

State Laws and Published Ordinances – Iowa

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Table of Contents

Title VI – Human Services

Subtitle 6 – Children and Families

Chapter 236 – Domestic Abuse

Section 236.4. Hearings – temporary orders.

Section 236.5. Disposition.

Title XVI – Criminal Law and Procedure

Subtitle 1 – Crime Control and Criminal Acts

Chapter 724 – Weapons

Section 724.1. Offensive weapons.

Section 724.1B. Firearm suppressors – penalty.

Section 724.1C. Short-barreled rifle or short-barreled shotgun – penalty.

Section 724.2. Authority to possess offensive weapons.

Section 724.2A. Peace officer defined.

Section 724.3. Unauthorized possession of offensive weapons.

Section 724.4A. Weapons free zones – enhanced penalties.

Section 724.4B. Carrying firearms on school grounds – penalty – exceptions.

Section 724.6. Professional permit to carry weapons.

Section 724.7. Nonprofessional permit to carry weapons.

Section 724.8. Persons ineligible for permit to carry weapons.

Section 724.9. Firearm safety training.

Section 724.10. Application for permit to carry weapons – background check required.

Section 724.11. Issuance of permit to carry weapons.

Section 724.11A. Recognition.

Section 724.12. Permit to carry weapons not transferable.

Section 724.13. Suspension or revocation of permit to carry weapons – criminal history background check.

Section 724.14. Nonprofessional permit – change of residence to another county.

Section 724.15. Annual permit to acquire pistols or revolvers.

Section 724.16. Permit to acquire required – transfer prohibited.

Section 724.16A. Trafficking in stolen weapons.

Section 724.17. Permit to acquire – criminal history check.

Section 724.18. Procedure for making application for permit to acquire.

Section 724.19. Issuance of permit to acquire.

Section 724.20. Validity of permit to acquire pistols or revolvers.

Section 724.21. Giving false information when acquiring pistol or revolver.

Section 724.21A. Denial, suspension, or revocation of permit to carry weapons or permit to acquire pistols or revolvers.

Section 724.22. Persons under twenty-one – sale, loan, gift, making available – possession.

Section 724.25. Felony and antique firearm defined.

Section 724.26. Possession, receipt, transportation, or dominion and control of firearms, offensive weapons, and ammunition by felons and others.

Section 724.27. Offenders' rights restored.

Section 724.28. Prohibition of regulation by political subdivisions.

Section 724.29. Firearm devices.

Section 724.29A. Fraudulent purchase of firearms or ammunition.

Section 724.31. Persons subject to firearm disabilities due to mental health commitments or adjudications – relief from disabilities – reports.

Subtitle 3 – Criminal Corrections

Chapter 914 – Reprieves, Pardons, Commutations, Remissions, and Restorations of Rights

Section 914.7. Rights not restorable.

Ames

Bettendorf

Cedar Rapids

Clinton

Council Bluffs

Davenport

Fort Madison

Marion County

Marshalltown

North Liberty

Ottumwa

Sergeant Bluff

Urbandale

Waterloo

West Des Moines

Windsor Heights

**Title VI – Human Services
Subtitle 6 – Children and Families
Chapter 236 – Domestic Abuse**

Section 236.4. Hearings – temporary orders.

2. The court may enter any temporary order it deems necessary to protect the plaintiff from domestic abuse prior to the hearing, including temporary custody or visitation orders pursuant to subsection 3, upon good cause shown in an ex parte proceeding. Present danger of domestic abuse to the plaintiff constitutes good cause for purposes of this subsection. A temporary order issued pursuant to this subsection shall specifically include notice that the person may be required to relinquish all firearms, offensive weapons, and ammunition upon the issuance of a permanent order pursuant to section 236.5.

Section 236.5. Disposition.

1. Upon a finding that the defendant has engaged in domestic abuse:

b. The court may grant a protective order which may contain but is not limited to any of the following provisions:

(2) That the defendant not knowingly possess, ship, transport, or receive firearms, offensive weapons, and ammunition in violation of section 724.26, subsection 2.

**Title XVI – Criminal Law and Procedure
Subtitle 1 – Crime Control and Criminal Acts
Chapter 724 – Weapons**

Section 724.1. Offensive weapons.

1. An offensive weapon is any device or instrumentality of the following types:

- a. A machine gun. A machine gun is a firearm which shoots or is designed to shoot more than 1 shot, without manual reloading, by a single function of the trigger.
- b. Any weapon other than a shotgun or muzzle loading rifle, cannon, pistol, revolver or musket, which fires or can be made to fire a projectile by the explosion of a propellant charge, which has a barrel or tube with the bore of more than 6/10 of an inch in diameter, or the ammunition or projectile therefor, but not including antique weapons kept for display or lawful shooting.
- c. A bomb, grenade, or mine, whether explosive, incendiary, or poison gas; any rocket having a propellant charge of more than 4 ounces; any missile having an explosive charge of more than 1/4 ounce; or any device similar to any of these.
- e. Any part or combination of parts either designed or intended to be used to convert any device into an offensive weapon as described in paragraphs "a" through "e", or to assemble into such an offensive weapon, except magazines or other parts, ammunition, or ammunition components used in common with lawful sporting firearms or parts including but not limited to barrels suitable for refitting to sporting firearms.
- f. Any bullet or projectile containing any explosive mixture or chemical compound capable of exploding or detonating prior to or upon impact, or any shotshell or cartridge containing exothermic pyrophoric misch metal as a projectile which is designed to throw or project a flame or fireball to simulate a flamethrower.

2. An offensive weapon or part or combination of parts therefor shall not include the following:

- a. An antique firearm. An **antique firearm** is any firearm, including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured in or before 1898 or any firearm which is a replica of such a firearm if such replica is not designed or redesigned for using conventional rimfire or centerfire fixed ammunition or which uses only rimfire or centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.
- b. A collector's item. A **collector's item** is any firearm other than a machine gun that by reason of its date of manufacture, value, design, and other characteristics is not likely to be used as a weapon. The commissioner of public safety shall designate by rule firearms which the commissioner determines to be collector's items and shall revise or update the list of firearms at least annually.
- c. Any device which is not designed or redesigned for use as a weapon; any device which is designed solely for use as a signaling, pyrotechnic, line-throwing, safety, or similar device; or any firearm which is unserviceable by reason of being unable to discharge a shot by means of an explosive and is incapable of being readily restored to a firing condition.

Section 724.1A Firearm suppressors — certification.

1. As used in this section, unless the context otherwise requires:

c. **“Firearm suppressor”** means a mechanical device specifically constructed and designed so that when attached to a firearm it silences, muffles, or suppresses the sound when fired and that is considered a “firearm silencer” or “firearm muffler” as defined in 18 U.S.C. §921.

Section 724.1B. Firearm suppressors – penalty.

1. A person shall not knowingly possess a firearm suppressor in this state in violation of federal law.

Section 724.1C. Short-barreled rifle or short-barreled shotgun – penalty.

1. For purposes of this section, **“short-barreled rifle”** or **“short-barreled shotgun”** means the same as defined in 18 U.S.C. §921.

2. A person shall not knowingly possess a short-barreled rifle or short-barreled shotgun in violation of federal law.

Section 724.2. Authority to possess offensive weapons.

1. Any of the following persons or entities is authorized to possess an offensive weapon when the person's or entity's duties or lawful activities require or permit such possession:

a. Any peace officer.

b. Any member of the armed forces of the United States or of the national guard.

c. Any person in the service of the United States.

d. A correctional officer, serving in an institution under the authority of the Iowa department of corrections.

e. Any person who under the laws of this state and the United States, is lawfully engaged in the business of supplying those authorized to possess such devices.

f. Any person, firm or corporation who under the laws of this state and the United States is lawfully engaged in the improvement, invention or manufacture of firearms.

g. Any museum or similar place which possesses, solely as relics, offensive weapons which are rendered permanently unfit for use.

h. A resident of this state who possesses an offensive weapon which is a curio or relic firearm under the federal Firearms Act, 18 U.S.C. ch. 44, solely for use in the official functions of a historical reenactment organization of which the person is a member, if the offensive weapon has been permanently rendered unfit for the firing of live ammunition. The offensive weapon may, however, be adapted for the firing of blank ammunition.

i. A nonresident who possesses an offensive weapon which is a curio or relic firearm under the federal Firearms Act, 18 U.S.C. Ch. 44, solely for use in official functions in this state of a historical reenactment organization of which the person is a member, if the offensive weapon is legally possessed by the person in the person's state of residence and the offensive weapon is at all times while in this state rendered incapable of firing live ammunition. A nonresident who possesses an offensive weapon under this paragraph while in this state shall not have in the person's possession live ammunition. The offensive weapon may, however, be adapted for the firing of blank ammunition.

2. Notwithstanding subsection 1, a person is not authorized to possess in this state a shotshell or cartridge intended to project a flame or fireball of the type described in § 724.1.

Section 724.2A. Peace officer defined.

As used in §§ 724.6 and 724.11 regarding obtaining or renewing a permit for the carrying of weapons, “peace officer” includes a reserve peace officer as defined in § 80D.1A.

Section 724.3. Unauthorized possession of offensive weapons.

Any person, other than a person authorized herein, who knowingly possesses an offensive weapon commits a class “D” felony.

Section 724.4A. Weapons free zones – enhanced penalties.

1. As used in this section, **“weapons free zone”** means the area in or on, or within 1,000 feet of, the real property comprising a public or private elementary or secondary school, or in or on the real property comprising a public park. A weapons free zone shall not include that portion of a public park designated as a hunting area under § 461A.42.

2. Notwithstanding §§ 902.9 and 903.1, a person who commits a public offense involving a firearm or offensive weapon, within a weapons free zone, in violation of this or any other chapter shall be subject to a fine of twice the maximum amount which may otherwise be imposed for the public offense.

Section 724.4B. Carrying firearms on school grounds – penalty – exceptions.

1. A person who goes armed with, carries, or transports a firearm of any kind, whether concealed or not, on the grounds of a school commits a class "D" felony. For the purposes of this section, "**school**" means a public or nonpublic school as defined in § 280.2.

2. Subsection 1 does not apply to the following:

a. A person who has been specifically authorized by the school to go armed with, carry, or transport a firearm on the school grounds for any lawful purpose.

b. A peace officer including a peace officer who has not been certified and a federal officer when the officer's employment requires going armed, whether or not the peace officer or federal officer is acting in the performance of official duties.

c. A member of the armed forces of the United States or of the national guard or person in the service of the United States, when the firearm is carried in connection with the person's duties as such.

d. A correctional officer, when the officer's duties require the officer to carry a firearm, serving under the authority of the Iowa department of corrections.

e. A person who for any lawful purpose carries an unloaded pistol, revolver, or other firearm inside a closed and fastened container or securely wrapped package that is too large to be concealed on the person.

f. A person who for any lawful purpose carries or transports an unloaded pistol, revolver, or other firearm in a vehicle or common carrier inside a closed and fastened container or securely wrapped package that is too large to be concealed on the person or carries or transports an unloaded pistol, revolver, or other firearm inside a cargo or luggage compartment where the pistol or revolver will not be readily accessible to any person riding in the vehicle or common carrier.

g. A law enforcement officer from another state when the officer's duties require the officer to carry a firearm and the officer is in this state for any of the following reasons:

(1) The extradition or other lawful removal of a prisoner from this state.

(2) Pursuit of a suspect in compliance with chapter 806.

(3) Activities in the capacity of a law enforcement officer with the knowledge and consent of the chief of police of the city or the sheriff of the county in which the activities occur or of the commissioner of public safety.

h. A licensee under chapter 80A or an employee of such a licensee, while the licensee or employee is engaged in the performance of duties, and if the licensee or employee possesses a valid professional or nonprofessional permit to carry weapons issued pursuant to this chapter.

Section 724.6. Professional permit to carry weapons.

1.

a.

(1) A person may be issued a permit to carry weapons when the person's employment in a private investigation business or private security business licensed under chapter 80A, or a person's employment as a peace officer, correctional officer, security guard, bank messenger or other person transporting property of a value requiring security, or in police work, reasonably justifies that person going armed.

(2) A person may be issued a permit to carry weapons if the person is an emergency medical care provider who is designated and attached to a law enforcement tactical team by the authorities having jurisdiction. A person issued a permit to carry weapons under this paragraph shall train with the law enforcement tactical team the person is designated and attached to, complete a prescribed firearm safety training course offered pursuant to section 724.9, subsection 1, paragraph "e", complete any additional training as prescribed by the authorities having jurisdiction, and not be disqualified under section 724.8.

b. The permit shall be on a form prescribed and published by the commissioner of public safety, shall identify the holder, and shall state the nature of the employment requiring the holder to go armed. A permit so issued, other than to a peace officer, shall authorize the person to whom it is issued to go armed anywhere in the state, only while engaged in the employment, and while going to and from the place of the employment.

c. A permit issued to a certified peace officer shall authorize that peace officer to go armed anywhere in the state at all times, including on the grounds of a school.

d. Permits shall expire twelve months after the date when issued except that permits issued to peace officers and correctional officers are valid through the officer's period of employment unless otherwise canceled. When the employment is terminated, the holder of the permit shall surrender it to the issuing officer for cancellation.

2. Notwithstanding subsection 1, fire fighters, as defined in section 411.1, subsection 10, airport fire fighters included under section 97B.49B, and emergency medical care providers other than emergency medical care providers specified in subsection 1, paragraph "a", subparagraph (2), shall not, as a condition of employment, be required to obtain a permit under this section. However, the provisions of this subsection shall not apply to a person designated as an arson investigator by the chief fire officer of a political subdivision.

3. For purposes of this section, "emergency medical care provider" means the same as defined in section 147A.1. Section 724.7. Nonprofessional permit to carry weapons.

1. Any person who is not disqualified under § 724.8, who satisfies the training requirements of § 724.9, and who files an application in accordance with § 724.10 shall be issued a nonprofessional permit to carry weapons. Such permits shall be on a form prescribed and published by the commissioner of public safety, which shall be readily distinguishable from the professional permit, and shall identify the holder of the permit. Such permits shall not be issued for a particular weapon and shall not contain information about a particular weapon including the make, model, or serial number of the weapon or any ammunition used in that weapon. All permits so issued shall be for a period of 5 years and shall be valid throughout the state except where the possession or carrying of a firearm is prohibited by state or federal law.

2. The commissioner of public safety shall develop a process to allow service members deployed for military service to submit a renewal of a nonprofessional permit to carry weapons early and by mail. In addition, a permit issued to a service member who is deployed for military service, as defined in § 29A.1, subsection 3, 8, or 12, that would otherwise expire during the period of deployment shall remain valid for 90 days after the end of the service member's deployment.

Section 724.8. Persons ineligible for permit to carry weapons.

No professional or nonprofessional permit to carry weapons shall be issued to a person who is subject to any of the following:

1. Is less than 18 years of age for a professional permit or less than 21 years of age for a nonprofessional permit.
2. Is addicted to the use of alcohol.
3. Probable cause exists to believe, based upon documented specific actions of the person, where at least one of the actions occurred within 2 years immediately preceding the date of the permit application, that the person is likely to use a weapon unlawfully or in such other manner as would endanger the person's self or others.
4. Is subject to the provisions of § 724.26.
5. Has, within the previous 3 years, been convicted of any serious or aggravated misdemeanor defined in chapter 708 not involving the use of a firearm or explosive.
6. Is prohibited by federal law from shipping, transporting, possessing, or receiving a firearm.

Section 724.9. Firearm safety training.

1. An applicant for an initial permit to carry weapons shall demonstrate knowledge of firearm safety by any of the following means:

- a. Completion of any national rifle association handgun safety training course.
- b. Completion of any handgun safety training course available to the general public offered by a law enforcement agency, community college, college, private or public institution or organization, or firearms training school, utilizing instructors certified by the national rifle association or the department of public safety or another state's department of public safety, state police department, or similar certifying body.
- c. Completion of any handgun safety training course offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement or security enforcement agency approved by the department of public safety.
- d. Completion of small arms training while serving with the armed forces of the United States.
- e. Completion of a law enforcement agency firearm safety training course that qualifies a peace officer to carry a firearm in the normal course of the peace officer's duties.
- f. Completion of a hunter education program approved by the natural resource commission pursuant to section 483A.27, if the program includes handgun safety training and completion of the handgun safety training is included on the certificate of completion.

2. The handgun safety training course required in subsection 1 may be conducted over the internet in a live or web-based format, if completion of the course is verified by the instructor or provider of the course.

3. Firearm safety training shall not be required for renewals of permits issued after December 31, 2010.

4. If firearm safety training is required under this section, evidence of such training may be documented by any of the following:

a. A photocopy of a certificate of completion or any similar document indicating completion of any course or class identified in subsection 1 that was completed within twenty-four months prior to the date of the application.

b. An affidavit from the instructor, school, organization, or group that conducted or taught a course or class identified in subsection 1 that was completed within twenty-four months prior to the date of the application attesting to the completion of the course or class by the applicant.

c. For personnel released or retired from active duty in the armed forces of the United States, possession of an honorable discharge or general discharge under honorable conditions issued any time prior to the date of the application.

d. For personnel on active duty or serving in one of the national guard or reserve components of the armed forces of the United States, possession of a certificate of completion of basic training with a service record of successful completion of small arms training and qualification issued prior to the date of the application, or any other official documentation satisfactory to the issuing officer issued prior to the date of the application.5. An issuing officer shall not condition the issuance of a permit on training requirements that are not specified in or that exceed the requirements of this section.

6. If an applicant applies after expiration of the time periods specified for renewal in section 724.11, firearm safety training shall not be required for a renewal permit under this section.

Section 724.10. Application for permit to carry weapons – background check required.

1. A person shall not be issued a permit to carry weapons unless the person has completed and signed an application on a form to be prescribed and published by the commissioner of public safety. The application shall require only the full name, driver's license or nonoperator's identification card number, residence, place of birth, and date of birth of the applicant, and shall state whether the applicant meets the criteria specified in §§ 724.8 and 724.9. An applicant may provide the applicant's social security number if the applicant so chooses. The applicant shall also display an identification card that bears a distinguishing number assigned to the cardholder, the full name, date of birth, sex, residence address, and a brief description and color photograph of the cardholder.

2. The issuing officer, upon receipt of an initial or renewal application under this section, shall immediately conduct a background check concerning each applicant by obtaining criminal history data from the department of public safety which shall include an inquiry of the national instant criminal background check system maintained by the federal bureau of investigation or any successor agency.

3. A person who makes what the person knows to be a false statement of material fact on an application submitted under this section or who submits what the person knows to be any materially falsified or forged documentation in connection with such an application commits a class "D" felony.

Section 724.11. Issuance of permit to carry weapons.

1. Applications for permits to carry weapons shall be made to the sheriff of the county in which the applicant resides. Applications for professional permits to carry weapons for persons who are nonresidents of the state, or whose need to go armed arises out of employment by the state, shall be made to the commissioner of public safety. In either case, the sheriff or commissioner, before issuing the permit, shall determine that the requirements of [sections 724.6](#) through 724.10 have been satisfied. A renewal applicant shall apply within thirty days prior to the expiration of the permit, or within thirty days after the expiration of the permit; otherwise the applicant shall be considered an applicant for an initial permit for purposes of renewal fees under subsection 3.

2. Neither the sheriff nor the commissioner shall require an applicant for a permit to carry weapons to provide information identifying a particular weapon in the application including the make, model, or serial number of the weapon or any ammunition used in that particular weapon.

3. The issuing officer shall collect a fee of fifty dollars for an initial permit, except from a duly appointed peace officer or correctional officer, for each permit issued. Renewal permits or duplicate permits shall be issued for a fee of twenty-five dollars, provided the application for such renewal permit is received by the issuing officer within thirty days prior to the expiration of the applicant's current permit or within thirty days after the expiration of the applicant's current permit. The issuing officer shall notify the commissioner of public safety of the issuance of any permit at least monthly and forward to the commissioner an amount equal to ten dollars for each permit issued and five dollars for each renewal or duplicate permit issued. All such fees received by the commissioner shall be paid to the treasurer of state and deposited in the

operating account of the department of public safety to offset the cost of administering this chapter. Notwithstanding [section 8.33](#), any unspent balance as of June 30 of each year shall not revert to the general fund of the state.

4. The sheriff or commissioner of public safety shall approve or deny an initial or renewal application submitted under this section within thirty days of receipt of the application. A person whose application for a permit under this chapter is denied may seek review of the denial under [section 724.21A](#). The failure to approve or deny an initial or renewal application shall result in a decision of approval.

5. An initial or renewal permit shall have a uniform appearance, size, and content prescribed and published by the commissioner of public safety. The permit shall contain the name of the permittee and the effective date of the permit, but shall not contain the permittee's social security number. The permit shall also include a designation that the permit is invalid when the permittee is intoxicated. Such a permit shall not be issued for a particular weapon and shall not contain information about a particular weapon including the make, model, or serial number of the weapon, or any ammunition used in that weapon.

Section 724.11A. Recognition.

A valid permit or license issued by another state to any nonresident of this state shall be considered to be a valid permit or license to carry weapons issued pursuant to this chapter, except that such permit or license shall not be deemed to satisfy the requirements of [section 724.15](#). Section 724.12. Permit to carry weapons not transferable.

Permits to carry weapons shall be issued to a specific person only, and may not be transferred from one person to another.

Section 724.13. Suspension or revocation of permit to carry weapons – criminal history background check.

1. An issuing officer who finds that a person issued a permit to carry weapons under this chapter has been arrested for a disqualifying offense or is the subject of proceedings that could lead to the person's ineligibility for such permit may immediately suspend such permit. An issuing officer proceeding under this section shall immediately notify the permit holder of the suspension by personal service or certified mail on a form prescribed and published by the commissioner of public safety and the suspension shall become effective upon the permit holder's receipt of such notice. If the suspension is based on an arrest or a proceeding that does not result in a disqualifying conviction or finding against the permit holder, the issuing officer shall immediately reinstate the permit upon receipt of proof of the matter's final disposition. If the arrest leads to a disqualifying conviction or the proceedings to a disqualifying finding, the issuing officer shall revoke the permit. The issuing officer may also revoke the permit of a person whom the issuing officer later finds was not qualified for such a permit at the time of issuance or who the officer finds provided materially false information on the permit application. A person aggrieved by a suspension or revocation under this section may seek review of the decision pursuant to § 724.21A.

2. The issuing officer may annually conduct a background check concerning a person issued a permit by obtaining criminal history data from the department of public safety.

Section 724.14. Nonprofessional permit – change of residence to another county.

If a permit holder of a nonprofessional permit to carry weapons changes residences from one county to another county after the issuance of the permit, the department of public safety shall by rule specify the procedure to transfer the regulation of the holder's permit to another sheriff for the purposes of issuing a renewal or duplicate permit, or complying with [section 724.13](#).

Section 724.15. Permit to acquire pistols or revolvers.

1. It is the intent of this section to satisfy federal requirements of [18 U.S.C. §922\(t\)\(3\)](#) in order to acquire pistols or revolvers. In order to acquire a pistol or revolver from a federally licensed firearms dealer, an unlicensed person is required to have a valid permit to acquire or a valid permit to carry weapons issued in accordance with this chapter or the person must complete a satisfactory national instant criminal background check pursuant to [18 U.S.C. §922\(t\)](#).

2. A person shall not acquire a pistol or revolver if the person is any of the following:

- a. Under twenty-one years of age except for those persons included in [section 724.22](#), subsection 4, who acquire a pistol or revolver when the person's duty so requires.
- b. Prohibited by [section 724.26](#) or federal law from possessing, shipping, transporting, or receiving a firearm.
- c. Prohibited by court order from possessing, shipping, transporting, or receiving a firearm.
- d. Ineligible to possess dangerous weapons pursuant to [section 724.8B](#).
- e. Intoxicated as provided under the conditions set out in [section 321J.2](#), subsection 1.

3. An issuing officer who finds that a person issued a permit to acquire pistols or revolvers under this chapter has been arrested for a disqualifying offense or who is the subject of proceedings that could lead to the person's ineligibility for such permit, may immediately suspend such permit. An issuing officer proceeding under this subsection shall immediately notify the permit holder of the suspension by personal service or certified mail on a form prescribed and published by the commissioner of public safety and the suspension shall become effective upon the permit holder's receipt of such notice. If the suspension is based on an arrest or a proceeding that does not result in a disqualifying conviction or finding against the permit holder, the issuing officer shall immediately reinstate the permit upon receipt of proof of the matter's final disposition. If the arrest leads to a disqualifying conviction or the proceedings to a disqualifying finding, the issuing officer shall revoke the permit. The issuing officer may also revoke the permit of a person whom the issuing officer later finds was not qualified for such a permit at the time of issuance or whom the officer finds provided materially false information on the permit application. A person aggrieved by a suspension or revocation under this subsection may seek review of the decision pursuant to [section 724.21A](#).

Section 724.16. Permit to acquire required – transfer prohibited.

1. A person shall not transfer a firearm to another person if the person knows or reasonably should know that the other person is ineligible to possess dangerous weapons pursuant to [section 724.8B](#), is intoxicated as provided under the conditions set out in [section 321J.2](#), subsection 1, or is prohibited from receiving or possessing a firearm under [section 724.26](#) or federal law.
2. A person shall not loan or rent a firearm to another person for temporary use during lawful activities if the person knows or reasonably should know that the other person is ineligible to possess dangerous weapons pursuant to [section 724.8B](#), is intoxicated as provided under the conditions set out in [section 321J.2](#), subsection 1, or is prohibited from receiving or possessing a firearm under [section 724.26](#) or federal law.
3. A person who transfers, loans, or rents a firearm in violation of this section commits a class "D" felony.

Section 724.16A. Trafficking in stolen weapons.

1. A person who knowingly transfers or acquires possession, or who facilitates the transfer, of a stolen firearm commits:
 - a. A class "D" felony for a first offense.
 - b. A class "C" felony for second and subsequent offenses or if the weapon is used in the commission of a public offense.
2. However, this section shall not apply to a person purchasing stolen firearms through a buy-back program sponsored by a law enforcement agency if the firearms are returned to their rightful owners or destroyed.

Section 724.17. Permit to acquire – criminal history check.

1. The application for a permit to acquire pistols or revolvers may be made to the sheriff of the county of the applicant's residence and shall be on a form prescribed and published by the commissioner of public safety. The application shall require only the full name of the applicant, the driver's license or nonoperator's identification card number of the applicant, the residence of the applicant, and the date and place of birth of the applicant. The applicant shall also display an identification card that bears a distinguishing number assigned to the cardholder, the full name, date of birth, sex, residence address, and brief description and color photograph of the cardholder, or other identification as specified by rule of the department of public safety. The sheriff shall conduct a criminal history check concerning each applicant by obtaining criminal history data from the department of public safety which shall include an inquiry of the national instant criminal background check system maintained by the federal bureau of investigation or any successor agency. A person who makes what the person knows to be a false statement of material fact on an application submitted under this section or who submits what the person knows to be any materially falsified or forged documentation in connection with such an application commits a class "D" felony.
2. An issuing officer may conduct an annual criminal history check concerning a person issued a permit to acquire by obtaining criminal history data from the department of public safety.

Section 724.18. Procedure for making application for permit to acquire.

A person may personally request the sheriff to mail an application for a permit to acquire pistols or revolvers, and the sheriff shall immediately forward to such person an application for a permit to acquire pistols or revolvers. A person shall upon completion of the application personally deliver such application to the sheriff who shall note the period of validity on the application and shall immediately issue the permit to acquire pistols or revolvers to the applicant. For the purposes of this section the date of application shall be the date on which the sheriff received the completed application.

Section 724.19. Issuance of permit to acquire.

The permit to acquire pistols or revolvers shall be issued to the applicant immediately upon completion of the application unless the applicant is disqualified under the provisions of § 724.15. The permit shall have a uniform appearance, size, and content prescribed and published by the commissioner of public safety. The permit shall contain the name of the

permittee, and the effective date of the permit, but shall not contain the permittee's social security number. Such a permit shall not be issued for a particular pistol or revolver and shall not contain information about a particular pistol or revolver including the make, model, or serial number of the pistol or revolver, or any ammunition used in that pistol or revolver.

Section 724.20. Validity of permit to acquire pistols or revolvers.

The permit shall be valid throughout the state and shall be valid 3 days after the date of application and shall be invalid 5 years after the date of issuance.

Section 724.21. Giving false information when acquiring pistol or revolver.

A person who gives a false name or presents false identification, or otherwise knowingly gives false material information to one from whom the person seeks to acquire a pistol or revolver, commits a class "D" felony.

Section 724.21A. Denial, suspension, or revocation of permit to carry weapons or permit to acquire pistols or revolvers.

1. In any case where the sheriff or the commissioner of public safety denies an application for or suspends or revokes a permit to carry weapons or a permit to acquire pistols or revolvers, the sheriff or commissioner shall provide a written statement of the reasons for the denial, suspension, or revocation and the applicant or permit holder shall have the right to appeal the denial, suspension, or revocation to an administrative law judge in the department of inspections and appeals within 30 days of receiving written notice of the denial, suspension, or revocation.

2. The applicant or permit holder may file an appeal with an administrative law judge by filing a copy of the denial, suspension, or revocation notice with a written statement that clearly states the applicant's reasons rebutting the denial, suspension, or revocation along with a fee of \$10. Additional supporting information relevant to the proceedings may also be included.

3. The administrative law judge shall, within 45 days of receipt of the request for an appeal, set a hearing date. The hearing may be held by telephone or video conference at the discretion of the administrative law judge. The administrative law judge shall receive witness testimony and other evidence relevant to the proceedings at the hearing. The hearing shall be conducted pursuant to chapter 17A.

4. Upon conclusion of the hearing, the administrative law judge shall order that the denial, suspension, or revocation of the permit be either rescinded or sustained. An applicant, permit holder, or issuing officer aggrieved by the final judgment of the administrative law judge shall have the right to judicial review in accordance with the terms of the Iowa administrative procedure Act, chapter 17A.

5. The standard of review under this section shall be clear and convincing evidence that the issuing officer's written statement of the reasons for the denial, suspension, or revocation constituted probable cause to deny an application or to suspend or revoke a permit.

6. The department of inspections and appeals shall adopt rules pursuant to chapter 17A as necessary to carry out the provisions of this section.

7. In any case where the issuing officer denies an application for, or suspends or revokes a permit to carry weapons or a permit to acquire pistols or revolvers solely because of an adverse determination by the national instant criminal background check system, the applicant or permit holder shall not seek relief under this section but may pursue relief of the national instant criminal background check system determination pursuant to Pub. L. No. 103-159, §§ 103(f) and (g) and 104 and 28 C.F.R. § 25.10, or other applicable law. The outcome of such proceedings shall be binding on the issuing officer.

8. If an applicant or permit holder appeals the decision by the sheriff or commissioner to deny an application for or suspend or revoke a permit to carry weapons or a permit to acquire pistols or revolvers, and it is later determined on appeal the applicant or permit holder is eligible to be issued or possess a permit to carry weapons or a permit to acquire pistols or revolvers, the applicant or permit holder shall be awarded court costs and reasonable attorney fees. If the decision of the sheriff or commissioner to deny an application for or suspend or revoke a permit to carry weapons or a permit to acquire pistols or revolvers is upheld on appeal, or the applicant or permit holder withdraws or dismisses the appeal, the political subdivision of the state representing the sheriff or the state department representing the commissioner shall be awarded court costs and reasonable attorney fees.

Section 724.22. Persons under twenty-one – sale, loan, gift, making available – possession.

1. Except as provided in subsection 3, a person who sells, loans, gives, or makes available a rifle or shotgun or ammunition for a rifle or shotgun to a minor commits a serious misdemeanor for a first offense and a class "D" felony for second and subsequent offenses.

2. Except as provided in subsections 4 and 5, a person who sells, loans, gives, or makes available a pistol or revolver or ammunition for a pistol or revolver to a person below the age of 21 commits a serious misdemeanor for a first offense and a class "D" felony for second and subsequent offenses.

3. A parent, guardian, spouse who is 18 years of age or older, or another with the express consent of the minor's parent or guardian or spouse who is 18 years of age or older may allow a minor to possess a rifle or shotgun or the ammunition therefor which may be lawfully used.
4. A person 18, 19, or 20 years of age may possess a firearm and the ammunition therefor while on military duty or while a peace officer, security guard or correctional officer, when such duty requires the possession of such a weapon or while the person receives instruction in the proper use thereof from an instructor who is 21 years of age or older.
5.
 - a. A parent or guardian or spouse who is 21 years of age or older, or a person under the age of 21 may allow the person, while under direct supervision, to possess a pistol or revolver or the ammunition therefor for any lawful purpose, or while the person receives instruction in the proper use thereof from an instructor 21 years of age or older, with the consent of such parent, guardian or spouse.
 - b. As used in this section, "**direct supervision**" means supervision provided by the parent, guardian, spouse, or instructor who is twenty-one years of age or older, who maintains a physical presence near the supervised person conducive to hands-on instruction, who maintains visual and verbal contact at all times with the supervised person, and who is not intoxicated as provided under the conditions set out in section 321J.2, subsection 1, or under the influence of an illegal drug.
6. For the purposes of this section, caliber .22 rimfire ammunition shall be deemed to be rifle ammunition.
7. It shall be unlawful for any person to store or leave a loaded firearm which is not secured by a trigger lock mechanism, placed in a securely locked box or container, or placed in some other location which a reasonable person would believe to be secure from a minor under the age of 14 years, if such person knows or has reason to believe that a minor under the age of 14 years is likely to gain access to the firearm without the lawful permission of the minor's parent, guardian, or person having charge of the minor, the minor lawfully gains access to the firearm without the consent of the minor's parent, guardian, or person having charge of the minor, and the minor exhibits the firearm in a public place in an unlawful manner, or uses the firearm unlawfully to cause injury or death to a person. This subsection does not apply if the minor obtains the firearm as a result of an unlawful entry by any person. A violation of this subsection is punishable as a serious misdemeanor.

Section 724.25. Felony and antique firearm defined.

1. As used in § 724.26, the word "**felony**" means any offense punishable in the jurisdiction where it occurred by imprisonment for a term exceeding 1 year, but does not include any offense, other than an offense involving a firearm or explosive, classified as a misdemeanor under the laws of the state and punishable by a term of imprisonment of 2 years or less.
2. As used in this chapter an "**antique firearm**" means any firearm, including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured in or before 1898. An antique firearm also means a replica of a firearm so described if the replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition or if the replica uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

Section 724.26. Possession, receipt, transportation, or dominion and control of firearms, offensive weapons, and ammunition by felons and others.

1. A person who is convicted of a felony in a state or federal court, or who is adjudicated delinquent on the basis of conduct that would constitute a felony if committed by an adult, and who knowingly has under the person's dominion and control or possession, receives, or transports or causes to be transported a firearm or offensive weapon is guilty of a class "D" felony.
2.
 - a. Except as provided in paragraph "b", a person who is subject to a protective order under 18 U.S.C. § 922(g)(8) or who has been convicted of a misdemeanor crime of domestic violence under 18 U.S.C. § 922(g)(9) and who knowingly possesses, ships, transports, or receives a firearm, offensive weapon, or ammunition is guilty of a class "D" felony.
 - b. This subsection shall not apply to the possession, shipment, transportation, or receipt of a firearm, offensive weapon, or ammunition issued by a state department or agency or political subdivision for use in the performance of the official duties of the person who is the subject of a protective order under 18 U.S.C. § 922(g)(8).
 - c. For purposes of this section, "**misdemeanor crime of domestic violence**" means an assault under § 708.1, subsection 2, paragraph "a" or "c", committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

3. Upon the issuance of a protective order or entry of a judgment of conviction described in subsection 2, the court shall inform the person who is the subject of such order or conviction that the person shall not possess, ship, transport, or receive a firearm, offensive weapon, or ammunition while such order is in effect or until such conviction is vacated or until the person's rights have been restored in accordance with § 724.27.

4. Except as provided in § 809A.17, subsection 5, paragraph "b", a court that issues an order or that enters a judgment of conviction described in subsection 2 and that finds the subject of the order or conviction to be in possession of any firearm, offensive weapon, or ammunition shall order that such firearm, offensive weapon, or ammunition be sold or transferred by a date certain to the custody of a qualified person in this state, as determined by the court. The qualified person must be able to lawfully possess such firearm, offensive weapon, or ammunition in this state. If the court is unable to identify a qualified person to receive such firearm, offensive weapon, or ammunition, the court shall order that the firearm, offensive weapon, or ammunition be transferred by a date certain to the county sheriff or a local law enforcement agency designated by the court for safekeeping until a qualified person is identified to receive the firearm, offensive weapon, or ammunition, until such order is no longer in effect, until such conviction is vacated, or until the person's rights have been restored in accordance with § 724.27. If the firearm, offensive weapon, or ammunition is to be transferred to the sheriff's office or a local law enforcement agency, the court shall assess the person the reasonable cost of storing the firearm, offensive weapon, or ammunition, payable to the county sheriff or the local law enforcement agency.

5. Upon entry of an order described in subsection 2, the court shall enter the name, address, date of birth, driver's license number, or other identifying information of the person subject to the order into the Iowa criminal justice information system, the reason for the order, and the date by which the person is required to comply with any relinquishment order issued under subsection 4. At the time such order is no longer in effect, such information relating to the prohibition in subsection 3 shall be deleted from the Iowa criminal justice information system.

6. If a firearm, offensive weapon, or ammunition has been transferred to a qualified person pursuant to subsection 4 and the protective order described in subsection 2 is no longer in effect, the firearm, offensive weapon, or ammunition shall be returned to the person who was subject to the protective order within 5 days of that person's request to have the firearm, offensive weapon, or ammunition returned.

Section 724.27. Offenders' rights restored.

1. The provisions of [section 724.8](#), [section 724.15](#), subsection 2, and [section 724.26](#) shall not apply to a person who is eligible to have the person's civil rights regarding firearms restored if any of the following occur:

- a. The person is pardoned by the President of the United States or the chief executive of a state for a disqualifying conviction.
- b. The person's civil rights have been restored after a disqualifying conviction, commitment, or adjudication.
- c. The person's conviction for a disqualifying offense has been expunged.

2. Subsection 1 shall not apply to a person whose pardon, restoration of civil rights, or expungement of conviction expressly forbids the person to receive, transport, or possess firearms or destructive devices and a person not eligible to have the person's civil rights restored under [section 914.7](#).

Section 724.28. Prohibition of regulation by political subdivisions.

1. As used in this section, "political subdivision of the state" means a city, county, or township.

2. A political subdivision of the state shall not enact an ordinance, motion, resolution, policy, or amendment regulating the ownership, possession, carrying, legal transfer, lawful transportation, modification, registration, or licensing of firearms, firearms attachments, or other weapons when the ownership, possession, carrying, transfer, transportation, or modification is otherwise lawful under the laws of this state. An ordinance regulating firearms, firearms attachments, or other weapons in violation of this section existing on or after April 5, 1990, is void.

3. If a political subdivision of the state, prior to, on, or after July 1, 2020, adopts, makes, enacts, or amends any ordinance, measure, enactment, rule, resolution, motion, or policy regulating the ownership, possession, carrying, legal transfer, lawful transportation, modification, registration, or licensing of firearms, firearms attachments, or other weapons when the ownership, possession, carrying, transfer, transportation, modification, registration, or licensing of firearms, firearms attachments, or other weapons is otherwise lawful under the laws of this state, a person adversely affected by the ordinance, measure, enactment, rule, resolution, motion, or policy may file suit in the appropriate court for declaratory and injunctive relief and all damages attributable to the violation. A court shall also award the prevailing party in any such lawsuit reasonable attorney fees and court costs.

4. A political subdivision of the state may restrict the carrying, possession, or transportation of firearms or other dangerous weapons in the buildings or physical structures located on property under the political subdivision's control if adequate arrangements are made by the political subdivision to screen persons for firearms or other dangerous weapons and the political subdivision provides armed security personnel inside the building or physical structure where the restriction is to be in effect.

Section 724.29. Firearm devices.

A person who sells or offers for sale a manual or power-driven trigger activating device constructed and designed so that when attached to a firearm increases the rate of fire of the firearm is guilty of an aggravated misdemeanor.

Section 724.29A. Fraudulent purchase of firearms or ammunition.

1. For purposes of this section:

- a. **“Ammunition”** means any cartridge, shell, or projectile designed for use in a firearm.
- b. **“Licensed firearms dealer”** means a person who is licensed pursuant to 18 U.S.C. §923 to engage in the business of dealing in firearms.
- c. **“Materially false information”** means information that portrays an illegal transaction as legal or a legal transaction as illegal.
- d. **“Private seller”** means a person who sells or offers for sale any firearm or ammunition.

2. A person who knowingly solicits, persuades, encourages, or entices a licensed firearms dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances that the person knows would violate the laws of this state or of the United States commits a class “D” felony.

3. A person who knowingly provides materially false information to a licensed firearms dealer or private seller of firearms or ammunition with the intent to deceive the firearms dealer or seller about the legality of a transfer of a firearm or ammunition commits a class “D” felony.

4. A person who willfully procures another to engage in conduct prohibited by this section shall be held accountable as a principal.

5. This section does not apply to a law enforcement officer acting in the officer’s official capacity or to a person acting under the direction of such law enforcement officer.

Section 724.31. Persons subject to firearm disabilities due to mental health commitments or adjudications – relief from disabilities – reports.

1. When a court issues an order or judgment under the laws of this state by which a person becomes subject to the provisions of [18 U.S.C. §922\(d\)\(4\)](#) and (g)(4), the clerk of the district court shall forward only such information as is necessary to identify the person to the department of public safety, which in turn shall enter the information on the Iowa on-line warrants and articles criminal justice information network and forward the information to the federal bureau of investigation or its successor agency for the sole purpose of inclusion in the national instant criminal background check system database. The clerk of the district court shall also notify the person of the prohibitions imposed under [18 U.S.C. §922\(d\)\(4\)](#) and (g)(4).

2. A person who is subject to the disabilities imposed by [18 U.S.C. § 922\(d\)\(4\)](#) and (g)(4) because of an order or judgment that occurred under the laws of this state may petition the court that issued the order or judgment or the court in the county where the person resides for relief from the disabilities imposed under [18 U.S.C. § 922\(d\)\(4\)](#) and (g)(4). A copy of the petition shall also be served on the director of human services and the county attorney at the county attorney’s office of the county in which the original order occurred, and the director or the county attorney may appear, support, object to, and present evidence relevant to the relief sought by the petitioner.

3. The court shall receive and consider evidence in a closed proceeding, including evidence offered by the petitioner, concerning all of the following:

- a. The circumstances surrounding the original issuance of the order or judgment that resulted in the firearm disabilities imposed by [18 U.S.C. § 922\(d\)\(4\)](#) and (g)(4).
- b. The petitioner’s record, which shall include, at a minimum, the petitioner’s mental health records and criminal history records, if any.
- c. The petitioner’s reputation, developed, at a minimum, through character witness statements, testimony, and other character evidence.
- d. Any changes in the petitioner’s condition or circumstances since the issuance of the original order or judgment that are relevant to the relief sought.

4. The court shall grant a petition for relief filed pursuant to subsection 2 if the court finds by a preponderance of the evidence that the petitioner will not be likely to act in a manner dangerous to the public safety and that the granting of the relief would not be contrary to the public interest. A record shall be kept of the proceedings, but the record shall remain confidential and shall be disclosed only to a court in the event of an appeal. The petitioner may appeal a denial of the requested relief, and review on appeal shall be de novo. A person may file a petition for relief under subsection 2 not more than once every two years.

5. If a court issues an order granting a petition for relief filed pursuant to subsection 2, the clerk of the court shall immediately notify the department of public safety of the order granting relief under this section. The department of public safety shall, as soon thereafter as is practicable but not later than ten business days thereafter, update, correct, modify, or remove the petitioner's record in any database that the department of public safety makes available to the national instant criminal background check system and shall notify the United States department of justice that the basis for such record being made available no longer applies.

Subtitle 3 – Criminal Corrections

Chapter 914 – Reprieves, Pardons, Commutations, Remissions, and Restorations of Rights

Section 914.7. Rights not restorable.

Notwithstanding any other provision of this chapter, a person who has been convicted of a forcible felony, a felony violation of chapter 124 involving a firearm, or a felony violation of chapter 724 shall not have the person's rights of citizenship restored to the extent of allowing the person to receive, transport, or possess firearms.

Notwithstanding any provision of this chapter, a person 17 years of age or younger who commits a public offense involving a firearm which is an aggravated misdemeanor against a person or a felony shall not have the person's rights of citizenship restored to the extent of allowing the person to receive, transport, or possess firearms.

Ames Code of Ordinance

Current through Ordinance 2020-1, Revised January 1, 2020.

Chapter 29 – Zoning

Article 13 – Additional Requirements for Specific Uses

Section 29.1304. Home occupations.

(c) The following are prohibited Home Occupations;

(vii) Firearm sales

Bettendorf Code of Ordinance

Current through Ordinance 12-22, passed August 2, 2022.

Title 3 – Business and License Regulations

Chapter 7 – Pawnbrokers and Secondhand Goods Dealers

Section 3-7-1. Definitions.

For the purpose of this chapter, the following terms shall have the meanings ascribed to them in this section:

Secondhand Dealer: Any person engaged in the business of buying or selling secondhand goods.

Secondhand Goods: Tangible personal property previously owned by another person, whether used or not, which property, in its present state, possesses utility for the purpose for which it was originally intended. This definition shall include gold, silver, copper, or platinum articles to include any coins, jewelry, or gems bought for resale, meltdown or scrap.

Tangible Personal Property: Shall be deemed to include, but not limited to:

F. Rifles, shotguns, firearms, and handguns;

Section 3-7-2. License required; Fee.

No person shall operate as a pawnbroker or secondhand goods dealer without first obtaining a license therefor. The annual fee for such license shall be one hundred dollars (\$100.00).

Title 5 – Police and Public Safety

Chapter 5 – Offenses

Section 5-5A-4. Weapons.

A. Dangerous weapons; underage persons:

1. Dangerous Weapon Defined: A **dangerous weapon** is any instrument or device designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death upon a human being when used in the manner for which it was designed, except a bow and arrow when possessed and used for hunting or any other lawful purpose. Additionally, any instrument or device of any sort whatsoever which is actually used in such a manner as to indicate that the defendant intends to inflict death or serious injury upon the other, and which, when so used, is capable of inflicting death upon a human being, is a dangerous weapon. Dangerous weapons include, but are not limited to, any offensive weapon, pistol, revolver or other firearm, dagger, razor, stiletto, switchblade knife, knife having a blade

exceeding five inches (5") in length, or any portable device or weapon directing an electric current, impulse, wave, or beam that produces a high voltage pulse designed to immobilize a person.

2. Underage Persons:

- a. No person shall sell, give or otherwise supply dangerous weapons, as defined in subsection A1 of this section, to any person, knowing or having reasonable cause to believe that person to be under eighteen (18) years of age, and no person under eighteen (18) years of age shall individually or jointly possess or control a dangerous weapon.
- b. Nothing contained herein shall be deemed to prevent possession of dangerous weapons by a person under eighteen (18) years of age while in the home with the consent of that person's parent or guardian, nor shall it be a violation of this section to possess a dangerous weapon in conjunction with martial arts training, when such possession is limited to a properly licensed martial arts school or facility and when the person's parent or guardian has given written authorization to participate in such training.

Cedar Rapids Code of Ordinance

Codified through Ordinance No. 024-22, passed June 14, 2022. (Supp. No. 21, Update 1))

Chapter 60A – Surveillance Cameras for Businesses

Section 60A.2. Definitions.

The definitions and provisions contained in this section shall govern the construction, meaning, and application of the following words and phrases used in this Chapter.

1. **"Business Establishments" or "Establishments"** means those establishments listed and defined in this subsection as follows:

- f. **"Firearm Dealer"** means an establishment required to obtain a Federal Firearms License to sell firearms.

Section 60A.3. Video surveillance systems required for business establishments.

1. Every Business Establishment, as defined in this Chapter, is hereby required to install a Video Surveillance System in accordance with this Chapter and to provide to the Chief of Police or his/her designee an address and phone number to be used for purposes of official notifications regarding enforcement of this Chapter.
2. All Establishments which have installed a Video Surveillance System prior to the effective date of this ordinance shall ensure said Systems are in full compliance with this chapter.
3. All Video Surveillance Systems shall:
 - a. be maintained in proper working order at all times; and
 - b. be kept in continuous operation 24 hours a day, 7 days a week; and
 - c. meet the minimum technological standards established in this Chapter.
4. All Establishments shall retain the images recorded by its Video Surveillance System for no less than thirty (30) days.

Chapter 63 – Offenses Against Public Safety

Section 63.16. Prohibition against bombs.

No person shall sell or manufacture, produce, distribute, purchase, carry, possess or use any bomb, smoke bomb, bombshell or grenade, bottle or other container containing an explosive, flammable, noxious gas, or chemical substance capable of producing serious personal injury, such as but not limited to black powder bombs and Molotov cocktails. The provisions of this section shall not apply to any of the following when his or her duties or lawful activities require or permit such sale, manufacture, production, distribution, purchase, carrying, possession or use:

1. Any peace officer.
2. Any member of the armed forces of the United States or of the national guard.
3. Any person in the service of the United States.
4. Any correctional officer, serving in an institution under the authority of the division of adult corrections.
5. Any person who, under the laws of the State of Iowa and the United States, is lawfully engaged in the business of supplying those authorized to possess such devices.
6. Any person, firm or corporation who under the laws of the State of Iowa and the United States is lawfully engaged in the improvement, invention, or manufacture of firearms.

7. Any museum or similar place which possesses, solely as relics, the above bombs, etc. which are rendered permanently unfit for use.

Clinton Code of Ordinance

Current through Ordinance 2697, passed 4-26-2022.

Title 11 – Business Regulations

Chapter 117 – Pawnbrokers, Itinerant Dealers, Secondhand Dealers and Scrap Metal Buyers

Section 117.01. Definitions.

The following words and phrases shall have the meanings respectively ascribed to them for the purpose of the regulations in this chapter:

Secondhand Dealer. Any person engaged in the business of buying or selling secondhand goods, excluding consignment of secondhand goods or the sale of secondhand goods donated without compensation. This definition shall include the use of any automated or camera-enabled kiosk used to purchase secondhand goods from a seller without the buyer's physical presence.

Secondhand Goods. Tangible personal property previously owned by another person, whether used or not, which property, in its present state, possesses utility for the purpose for which it was originally intended.

Tangible Personal Property. Items including:

(5) Rifles, shotguns, handguns, and other firearms;

Section 117.02. License required.

No person shall conduct or operate the business of pawnbroker, itinerant dealer or secondhand dealer without having first obtained a license therefor (referred to throughout this chapter as a "dealer's license") as provided in this chapter or conduct or operate such business in violation of any of the provisions herein contained. Any dealer's license may be revoked by the Council for any violation of any provision of this Chapter.

Council Bluffs Code of Ordinance

Current through Ordinance 6378, passed January 28, 2019. (Supplement 37, 4-19)

Title 3 – Business Regulations and Licenses

Chapter 3.52 – Secondhand Dealers

Section 3.52.010. Definition.

Any person, firm or corporation who shall engage in the business of buying, selling or dealing in secondhand clothing, ... guns, rifles, shotguns, firearms, goods, wares or merchandise is hereby declared to be a secondhand dealer.

Section 3.52.020. License required.

No person shall carry on or engage in business as a secondhand dealer in the city without first having obtained a license therefor from the city, and such license shall conform to those now provided for, or that may hereafter be provided by ordinance.

Davenport Code of Ordinance

Current through Ordinance 2022-214, passed April 27, 2022.

Title 9 – Public Peace, Morals and Welfare

Chapter 9.42 – Dangerous Weapons

Section 9.42.010. Definition - Dangerous weapon.

"**Dangerous weapon**" shall mean any instrument or device designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death upon a human being when used in the manner for which it was designed. Additionally, any instrument or device of any sort whatsoever which is actually used in such a manner as to indicate that the defendant intends to inflict death or serious injury upon the other, and which, when so used, is capable of inflicting death upon a human being, is a dangerous weapon. Dangerous weapons include, but are not limited to, any offensive weapon, pistol, revolver, or other firearm, dagger, razor, stiletto or knife having a blade of three inches or longer in length, or nanchaku, sai, kama, tonfa, throwing star, butterfly knife or brass knuckles.

Section 9.42.020. Sale of dangerous weapons prohibited.

No person shall sell, give, or otherwise supply dangerous weapons as defined in Section 9.42.010 to any person knowing or having reasonable cause to believe that person to be under eighteen years of age.

Title – 17 Zoning

Chapter 17.09 – Site Development Standards

Section 17.09.030. Accessory structures and uses.

L. Home Occupation

13. The business of firearm transfers is prohibited.

Fort Madison Code of Ordinance

Current through Ordinance D-089, passed June 6, 2022.

Title 7 – Police

Chapter 2 – Misdemeanors

Division VI – Firearms

Section 7-2-22. Sale to minors.

A. Except as provided in subsection C, a person who sells, loans, gives or makes available a rifle or shotgun or ammunition for a rifle or shotgun to a minor commits a simple misdemeanor.

B. Except as provided in subsections D and E, a person who sells, loans, gives or makes available a pistol or revolver or ammunition for a pistol or revolver to a person below the age of twenty one (21) commits a simple misdemeanor.

C. A parent, guardian, spouse who is eighteen (18) years of age or older, or another with the express consent of the minor's parent or guardian or spouse who is eighteen (18) years of age or older may allow a minor to possess a rifle or shotgun or the ammunition therefor which may be lawfully used.

D. A person eighteen (18), nineteen (19) or twenty (20) years of age may possess a firearm and the ammunition therefor while on military duty or while a peace officer, security guard or correctional officer, when such duty requires the possession of such a weapon or while the person receives instruction in the proper use thereof from an instructor who is twenty one (21) years of age or older.

E. A parent or guardian or spouse who is twenty one (21) years of age or older, of a person fourteen (14) years of age but less than twenty one (21) may allow the person to possess a pistol or revolver or the ammunition therefor for any lawful purpose while under the direct supervision of the parent or guardian or spouse who is twenty one (21) years of age or older, or while the person receives instruction in the proper use thereof from an instructor twenty one (21) years of age or older, with the consent of such parent, guardian or spouse.

F. For the purposes of this Section, caliber .22 rimfire ammunition shall be deemed to be rifle ammunition.

Section 7-2-23. Annual permit to purchase required.

Any person who acquires ownership of a pistol or revolver without a valid annual permit to acquire pistols or revolvers or any person who transfers ownership of a pistol or revolver to a person who does not have in his possession a valid annual permit to acquire pistols or revolvers is guilty of a simple misdemeanor.

Marion County Code of Ordinance

Current through Ordinance 2021-8, passed December 28, 2021.

Chapter 55 – Zoning Regulations

Section 55.17. Home occupations in residential districts.

2. Home Occupations Permitted. Customary home occupations include, but are not limited to, the following list of occupations; provided, however, that each such home occupation shall be subject to the use limitations set out in subsection 1 above.

- J. Internet sales of merchandise provided all necessary permits have been obtained; including but not limited to a permit from the Marion County Sheriff for internet sales of firearms.

Section 55.18. Home occupations in agricultural districts.

2. Home Occupations Permitted. Customary home occupations include, but are not limited to, the following list of occupations; provided, however, each such home occupation shall be subject to the use limitations set out in subsection 1 above.

- F. Internet sales of merchandise provided all necessary permits have been obtained; including but not limited to a permit from the Marion County Sheriff for internet sales of firearms.

Marshalltown Code of Ordinance

Current through Ordinance 15044, passed June 13, 2022.

Land Use Categories and Zoning Matrix, Part 5

Use Type	A R	RS150	RS80	RG60	RG20	MF- 1	M	BG	BGC	BN	HSB	BGH	ML	MH	MLG
Use Category: Products Manufacturing															
Ammunition Manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C
Firearms Manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C

Land Use Categories and Zoning Matrix, Part 7

Use Type	A R	RS150	RS80	RG60	RG20	MF- 1	M	BG	BGC	BN	HSB	BGH	ML	MH	MLG
Use Category: Accessory Uses															
Home based occupation/business for limited gun and ammunition sales (20)	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-

Footnotes to Land Use Categories and Zoning Matrix - Additional Requirements

(20) See Section 165D.01 and 165D.02.

Chapter 165D Zoning Code – Supplemental Regulations

Section 165D.01. Home occupations and home based businesses in residential districts.

3. Permitted Home Occupations.

H. Sale of guns and ammunition in limited quantities provided the applicant has a license to sell from the Bureau of Alcohol Tobacco and Firearms or its successor organization. This home occupation shall require a conditional use permit and public hearing as opposed to a standard permit.

Section 165D.02. Home occupations and home based businesses within the AR districts.

3. Permitted Home Occupations.

J. Sale of guns and ammunition in limited quantities provided the applicant has a license to sell from the Bureau of Alcohol Tobacco and Firearms or its successor organization. This home occupation shall require a conditional use permit and public hearing as opposed to a standard permit.

Urbandale Code of Ordinance

Current through June 28, 2022.

Title XV: Land Usage

Chapter 160 – Zoning

Section 160.19. “M-2” Business Park Industrial District.

(D) Conditional uses. The following conditional uses may be allowed by the Board of Adjustment subject to § 160.63, provided such use complies with the requirements of this and all other city codes and is in accordance with the Comprehensive Plan of the city. Many of the uses listed herein will, by the nature of their operation, emit odors, gases, dust, noise, smoke, heat, glare or vibrations in sufficient quantities to constitute a hazard to public health, safety or general welfare:

(33) Ordnance (ammunition);

Section 160.32. Garage sales.

(B) Such sales shall occur only between the hours of 8:00 a.m. and 8:00 p.m. and shall not include new merchandise, consignment items, property acquired for the purpose of resale, motor vehicles or firearms.

Waterloo Code of Ordinance

Current through Ordinance 5641, passed May 2, 2022.

Chapter 4 – Businesses Relating to Sales

Article B – Secondhand Goods Dealers

Section 3-4B-1. Definitions.

Secondhand Goods Dealer: Any person, partnership, firm or corporation whose business includes selling, buying or receiving any tangible personal property previously owned, used, rented or leased. No person, partnership, firm or corporation shall operate a secondhand goods dealership on the same premises as that of a pawn business, nor shall said secondhand goods dealership be operated under the pawnbroker licensee.

Section 3-4B-6. Firearms, jewelry, and precious metals records register.

A. Record Required: On each firearm, item of jewelry or precious metal, every secondhand goods dealer shall be required to keep a record register in which the dealer shall accurately, intelligibly and in ink legibly enter in the English language, at the time of purchasing or receiving any firearm, jewelry or precious metal, the following:

1. The amount paid for the firearm, jewelry or precious metal;
2. A detailed, complete and accurate description of the firearm, jewelry, or precious metal, including identifying marks;
3. The firearm's serial number and model number, if any;
4. The name of the person from whom the firearm, jewelry, or precious metal is purchased or received, his signature, residence telephone number, residence address, motor vehicle operator's license and state from which issued or his social security number, said person's race and nationality; and
5. The date, time and place of the transaction.

B. Failing To Keep Records: Any person who shall fail to keep such records, or fail to make the required entries therein, or shall intentionally or knowingly make any false or unintelligible entry, or any entry which the dealer has reason to believe is untrue, or who shall fail to make the inquiries necessary to enable the dealer to make such entries or any of them, or who shall fail to produce the records when requested, or who shall destroy or negligently permit such records to be destroyed or lost, shall be guilty of a simple misdemeanor.

Section 3-4B-9. Holding periods.

Any firearm, jewelry, or precious metal received by a secondhand goods dealer shall not be sold, transferred, altered, removed from the premises or otherwise disposed of for thirty (30) days after the date of such report to the police. This does not include merchandise purchased from wholesale vendors, provided there is proof of such purchase. Failure to hold said items for the required holding period shall be deemed a simple misdemeanor.

West Des Moines Code of Ordinance

Current through Ordinance 2526, passed June 20, 2022.

Title 9 – Zoning

Chapter 6 – Commercial, Office and Industrial Zoning District

Section 9-6-3. Interpretations.

B. Uses shown in the matrix as "permitted conditional use permit" (Pc) are permitted in the applicable district following review and approval through the permitted conditional use permit (Pc) process. This requirement shall apply to new uses, as well as new construction and building expansions.

The use of a permitted conditional use permit (Pc) allows the City to regulate the intensity of development of a particular use, activity, or location. The use of the permitted conditional use permit (Pc) process should not be seen as a means to prohibit uses but as a way to allow the City to secure more information concerning a specific use and its operation.

Section 9-6-6. Commercial, office and industrial use regulations.

A. Introduction: The following matrix represents those uses in the applicable zoning districts which are permitted (P), allowed with the approval of a permitted conditional use permit (Pc), or not permitted (blank space). The applicable zoning district is identified at the top of the matrix and the uses, and their SIC codes, are identified along the left side of the matrix.

Division I – Services

RC	Regional commercial district	VJC	Valley Junction commercial district	LI	Light industrial district
CMC	Community commercial district	VJHB	Valley Junction historic business district	GI	General industrial district
NC	Neighborhood commercial district	WR	Warehouse retail district	OF	Office district
CVC	Convenience commercial district	BP	Business park district	PCP	Professional commerce park district

RC	Regional commercial district	VJC	Valley Junction commercial district	LI	Light industrial district
SC	Support commercial district	VJLI	Valley Junction light industrial district	OS	Agricultural/open space district

SIC CODES	RC	CMC	NC	CVC	SC	VJC	VJHB	WR	BP	VJLI	LI	GI	OF	PCP	OS
7699 Repair shops and related services, not elsewhere classified															
-Gun services	Pc	Pc				Pc	Pc	Pc							

Windsor Heights Code of Ordinance

Current through Ordinance 22-03, passed February 21, 2022.

Chapter 40 – Public Offenses

Subchapter 40.05 – Weapons

Section 40.05.08. Furnishing weapons to minors.

No person shall give, sell, lend, or provide to any person under the age of eighteen (18) years any sword, dirk, dagger, or knife other than an ordinary penknife or pocketknife with a blade not to exceed three inches in length, or any spring blade, switch blade, or snap blade knife, or any blackjack, bludgeon, or similar weapon, or metallic knuckles, or any firearm, air gun, or other missile throwing device, or any ammunition or missiles for use therewith, or any explosive substance or device, or any other device designed primarily for use as a weapon; provided, however, arms, ammunition, and other equipment for hunting, fishing, and other lawful sports may be furnished to a person under the age of eighteen (18) years by or with the consent of that person's parent or guardian. No minor under 18 years of age shall possess, own, or carry on or about his or her person, whether concealed or not, within the City any knife which opens by hand pressure applied to a button, lever, switch, or other device in the handle of the knife or by operation of inertia, gravity or both. No person under the age of 18 shall shoot, fire, or discharge any air gun or BB gun unless under the direct supervision of an adult.