

Article IV – Unlawful Camping

Sec. 23-101. Unlawful Camping.

It is unlawful to camp, occupy a campsite, or use camp paraphernalia in the following areas unless specifically authorized by City campground rules, temporary permit, or mayoral emergency declaration:

1. Any park.
2. Public property not ordinarily open to the public (e.g., buildings, water sites, stormwater facilities, secured areas);
3. Any street or sidewalk reserved for vehicle or pedestrian travel.
4. Other portions of street rights-of-way.
5. Any other public lot or property improved or unimproved.

Sec. 23-102. Storage of Personal Property.

It is unlawful to store personal property, including camp facilities or paraphernalia, in the areas listed in Sec. 23-101(1) through (5).

Sec. 23-103. Open-Air Camping.

1. It shall be unlawful for any person to engage in open-air camping on any property within the City of Oelwein except when conducted on property lawfully owned or leased by that person.
2. “Open-air camping” means sleeping, resting, or lodging in the open or in a vehicle, whether or not camp facilities or paraphernalia are used, outside of a designated campground or lawful private property.
3. Nothing in this section shall prohibit temporary camping activities expressly authorized by City permit, City regulation, or mayoral emergency declaration.

Sec. 23-104. Penalties.

1. A violation constitutes trespass and is a simple misdemeanor punishable by fine only. The maximum fine for a first offense is \$100 plus court costs.
2. A second or subsequent violation within twelve (12) months constitutes criminal trespass under Iowa Code § 716.7 and may be enforced as such, including arrest.

Sec. 23-105. Enforcement.

1. Officers may issue citations of arrest pursuant to this chapter with a notice to appear in court. If the officers seize the camp items or personal belongings of the defendant, officers shall provide a notice to the defendant that states the defendant has seventy-two hours (72) to reclaim items
2. The Police Department may store seized items for 72 hours, after which unclaimed property may be disposed of.
3. Items left 72+ hours are deemed abandoned and may be removed. Hazardous items may be removed immediately. Notice may be given personally or by posting at the site.

Sec. 23-106. Definitions.

- **Camp:** To pitch or occupy camp facilities or use camp paraphernalia.
- **Camp facilities:** Includes, but is not limited to tents, huts, or temporary shelters used for sleeping or overnight shelter. Excludes structures used temporarily for authorized events between 6:00 a.m.–11:00 p.m.
- **Camp paraphernalia:** Includes, but is not limited to tarps, cots, beds, sleeping bags, hammocks, non-city cooking facilities, and similar equipment.
- **Park:** City-designated or maintained parks, trails, playgrounds, athletic fields, and public open spaces.
- **Store:** To set aside, place, or leave in a location for future use, or to put aside for safekeeping.
- **Street:** Any highway, road, lane, alley, right-of-way, or place open to public vehicular travel.