

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 23: MISCELLANEOUS LAW ENFORCEMENT, ARTICLE IV –
MISCELLANEOUS PROHIBITIONS

BE IT ORDAINED by the City Council of the City of Oelwein, Iowa, as follows:

Section 1. That the General Ordinances of the City of Oelwein adopted July 1, 2012, Chapter 23: Miscellaneous Law Enforcement, Article IV – Miscellaneous Prohibitions be amended as follows:

Sec. 23-64. 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. 23-65. 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. 23-66. 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. 23-67. 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. 23-68. 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. 23-69. 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.

Section 2. That all Ordinances or parts thereof in conflict herewith be and the same are hereby repealed. This Ordinance Shall become effective upon its passage.

First reading –	November 24, 2025
Second reading –	December 8, 2025
Third reading –	December 22, 2025

Passed and adopted by the City Council of the City of Oelwein, Iowa, this 22nd day of December, 2025.

Brett DeVore, Mayor

Attest:

Dylan Mulfinger, City Administrator

Recorded December 23, 2025

First Reading on November 24, 2025:

It was moved by _____ and seconded by _____
that the Ordinance as read be adopted, and
upon roll call there were:

AYES NAYS ABSENT ABSTAIN

Weber
Cantrell
Lenz
Payne
Seeders
Ricchio

Second Reading on December 8, 2025. It was
moved by _____ and seconded by _____
that the Ordinance as read be adopted (or to
suspend the rules), and upon roll call there were:

AYES NAYS ABSENT ABSTAIN

Weber
Cantrell
Lenz
Payne
Seeders
Ricchio

Third Reading on December 22, 2025. It was
moved by _____ and seconded by _____
that the Ordinance as read be adopted (or to
suspend the rules) and upon roll call there were:

AYES NAYS ABSENT ABSTAIN

Weber
Cantrell
Lenz
Payne
Seeders
Ricchio