

TITLE II – COMMUNITY PROTECTION  
 DIVISION 2 – ENFORCEMENT: PUBLIC OFFENSES

CHAPTER 50  
 PRIVATE PROPERTY

**50.01 Trespassing Prohibited****50.04 Theft****50.02 Electronic and Mechanical Eavesdropping****50.05 Theft of Utility Services****50.03 Damage to Property**

50.01 TRESPASSING PROHIBITED. It shall be unlawful for a person to commit one or more of the following acts:

1. Enter Property Without Permission. Enter upon or in property without the express permission of the owner, lessee, or person in lawful possession with the intent to commit a public offense or to use, remove therefrom, alter, damage, harass, or place thereon or therein anything animate or inanimate.  
 (Code of Iowa, Sec. 716.7[2a])
2. Vacate Property When Requested. Enter or remain upon or in property without justification after being notified or requested to abstain from entering or to remove or vacate therefrom by the owner, lessee, or person in lawful possession, or by any peace officer, magistrate, or public employee whose duty it is to supervise the use or maintenance of the property.  
 (Code of Iowa, Sec. 716.7[2b])
3. Interfere with Lawful Use of Property. Enter upon or in private property for the purpose or with the effect of unduly interfering with the lawful use of the property by others.  
 (Code of Iowa, Sec. 716.7[2c])
4. Use of Property Without Permission. By upon or in property and wrongfully use, remove therefrom, alter, damage, harass, or place thereon or therein anything animate or inanimate, without the implied or actual permission of the owner, lessee, or person in lawful possession.  
 (Code of Iowa, Sec. 716.7[2d])
5. Retrieving Property. None of the above shall be construed to prohibit entering upon the property of another for the sole purpose of retrieving personal property which has accidentally or inadvertently been thrown, fallen, strayed, or blown onto the property of another, provided that the person retrieving the property takes the most direct and accessible route to and from the property to be retrieved, quits the property as quickly as is possible, and does not unduly interfere with the lawful use of the property.  
 (Code of Iowa, Sec. 716.7[3])

50.02 ELECTRONIC AND MECHANICAL EAVESDROPPING. No person, having no right or authority to do so, shall tap into or connect a listening or recording device to any telephone or other communication wire, or shall by any electronic or mechanical means listen to, record, or

otherwise intercept a conversation or communication of any kind; provided, that the sender or recipient of a message or one who is openly present and participating in or listening to a communication shall not be prohibited hereby from recording such message or communication; and further provided, that nothing herein shall restrict the use of any radio or television receiver to receive any communication transmitted by radio or wireless signal.

(Code of Iowa, Sec. 727.8)

50.03 DAMAGE TO PROPERTY. It shall be unlawful to cut, hack, break, deface or otherwise injure any ornamental or shade tree, fence, private building, railing or other property.

(Code of Iowa, Sec. 716.1)

50.04 THEFT. No person shall take possession or control of the property of another, or property in the possession of another, with the intent to deprive the other thereof.

(Code of Iowa, Sec. 714.1[1])

50.05 THEFT OF UTILITY SERVICES. No person shall obtain gas, electricity or water from a public utility or obtain cable television or telephone service from an unauthorized connection, to the supply or service line or by intentionally altering, adjusting, removing or tampering with the metering or service device so as to cause inaccurate readings.

(Code of Iowa, Sec. 714.1[7])