be permitted;
24. Second Street on the north side from Seneca Street to Superior Street;
1. Second Street on the south side from Des Moines Street to 25 feet east of Des Moines Street;

CODE OF ORDINANCES, WEBSTER CITY, IOWA

- 209 -

CHAPTER 69

WEBSTER CITY, IOWA

12. Seneca Street on both sides from C & NW Railroad to alley north of C & NW Railroad;
2. Seneca Street on the east side from Bank Street to 20 feet south of Bank Street;
76. Seneca Street on the east side from Chicago and Northwestern Railroad tracks to the Chicago, Central and Pacific Railroad tracks;
56. Seneca Street on the west side from Bank Street to Water Street;
81. Shashi Drive from Collins south;
62. South Street on the north side from Des Moines Street to Rodlyn Road;
89. South Street on the north side from Rodlyn Road to North Terrace Drive.
94. Sparboe Court on the west side from Ohio Street to Cedar Street.
96. Sunset Drive on the west side from Ohio Street to Mary Lane.
13. Superior Street on both sides from Second Street to south City limit;
73. Superior Street on both sides from Second Street to Third Street;
85. Superior Street on the east side from Third Street north to the alley; (Ord. 95-1457)
78. Tasler Drive on the north side from Clark Mollenhoff east; (Ord. 96-1472)
72. Third Street on both sides from Superior Street to Des Moines Street;
53. Third Street on the north side from Broadway Street to Grove Street;
106. Third Street on the north side from Grove Street to Fair Avenue.
74. Third Street on the north side from White Fox Road to Superior Street;
91. Wall Street on the north side from Beach Street to west end of concrete.
119. Walnut Street on the north and south side from Lynx Avenue to 30 feet east of Lynx Avenue (Ord. 2004-1618 Jun. 04 Supp.)
51. Walnut Street on the south side from Beach Street to Superior Street;
101. Water Street on the north side from Des Moines Street to Superior Street.

CODE OF ORDINANCES, WEBSTER CITY, IOWA

-210-

CHAPTER 69

PARKING REGULATIONS

99. Water Street on the south side from Broadway Street to Beach Street.
54. Water Street on the south side from Prospect Street to Broadway Street;
Supp. Sep-97
75. Water Street on the south side from Union Street to River Street;
93. Wauneta Court on the west side from Ohio Street to Webster Street.
67. Webster Street on the south side from Superior Street to Seneca Street;
3. West Avenue on both sides from Bank Street to First Street;
44. White Fox Road from the Chicago, Central and Pacific Railroad underpass to the north corporate limit;
5. Willson Avenue on the east side from Elm Street to 25 feet north of Elm Street;
4. Willson Avenue on the east side from Elm Street to 25 feet south of Elm Street;
60. Willson Avenue on the east side from Water Street to Ohio Street;
57. Willson Avenue on the west side from Ohio Street to Brewer Street;
15. Wood Street on both sides from Second Street to 35 feet north of Second Street;
14. Wood Street on both sides from Second Street to 35 feet south of Second Street;
107. Wood Street on the west side from John Street to James Street.
102. Woolsey Avenue on the east side from Second Street to Bank Street.

69.09 ALL NIGHT PARKING PROHIBITED. No person, except physicians or other persons on emergency calls, shall park a vehicle on any of the following named streets for a period of time longer than thirty (30) minutes between the hours of two o'clock (2:00) a.m. and six o'clock (6:00) a.m. of any day.

(Code of Iowa, Sec. 321.236 [1])

1. Second Street from Union to Seneca Street;
2. Seneca Street from Chicago Northwestern Railroad to Bank Street;

CODE OF ORDINANCES, WEBSTER CITY, IOWA

-211-

CHAPTER 69

PARKING REGULATIONS

3. Des Moines Street from Chicago Northwestern Railroad to Division Street;
4. Willson Avenue from Chicago Northwestern Railroad to Bank Street;
5. First Street from Prospect Street to Superior Street;
6. Second Street from Seneca Street to Propsect Street.
7. 600 Block North alley parking lot except along the north single row (north 25 feet);
8. 600 Block First Street parking lot except the east half;
(Ord. 97-1496-Sept. 97 Supp.)
9. Both sides of Bank Street from Superior Street to Union Street.
10. 500 Block North Alley parking lot except along the north side;
11. 500 Block First Street parking lot except along the south single row (south 25 feet);
12. Prospect Street from First Street to Second Street;
13. 700 Block North Alley parking lot except along the north single row (north 25 feet);
14. Bank Street, on both sides between Superior and Seneca Street;
15. 700 Block First Street parking lot except along the south and west sides;
(Ord. 2004-1615 – Apr. 04 Supp.)
16. 400 Bank Street parking lot.(Amended by Ordinance No. 96-1459)

69.10 TRUCK PARKING LIMITED. No person shall park a motor truck, semi-trailer, or other motor vehicle with trailer attached in violation of the following regulations. The provisions of this section shall not apply to pickup, light delivery or panel delivery trucks.

(Code of Iowa, Sec. 321.236 [1])

1. Residential Streets. Excepting only when such vehicles are actually engaged in the delivery or receiving of merchandise or cargo, no person shall park or leave unattended such vehicle having a gross weight in excess of five (5) tons, on any of the following designated streets. When actually receiving or delivering merchandise or cargo such vehicle shall be stopped or parked in a manner which will not interfere with other traffic.

A. Ohio Street, from Beach Street to Seneca Street;

CODE OF ORDINANCES, WEBSTER CITY, IOWA

-212-

CHAPTER 69

PARKING REGULATIONS

B. Walnut Street, from Beach Street to Seneca Street;

C. Elm Street, from Beach Street to Seneca Street;

D. Bank Street, from Beach Street to Seneca Street;

E. Division Street, from Beach Street to Seneca Street.

F. First Street, from Beach Street to Seneca Street.

2. Excess Width. When signs are erected in each block giving notice thereof no person shall stop, stand or park a vehicle over seven (7) feet wide within the following districts or upon the following streets:

A. First Street, from Seneca Street to Prospect Street;

B. Second Street, from Union Street to Prospect Street;

C. Prospect Street, from Division Street to Second Street;

D. Division Street, from Seneca Street to Prospect Street;

E. All public parking lots except as otherwise posted.

3. Over 4 Tons. No person shall park a truck which has a gross weight in excess of four (4) tons on any City Street except for the purpose of making a delivery.

69.11 PARKING LIMITED TO FIVE MINUTES. It is unlawful to park any vehicle for a continuous period of more than five (5) minutes between the hours of eight o'clock (8:00) a.m. and six o'clock (6:00) p.m. on each weekday except holidays upon the following designated streets:

1. Des Moines Street, on the east side, from a point 22 feet north of First Street to a point 44 feet north of First Street;

2. Willson Avenue, on the west side, from a point 60 feet north of Elm Street to a point 110 feet north of Elm Street;

3. Des Moines Street, on the east side, from the alley between First Street and Division Street to fifty (50) feet north of the alley.

4. Repealed by Ordinance No. 92-1388.

5. Willson Avenue, on the west side, from the alley between Second Street and First Street to fifty (50) feet north of the alley, said five (5) minutes parking to be after six o'clock (6:00) p.m., rather than between eight o'clock (8:00) a.m. and six o'clock (6:00) p.m. as stated in the first paragraph of this section.

(Amended by Ordinance No. 1371)

CHAPTER 69

PARKING REGULATIONS

6. Second Street, on the north side, in front of 739 Second Street, from a point 110 feet east of Prospect Street to a point 130 feet east of Prospect Street.
(Ord. 92-1394-Jun. 92 Supp.)
7. Second Street, on the south side, from a point 150 feet east of Superior Street to a point 175 feet east of Superior Street.
(Ord. 2001-1570 – Nov.-01 Supp.)

69.12 PARKING LIMITED TO FIFTEEN MINUTES. It shall be unlawful to park any vehicle for a continuous period of more than fifteen (15) minutes between the hours of eight o'clock (8:00) a.m. and six o'clock (6:00) p.m. on each weekday except holidays upon the following designated streets:

1. Second Street, on the south side of the 400 Block.

69.13 PARKING LIMITED TO TWO HOURS. It shall be unlawful to park any vehicle for a continuous period of more than two (2) hours between the hours of nine o'clock (9:00) a.m. and six o'clock (6:00) p.m. on each week day upon the following designated streets:

(Code of Iowa, Sec. 321.236[1])

1. Second Street, on both sides, from Seneca Street to Prospect Street;
2. First Street, on both sides, from Seneca Street to Des Moines Street;
(Ord. 96-1459-Mar. 96 Supp.)
3. Des Moines Street, on both sides, from the Chicago and Northwestern Railroad to Bank Street.
4. Willson Avenue, on both sides, from the Chicago and Northwestern Railroad to Bank Street.
5. Seneca Street, on both sides, from the Chicago and Northwestern Railroad to Bank Street.

69.13 PARKING LIMITED TO FOUR HOURS. It shall be unlawful to park any vehicle for a continuous period of more than four (4) hours between the hours of eight o'clock (8:00) a.m. and five o'clock (5:00) p.m. on each weekday except holidays in the following designated areas:

1. Municipal Parking located in the 600 Block North Parking Lot – south two rows, commonly referred to as the center section.
2. Municipal parking located in the 500 Block north parking lot – south two rows, commonly referred to as the center section.

CODE OF ORDINANCES, WEBSTER CITY, IOWA

-215-

CHAPTER 69

PARKING REGULATIONS

3. Municipal Parking located in the 700 block north parking lot – south two rows, commonly Referred to as the center section.

(Ord. 96-1459 – Mar. 96 Supp.)

4. Municipal Parking located in the 500 block north parking lot – the east three hundred (300) feet of the north row.

(Ord. 2000-1544 – Jun. 00 Supp.)

69.15 PARKING LIMITED TO EIGHT HOURS. It shall be unlawful to park any vehicle for a continuous period of more than eight (8) hours between the hours of nine o'clock (9:00) a.m. and six o'clock (6:00) p.m. on each weekday except holidays in the following designated areas:

1. First Street from Des Moines Street to Prospect Street.

2. Municipal Parking located in the 400 First Street block.

3. 600 Block First Street parking lot except the west half.

(Ord. 97-1496 – Sep. 97 Supp.)

4. 500 Block First Street Parking lot except along the south single row (south 25 feet).

5. 700 Block First Street parking lot.

6. 400 Block Bank Street parking lot.

7. Bank Street, on the north side, between Superior and Seneca Street.

8. First Street, from Des Moines Street to Prospect Street.

(Ord. 96-1459 – Mar. 96 Supp.)

69.16 PARKING LIMITED TO SEVENTY-TWO HOURS. It shall be unlawful for any person or Corporation to let stand, remain or park any motor vehicle or any nonmotorized vehicle, including trailers, whether capable of functioning or not, upon the public highways, streets, avenues, alleys, or City owned parking lot for a continuous period exceeding seventy-two (72) hours. Vehicles violating this section may be ticketed and/or towed at the owner's expense. It is the intent and purpose of this section to prevent congestion on the streets of the City due to the parking of vehicles for an unreasonable length of time. Mere transfer of position of the vehicle from one parking space to another in the vicinity shall not circumvent application to this section.

(Ord. 97-1504-Dec. 97 Supp.)

CODE OF ORDINANCES, WEBSTER CITY, IOWA

- 216-

CHAPTER 69

PARKING REGULATIONS

69.17 SNOW REMOVAL. No person shall park, abandon or leave unattended any vehicle on any public street, alley, or City-owned off-street parking area except in accordance with the following regulations:

1. Business District. During snow removal operations in the Business District, no vehicles shall be parked on the public streets or public parking lots in the vicinity of such operations, as the same may be posted with emergency “no parking” signs by order of the City Manager.
2. (Repealed by Ord. 97-1505 – Dec. 97 Supp.)

69.18 FIRE LANES. No person shall stop, stand or park a vehicle in a fire lane as provided herein.
(Code of Iowa, Sec. 321.235)

1. Fire Lanes Established. The Fire Chief may designate fire lanes on any private road or driveway where deemed necessary to assure access to property or premises by authorized emergency vehicles.
2. Signs and Markings. Wherever a fire lane has been designated, the City Manager shall cause appropriate signs and markings to be placed identifying such fire lanes and the parking prohibition established by this section.
3. Exception. The provisions of this section shall not apply to authorized emergency vehicles.

69.19 PARKING ON THE PARKING. No person shall stand or park a vehicle upon the parking or terrace, designated as that area between the curb line and the sidewalk line, unless such person has a special permit authorizing such parking. Application for a special parking permit shall be made to the Police Chief, who shall issue the permit if in the Chief’s opinion such parking will not endanger or hinder traffic or seriously affect the condition of the parking. The Police Chief may at any time revoke such permit by notice thereof by certified mail to the permit holder and such revocation shall be final.

69.20 EMERGENCY PARKING. At the discretion of the Police Chief, special emergency parking permits may be issued for periods of time not to exceed twenty-four (24) hours. Such permits shall be renewable so long as the emergency continues upon daily application to the Police Chief.

69.21 RECREATIONAL VEHICLES. It shall be unlawful to park a camping trailer, boat trailer or utility trailer on any public street, alley or place for a period of time in excess of twenty-four (24) hours.

CODE OF ORDINANCES, WEBSTER CITY, IOWA

-217-

CHAPTER 69

PARKING REGULATIONS

69.22 PARKING FOR SPECIAL PURPOSES IN DESIGNATED AREAS. Parking for special purposes is provided in designated areas as follows:

1. The east fifty (50) feet of the Municipal Parking Lot in the 400 Block First Street Parking Lot, for City Hall employees only, from seven-thirty (7:30) a.m. to five-thirty (5:30) p.m. Monday through Friday.

69.23 PARKING SIGNS REQUIRED. Whenever by this chapter or any other section of the Code of Ordinances any parking time limit is imposed or parking is prohibited on designated streets or portions of streets it shall be the duty of the City Manager to erect or cause to be erected

appropriate signs giving notice thereof and no such regulations shall be effective unless signs are erected and in place at the time of any alleged offense. When the signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs.

(Code of Iowa, Sec. 321.255 & 321.256)

69.24 HANDICAPPED PARKING REVIEW COMMITTEE. (Repealed by Ordinance No. 2003-1607 – Oct. 03 Supp.)

[THE NEXT PAGE IS 225]

CODE OF ORDINANCES, WEBSTER CITY, IOWA
-218-

WEBSTER CITY, IOWA

* * * * *

Copyright Iowa Codification, Inc.
-219-

WEBSTER CITY, IOWA

* * * * *

WEBSTER CITY, IOWA

* * * * *

Copyright Iowa Codification, Inc.

-221-

WEBSTER CITY, IOWA

* * * * *

WEBSTER CITY, IOWA

* * * * *

WEBSTER CITY, IOWA

* * * * *

CHAPTER 70

PARKING OF VEHICLES

70.01 General Application
70.02 Declaration
70.03 Public Notification
70.04 Prohibited Parking

70.05 Appropriate Signs
70.06 Period in Effect
70.07 Removal of Parked or Unattended
Vehicles
70.08 Termination

70.01 GENERAL APPLICATION. The provision of this chapter prohibiting the standing or parking of vehicles on designated streets or parts of streets during an emergency shall apply when an emergency declaration has been issued by the Mayor, City Manager, Police Chief, Street Superintendent or designee. (Ord. 97-1485-Jun. 97 Supp.)

70.02 DECLARATION. Whenever snow, freezing rain, sleet, snowdrifts or other natural phenomena create or are likely to create hazardous road conditions or road conditions impeding or likely to impede the free movement of fire, health, police, emergency or other vehicular traffic vital to the health, safety and welfare of the community, the Mayor, City Manager, Police Chief or Street Superintendent shall have the authority to declare an emergency when needed. In the absence of the Mayor, City Manager, Police Chief or Street Superintendent, his/her designee shall have the authority to declare an emergency. (Ord. 97-1485-Jun. 97 Supp.)

70.03 PUBLIC NOTIFICATION. The City Manager shall request the cooperation of a local radio station to announce the declaration of an emergency. The provisions of this chapter prohibiting parking on streets except as noted in Section 70.04 shall be effective at a specific time to be stated in the announcement not less than two hours after the initial announcement of said emergency by a local radio station, or upon publication of said declaration in a daily newspaper published in the City, or displayed on government access television (known as Cable Channel 12), and such notice shall constitute notice to the general public of the declaration of the emergency.

70.04 PROHIBITED PARKING. After the time specified in the declaration of an emergency, it is unlawful and a violation of this chapter for any person to park or otherwise leave unattended any vehicle upon any street or portion thereof, except the streets and parking lots located in the central business district described as the area between Prospect Street and Superior Street and between Bank Street and the Chicago and Northwestern Railroad Company tracks.

CODE OF ORDINANCES, WEBSTER CITY, IOWA

-225-

CHAPTER 70

PARKING OF VEHICLES

Parking may be allowed on any City street after both sides of the street have been completely plowed or the declared emergency has been removed. (Ord. 98-1509-Feb. 98 Supp.)

70.05 APPROPRIATE SIGNS. The provisions of this chapter shall be in full force and effect throughout the City when signs are posted on primary or secondary roads at or near their points of intersection with the corporate boundaries of the City stating "NO ON-STREET PARKING DURING DECLARED EMERGENCY."

70.06 PERIOD IN EFFECT. The provisions of this chapter shall be in effect and shall supersede all other parking regulations relating to parking on public streets until emergency declaration is terminated.

70.07 REMOVAL OF PARKED OR UNATTENDED VEHICLES. Any vehicle parked or otherwise left unattended in violation of any of the provisions of this chapter is declared to be a nuisance per se and will be ticketed and removed by the City by means of towing or otherwise. Any removal and resulting storage of such vehicle shall be at the expense of the owner or operator thereof.

70.08 TERMINATION. Whenever the Mayor, City Manager, Police Chief, Street Superintendent or designee shall find that the conditions which gave rise to the emergency no longer exists, he/she is authorized to declare the termination of the emergency, in whole or in part, effective immediately upon announcement. When the emergency is terminated it shall be lawful to park on those streets in accordance with the regular parking regulations of this title. The City Manager shall request the cooperation of the local press and radio station to announce the termination of the emergency. (Ord. 97-1485-Jun. 97 Supp.)

[The next page is 229]

CODE OF ORDINANCES, WEBSTER CITY, IOWA

-226-

CHAPTER 71

ENFORCEMENT PROCEDURES

71.01 Arrest or Citation	71.04 Parking Violations: Vehicle Unattended
71.02 Scheduled Violations	71.05 Presumption in Reference to Illegal Parking
71.03 Parking Violations: Alternate	71.06 Impounding Vehicles

71.01 ARREST OR CITATION. Whenever a peace officer has reasonable cause to believe that a person has violated any provision of the Traffic Code, such officer may:

1. Immediate Arrest. Immediately arrest such person and take such person before a local magistrate, or
2. Issue Citation. Without arresting the person, prepare in quintuplicate a combined traffic citation and complaint as adopted by the Iowa Commissioner of Public Safety and deliver the original and a copy to the court where the defendant is to appear, two copies to the defendant and retain the fifth copy for the records of the City.

(Code of Iowa, Sec. 805.6 & 805.8A)

71.02 SCHEDULED VIOLATIONS. For violations of the Traffic Code which are designated by Section 805.8 of the Code of Iowa to be scheduled violations, the scheduled fine for each of those violations shall be as specified in Section 805.8 of the Code of Iowa.

(Code of Iowa, Sec. 805.8 & 805.8A)

71.03 PARKING VIOLATIONS: ALTERNATE. Admitted violations of parking restrictions imposed by this Code of Ordinances may be charged upon a simple notice of a fine payable at the office of the City Clerk. The simple notice of a fine shall be in the amount of fifteen dollars (\$15.00) for all violations except parking violations during declared emergency and improper use of a persons with disabilities parking permit. The simple notice of a fine for parking violations during declared emergency is twenty-five dollars (\$25.00), and the simple notice of a fine for improper use of a persons with disabilities parking permit is one hundred dollars (\$100.00). Failure to pay the simple notice of a fine shall be grounds for the filing of a complaint in District Court.

(Ord. 2003-1605 – Sep. 03 Supp.)

(Code of Iowa, Sec. 321.236[1a] & 321L.4[2])

CODE OF ORDINANCES, WEBSTER CITY, IOWA

-229-

CHAPTER 71

ENFORCEMENT PROCEDURES

71.04 PARKING VIOLATIONS: VEHICLE UNATTENDED. When a vehicle is parked in violation of any provision of the Traffic Code, and the driver is not present, the notice of fine or citation as herein provided shall be attached to the vehicle in a conspicuous place.

71.05 PRESUMPTION IN REFERENCE TO ILLEGAL PARKING. In any proceeding charging a standing or parking violation, a prima facie presumption that the registered owner was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred, shall be raised by proof that:

1. Described Vehicle. The particular vehicle described in the information was parked in violation of this chapter, and
2. Registered Owner. The defendant named in the information was the registered owner at the time in question.

71.06 IMPOUNDING VEHICLES. A peace officer is hereby authorized to remove, or cause to be removed, a vehicle from a street, public alley, public parking lot or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the City, under the circumstances hereinafter enumerated:

1. Disabled Vehicle. When a vehicle is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.

(Code of Iowa, Sec. 321.236 [1])

2. Illegally Parked Vehicle. When any vehicle is left unattended and is so illegally parked as to constitute a definite hazard or obstruction to the normal movement of traffic.

(Code of Iowa, Sec. 321.236 [1])

3. Snow Removal. When any vehicle is left parked in violation of a ban on parking during snow removal operations.

4. Parked Over Seventy-two Hour Period. When any vehicle is left parked for a continuous period of seventy-two (72) hours or more. A diligent effort shall first be made to locate the owner. If the owner is found, the owner shall be given an opportunity to remove the vehicle.

(Code of Iowa, Sec. 321.236[1])

CODE OF ORDINANCES, WEBSTER CITY, IOWA

-230-

WEBSTER CITY, IOWA

CHAPTER 71

5. Costs. In addition to the standard penalties provided, the owner or driver of any vehicle impounded for the violation of any of the provisions of this chapter shall be required to pay the reasonable cost of towing and storage.

(Code of Iowa, Sec. 321.236 [1])

Copyright Iowa Codification, Inc.

-231-

WEBSTER CITY, IOWA

* * * * *

Copyright Iowa Codification, Inc.

-232-

WEBSTER CITY, IOWA

* * * * *

Copyright Iowa Codification, Inc.

- 233-

WEBSTER CITY, IOWA

* * * * *

Copyright Iowa Codification, Inc.

- 234 -

WEBSTER CITY, IOWA

* * * * *

Iowa Codification Copyright, Inc.
- 235 -

WEBSTER CITY, IOWA

* * * * *

TITLE II – COMMUNITY PROTECTION
DIVISION 2 – ENFORCEMENT: RECREATIONAL VEHICLES

CHAPTER 75
BICYCLE REGULATIONS

75.01 Definitions	75.12 Motor Vehicles Restricted
75.02 Applicability	75.13 Speed. Operation to be Reasonable
75.03 Parents, Guardians Authorizing Violations Prohibited	75.14 Emerging From Alley, Driveway, Building
75.04 Compliance by Operators	75.15 Clinging to Vehicles
75.05 Applicability of Traffic Laws	75.16 Carrying Articles
75.06 Obedience to Traffic Control Devices	75.17 Riding on Sidewalks
75.07 Turning Regulations	75.18 Right-of-Way of Pedestrians on Sidewalks
75.08 Operator To Be on Seat	75.19 Equipment
75.09 Number of Passengers	75.20 Scheduled Fine
75.10 Ride to Right	
75.11 Single File	

75.01 DEFINITIONS. For use in this chapter, the following terms are defined:

1. “Bicycle” includes every device propelled by human power upon which any person may ride, having two or more wheels of sixteen inches (16”) or more in diameter.
2. “Child” includes all persons sixteen (16) years of age or less.
3. “Owner” includes minors who have the use and control of a bicycle with the knowledge and consent of their parents or guardians.
4. “Rollerblades/Rollerskates” and “Skateboards” includes every device propelled by human power upon which any person may ride, having two or more wheels of less than sixteen inches (16”) in diameter. (Added by Ordinance No. 97-1488)

75.02 APPLICABILITY. The provisions of this chapter applicable to bicycles apply whenever a bicycle is operated upon any street, sidewalk or public way or path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

(Code of Iowa, Sec. 321.236[10])

75.03 PARENTS, GUARDIANS AUTHORIZING VIOLATIONS PROHIBITED. It is unlawful for the parent of any child or the guardian of any ward to authorize or knowingly permit any child or ward to violate any of the provisions of this chapter.

75.04 COMPLIANCE BY OPERATORS. Every person operating a bicycle other than his or her own shall conform to all provisions of this chapter and shall be punished as provided herein for any violation thereof.

75.05 APPLICABILITY OF TRAFFIC LAWS. Every person riding a bicycle upon a roadway is granted all the rights and is subject to all the duties applicable to the driver of a vehicle by the laws of the State declaring rules of the road applicable to vehicles or by the traffic ordinances of the City applicable to the driver of a vehicle, except as to special regulations in this chapter and except as to those provisions of laws and ordinances which by their nature can have no application.

(Code of Iowa, Sec. 321.234)

75.06 OBEDIENCE TO TRAFFIC CONTROL DEVICES. Any person operating a bicycle shall obey the instructions of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a peace officer.

75.07 TURNING REGULATIONS. Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

75.08 OPERATOR TO BE ON SEAT. A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.

75.09 NUMBER OF PASSENGERS. No bicycle shall be used to carry more than one person unless equipped with a seat for each person carried.

(Code of Iowa, Sec. 321.236[10])

75.10 RIDE TO RIGHT. Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

75.11 SINGLE FILE. Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles and should ride single file when traffic is heavy.

(Code of Iowa, Sec. 321.236[10])

75.12 MOTOR VEHICLES RESTRICTED. No persons shall operate any motor vehicle, including a motorcycle, motor scooter or a “mo-ped” or motorized bicycle when under power, upon any sidewalk, bike path painted on a roadway.

75.13 SPEED, OPERATION TO BE REASONABLE. No person shall operate a bicycle at a speed greater than or in a manner other than is reasonable and prudent under the conditions then existing.

75.14 EMERGING FROM ALLEY, DRIVEWAY, BUILDING. The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

75.15 CLINGING TO VEHICLES. No person riding upon any bicycle shall attach the same or himself or herself to any vehicle upon a roadway.

75.16 CARRYING ARTICLES. No person operating a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handlebars.

75.17 RIDING ON SIDEWALKS. It is unlawful for any person to ride or operate a bicycle, skateboard or rollerblades/rollerskates upon any sidewalk on the following streets:

1. Second Street from Superior Street to Prospect Street;
2. Des Moines Street from Second Street to Division Street;
3. Willson Avenue from Second Street to Division Street;
4. Seneca Street from Second Street to Division Street.

(Amended by Ordinance No. 97-1488)

75.18 RIGHT-OF-WAY OF PEDESTRIANS ON SIDEWALKS. Whenever any person is riding a bicycle, skateboard, or rollerblades/rollerskates upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing any such pedestrian. (Amended by Ordinance No. 97-1488)

Supp. Jun-97

75.19 EQUIPMENT. The following equipment shall be required:

1. Lamps and Reflectors. Every bicycle when in use during the hours from sunset to sunrise shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector or lamp on the rear which shall be visible three hundred (300) feet to the rear when directly in front of lawful upper beams of head lamps on motor vehicles.
2. Signal Device. No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100) feet, except that a bicycle shall not be equipped with nor shall any persons use upon a bicycle any siren or whistle.
3. Brakes. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level and clean pavement.

75.20 SCHEDULED FINE. The scheduled fine for bicyclists violating these regulations is ten dollars (\$10.00).

(Code of Iowa, Sec. 805.8[2j])

Supp. Jun-97

Copyright Iowa Codification, Inc.
- 240 -

WEBSTER CITY, IOWA

* * * * *

Copyright Iowa Codification, Inc.

- 241 -

WEBSTER CITY, IOWA

* * * * *

ALL-TERRAIN VEHICLES AND SNOWMOBILES

80.01 Purpose	80.04 Places of Operation
80.02 Definitions	80.05 Hours of Operation
80.03 General Regulations	80.06 Negligence
	80.07 Accident Reports

80.01 PURPOSE. The purpose of this chapter is to regulate the operation of all-terrain vehicles and snowmobiles within the City.

80.02 DEFINITIONS. For use in this chapter the following terms are defined:

1. "All-terrain vehicle" or "ATV" means a motorized flotation-tire vehicle with not less than three (3) low pressure tires, but not more than six (6) low pressure tires, that is limited in engine displacement to less than eight hundred (800) cubic centimeters and in total dry weight to less than seven hundred fifty (750) pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.
(Code of Iowa, Sec. 3211[17])

2. "Snowmobile" means a motorized vehicle weighing less than one thousand (1000) pounds which uses sled-type runners or skis, endless belt-type tread, or any combination of runners, skis, or tread, and is designed for travel on snow or ice.
(Code of Iowa, Sec. 321G.1[2])

80.03 GENERAL REGULATIONS. No person shall operate an ATV or snowmobile within the City in violation of the provisions of Chapter 321G of the Code of Iowa or rules established by the Natural Resource Commission of the Department of Natural Resources governing their registration, numbering, equipment and manner of operation.
(Code of Iowa, Ch. 321G)

80.04 PLACES OF OPERATION. The operators of ATVs and snowmobiles shall comply with the following restrictions as to where ATVs and snowmobiles may be operated within the City:

1. Streets.
 - A. ATVs and snowmobiles shall be operated only upon streets which have not been plowed during the snow season and on such other streets as may be designated by resolution of the Council.

CODE OF ORDINANCES, WEBSTER CITY, IOWA

- 243 -

CHAPTER 80

ALL-TERRAIN VEHICLES AND
SNOWMOBILES

B. Snowmobiles shall be operated only on such streets that provide the most direct access out of the City limits from the operator's place of dwelling.

C. No snowmobile or ATV may be operated on streets in the downtown business district as defined in Section 60.02 of this Code of Ordinances.

(Ord. 2003-1592-Apr. 03 Supp.)

2. Exceptions. ATVs and snowmobiles may be operated on prohibited streets only under the following circumstances:

A. Emergencies. ATVs and snowmobiles may be operated on any street in an emergency during the period of time when and at locations where snow upon the roadway renders travel by conventional motor vehicles impractical.

(Code of Iowa, Sec. 321G.9[4c])

B. Direct Crossing. ATVs and snowmobiles may make a direct crossing of a Prohibited street provided:

(1) The crossing is made at an angle of approximately ninety degrees (90) to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;

(2) The ATV or snowmobile is brought to a complete stop before crossing the street;

(3) The driver yields the right-of-way to all on-coming traffic which constitutes an immediate hazard; and

(4) In crossing a divided street, the crossing is made only at an intersection of such street with another street.

(Code of Iowa, Sec. 321G.9[2])

3. Railroad Right-of-way. ATVs and snowmobiles shall not be operated on an operating railroad right-of-way. An ATV or snowmobile may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.

(Code of Iowa, Sec. 321G.13[8])

4. Trails. ATVs shall not be operated on snowmobile trails and snowmobiles shall not be

operated on all-terrain vehicle trails except where so designated.
(Code of Iowa, Sec. 321G.9[4f and g])

CODE OF ORDINANCES, WEBSTER CITY, IOWA
- 244 -

WEBSTER CITY, IOWA

CHAPTER 80

5. Parks and Other City Land. ATV's and snowmobiles shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City. A snowmobile shall not be operated on any City land without a snow cover of at least one-tenth of one inch.

6. Sidewalk or Parking. ATV's and snowmobiles shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the "parking" except for purposes of crossing the same to a public street upon which operation is authorized by this chapter.

80.05 HOURS OF OPERATION. No snowmobile shall be operated in the City between the hours of eleven o'clock (11:00) p.m. and seven o'clock (7:00) a.m. except for emergency situations or when used as a supplement force of a police department, fire department, hospital or other agency for the purpose of providing assistance.

80.06 NEGLIGENCE. The owner and operator of an ATV or snowmobile is liable for any injury or damage occasioned by the negligent operation of the ATV or snowmobile.
(Code of Iowa, Sec. 321G.18)

80.07 ACCIDENT REPORTS. Whenever an ATV or snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to two hundred dollars (\$200.00) or more, either the operator or someone acting for the operator shall immediately notify a law enforcement office and shall file an accident report within forty-eight (48) hours, in accordance with State law.
(Code of Iowa, Sec. 321G.10)

Copyright Iowa Codification, Inc.

- 245 -

CHAPTER 80

WEBSTER CITY, IOWA

* * * * *

TITLE II – COMMUNITY PROTECTION

DIVISION 2 – ENFORCEMENT: ANIMAL PROTECTION AND CONTROL

CHAPTER 85
GENERAL PROVISIONS

85.01 Definitions	85.09 Annoyance or Disturbance
85.02 Cruelty to Animals	85.10 Vicious Dogs
85.03 Abandonment	85.11 Owner’s Duty
85.04 Exhibitions and Fights	85.12 Confinement
85.05 Injuries to Animals	85.13 At Large: Impoundment
85.06 At Large Prohibited	85.14 Disposition of Animals
85.07 Bothersome Animals	85.15 Impounding Costs
85.08 Damage or Interference	

85.01 DEFINITIONS. The following terms are defined for use in the chapters of this Code of Ordinances pertaining to Animal Protection and Control:

1. “Animal” means any nonhuman vertebrate.
2. “At Large” means any animal found off the premises of the animal’s owner and not under the control of a competent person, restrained within a motor vehicle, or housed in a veterinary hospital or kennel.
3. “Owner” means any person owning, keeping, sheltering or harboring an animal.
(Code of Iowa, Sec. 351.2)

85.02 CRUELTY TO ANIMALS. No person who impounds or confines, in any place, any domestic animal, or fowl, or dog or cat, shall fail to supply such animal during confinement with a sufficient quantity of food and water, or shall fail to provide the dog or cat with adequate shelter, or shall torture, torment, deprive of necessary sustenance, mutilate, overdrive, overload, drive when overloaded, beat, or kill any such animal by any means which causes unjustified pain, distress or suffering, whether intentionally or negligently.

(Code of Iowa, Sec. 717.2)

85.03 ABANDONMENT. A person who has ownership of a cat or dog shall not abandon the cat or dog, except the person may deliver the cat or dog to another person who will accept ownership and custody or the person may deliver the cat or dog to an animal shelter or pound.

(Code of Iowa, Sec. 717.4)

85.04 EXHIBITIONS AND FIGHTS. No person shall arrange, promote, or stage an exhibition at which any animal is tormented, or any fight between animals or between a person and an animal, or shall keep a place where such exhibitions and fights are staged for the entertainment of spectators.

(Code of Iowa, Sec. 717.3)

85.05 INJURIES TO ANIMALS. No person, having no right to do so, shall maliciously kill, maim, or disfigure any animal of another, or maliciously administer poison to any such animal, or expose any poisonous substance with the intent that the same should be taken by any such animal.

(Code of Iowa, Sec. 717.1)

85.06 AT LARGE PROHIBITED. It shall be unlawful for any owner to allow an animal to run at large within the corporate limits of the City.

85.07 BOTHERSOME ANIMALS. It shall be unlawful for a person to keep within the City such bothersome animals as barking dogs, bees, cattle, horses, swine and sheep which tend to disrupt the peace and good order of the community.

85.08 DAMAGE OR INTERFERENCE. It shall be unlawful for the owner of an animal to allow or permit such animal to pass upon the premises of another thereby causing damage to, or interference with, the premises.

85.09 ANNOYANCE OR DISTURBANCE. It shall be unlawful for the owner of a dog to allow or permit such dog to cause serious annoyance or disturbance to any person or persons by frequent and habitual howling, yelping, barking, or otherwise; or, by running after or chasing persons, bicycles, automobiles or other vehicles.

85.10 VICIOUS DOGS. It shall be unlawful for any person to harbor or keep a vicious dog within the City. A dog is deemed to be vicious when it shall have attacked or bitten any person without provocation, or when propensity to attack or bite persons shall exist and is known or ought reasonably to be known to the owner.

85.11 OWNER'S DUTY. It shall be the duty of the owner of any dog, cat or other animal which has bitten or attacked a person or any person having knowledge of such bite or attack to report this act to a local health or law enforcement official. It shall be the duty of physicians and veterinarians to report to the local board of health the existence of any animal known or suspected to be suffering from rabies.

(Code of Iowa, Sec. 351.38)

85.12 CONFINEMENT. When a local board of health receives information that any person has been bitten by an animal or that a dog or animal is suspected of having rabies, it shall order the owner to confine such animal in the manner it directs. If the owner fails to confine such animal in the manner directed, the animal shall be apprehended and impounded by such board, and after two weeks the board may humanely destrip the animal. If such animal is returned to its owner, the owner shall pay the cost of impoundment.

(Code of Iowa, Sec. 351.39)

85.13 AT LARGE: IMPOUNDMENT. Animals found at large in violation of this chapter shall be seized and impounded, or at the discretion of the peace officer, the owner may be served a summons to appear before a proper court to answer charges made thereunder.

85.14 DISPOSITION OF ANIMALS. When an animal has been apprehended and impounded, written notice shall be given in not less than two days to the owner, if known. Impounded animals may be recovered by the owner upon payment of impounding costs, and if an unvaccinated dog, by having it immediately vaccinated. If the owner does not redeem the animal within seven days of the date of notice, or if the owner cannot be located within seven days, the animal may be humanely destroyed or otherwise disposed of in accordance with law.

(Code of Iowa, Sec. 351.37, 351.41)

85.15 IMPOUNDING COSTS. Impounding costs shall be as established by resolution of the Council.

Copyright Iowa Codification, Inc.

- 249 -

CHAPTER 85

WEBSTER CITY, IOWA

* * * * *

Copyright Iowa Codification, Inc.

- 250 -

WEBSTER CITY, IOWA

CHAPTER 86

CHAPTER 86
COUNTY DOG LICENSE REQUIRED

(Repealed by Ordinance No. 2003-1608 – Oct. 03 Supp.)

CODE OF ORDINANCES, WEBSTER CITY, IOWA

CHAPTER 86

WEBSTER CITY, IOWA

* * * * *

Copyright Iowa Codification, Inc.

- 252 -

WEBSTER CITY, IOWA

* * * * *

Copyright Iowa Codification, Inc.

- 253 -

WEBSTER CITY, IOWA

* * * * *

Copyright Iowa Codification, Inc.

- 254 -

WEBSTER CITY, IOWA

* * * * *

Copyright Iowa Codification, Inc.

- 255 -

WEBSTER CITY, IOWA

* * * * *

Copyright Iowa Codification, Inc.

- 256 -