

Rules and Regulations

Buchanan County Conservation Board — Available for download at www.buchanancountyparks.com

2.01 DEFINITIONS. Pursuant to the authority of Iowa Code Chapter 350 and Section 331.307, the Buchanan County Conservation Board hereby promulgates and places into effect the following regulations. The following terms, as used in this Chapter, have the meanings assigned hereto, unless a different meaning is clearly indicated.

1. “Board” shall mean Buchanan County Conservation Board.
2. “Director” shall mean the Executive Director of the Conservation Board.
3. “Authorized representative” or “Designee” shall include park rangers and other persons designated from time to time by the Director.
4. “Area” shall mean all or any part of the land and/or water owned, leased, managed or by any other means under the control of the Board.
5. “Special use permit” shall mean any use permit issued by the Director pursuant to authority delegated by the Board, and signed by the Director or his authorized representative.
6. “Camp” or “camping” shall mean the use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, or sleeping bag for temporary residence at a campground.
7. “Campground” shall mean any area designated by the board for camping.
8. “Campsite” shall mean a segment of a campground designated by the Conservation Board for camping by a camping unit or party.
9. “Camping unit” shall mean either a single tent not larger than 144 square feet in size at its base, pickup camper, motor vehicle, recreation trailer, tarpaulin, or sleeping bag used by a camping party. Camping is restricted to one basic unit per site except that a small tent or other type of camping unit may be placed on the site so long as the persons occupying the second unit are under 18 years of age and dependent members of the immediate family occupying the larger unit.
10. “Camping party” shall mean any individual, family, or informal unorganized group of not more than five persons occupying one campsite.
11. “Youth group” shall mean a group consisting of minor members of an established organization and chaperoned by at least one competent, mature adult for each 10 minors in the group using any number of camping units or occupying a group campground.
12. “Capacity” shall mean the maximum number of camping parties or camping units that the Board shall from time to time determine may occupy an area, campground, or campsite.
13. “Official signs” shall mean signs provided for by the Iowa DOT Manual on Uniform Traffic Control Devices for Iowa streets and highways and other signs designated from time to time by the Board.
14. “Noise” shall mean any loud, confused, or senseless shouting or outcry; a sound lacking in agreeable musical quality or which is noticeably unpleasant or excessively loud as to disturb others.
15. “Department” shall mean the Buchanan County Conservation Department.
16. “Vehicle” shall be defined the same as set forth in Iowa Code 321.1(90) “Vehicle”.
17. “Off-road vehicle” means any self-propelled device used for transportation of a person or property and designed for primary use on surfaces other than a roadway or highway, including but not limited to all-terrain vehicles as defined in Iowa Code section 321.1(4), snowmobiles as defined in Iowa Code section 321G.1(20), swamp buggies, air sleds, tote bikes, and the like. The term does not include electric wheelchairs as defined in Iowa Code section 321.1(20B) “Electric Personal Assistive Mobility Device.”

2.02 GENERAL REQUIREMENTS. The following provisions shall apply to the use of all areas:

1. Fees and charges for services or for the use of land, facilities, equipment, materials or supplies shall be established by the Board and collected by the Director or a Designee.
2. Persons desiring camping privileges shall produce means of photographic identification upon request of the Director or a Designee. Failure to produce such identification may be grounds for denial of camping privileges, at the discretion of the Director or a Designee.
3. It shall be unlawful for any person or persons to enter or use any facilities for which entrance or user fees are prescribed without payment of same, except those persons on official business or authorized by special permits.

2.03 REMOVAL OF NATURAL FEATURES. Mushrooms, asparagus, nuts, fruits, and berries may be harvested. Any other plant material, bird nests, rock formations, or cultural artifacts may not be altered or removed. Use of chain saws is prohibited.

2.04 USE OF FIREARMS PROHIBITED. The use by the public of firearms, and weapons of all kinds is prohibited on all Board controlled property except those areas designated as hunting areas by the Board pursuant to Section 2.06; provided, however, that use of BB guns and archery equipment shall be permitted when such use is for educational purposes and the Director or the Director’s designee shall have inspected the educational shooting range prior to such use. Possession of firearms is prohibited between May 15 and October 1 in areas that the Board shall have designated as multi-use areas.

2.05 ANIMALS ON LEASH. It shall be unlawful for any person to permit a privately owned animal to run at large in an area. Such animal shall be deemed to be running at large unless the owner or handler carries such animal, leads it by a leash or chain not exceeding six (6) feet in length, or keeps it confined in or attached to a vehicle; provided, however, that it shall be lawful to permit dogs to run at large for the purpose of training or exercising them in or on areas the Board designates as hunting areas. Training of dogs is prohibited between March 15 and July 15. The Director or a Designee may, in the interest of public safety, may order the removal of any animal at any time from any area.

2.06 HUNTING. Hunting shall be permitted only in such areas that the Board shall have designated for that purpose and shall conform to the requirements of this Chapter and all applicable state and federal laws and regulations. Hunting privileges may be revoked by any law enforcement officer for violation of this Chapter or any applicable state or federal laws or regulations. The use of lead shot for the purpose of shooting mourning doves within the boundaries of the Crumbacher Wildlife Area is prohibited. No firearms shall be permitted in any county multi-use area between May 15 and October 1. In instances where a violation of this Section is alleged and appropriate circumstances exist, the County reserves the right to request that, upon conviction, the Court impose judgment on the violator for liquidated damages in amounts consistent with Iowa Code § 481A.130, in addition to any other penalties provided by law. Proceeds of liquidated damages imposed pursuant to this Section shall be remitted to the Treasurer of the State of Iowa.

2.07 CAMPING.

1. Registration is on a self-serve basis at the Fontana, Jakway, and Lime Creek areas, except that 7 sites at Fontana Park may be reserved and paid-for in advance.
2. Self-registering campers must register and pay fees within one hour of arrival.
3. When any campground is open and in usable condition all charges and fees shall be in effect and shall be enforced as set forth in the official fee schedule approved by the Board.
4. No camping party or camping unit of any kind shall occupy any campground more than 14 days out of any 28-day period without prior written approval by the Director.
5. A member of a registered camping party shall occupy each campsite or camping unit on the first night of the camping period and no campsite or camping unit shall be left unoccupied by the camping party for more than 24 hours. Unattended camping equipment still in place beyond the 24-hour limit is subject to impoundment. Impounded equipment shall be removed and disposed of as provided by law.
6. Violation of any park regulation or state law by any member of a camping party shall be cause for revocation of such camping privileges and the entire camping party may be directed to leave the premises, at the discretion of the Director or his Designee.
7. It shall be unlawful to park any motor vehicle outside the parking area designated at each campsite, and not more than two licensed vehicles are permitted at any campsite.
8. Any non-registered person visiting a camping party in the campground must vacate the campground area by 10:30 p.m.
9. Camping is permitted only in areas and locations designated.
10. It shall be unlawful for any person to obtain a camping permit for use by a camping party of which he or she is not a member; provided, however, that parents and group leaders shall obtain a camping permit for use by youth groups. Persons under age 18 shall not be allowed to camp alone unless the Director or his designee is contacted in advance by the parent or legal guardian and permission is granted.
11. Campers shall restore their campsites to the same approximate condition or better than when they found it.
12. Check out time for all campgrounds is 5:00 p.m.
13. The fee charged for use of dump stations by non-registered campers shall be equal to the fee charged to campers using electrical service at the campground.

2.08 EXCESSIVE NOISE. It shall be unlawful for any person in or on an area to:

1. Create, generate, or permit unreasonable or excessive noise between the hours of 10:30 p.m. and 6:00 a.m. For purposes of this paragraph, “unreasonable or excessive noise” shall be defined as sound that can be detected by the unaided human ear at a distance of 120 feet or more or from a distance equivalent to three campsites.
2. Use any radio, television, telephone, stereo, musical instrument, electric generator, or similar equipment under any circumstances between the hours of 10:30 p.m. and 6:00 a.m.
3. Operate or use any fixed, portable, or vehicular-mounted public address system or device, except when such use has been approved in writing by the Director or a Designee.

2.09 RECREATION USES ONLY. It shall be unlawful for any person to occupy any portion of any area for washing or repairing vehicles, advertising, political campaigning, hawking, peddling, or any other commercial activity or any other purpose not primarily recreational.

2.10 MOTOR VEHICLES. Operation of all vehicles in areas under the jurisdiction of the Board, except maintenance equipment of the Board and except as otherwise provided in this Chapter, shall be restricted to designated roadways and parking spaces. Operation of vehicles on designated roadways shall not exceed the posted speed limit. If no speed limit is posted, vehicles shall not exceed 15 miles per hour. All roadways and parking spaces in areas under the jurisdiction of the Board are public roads and operation on them is subject to all applicable statutes. Operation of off-road vehicles is prohibited in all areas of Fontana Park and Three Elms Area, including roadways and parking spaces. Off-road vehicles may use the designated parking area on 125th Street as it runs through Fontana Park. Operation of off-road vehicles in designated roadways and parking spaces of all other properties under the jurisdiction of the Board is subject to Chapter 24 of the Buchanan County Code of Ordinances, including age restrictions, licensing, insurance, and equipment requirements. Operation of vehicles, including off-road vehicles, in any area under the jurisdiction of the Board other than a designated roadway or parking space, is prohibited unless the operator of such vehicle shall have acquired a special use permit for such use. Issuance of a special use permit for purposes of this paragraph is subject to the following restrictions:

1. Applicants for permits under this paragraph shall produce either a non-ambulatory permit issued by the Iowa Department of Resources, or a statement from the applicant’s physician confirming that use of an off-road vehicle is medically indicated.
2. Issuance of such permit shall be at the discretion of the Director, who shall have sole authority to issue such permit. A permit shall not be issued unless the Director determines that the proposed operation will not significantly damage the quality of the area where it is to occur, that such operation will not significantly impact other users of the area where it is to occur, and that such operation will not require significant staff time to provide off-road access.
3. Operation of vehicles shall be restricted to those routes the Director shall specify on the permit.
4. Operation of vehicles shall be restricted to the start and termination times, date, and area the Director shall specify on the permit.
5. The permit shall be firmly attached to the vehicle and be visible at all times.
6. Where appropriate, a duplicate of the permit shall be issued for any vehicle used to transport the vehicle to be operated off-road and shall be attached to the rearview mirror of the transport vehicle at all times.
7. Operation of vehicles shall be restricted to a maximum speed not exceeding 5 miles per hour.
8. The Director shall not issue a permit for the operation of any vehicle whose ignition or exhaust systems shall have been modified in any manner that results in additional noise.
9. The operator of a vehicle used for hunting purposes shall transport game legally taken by the operator only. The operator shall not transport in the vehicle game taken by other members of the operator’s party.

2.11 FISHING. All fishing done on lands and waters under the jurisdiction

of the Board shall be done according to Iowa Department of Natural Resources regulations, Iowa law, and size limits posted by the Board. The privilege of fishing in an area under the jurisdiction of the Board may be revoked by any law enforcement officer for violation of Iowa law and/or this Chapter.

2.12 TRAPPING RESTRICTED. It shall be unlawful to trap or attempt to trap any wild animal in or on any area not designated as a hunting area by the Board, except those areas designated from time to time by the Board. All trapping done on lands and waters under the jurisdiction of the Board shall be done according to Iowa Department of Natural Resources regulations and Iowa law.

2.13 SWIMMING RESTRICTED. It shall be unlawful for any person to swim in waters under the jurisdiction of the Board. The Board assumes no responsibility for death or injury of persons resulting from swimming or wading in waters under its jurisdiction.

2.14 RESERVING PARK FACILITIES. Some Conservation Board facilities may be reserved in advance by obtaining a permit from the Board’s office at Fontana Park during normal business hours. Reservation fees are required in advance and are non-refundable. Picnic shelters which are not reserved will be available on a first come, first served basis.

2.15 DOMESTIC REFUSE NOT PERMITTED. It shall be unlawful for any person to transport garbage, refuse, or litter onto an area with intent to dispose of such garbage, refuse, or litter in or on an area.

2.16 BOATS UNATTENDED NOT PERMITTED. It shall be unlawful to leave unattended any boat or other form of water conveyance on or attached to any area, except those areas designated from time to time by the Board, for more than 12 consecutive hours. Any water conveyance left in violation of this section shall be removed and stored at the expense of its owner, which expense shall not be less than \$25.00. If not reclaimed within six months of its removal, such water conveyance shall be considered abandoned and shall thereafter be disposed of as provided by law.

2.17 MOTOR VEHICLES UNATTENDED NOT PERMITTED. It shall be unlawful to leave any motor vehicle unattended on any area for more than 24 hours without permission of the Director or his designee. Any motor vehicle left in violation of this section shall be removed and stored at the expense of its owner, which expense shall not be less than \$25.00. If not reclaimed within six months of its removal, all such motor vehicles shall be considered to be abandoned and shall thereafter be disposed of as provided by law.

2.18 OFFICIAL SIGNS. It shall be unlawful for any person to enter, use, or occupy any area or facilities within said area in disregard of any official signs.

2.19 CONSUMPTION OF ALCOHOLIC BEVERAGES. Beer and light wine (beverages containing an alcoholic content of 6.25 percent or less by volume) may be consumed in areas administered by the Board; provided, however, that consumption of alcoholic beverages is prohibited on roads, parking lots, or in the immediate vicinity of the Fontana wild animal display. No person or group shall have in his, her, or their possession beer in a keg or other container larger than one quart, unless such person or group shall have obtained a special use permit from the Director. All requests for special use permits shall be in writing and shall be submitted to the Director not less than two weeks prior to the date of the event or activity. Any beer possessed in violation of this rule shall be subject to seizure by the Director or the Director’s designee and shall be destroyed. All requests for special use permits shall be accompanied by a deposit and fee in amounts to be determined by the Board from time to time. The deposit shall be refunded to the applicant provided no complaints shall have arisen concerning the activity and provided the area where such activity shall have occurred is left in good order.

2.20 CLOSING TIME. All areas shall be closed to the public between the hours of 10:30 p.m. and 6:00 a.m. unless otherwise specified by the Board, in which case official signs shall be erected giving the public constructive notice of such change. The provisions of this section shall not apply to authorized camping by registered campers in designated camping areas.

2.21 EXCEPTIONS. Nothing in this Chapter shall prohibit or hinder the Board, the Director, park rangers or duly authorized agents or any other peace officer from performing his or her official duties.

2.22 SPEED RESTRICTIONS. Maximum speed of all vehicles operated in areas under the jurisdiction of the board shall be 15 miles per hour; but in no event shall any person operate a vehicle in such areas at a speed greater than is reasonable and proper, having due regard to the conditions then existing and safety and welfare of other persons present in such areas.

2.23 HITCHING TO TREES. No horse or other animal shall be hitched or tied to any tree, shrub, or in such a manner as to result in injury to county property.

2.24 FIRES. No fire shall be built except in a place provided therefore, and such fire shall be extinguished when the site is vacated unless it is immediately used by some other party.

2.25 DISTURBANCE OF THE PEACE. It shall be unlawful for any person to engage in the following conduct in areas:

1. Quarreling, fighting, violent behavior, or other conduct that interferes with the use and enjoyment of such areas by persons lawfully engaged in activities approved for such areas;
2. Using profane, offensive, or obscene language that is intended to abuse the hearer.

2.26 VANDALISM AND LITTERING. It shall be unlawful for any person to: 1. Intentionally or recklessly destroy or deface property under the jurisdiction of the Board; 2. Deposit garbage, refuse, or litter in a location in or on an area other than a container or receptacle designed for such purpose.

2.27 VIOLATIONS AND ENFORCEMENT. In those instances where a violation of Section 2.06 of this Chapter is alleged, the County reserves the right to request that, upon conviction, the Court impose judgment for liquidated damages against the offender in amounts consistent with Iowa Code Section 481A.130, in addition to any other penalties provided by law. All liquidated damages received under this Section shall be remitted to the Treasurer of the State of Iowa as provided in Iowa Code Section 481A.131.

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