

## TITLE II - COMMUNITY PROTECTION

## ARTICLE XVIII

CUTTING, INJURING OR DESTROYING ANY TREE OR OTHER  
PLANTINGS IN PUBLIC AREAS AND SETTING CLOSING  
HOURS FOR ALL CITY PARKS

- 2-18.1 PURPOSE. Some plantings in Salem Central Park have been damaged and this damage occurred late at night or in the early morning hours. The City has no Ordinance prohibiting such vandalism and it is believed that an Ordinance to prohibit such and providing for park hours can avoid such vandalism.
- 2-18.2 INJURY OR DESTRUCTION OF VEGETATION. It shall be unlawful for any person to willfully cut, break, injure, destroy or interfere with any tree, shrub, flower, bush or any other planting in any other public area in the City of Salem, Iowa.
- 2-18.3 CLOSING HOURS. All City Parks shall be closed to the public between the hours of 10:30 P.M. and the following 5:00 A.M. daily, except as hereinafter provided. All persons in a public park shall leave promptly at 10:30 P.M. No person shall remain in a park or use the park facilities during the hours that it is closed. This section shall not apply to City employees working in parks, or to scheduled public activities or events which have been submitted to and approved by the City Council or the City Clerk. It shall be unlawful for any person to be in any City Park after closing.
- 2-18.4 PENALTY. Any person who violates the provision of this Ordinance is guilty of a public offense and upon conviction shall be subject to a fine of an amount not to exceed \$100.00 and/or imprisonment for a period not to exceed thirty (30) days.
- 2-18.5 MUNICIPAL INFRACTION. Violation of the provisions of this Ordinance is a municipal infraction.
- In lieu of charging a person with a public offense, the City may charge

that person with a municipal infraction pursuant to Section 364.22 of the 1999 Code of Iowa. The civil penalty for a violation shall not be more than \$500.00 for each violation or if the infraction is a repeat offense, the civil penalty shall not exceed \$750.00 for each repeat offense.

(Entire Article was contained in Ordinance No. 1999-2, passed September 8, 1999.)