

## TITLE III COMMUNITY PROTECTION

### CHAPTER 19 SWIMMING AND BOATING

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**3-19-1 PURPOSE.** The purpose of this ordinance is to protect the health, safety and welfare of the users of the Lost Lagoon (Pond Park) in Scranton, Iowa by prohibiting boating and swimming.

**3-19-2 DEFINITIONS AND USES.** For use in this Ordinance, the following terms are defined:

1. "Swim or Swimming" shall include wading, bathing, jumping, diving or any other direct contact with the water.

2. "Boat or Boating" shall include the use or storage of any form of water craft used or capable of being used as a form of transportation on water.

3. "The Lost Lagoon" and "Pond Park" shall refer to the public park on the northeast corner of the intersection of Highway 25 and Moulton Street, and both terms may be used interchangeably.

**3-19-3 SWIMMING AND BOATING.** It shall be unlawful for any person to swim or boat in the waters of the Lost Lagoon. Additionally, it shall be unlawful for any person to park, anchor or store a boat in the water.

**3-19-4 EXCEPTION.** Those performing duties in an official capacity for the city, for the purpose of maintaining the pond or fish stocking, may be granted permission by the Mayor to use a boat to carry out their official duties.

**3-19-5 VIOLATION.** Any person violating this ordinance commits the offense of criminal trespass.

**3-19-6 CHARGES AND PENALTY.** Any person swimming or boating in or on the waters of the Lost Lagoon (Pond Park) in violation of this Chapter may be charged with trespass as provided in Iowa Code § 716.8 (2013). In addition, upon a first offense of this Ordinance, the offending person shall be banned from accessing Pond Park for a period of six (6) months from the date of the offense. Upon a second offense of this Ordinance, the offending person shall be banned from accessing Pond Park for a period of one (1) year from the date of the offense.

