

Webster County Conservation Board

Rules & Regulations



Revised & Adopted

04/07/15

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Webster County Conservation Board

Rules & Regulations

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Webster County Conservation Board

I. General

Scope:

By the authority granted to the Webster County Conservation Board by the laws of the State of Iowa Chapter 350.5 of the Code of Iowa (2015), the following rules and regulations are deemed by said Board to be necessary for the protection, regulation, and control of all areas under the jurisdiction and management of said Board.

The rules and regulations governing the use of park and recreation areas are intended to protect the visitor and the area itself from abuse and misuse. In addition to the rules and regulations adopted by the Webster County Conservation Board, all state laws apply to conduct in county areas. Chapters 461A.35 through 461A.57 of the Code of Iowa (2015), Public Lands and Waters, apply to county park and recreation areas unless modified by the Conservation Board. The traffic laws of the State of Iowa apply to county park and recreation area roads in the same manner as they apply to state roadways. Other chapters of the Code of Iowa concerning alcoholic beverages and destruction of public buildings apply in all county park and recreation areas.

Webster County Conservation Board

II. State Statutes

350.5 REGULATIONS – PENALTY – OFFICERS

The county conservation board may make, alter, amend or repeal regulations for the protection, regulation, and control of all museums, parks, preserves, parkways, playgrounds, recreation centers, and other property under its control. The regulations shall not be contrary to, or inconsistent with, the laws of this state. The regulations shall not take effect until ten days after their adoption by the board and after their publication as provided in Chapter 331.305 and after a copy of the regulations has been posted near each gate or principle entrance to the public ground to which they apply. After the publication and posting, a person violating a provision of the regulations which are then in effect is guilty of a simple misdemeanor. The board may designate the Director and those employees as the Director may designate as police officers who shall have all the powers conferred by law on police officers, peace officers, or sheriffs in the enforcement of the laws of this state and apprehension of violators.

350.10 STATUTES APPLICABLE

Chapters 461A.35 through 461A.57 of the Code of Iowa (1993), apply to all lands and waters under the control of a county conservation board, in the same manner as if the lands and waters were state parks, lands or waters. As used in Chapters 461A.35 through 461A.57 of the Code of Iowa (1993), “natural resource commission” includes a county conservation board, and “director” includes a county conservation board or its director, with respect to lands or waters under the control of a county conservation board. However, Chapters 461A.35 through 461A.57 of the Code of Iowa, may be modified or superseded by rules adopted as provided in Chapter 350.5 of the Code of Iowa.

Webster County Conservation Board

SECTION 1

III. Definitions

By the authority granted to the Webster County Conservation Board through Chapter 350.5 of the Code of Iowa, the following rules and regulations are hereby adopted by said Board. The following terms, as used in these regulations, shall, for the purpose of these regulations, have the meanings assigned hereto, unless a different meaning is clearly indicated.

- 1.) **“Board”** shall mean the Webster County, Iowa Conservation Board.
- 2.) **“Director”** shall mean the Executive Director of the Webster County Conservation Board.
- 3.) **“Area”** means all or any part of the land and/or water owned, leased, managed, or by other means under control of the Board.
- 4.) **“Wildlife Management Area”** shall mean any area designated by the Board where public hunting and trapping is **allowed** unless otherwise posted.
- 5.) **“Refuge”** shall mean any area designated by the Board where public hunting and trapping is **not allowed**.
- 6.) **“Authorized Representative”** shall include Park Rangers and other persons designated by the Director.
- 7.) **“Special Event and User Permit”** shall mean any permit issued by the Director pursuant to authority delegated by the Board.
- 8.) **“Camp”** or **“Camping”** shall mean any use of a shelter such as a tent, trailer, or motor vehicle specifically designated for such use as temporary residence at the camp area.
- 9.) **“Camping Area”** shall mean any area designated by the Board for camping.
- 10.) **“Camping Unit”** means either a single tent not larger than 150 square feet in size at its base, pickup camper, motor home or converted bus, recreation trailer, or motor vehicle, except for those shelters used exclusively for dining purposes, plus, at the option of said camping party, a small tent or similar type camping unit may be placed on a site with the basic unit so long as the

persons occupying the second unit are under eighteen years of age and dependent members of the immediate family occupying the larger unit.

- 11.) **“Camping Party”** shall mean any individual group of not more than six persons occupying one campsite.
- 12.) **“Youth Group”** shall mean a group consisting of minor members of an established organization and under the leadership of at least one adult for each eight minors in the group and using any number of camping units for occupying a group camp area.
- 13.) **“Capacity”** shall mean the maximum number of camping parties or camping units that the Board shall determine may occupy a campsite.
- 14.) **“Official Signs”** shall mean signs provided for in the Iowa D.O.T. “Manual on Uniform Traffic Control Devices for Iowa Streets and Highways” and other signs designated and erected by the Board or an authorized representative.
- 15.) **“Noise”** shall mean any loud, confused or senseless shouting or outcry, a sound lacking in agreeable musical quality or which is noticeably unpleasant.
- 16.) **“Metal Detector”** means a portable electronic device carried by an individual used only for detecting metal above or below the surface of the ground.
- 17.) **“Motor Vehicle”** any gas or electric powered vehicle.

Webster County Conservation Board

IV. County Rules & Regulations

SECTION 2 SCOPE

The provisions of these regulations apply to all lands and waters owned or managed by the Webster County Conservation Board.

SECTION 3 FEES & CHARGES

The Board may establish fees or deposits for the use of facilities, privileges and conveniences within all areas under the Boards' management or jurisdiction. All camping fees, shelter fees and other special use permits or deposits shall be paid in full, by the responsible party, prior to the use of the area.

SECTION 4 COLLECTION OF FRUITS, NUTS & NATURAL FEATURES

Chapter 461A.41 of the Code of Iowa is hereby modified under the authority of Chapter 350.10 as follows:

- A. Nuts, fruits, berries, mushrooms, and asparagus: It shall be **lawful** to collect reasonable amounts nuts, fruits, berries, mushrooms, and asparagus for non-commercial, home use on lands under the jurisdiction of the Board, provided that the collector does not damage the parent plant.
- B. Native prairie grasses, forbs (flowers), and other plant life: It shall be **unlawful** to collect or remove any variety of native prairie grass including seed, seed heads, forbs, Ginseng, or other plant life except as otherwise provided for in Section 4A, or by written permission from the Director. This section does not apply to activities of the Board or its' employees when managing land under the jurisdiction of the Board.
- C. Natural Features: It shall be **unlawful** to collect or remove bird nests, rock formations, or cultural artifacts found on land or water under the jurisdiction of the Board, except by written permission from the Director.

SECTION 5 USE OF FIREARMS

Section 461A.42 of the Code of Iowa entitled "Use of Firearms" is hereby modified under authority of Section 350.10 of the Code of Iowa as follows: It shall be lawful to hunt or pursue game in or on any area designated as a hunting area by the Board. The Board shall post all such areas with official signs to constructively notify the public that this activity is lawful. It shall be unlawful to use or possess any firearm on any property owned or managed by the Board that is not designated as a hunting area, unless otherwise provided by law. All fireworks and explosives are strictly prohibited on all property owned or managed by the Board except through a special use permit issued by the Director.

SECTION 6 TRAINING & EXERCISING DOGS

Section 461A.45 of the Code of Iowa entitled “Animals on Leash” is hereby modified under the authority of Section 350.10 of the Code of Iowa as follows: It is lawful to permit dogs to run at large for the purpose of training or exercising them in or on any area designated as a hunting area by the Board, and parts of other areas so designated by the Board. Animals must be accompanied by the trainer or owner. Training or exercising is not permitted between March 15th and July 15th unless a special use permit is issued by the Director.

SECTION 7 HUNTING

- A. Restrictions** – It is unlawful to hunt, pursue, or in any manner molest any birds or wild animals or to use or carry firearms, fireworks, explosives, and weapons of any kind, except as otherwise provided by law, in or on any area not designated as a hunting area by the Board.
- B. Blinds & Tree Stands** – A blind is a constructed place of ambush or concealment for the purpose of hunting, observing or photographing any species of wildlife.
 - 1. Any person may construct a blind in any designated hunting area using only the natural vegetation. It shall be unlawful to cut or injure any living trees or shrubs during the construction of a blind. Construction of such a blind shall not give that person any proprietary right to the blind.
 - 2. No person shall bring on to any area, to use for the construction of a blind thereon, any sawed lumber, wire, nail, bolt, post, pipe, metal cable, or hardware of any type, except when those materials are part of portable blinds or tree stands which are self-contained units readily moveable from one site to another.
 - 3. No person shall drive any nail, spike, pin, or other object, metal or otherwise, into any tree for the purpose of constructing a blind or tree stand, or to facilitate access to a blind or tree stand, or to a hunting location above the ground.
 - 4. Portable blinds placed in trees and used for purposes other than hunting waterfowl may be left on an area for a continuous period of time beginning seven days prior to the open season for hunting deer or turkey and ending seven days after the final day of that open season.
- C. Decoys** – A decoy is a bird or animal or likeness of one used to lure game within shooting range. Except where otherwise provided in these rules, decoys are prohibited from one hour after sunset until midnight each day, and decoys cannot be left unattended for over 30 minutes between midnight and one hour after sunset. Decoys shall be considered as removed from an area when they are picked up and placed in a boat, vehicle, or other container at an approved access site.
- D. Target Shooting** – Target shooting is the discharging of a rifle, shotgun, pistol, air rifle, bow and arrows, and sling shots at either a fixed or inanimate object. It shall be unlawful to target shoot on any property owned or

managed by the Board, except those areas designated by the Board as target shooting areas. The Board shall post all target shooting areas with official signs to notify the public that this activity is lawful.

- E. Use of Non-toxic Shot on Wildlife Areas** -It shall be unlawful to hunt any migratory game bird or resident game or furbearer, except deer and turkey, or target shoot with a shotgun while having in one's possession any shot other than nontoxic shot approved by the U.S. Fish and Wildlife Service on the following areas:

Miller Marsh
Rossow Prairie
Whispering Wings
Meier Marsh
Shirley Kirchner-Seltz Area

- F. Youth Only Hunting Area**

The Following Regulations apply to these areas:

1. Hunting and trapping is allowed only by persons 15 and under.
2. Youth must either be accompanied by a properly licensed adult or must be properly licensed.
3. Signs will be posted in "Youth Only" hunting and trapping designated areas.

SECTION 8 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 that protection of areas and facilities shall be accomplished as needed by the Director or another authorized representative.

SECTION 9 CAMPING

Section 461A.47 and 461A.49 of the Code of Iowa is hereby modified under the authority of Section 350.10 of the Code of Iowa as follows:

- A.** Violation of any state law or any county park rule or regulation by any member of a camping party is cause for revocation of camping privileges and the entire camping party may be required to leave the area.
- B. Non-Reservable Sites:** Campers must have the camping unit on the campsite before registering, and must register within ½ hour of setting up camp.
- C. Reservable Sites:** Campsites are reservable where posted.
- D.** No camping unit or camping party shall occupy any camping area for more than fourteen days, except for camp hosts or individuals designated by the Director. All members of the camping party must vacate the campground after the fourteenth night and may not return to the campground until a minimum of 3 nights has passed. All camping equipment must be removed from the site at the end of each stay.
- E.** No camping unit shall be left unoccupied or camping fee unpaid by the camping party for more than twenty-four hours. Unattended or non-registered camping equipment still in place beyond the twenty-four hour limit is subject to impoundment. Camping equipment which may be impounded shall be removed and disposed of as provided by law.

- F.** It is unlawful for more than one camping party, or camping unit to occupy a campsite. An additional tent may be used for children under eighteen years old. Youth groups are exempt from this rule with special permission from the Director.
- G.** All motor vehicles must be parked in a designated parking area. No more than two licensed vehicles are permitted at any campsite.
- H.** All campers shall maintain quiet and avoid excessive noise between the hours of 11:00 p.m. and 6:00 a.m.
- I.** No refunds will be issued.
- J.** Camping units shall be set up and registered by 10:30 p.m. Check-out time is 5:00 p.m.
- K.** No dishwashing will be allowed at drinking fountains, hydrants, or in restrooms.
- L.** No ropes, chains or lines can be affixed to trees..
- M.** Campers must restore their campsite to the same approximate condition as existed when they found it.
- N.** No pets shall be left unattended. It shall be unlawful to have in possession any animal which causes a disturbance or displays aggressive or threatening behavior.
- O.** All non-registered visitors must leave the park by 10:30 p.m.
- P.** No wading, swimming pools, water features, or water balloons are allowed in the campground.
- Q.** Campfires are only permitted in grills or fire rings provided. No trash allowed in the fire rings.
- R.** The burning of any garbage is prohibited. The possession of firewood from out of county is prohibited. The collection of dead and downed firewood is permitted at designated camping areas only or authorized by a permit.
- S.** Must be 18 years of age or older to register. (Photo ID required) Parental consent required for minors camping without a parent or guardian.
- T.** Washing of motor vehicles on all areas owned or managed by the Board is prohibited.

SECTION 10 NOISE PRODUCING DEVICES

It is unlawful to operate or use any radio, stereo, television, musical instrument, electrical generator, power or chain saw, or any similar equipment in or on any area in such a manner as to create excessive noise and/or disturb other persons. Use of an electrical generator is prohibited between 10:30 p.m. and 6:00 a.m.

SECTION 11 PUBLIC ADDRESS SYSTEMS

It is unlawful to operate or use any public address system whether fixed, portable, vehicular mounted in or on any area except by special use permit.

SECTION 12 RECREATION USE ONLY

It is unlawful for any person to occupy any portion of any area for repairing vehicles, advertising, political campaigning, hawking, peddling or any other commercial

activity or any other purpose not primarily recreational, except concessionaires acting under a special use permit with the Board.

SECTION 13 USE OF HORSES

It is unlawful to ride, lead, or otherwise allow the entry of a horse or horse drawn conveyance on any road or trail or on any area except for those trails and roads which the Board shall designate by official signs or allow by special use permit.

SECTION 14 ATV'S & SNOWMOBILES RESTRICTED

It shall be unlawful to operate any snowmobile, swamp buggy, all-terrain vehicle or any other land conveyance propelled by a gasoline or electrical engine and run on wheels, tracks, or runners in or on any area, except for those trails and roads which the Conservation Board shall designate, and for the purpose of ice fishing where the body of water is directly accessible from an approved boat ramp, and the machine is properly registered. This section does not apply to registered Off-Highway Vehicles that are legally permitted to operate on county roads and parking areas by ordinance.

SECTION 15 VEHICLE

No vehicle of any type, propelled by the machinery in whole or part, shall be permitted to travel other than on provided access roads and designated and posted areas or trails, unless a "Special Trail User Permit" has been issued by the Director. Any person operating such a vehicle shall hold a valid operator's or chauffeur's license.. Hayrides or towed devices are prohibited unless authorized by the Director through a Special Permit. Vehicles must be operated and equipped in accordance with Iowa Code Chapter 321.

SECTION 16 EXHIBITION DRIVING

Any person who drives a motor vehicle within the boundaries of any park or preserve under the jurisdiction of the Webster County Conservation Board in such a manner that creates or causes unnecessary engine noise or tire squeal or muffler noise or who shall skid or slide upon acceleration or stopping, or who simulates a temporary race, or who causes the vehicle to unnecessarily turn away abruptly or sway, or performs a wheelie, shall be in violation.

SECTION 17 SLEDDING EQUIPMENT RESTRICTED

Sledding is prohibited on all land owned or managed by the Board, except in designated sledding areas. It is unlawful to use any part of a car body, plywood, or sheet metal, or any similar unsafe device in any downhill winter sport activity in or on any area under the control of the Board. Construction of jumps or ramps is strictly prohibited.

SECTION 18 SWIMMING RESTRICTED

It is unlawful to swim, wade or engage in related water activities in or on any pond or waters in or on any area, except for designated pond or water clearly marked by official signs. Wading for the purpose of hunting and fishing is allowed. No swimming is allowed in swimming areas between sunset and sunrise. It shall be unlawful to bring any pet, alcohol, or glass containers on to any swimming area or beach area.

SECTION 19 RESERVING PARK FACILITIES

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

SECTION 20 DOMESTIC REFUSE NOT PERMITTED

It is unlawful to bring any garbage, refuse or litter into any area for the purpose of disposal. It is also unlawful to dispose of any litter, garbage or refuse from any household, business or other place in any litter container or upon the ground of any area.

SECTION 21 BOATS UNATTENDED NOT PERMITTED

It shall be unlawful to leave unattended any boat or other form of water conveyance on or attached to any area, except those areas designated from time to time by the Board, for more than twelve consecutive hours. Any water conveyance left in violation hereof shall be removed and stored at the expense of the owner. If not reclaimed within six months of its removal hereunder, all such water conveyances shall be considered abandoned and shall thereafter be disposed of.

SECTION 22 MOTOR VEHICLES UNATTENDED NOT PERMITTED

It shall be unlawful to leave any motor vehicle unattended on any area for more than twenty-four hours without the permission of the Director or his authorized representative. Any motor vehicle left in violation hereof shall be removed and stored at the expense of the owner. If not reclaimed within six months of its removal hereunder, all such motor vehicles shall be considered abandoned and shall thereafter be disposed of.

SECTION 23 OFFICIAL SIGNS, GATES, & BARRICADES

- A.** The Board may close or regulate the use of areas or parts of areas for the protection of humans, plants, animals, or natural or man-made features. No person shall use, enter or occupy any restricted area or facility in violation or disregard of any official sign, gate or barricade.
- B.** Parking areas marked with the international symbol of accessibility shall be used only by persons or groups containing persons qualifying for and displaying a handicap identification device on their vehicle.
- C.** No person shall post, fasten or affix any notice or sign within any area without written permission to do so. Freestanding temporary directional signs are permitted with a valid facility rental and must be removed.

SECTION 24 POSSESSION AND CONSUMPTION OF BEER OR ALCOHOLIC BEVERAGE

- A.** Beer (with an alcohol content 5% or less by weight) and wine (with an alcohol content 17% or less by weight) can be consumed in county parks. Drinking of these beverages is not permitted on roads or in parking areas.

Hard liquor (such as whiskey, vodka, etc.), wine with an alcohol content of more than 17% by weight or other alcoholic liquors are not to be consumed in any county area.

- B.** No person or group can bring, use, or have in their possession on any area, beer or alcoholic beverage in a keg or any other container larger than one gallon.
- C.** It shall be unlawful for any person to possess or consume beer or an alcoholic beverage in or on any area designated as an official swimming area or beach area.
- D.** It shall be unlawful for any person to possess or consume beer or an alcoholic beverage in a shelter that is used as a public warming house or a public event.

SECTION 25 CLOSING TIME

All areas shall be closed to the public between the hours of 10:30 p.m. and 6:00 a.m. unless otherwise specified by the Board, the Director or authorized representative. The provisions of this Section shall not apply to authorized camping in designated camping areas. Exceptions: Fishing and boating is permitted at Badger Lake Boat Ramp 24 hours a day.

SECTION 26 WAR-LIKE GAMES

War-like games that utilize any weapon-type projectile (paintballs) shall not be allowed on any land or water owned or managed by the Webster County Conservation Board, except areas Board shall designate by official signs or allow by special use permit.

SECTION 27 SPECIAL EVENTS & USER PERMITS

A permit shall be required to hold a special event in county parks and open areas under the jurisdiction of the Webster County Conservation Board that meet the following criteria:

- A.** Any event or gathering not sponsored by the Board and numbering two-hundred and fifty (250) people or more (with the exception of family gatherings); or
- B.** Any event or gathering charging admission or charging for services regardless of the number of people; or
- C.** Any activity that is not a regular Board practice or not allowed by Board rules.

SECTION 28 RESERVED

SECTION 29 MODEL AIRCRAFT & DRONES

Model aircraft and drones are allowed on lands and waters managed by the Conservation Board subject to Federal Aviation Administration rules and regulations. The following restrictions apply:

- A.** Model aircraft and drones are not permitted in designated camping areas.
- B.** In an unsafe or reckless manner or a manner that disrupts other park visitors.

SECTION 30 METAL DETECTING

- A. Metal detecting is only allowed in designated beach area.
- B. Metal detecting is only permitted during park hours.
- C. Any holes dug must be immediately filled back in.

SECTION 31 SCAVENGING

No person will be allowed to scavenge through any park waste or recycling containers to search for any items, including cans.

SECTION 32 RESERVED

SECTION 33 CAMP WA-NO-KI

The Following Additional Regulations apply to this area:

- A. Special regulations that apply to this area will be posted at the main entrance of the park.

SECTION 34 GYPSUM CITY OHV PARK CAMPGROUND

The Following Additional Regulations apply to this area:

- A. Helmets are required to be worn at all times when operating Off-Highway Vehicles.
- B. Riding time for all Off-Highway Vehicles is Sunrise to Sunset.
- C.

SECTION 35 EXCEPTIONS

Nothing in these rules and regulations shall prohibit or hinder the Conservation Board, its' Director, Park Rangers, or duly authorized agents or any other peace officers from performing their official duties.