

guns, or other dangerous instruments or toys on or into any street, alley, highway, sidewalk, public way, public ground, or public building, without written consent of the Council.

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

**41.13 URINATING AND DEFECATING.** It is unlawful for any person to urinate or defecate onto any sidewalk, street, alley, or other public way, or onto any public or private building, including but not limited to the wall, floor, hallway, steps, stairway, doorway, or window thereof, or onto any public or private land.

**41.14 FIREWORKS.**

*(Code of Iowa, Sec. 727.2)*

1. Fireworks Definitions.

A. "First-class consumer fireworks" means the following consumer fireworks, as described in APA 87-1, Chapter 3:

- (1) Aerial shell kits and reloadable tubes.
- (2) Chasers.
- (3) Helicopter and aerial spinners.
- (4) Firecrackers.
- (5) Mine and shell devices.
- (6) Missile-type rockets.
- (7) Roman candles.
- (8) Sky rockets and bottle rockets.
- (9) Multiple tube devices under this paragraph that are manufactured in accordance with APA 87-1, Section 3.5.

B. "Second-class consumer fireworks" means the following consumer fireworks, as described in APA 87-1, Chapter 3:

- (1) Cone fountains.
- (2) Cylindrical fountains.
- (3) Flitter sparklers.
- (4) Ground and hand-held sparkling devices, including multiple tube ground and handheld sparkling devices that are manufactured in accordance with APA 87-1, Section 3.5.
- (5) Ground spinners.
- (6) Illuminating torches.
- (7) Toy smoke devices that are not classified as novelties pursuant to APA 87-1, Section 3.2.
- (8) Wheels.
- (9) Wire or dipped sparklers that are not classified as novelties pursuant to APA 87-1, Section 3.2.

C. A person who violates this subsection of the code section commits a simple misdemeanor, punishable by a fine of not less than \$250.00.

D. A person shall not use consumer fireworks on real property other than that person's real property or on the property of a person, or City property without the consent of the owner of the property, or the City Council. A person who violates this section commits a simple misdemeanor. A court shall not order imprisonment for a violation of this subsection.

E. A person shall not use or explode consumer fireworks while the use of such device is suspended by an order of the State Fire Marshall. A person who does so commits a simple misdemeanor punishable by a fine of not less than \$250.00.

F. A person shall not use or explode consumer fireworks if there is a county wide "burn ban" issued by the County or a State "burn ban" for the County. A person who does so commits a simple misdemeanor punishable by a fine of not less than \$250.00 for the City ordinance violation.

2. Use of Consumer Fireworks and Novelties:

A. Regulations.

(1) It is unlawful for a person, firm, partnership, or corporation to use or explode consumer fireworks or novelties if they are less than 18 years of age.

(2) A person shall not use or explode consumer fireworks on days other than July 1 through July 8 and December 10 through January 3 of each year, all dates inclusive. A person who uses or explodes consumer fireworks on dates and times other than these specified in this subsection commits a simple misdemeanor and the court shall not order imprisonment for these violations.

(3) A person shall not use or explode consumer fireworks at times other than between the hours of noon and 10:00 p.m., except that on the following dates, consumer fireworks shall not be used at times other than between the hours specified:

(a) Between the hours of noon to 10:30 p.m.

(b) Between the hours of noon to 10:30 p.m. on the Saturdays and Sundays immediately preceding and following July 4.

B. A person shall not sell in the City limits except in an area zoned Commercial and who has complied with the State of Iowa requirements for the sale of consumer fireworks. A person, firm, partnership, or corporation who violates this section commits a simple misdemeanor punishable by a fine of not less than \$250.00 in addition to any other State-imposed penalties.

3. Display Fireworks.

A. Definition. "Display fireworks" includes any explosive composition or combination of explosive substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, and includes fireworks containing any explosive or flammable compound, or other device containing any explosive substance. "Display

fireworks” does not include novelties or consumer fireworks enumerated in Chapter 3 of the American Pyrotechnics Association’s Standard 87-1.

B. All display fireworks as herein defined are prohibited unless the City agency, organization, or group of individuals comply with all the following requirements:

- (1) File a written application and obtain a permit from the City.
- (2) The display fireworks will be handled by a competent licensed operator and provide proof to the City.
- (3) Provide proof with the written application for a permit for display fireworks and provide a copy of the insurance coverage for the event in the minimum amount of Personal Injury Coverage - \$500,000.00 per person/\$1,000,000.00 per occurrence, and Property Damage of \$500,000.00.
- (4) A violation of this subsection is a simple misdemeanor punishable by a fine of not less than \$250.00.

**41.15 FAILURE TO ASSIST.** A person who reasonably believes another person is suffering from a risk of serious bodily injury or imminent danger of death shall, if the person is able, attempt to contact local law enforcement or local emergency response authorities, if doing so does not place the person or other person at risk of serious bodily injury or imminent danger of death. No person shall without lawful cause violate the provisions of this section. A person shall not be required to contact local law enforcement or emergency response authorities if the person knows or reasonably believes that the other person is not in need of help or assistance.

*(Code of Iowa, Sec. 727.12)*

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