



Code of Iowa Chapter 461A Public lands and Waters - applicable to Marion County Conservation Board areas.

- 461A.35 Prohibited Destructive Acts** - It shall be unlawful for any person to use, enjoy the privileges of, destroy, injure or deface plant life, trees, buildings, or other natural or material property, or to construct or operate for private or commercial purposes any structure, or to remove any plant life, trees, buildings, sand, gravel, ice, earth, stone, wood or other natural materials within any county park or other lands or waters under the jurisdiction of the conservation board for any purpose whatsoever.
- 461A.36 Speed Limit** - All regular driving shall be confined to designated roadways with posted speed limits within county parks. **Exceptions see Section 3, County Conservation Board Rules and Regulations.**
- 461A.37 Excessive Loads** - Excessively loaded vehicles shall not operate over county park or preserve roads.
- 461A.38 Parking** - All vehicles shall be parked in designated parking areas, and no vehicle shall be left unattended on any county park or preserve roadway, except in the case of emergency. **Exceptions see Section 3, County Conservation Board Rules and Regulations.**
- 461A.39 Hitching to Trees** - No horse or animal shall be hitched or tied to any tree or shrub, or in such a manner as to result in injury to county property. **Exceptions see Section 4, County Conservation Board Rules and Regulations.**
- 461A.40 Fires** - Fires shall be built in designated fire rings. No fires shall be built on the grass and all fires shall be extinguished when site is vacated. **Exceptions see Section 16, County Conservation Board Rules and Regulations.**
- 461A.41 Removing Plants, Flowers or Fruit** - No person shall, in any manner, Remove, destroy, injure or deface any tree, shrub, plant, or flower or disturb or injure any structure or natural attraction, except upon written permission of the conservation board certain specimens may be removed for scientific purposes. **Exceptions see Section 5, County Conservation Board Rules and Regulations.**
- 461A.42 Use of Firearms, Explosives and Fireworks Prohibited** - Use, by the public, of firearms, fireworks, explosives, and weapons of all kinds is prohibited in all county conservation board lands and waters. **Exceptions see Section 6, County Conservation Board Rules and Regulations.**
- 461A.43 Littering** - No person shall place any waste, refuse, litter or foreign substance in any area or receptacle except those provided for that purpose. **Exceptions see Section 23 County Conservation Board Rules and Regulations.**
- 461A.44 Prohibited Areas** - No shall enter upon portions of any county conservation lands or waters in disregard of official signs forbidding same, except by permission of the county conservation board director or an authorized representative.
- 461A.45 Animals on Leash** - Privately owned animals shall be kept on a leash with a maximum length of six feet, or be kept confined. Privately owned animals shall not be allowed to run at large upon any lands or in any waters under the jurisdiction of the county conservation board. **Exceptions see Section 6, County Conservation Board Rules and Regulations.**
- 461A.46 Closing Time** - Except by arrangement or permission, all persons shall vacate county conservation board parks or preserves before 10:30 PM. Areas may be closed at an earlier or later hour, of which notice shall be given by proper signs. **Exceptions see Section 17 County Conservation Board Rules and Regulations.**
- 461A.47 Camping Fees** - The county conservation board is hereby authorized to fix fees for camping and other special privileges. **Exceptions, see Section 11 County Conservation Board Rules and Regulations.**
- 461A.48 Camping Areas** - No person shall camp in any portion of county conservation board lands except in portions designated or prescribed for camping. **Exceptions for 461A.48 - 461A.51, see Section 2 County Conservation Board Rules and Regulations.**
- 461A.49 Camping Time Limit** - No camping unit shall be permitted to camp for a period longer than a period of fourteen days.
- 461A.50 Registering to Camp** - Any person camping at county conservation board designated camping areas, shall register the person's name and address.
- 461A.51 Camping Privileges Refused** - An authorized representative of the county conservation board has the authority to refuse camping privileges or rescind camping permits for cause.
- 461A.57 Penalties**

350.5 Rules and Regulations - officers. The County Conservation Board may make, alter, amend or repeal rules and regulations for the protection, regulation and control of all museums, parks, preserves, parkways, playgrounds, recreation centers and other property under its control. ...a person violating a provision of the regulations which are in effect is guilty of a simple misdemeanor. The Board may designate the executive director and such employees as the executive director may designate as police officers who shall have the powers conferred by law on police officers, peace officers, or sheriffs in the enforcement of the laws of the State of Iowa and the apprehension of violators thereof.

Section 1 - Definitions

- Board** - when used hereunder shall mean the Marion County Conservation Board, Marion County Iowa.
- Person** - shall mean any person, firm, partnership or corporation.
- Camper** - shall mean any person engaged in the act of camping or occupying a campsite.
- Campsite** - shall mean the area within a campground designated by the Board for the erecting of camping equipment or a camping unit.
- Campground** - shall mean the area within a county park, recreation or conservation area set aside for the act of overnight camping.
- Director** - shall mean the person employed by the Board to carry out its policies as prescribed in Chapter 350 of the Code of Iowa.
- Authorized Representative** - shall include Rangers and other persons designated from time to time by the Director.
- Special Use Permit** - shall mean any permit issued and signed by the Director or his authorized representative pursuant to authority delegated by the Board.
- Camping Unit** - shall mean either a single tent, pickup camper, motor home or converted bus, recreation trailer, boat and trailer or a motor vehicle used for a camp by a camping party, except those shelters used exclusively for dining purposes, plus at the option of the camping party, a second tent or an additional tent no larger than 140 square feet at its base, if same is used and occupied by children under 18 years of age of that camping party.
- Official Signs** - shall mean signs provided for in the Iowa State Department of Transportation Manual on Uniform Traffic Control Devices for Iowa Streets and Highways and other signs designated from time to time by the Board.

Section 2 - Campground Regulations - it shall be unlawful to camp or occupy a campsite on any campground under the control of the Board without observing the following rules:

- The registered user of a campsite is responsible for all occupants, visitors, activities and actions at the campsite.
- Campers must restore campsite to the same approximate condition as existed when campers first occupied said site.
- Campers must erect their camping equipment and camp at designated campsites only.
- No camping equipment of any kind may occupy a campsite in any campground for more than 14 consecutive days.
- Each campsite must be occupied by a camping unit prior to registration. The camping registration must be completed and deposited in camping registration box with proper fee included within one-half hour of entering the campground. Unattended camping units or equipment which is not removed within the prescribed time limit or occupies an unregistered or unpaid campsite, may be removed and stored at the expense of its owner, such expense shall not be less than \$25.00. If not reclaimed within six months of the removal date, all such camping equipment shall be considered abandoned and shall thereafter be disposed of as prescribed by law.
- Campsites may be reserved, it shall be unlawful to reserve a campsite unless that person making the reservation has attained the age of 18 years.
- All campers shall maintain quiet in campgrounds between the hours of 10:30 PM and 6:00 AM. See Section 13 Audible Disturbances.
- A single campsite can be occupied by:
 - No more than six individuals and the registering person must be 18 years of age or older. The Director or authorized representative may, upon meeting with a parent allow said parent to register for a campsite that will be occupied by persons age 16 or 17.
 - Up to 10 of a recognized or incorporated youth group.
- Only registered campers are permitted in campgrounds between the hours of 10:30 PM and 6:00 AM.
- It shall be unlawful to erect more than one camping unit at a campsite. (See Definitions: *Camping Unit*)
- Check-out time for all campers will be 3:00 PM. Campers remaining in the campground past the check-out time will be required to pay an additional camping fee as set forth in the fee schedule.
- It shall be unlawful to park any motor vehicle outside the parking area designated at each campsite. Watercraft or additional storage trailers will be permitted to park on the grass within the appropriate campsite. An extra adjacent campsite may be rented for the sole purpose to park vehicles.
- No camping unit or party shall move from an assigned campsite to another campsite without prior approval from the Director or an authorized representative.
- Violation of any state law or Board rule and regulation by any member of a camping party is cause for revocation of the camping permit without refund and the entire camping party may be required to leave the area.

Section 3 - Vehicle Regulations - it shall be unlawful to operate or park a vehicle subsequent to the following rules of the Board by the authority of Section 321.236 of the Code of Iowa.

- All vehicles, including, but not limited to, automobiles, trucks, motorcycles, mini-bikes, snowmobiles, dune buggies, golf carts, all-terrain vehicles, electric powered vehicles, trailers, campers, bicycles or any other equipment and the operator shall be licensed as defined by the Code of Iowa to operate on all Board roadways. The Director or an authorized representative may from time to time permit the use of a motorized handicap conveyance.
- Speed limits for developed Board areas are posted at the entrance road.
- It shall be unlawful to leave any motor vehicle unattended or abandoned on any land under the jurisdiction of the Board for more than 24 hours without the permission of the Director or an authorized representative. Any motor vehicle left unattended or abandoned for more than 24 hours shall be considered abandoned and shall thereafter be disposed of as prescribed by law.

Section 4 - Hitching to Trees, Posts or Structures - Section

461A.39 titled "Hitching to Trees" is hereby modified under the authority of Section 350.5 of the Code of Iowa as follows: It shall be unlawful to hitch, tie or in anyway secure to trees, shrubs, light poles, landscape fence, electric camping boxes, or any Board structure with rope, cord, wire, string or any other type of lashing material for the purpose of support or restraint of animals, clotheslines, banners, camper awnings, tents or any other personal property in Board managed areas.

Section 5 - Removing Plants, Flowers or Fruit

Section 461A.41 of the Code of Iowa entitled "Removing plants, flowers, or fruit" is hereby modified under the authority of Section 350.5 of the Code of Iowa as follows: It shall be **lawful** to collect the fruit of all nut and berry producing plants, asparagus or mushrooms for non-commercial home use, providing that the collector does not otherwise damage the parent plant, except on those areas as may be designated from time to time by the Board as prohibiting such activity. Such areas shall be posted at their entrance with official signs to constructively notify the public that this activity is prohibited.

Section 6 - Hunting and Fishing

- Section 461A.42 of the Code of Iowa entitled, "Use of Firearms Prohibited - Exceptions" is hereby modified under the authority of Section 350.5 of the Code of Iowa as follows: It shall be **lawful** to hunt or pursue game birds or wild animals in or on all areas designated from time to time as hunting areas by the Board. Such areas shall be posted with official signs to constructively notify the public that this activity is lawful.
- Section 461A.42(c) of the Code of Iowa is hereby modified under the authority of Section 350.5 of the Code of Iowa as follows: The Board may establish from time to time, county parks or parts of county parks for a special hunt to control animal populations. The rules governing special hunts to control animal populations shall be applied separately to each designated county park. Such areas shall be posted with official signs to constructively notify the public that a special hunt is in progress.
- Section 481A.7 of the Code of Iowa entitled "Hunting on Game Refuges" is hereby modified under the authority of Section 350.5 of the Code of Iowa as follows: The Board may specify the distance from a game refuge where shooting of a firearm or bow and arrow is prohibited and shall have a notice of the same posted at such a distance in conspicuous places around the refuge.
 - It shall be unlawful to shoot a firearm or bow and arrow from the boundary of Roberts Creek Park and Cordova Park extended to the center line of County Highway G28 where County Highway G28 is adjacent to Roberts Creek Park and Cordova Park designated refuge areas.
- Fishing is permitted on waters in Board managed areas, except it shall be unlawful to fish directly from boat ramps or other areas from time to time designated by the Director or an authorized representative.

Section 7 - Domestic Animal

- Section 461A.45 of the Code of Iowa entitled "Animals on Leash" is hereby modified under the authority of Section 350.5 of the Code of Iowa as follows: It shall be **lawful** to permit dogs to run at large for the purpose of training, exercising them or hunting in or on all areas designated from time to time as hunting areas by the Board during the time periods when hunting is permitted, and the Director or his authorized representative may, by issuing a special permit allow such activity on any area or at other times.
- Animals are prohibited from Board facilities/buildings with exception of service animals.
- It will be unlawful to leave any unattended animals at or within

Rules and Regulations

Governing Public Use of Marion County Conservation Board Areas 641 - 828 - 2213

This brochure is intended to help visitors enjoy your County Conservation Areas. The rules and regulations governing the use of the areas are intended to protect the area visitor and the conservation area itself from abuse and misuse. In addition to the rules and regulations adopted by the Conservation Board, all state laws; unless modified by the Conservation Board, apply to Marion County Conservation Areas including traffic laws, game and fish regulations, snowmobiles, ATV's, boating, alcoholic beverages and the criminal code.

- Board areas. Unclaimed or unattended animals are subject to immediate impoundment and removal in accordance with state and local laws. Any fees incurred from impoundment or removal will be reimbursed by the animal owner.
- 7.4** No person shall allow animals to bark or emit other noise which unreasonably disturbs other people.
- 7.5** Persons bringing or allowing pets in designated public use areas shall be responsible for proper removal and disposal of any waste produced by these animals.

Section 8 – Use of Horses Restricted – It shall be unlawful to ride, lead or otherwise allow the entry or use of horses, mules, ponies or horse- drawn carriages on any portion of any Board managed area, except as provided herein. The Board or the Director or his authorized representative may, by issuing a special permit, allow such activity on a specific Board managed area.

Section 9 – Watercraft

- 9.1** By authority of section 350.5 of the Code of Iowa the Conservation Board amends Section 462A.26 Right of Way Rules – Zoning Water Areas as follows:
(2) The Conservation Board may adopt rules governing all activities on waters and ice under their jurisdiction, including federal government impoundments, when necessary to permit appropriate utilization of specific water areas.
(a) Roberts Creek Park – Unlimited horsepower motors allowed, all watercraft restricted to “No Wake”, 3 MPH maximum speed.
(b) Marion County Park and Wilcox Wildlife Area – All watercraft restricted to manual propulsion or electric trolling motors.
- 9.2** It shall be unlawful to leave unattended any boat or other form of water conveyance on or attached to water or land under the jurisdiction of the Board, except in certain specified areas which may be designated from time to time, for more than 12 consecutive hours. Any water conveyance in violation hereof shall be removed and stored at the expense of the owner, which expense shall not be less than \$25.00. If not reclaimed within six months of its removal hereunder, such water conveyance shall be considered abandoned and shall be disposed of as prescribed by law.

Section 10 – Recreation Use Only/Solicitation Prohibited – It shall be unlawful for any person to: approach Board area patrons with intent of; or to occupy any portion of any area, for solicitation; washing or repairing vehicles; advertising or political campaigning; hawking; peddling; or any other commercial activity, except concessionaires acting under the authority of a lease or contract with the Board and those activities provided for by Board Policy; or any other purpose not primarily recreational.

Section 11 – Fees, Charges and Reserves

- 11.1** Fees or charges made for services or use of land, facilities, equipment, materials, or supplies on any area to be collected by the Director or his authorized representative or authorized concessionaires shall be prescribed and approved by the Board.
- 11.2** It shall be unlawful for any person or persons to enter or use any facilities for which entrance fee or user fees are prescribed without payment of same, except those persons on official business, authorized by special use permits or employees.
- 11.3** It shall be unlawful to reserve a facility, equipment, materials or supplies of the Board designated on a reservation list unless that person making the reservation has attained the age of 18 years.

Section 12 – Swimming – Swimming, wading and snorkeling at one’s own risk is permitted, except: it shall be unlawful to enter discharge spillway or swim in any portion of Marion County Park Lake, at or within 50 yards of the Cordova Boat Ramp and Roberts Creek Boat Ramps, at or within 50 yards of the Brush Creek Bridge and the abandoned roadway access to the bridge in Cordova Park.

Section 13 – Audible Disturbances

- 13.1** Audio Devices – It is unlawful to operate or use any audio device including radio, television, musical instrument, or any similar noise producing devices in such a manner or at such times as to disturb other persons.
- 13.2** Portable Equipment – It shall be unlawful to operate electric generating plants, power saws, electric or gas chain saws, or any similar equipment driven by a motor or engine in Board areas. The Director or an authorized representative, with prior approval, may allow from time to time the above described devices limited usage in Board areas. Under no circumstances may these devices be used prior to 9:00 AM or later than 7:00 PM.
- 13.3** Public Address Systems – It shall be unlawful to operate or use any public address system whether fixed, portable, or vehicular mounted except when such use or operation has been approved by the Director or an authorized

- representative.
- 13.4** Creating or sustaining any unreasonable noise in any portion of all Board areas is prohibited at all times. The nature and purpose of a person’s conduct, the impact on other area users, the time of day, location, and other factors which would govern the conduct of a reasonable, prudent person under the circumstances shall be used to determine whether the noise is unreasonable. Unreasonable noise shall include, but not limited to, the operation or utilization of motorized equipment or machinery such as an electric generator, motor vehicle, or motorized toy; or audio devices such as a radio, television set, tape deck, public address system, or a musical instrument; or other device. Between the hours of 10:30 PM and 6:00 AM, noise which can be heard at a distance of 120 feet or three campsites shall be considered unreasonable.

Section 14 – Speech or Conduct Unreasonable – Unprovoked speech commonly perceived as offensive, boisterous, rowdy, disorderly or abusive is prohibited when such speech unreasonably interferes with lawful use and enjoyment of Board areas by another member of the public.

Section 15 – Metal Detectors – It shall be lawful to use a metal detector on any land under the jurisdiction of the Board, with the exception of campgrounds and cabin areas. Recovery of objects will be restricted to a maximum 3 inch diameter hole and all dirt and sod must be replaced. All items found are subject to the provisions of Iowa Code Chapter 556.F.

Section 16 – Fires and Firewood – Section 461A.40 titled “Fires” is hereby modified under the authority of 350.5 of the Code of Iowa to include the following:

- 16.1** Firewood may be collected for campground and cabin use. Firewood collected from Board managed areas must be already dead and lying on the ground, dead standing trees are not allowed to be felled. All cutting of firewood must be with a hatchet, axe or bow saw.
- 16.2** Driftwood, with prior written permission from the Director or an authorized representative, may be cut with hatchet, axe, bow saw or chain saw along the shores of Lake Red Rock adjacent to Board managed areas.
- 16.3** Ground fires will be permitted: along the shores of Board managed areas (except Marion County Park Lake, boat ramps, parking lots, mowed and maintained areas including the Brush Creek Bridge fishing access and concrete approach way located below the intersection of Highway 14 and Highway G28) at the Wilcox Wildlife Area and at Bauer Park so long as the fire is contained, extinguished upon departure and fire residue is properly disposed. The Director or an authorized representative may permit upon request to build a fire in a self-contained portable apparatus as long as the fire and apparatus are elevated off the ground and residue is properly disposed.

Section 17 – Opening Time

- 17.1** Except by arrangement or permission granted by the Director or an authorized representative, all persons shall vacate land under the jurisdiction of the Board, except designated hunting areas or posted fishing areas, during the hours from 10:30 PM until 6:00AM. Areas may be closed or opened at an earlier or later hour, of which notice shall be given by proper signs or instructions. The provisions of this section shall not apply to authorized camping in areas provided for that purpose.
- 17.2** Except by arrangement or permission granted by the Director or an authorized representative, all persons shall vacate the gated areas of Cordova Park where cabins have been constructed during the hours of 8:00 PM until 7:00 AM. The provisions of this section shall not apply to authorized cabin users and their guests in areas provided for that purpose.
- 17.3** Fishing and boating will be permitted 24 hours a day at Roberts Creek Park and Cordova Park boat ramps. Registered campers may fish park waters 24 hours a day.

Section 18 – Officers and Employees Exempt – These rules and regulations shall not prohibit or hinder activities of the Board, its officers, employees, duly authorized agents or any other peace officers from performing their official duties.

Section 19 – Severance – These rules and regulations are separate and complete, however separated. Should any section or part be declared unenforceable for any reason, the remaining portion or sections shall continue in full force and effect.

Section 20 – User Responsibility Policy

- 20.1** The operator of any vehicle, vessel or aircraft as described in the Code of Iowa shall be presumed to be responsible for its use on Board areas. In the event where

- an operator cannot be determined, the owner of the vehicle, vessel or aircraft, whether attended or unattended, will be presumed responsible. Unless proven otherwise, such presumption will be sufficient to issue a citation for the violation of rules and regulations applicable to the use of such vehicle, vessel or aircraft.
- 20.2** The registered user of a campsite, cabin, picnic area, boat ramp or other facility under the jurisdiction of the Board, shall be presumed to be responsible for its use. Unless proven otherwise, such presumption will be sufficient to issue a citation for the violation of rules and regulations applicable to the use of such facilities.

Section 21 – Personal property – It shall be unlawful to abandon, store or leave unattended personal property upon land or waters under the jurisdiction of the Board. After a period of 24 hours; or at, any time the Director or an authorized representative, for the purpose of providing public safety or resource protection, may impound and store unattended personal property at the expense of the owner, such expense shall not be less than \$25.00. If the personal property is not reclaimed within six months of the removal date, all such person property shall be considered abandoned and disposed of as prescribed by law, except items at registered campsites or hunting blinds in hunting areas during legal hunting seasons.

Section 22 – Alcohol

- 22.1** It shall be lawful to consume beer and wine cooler products of not more than 5% or wine of less than 17% alcohol by volume in Board areas as prescribed by the Code of Iowa.
- 22.2** It is unlawful to possess kegs of beer in Board areas.
- 22.3** The possession of and/or consumption of alcoholic beverages on any portion of Board areas may be prohibited when designated and such areas will be posted as to notify the public.

Section 23 – Littering and Removal of Waste

- 23.1** Section 461A.43 titled “Littering” is hereby modified under the authority of 350.5 Code of Iowa to include the following: It shall be unlawful to remove any items that have been discarded in waste receptacles or enter into dumpsters to remove discarded items in Board managed areas for the purpose of redeeming for deposit, consumption, scrap metal resale or any other purpose.
- 23.2** As prescribed by the Code of Iowa section 61.7, subsection 7, using Board refuse receptacles for dumping household, commercial, or industrial refuse brought as such from private property is prohibited.

Section 24 – Paint Ball Guns – It shall be unlawful to use any type apparatus that will propel or fire a commercially produced paint ball including but not limited to a wrist rocket sling shot, compressed air gun or a paint ball gun utilizing a CO2 cartridge in Board areas, with the exception of Wilcox Wildlife Area or Paul Todd Wildlife Area where paint ball guns may be used as long as no destruction of Board property occurs and the general public is not at any kind of risk for personal injury.

Section 25 – Geocaching – Geocaching is allowed in Board managed areas through a permit system. Persons wishing to place cache must contact area the Director or Park Ranger prior to establishing the cache to obtain the placement permit. All caches that do not have a permit on file will be removed.

Section 26 – Smoking – Smoking is prohibited in public buildings. This includes toilet and shower buildings and other facilities in Board managed areas.

Section 27 – Golf Carts – Operation of golf carts is not allowed in Board managed areas. The Director or an authorized representative may from time to time allow the use of golf carts in Board managed areas.

Section 28 – Adoption of Rules and Regulations – The foregoing rules and regulations, having been adopted by the

Marion County Conservation Board May 18, 2010 are hereby declared effective after having been published and posted according to law.