

FAIR BOARD[371]

Rules transferred from agency number 430 to 371 to conform with the reorganization numbering scheme in general.

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CHAPTER 1
GENERAL RULES

[Prior to 5/18/88, see Fair Board[430] Ch 1]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

371—1.1(173) Functions. The directors and members of the Iowa state fair board shall be responsible for establishing the policies governing the annual state fair, the premium lists, the control of the state fairgrounds including its buildings and equipment, the concessions operated at the state fair, and all other aspects related to the state fair and the state fairgrounds.

371—1.2(173) Organization and operations.

1.2(1) Location. The board's office is located on the Iowa State Fairgrounds, East 30th and Grand Avenue, Des Moines, Iowa; telephone (515)262-3111; mailing address: Iowa State Fair Board, P.O. Box 57130, Des Moines, Iowa 50319-0198; office hours are 8 a.m. to 4:30 p.m., Monday through Friday.

1.2(2) The board. The Iowa state fair board consists of 15 members. All officers are elected by the regular board membership. The 15 members consist of 12 members elected by authorized delegates as specified in Iowa Code section 173.1, the governor, the state agriculture secretary and the president of Iowa State University, or their designees.

1.2(3) Secretary and treasurer. A secretary and treasurer are appointed to implement and carry out policies of the board. The secretary conducts the operations of the board as the board's policies may prescribe and as set forth by law.

1.2(4) Meetings. Board meetings will generally be held once a month; however, establishment and public notice of meeting dates and locations are the responsibility of the secretary, unless the majority of the members of the fair board eligible to vote request a meeting.

a. Agenda. The tentative agenda is prepared by the secretary in advance of the board meeting and will be mailed to board members in advance of the meeting date. A copy of the agenda will be mailed to those members of the public who request it and prominently posted at the fair office 24 hours before the meeting. Members of the public wishing to be scheduled on the board's agenda should notify the secretary ten days in advance of the meeting and provide written materials explaining their reasons for wishing to address the board. Final decisions on the content and length of agenda items shall be the secretary's.

b. General conduct of meetings. The president, or vice president in the absence of the president, presides at all board meetings. Only individuals recognized by the presiding officer may address the board; in general, Robert's Rules of Order will govern the meeting unless otherwise stated in this chapter or by special action of the board.

In all discussions before the board, members of the public shall address any questions for the board to the president. Individual questioning of board members will not be allowed without the explicit consent of the president and the board member in question.

c. Voting. The board consists of 12 elected members and three members consisting of the governor, the state agriculture secretary and the president of Iowa State University who vote on issues. Two-thirds of the board members eligible to vote shall constitute a quorum. A majority of the board members is sufficient to carry an action.

d. Public participation. All meetings are open to the public in accordance with the open meetings law, except that portions of a meeting may be closed in accordance with the open meetings law. A 15-minute public forum will be scheduled on each agenda of regular monthly meetings to allow the public an opportunity to address the board on any issue that may have arisen after the agenda was posted.

1.2(5) Minutes. The minutes of all board meetings are recorded and kept by the secretary in the board's offices.

1.2(6) Records. The records of all of the business transacted and other information with respect to the operation of the Iowa state fair and grounds are public records and are on file in the board's offices. All records including board minutes are available for inspection during regular business hours. (Copies of records up to ten pages in number may be obtained without charge. Pages in excess of ten will be provided at a cost of 15 cents per page. The charge may be waived by the secretary if deemed advisable.)

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—1.3(173) Rules.

1.3(1) Explanation of rules. The administrative rules of the Iowa state fair board are those of general applicability to the public and do not contain specific rules governing competitions, competitors, exhibitors, entertainers or others involved in the programming of the Iowa state fair. Other than general rules for competition, all specific rules for competition and other forms of fair programming will be adopted yearly at the regular April meeting by the Iowa state fair board, and published and made available in the Iowa state fair premium lists by June 1. Proposed rules may be obtained from the fair board office after April 1 each year.

a. Comment on specific rules. Any person wishing to comment on the specific rules of competition and fair programming may do so in writing by submitting comments to the offices of the board for review at its regular April meeting. The board will take all comments received under advisement.

b. Conflict of rules. In the event of conflict between general and specific rules, the latter will take precedence.

1.3(2) Rule application. The administrative rules of the fair board will apply only to the yearly fair-time operations except where year-round applicability is so stated.

1.3(3) Appeal procedures. All protests, challenges to disciplinary action or complaints shall be heard initially by the Iowa state fair board's competition committee according to procedures set out in the fair's annual premium book. An exhibitor may appeal the decision of the competition committee to the fair board. An exhibitor appealing a disqualification or recommended disciplinary action may request an evidentiary hearing conducted pursuant to Iowa Code chapter 17A. If the exhibitor requests that the appeal be heard as an evidentiary hearing, the fair board may retain an administrative law judge from the department of inspections and appeals to conduct the evidentiary hearing and to render a proposed decision. The fair board may affirm, reverse or modify the proposed decision.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—1.4(173) Admissions. All admissions to the annual fair and designated shows shall be determined by the fair board and advertised or posted, and anyone entering the fair or the shows being charged for must pay the admission fee or present the proper credentials obtained from the secretary's office.

1.4(1) Return admissions.

a. Persons wishing to leave the fair and return the same day may do so by having one of their hands stamped at the gate.

b. Campers will be required to pay the regular admission to the fair when entering the fairgrounds proper from the campgrounds.

c. Refunds for fair admissions. Requests for refunds for admissions to the fair shall be reviewed by the secretary of the fair or the president of the board to determine if a refund is justified.

1.4(2) Show admission. The Iowa state fair board will contract, produce and stage shows and events within the fair that are suitable to the tastes of the Iowa public, and the fair board shall determine which shows necessitate additional admission charges to the public.

a. Fair board admissions. Each fair board member will be allowed two admissions to each show where there is an admission charge to witness the quality of the show.

b. Refund for shows. In the event the fair is not able to provide cash refunds on demand, refunds will be made by mail upon receipt of proper ticket stub and a self-addressed return envelope.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—1.5(173) Returned checks. In accordance with fair board policy, a fee of \$20 will be charged to anyone whose issued document is not honored by the issuing institution, and the issuer could be liable for up to three times the amount of the document with a maximum charge of \$500 in accordance with Iowa Code section 554.3513.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—1.6(173) Records. The Iowa state fair board will retain its records in accordance with the standards of the records management manual of the Iowa state records commission.

371—1.7(173) Liability insurance. All concessionaires, commercial exhibitors and competitive events exhibitors shall carry liability insurance and shall name the state of Iowa, Iowa state fair authority, their officers, employees and agents as additional insured and shall furnish a certificate of such insurance to the authority.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—1.8(173) Hiring. A person who has served as a member of the Iowa state fair board shall not, within a period of two years after termination of membership on the board, accept employment with the Iowa state fair.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

These rules are intended to implement Iowa Code sections 173.14 and 173.15.

[Filed 6/19/81, Notice 4/15/81—published 7/8/81, effective 8/12/81]

[Filed 10/8/82, Notice 7/21/82—published 10/27/82, effective 12/2/82]

[Filed 6/28/85, Notice 5/22/85—published 7/17/85, effective 9/1/85]

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[Filed 7/1/87, Notice 5/6/87—published 7/29/87, effective 9/2/87¹]

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[Filed 3/23/95, Notice 2/15/95—published 4/12/95, effective 5/17/95]

[Filed ARC 0163C (Notice ARC 0049C, IAB 3/21/12), IAB 6/13/12, effective 7/18/12]

¹ Effective date of 1.5(173) delayed 70 days by the Administrative Rules Review Committee.

CHAPTER 2
TRAFFIC, PARKING AND PUBLIC SAFETY

[Prior to 5/18/88, see Fair Board[430] Ch 2]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

371—2.1(173) Purpose. The purpose of these rules is to provide for the regulation and control of traffic, parking and safety on the Iowa state fairgrounds.

371—2.2(173) Definitions. For the purpose of these rules, the following definitions shall apply:

“*Board*” as used in rules of the fair board means “Iowa state fair board.”

“*Fairgrounds*” as used in rules of the fair board means “Iowa state fairgrounds.”

“*Secretary*” as used in rules of the fair board means the secretary/manager of the Iowa state fair board or persons employed or designated by the board to perform any function or duty of the secretary.

371—2.3(173) General traffic.

2.3(1) Traffic violations. These rules shall not apply to moving traffic violations on the fairgrounds. Such violations will be charged and prosecuted as violations of Iowa Code chapter 321.

2.3(2) Speed limits. The secretary shall authorize the erection of speed limit signs on the fairgrounds designating maximum speed limits as deemed necessary and appropriate. Unless otherwise posted, year-round speed limit will be 20 m.p.h.

2.3(3) Traffic restrictions. Vehicles may be restricted or prohibited year-round on any street or area of the fairgrounds when, in the opinion of the secretary, it will facilitate the handling of traffic.

2.3(4) Traffic signs. The secretary shall authorize the erection of traffic control signs, gates, barricades and devices deemed necessary and appropriate on the fairgrounds.

371—2.4(173) Parking control.

2.4(1) Authorized parking. The secretary shall authorize that certain areas be set aside and designated as parking facilities for vehicles on the fairgrounds.

2.4(2) Reserved parking. The secretary may reserve any part of established parking facilities for the use of visitors, employees, participants or contractors of the board.

2.4(3) Restricted parking. The secretary may restrict parking in areas as deemed necessary for loading zones, service areas or to facilitate traffic. No parking will be permitted in these restricted areas, except as authorized.

2.4(4) Parking signs. The secretary shall authorize the erection of signs, gates and devices clearly marking reserved and restricted parking areas.

2.4(5) Impoundment. The secretary has the authority to order any vehicle parked on the fairgrounds in violation of these rules to be either impounded or removed, or both. A reasonable fee may be charged for the cost of impoundment and storage. This fee must be paid prior to the release of the vehicle.

371—2.5(173) Public safety—weapons. The carrying or possession by any person other than a peace officer of any weapon, such as a dirk, dagger, hunting knife, buck knife, switch blade, or any knife with a blade of three inches in length or longer, pistol, revolver, rifle, shotgun, pellet or BB gun, blackjack, billy club or any other weapon is prohibited on the fairgrounds unless authorized by the board. Failure to comply with this rule shall be cause for expulsion from the fairgrounds or being charged under Iowa Code chapter 724. Kitchen knives and others purchased at the fair must be wrapped and not concealed.

371—2.6(173) Alcoholic beverages. Alcoholic beverages may be consumed only in areas and during hours designated by or as authorized in writing by the board.

These rules are intended to implement Iowa Code sections 173.14 and 173.15.

[Filed 6/19/81, Notice 4/15/81—published 7/8/81, effective 8/12/81]

[Filed 10/8/82, Notice 7/21/82—published 10/27/82, effective 12/1/82]

[Filed 6/28/85, Notice 5/22/85—published 7/17/85, effective 9/1/85]

[Filed 4/22/88, Notice 2/24/88—published 5/18/88, effective 6/30/88]

CHAPTER 3
CAMPGROUNDS

[Prior to 5/18/88, see Fair Board[430] Ch 31]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

371—3.1(173) Camping facilities available. Camping facilities will be available to the public in the campground area of the fairgrounds or as designated.

3.1(1) Camping overnight is permitted only in designated areas.

3.1(2) The campgrounds open the second Saturday preceding opening day of the fair.

3.1(3) The campgrounds are available for interim camping from April through October 1; exact dates will be determined by the fair board.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—3.2(173) Registration. Each campsite must be registered individually. Camping fees will be set and published annually by the Iowa state fair board.

3.2(1) Campers may arrange their tent, trailer, pickup or car in the campsite to suit their needs; however, all camping equipment and vehicles must be situated on the campsite.

3.2(2) Campers are issued one car sticker when they register, which will admit a vehicle in and out of the campgrounds. If this sticker is lost, another must be purchased.

3.2(3) There will be no refunds of money paid for campsites.

3.2(4) People employed by the Iowa state fair board must pay for their campsites.

3.2(5) If a camper leaves the campsite unoccupied and upon returning finds the campsite filled, the returning camper will receive the closest available space.

3.2(6) The reselling or subletting of a campsite is not permitted.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—3.3(173) Advance registration. Advance registration is only for season campsites (campers staying for the entire fair), and all campers who preregister for campsites must occupy those sites by the opening day of the fair or take the closest available site upon arrival.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—3.4(173) Parking and traffic. The fair board shall employ those persons necessary to direct all traffic and parking in the campground.

3.4(1) All parking must be in designated campsite areas or in a designated area.

3.4(2) Drainage water or sewage shall not be disposed of on the surface of the grounds.

3.4(3) Personal vehicles shall not be driven around campground after curfew unless in an emergency with permission of campground security.

3.4(4) Excessive noise which disturbs other campers shall not be allowed in the campground.

3.4(5) Generators shall not be operated between 10 p.m. and 7 a.m.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—3.5(173) Violation of rules. Violation of any rules may be grounds for revocation of all campground permits and immediate expulsion from the grounds for the remainder of the fair or indefinitely without refunds.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

These rules are intended to implement Iowa Code section 173.14.

[Filed 6/19/81, Notice 4/15/81—published 7/8/81, effective 8/12/81]

[Filed 6/28/85, Notice 5/22/85—published 7/17/85, effective 9/1/85]¹

[Filed 4/22/88, Notice 2/24/88—published 5/18/88, effective 6/30/88]

[Filed ARC 0163C (Notice ARC 0049C, IAB 3/21/12), IAB 6/13/12, effective 7/18/12]

- ¹ Effective date (9/1/85) of rule 3.4 delayed until the expiration of 45 calendar days into the 1986 session of the General Assembly pursuant to Iowa Code section 17.8(9).

CHAPTER 4
SPACE SALES

[Prior to 5/18/88, see Fair Board[430] Ch 4]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

371—4.1(173) Right to sell privileges. The fair board reserves the right to grant all privileges to sell and advertise commodities on the fairgrounds.

4.1(1) *Unauthorized sales and advertising.* No one may sell or advertise merchandise, food or services or post advertising bills, signs or cards or distribute similar materials or in any way solicit on the Iowa state fairgrounds at any time without the express written permission of the Iowa state fair board or its authorized agent.

4.1(2) *Privilege license agreements.* The Iowa state fair board shall issue license agreements for the purpose of granting sales and advertising privileges as it deems warranted and proper.

4.1(3) *Application for privilege.* Any person interested may make application for sales or advertising privileges by contacting the fair board offices and completing the forms provided.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.2(173) Limited to license agreement privileges. The licensee will conduct the privileges granted by the license agreement according to the laws and rules of the state of Iowa, and without infringement upon the rights or privileges of others, and will not handle, advertise or sell any commodity or transact any business whatsoever, except that which has been expressly stipulated and licensed for, and will confine transactions to the space and privilege provided in that license agreement.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.3(173) License agreement renewal. Space license agreements are for the period specified, and the fair board reserves the right to refuse renewal.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.4(173) Reassignment of license agreements. No license agreement or privilege granted by the fair board may be assigned or otherwise disposed of without the written consent of the fair board.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.5(173) Extortion. A violation of Iowa Code section 711.4 will cause the forfeiture of license agreements, money paid and expulsion from the grounds, as the board may elect.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.6(173) Board approval of space used. The licensee will not conduct or permit to be conducted on the space which the licensee has leased any stand, show, amusement or exhibition of any character which does not meet with the approval of the fair board.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.7(173) Rental fee. The licensee will pay a rental fee in the amount determined by the fair board and stipulated in the license agreement with the board when the license agreement is executed. Any payment made as a deposit or full payment for space shall be refundable until June 1 of the given year. After that time, no refunds shall be made.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.8(173) Liens. The Iowa state fair shall have a lien upon all property being kept, used or situated upon the fairgrounds whether the property be exempt or not, for the rent or privilege money to be paid under a space license agreement and for any damages sustained for any breach thereof. The Iowa state fair board shall have the right to attach the same without process of law, and appropriate such property to the use of the Iowa state fair to satisfy its claims against the licensee as per license agreement.

[ARC 0163C, IAB 6/13/12, effective 7/18/12; see Objection note at end of chapter]

371—4.9(173) Insurance. Licensees must have a general liability insurance policy in the minimum amount of \$1 million. “The state of Iowa, Iowa state fair authority, their officers, employees and agents” must be included on the certificate of insurance as additional insured which shall be provided to the fair board before the licensee can set up for operation on the fairgrounds.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.10(173) Preparation opening date. Licensees will not be permitted to occupy a plot or space more than 13 days before the opening of the fair, but must occupy the space by 12 noon on the day preceding the opening of the fair or be subject to forfeiture of the space at the board’s election.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.11(173) Building on space. Licensees will be permitted to build on space assigned to them. Any part of an exhibit or concession showing to public must be finished.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.12(173) Approval of board. All buildings, tents or enclosures put up by the licensee must be approved by the fair board.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.13(173) Painting and alterations removed. Painting, alterations or attachment to any structure owned by the fair will be prohibited unless authorized in writing by the fair board.

371—4.14(173) Removal of structures. All structures, footings or foundations above or below ground level must be removed at the expense of the licensee, unless other arrangements have been made through the Iowa state fair board.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.15(173) Opening day. All licensees will be in place and ready for public inspection by 9 a.m. on the opening day of the fair.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.16(173) Access. Any representative of the fair board shall have access to concessions or exhibits at all times.

371—4.17(173) Dismantling. Exhibits or concessions will be dismantled or removed from the space at the time stated in the license agreement. If a commercial exhibitor dismantles any or all of its exhibit prior to the time designated in its license agreement and wishes to exhibit the following year, the fair board shall require that the commercial exhibitor pay an amount which is double the amount paid for the previous year for the same space or an equal amount of space.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.18(173) Quitting premises. At the expiration of license agreements, licensees shall surrender possession of the premises to the Iowa state fair board without further notice to quit. Premises shall be in good repair as when possession was given, with the exception of unavoidable wear or damage.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.19(173) Removal of structures. Any structure erected on the fairgrounds must be removed from the grounds immediately after the fair unless authorized in writing by Iowa state fair board as per license agreement.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.20(173) Permanent or semipermanent structures. Any permanent structure or semipermanent structure erected on the fairgrounds must have written consent of the fair board and a charge will be made to keep the area neat and clean between fairs.

371—4.21(173) Electric light and power. All wiring must be safe and not create a safety, fire, tripping or mobility obstructive hazard. The chief electrician must approve all wiring in accordance with the National Electrical Code. Electrical service charges will be set by the Iowa state fair board and stated in the license agreement.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.22(173) Use of sound. No band, orchestra, musicians, loudspeaker, amplifier, radio or other sound device can be used unless the sound or amplification is confined to the area occupied by the licensee or otherwise approved by the fair board.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.23(173) Decorating material. All material used in decorating canvas tops and sidewalls must comply with the rules of the state building code or fire marshal.

371—4.24(173) Deliveries. All concessions and industrial exhibit deliveries must be made during the time set by the Iowa state fair board. A delivery permit must be obtained from the space sales department.

371—4.25(173) Discrimination. Licensees shall not discriminate because of race, creed, color, national origin, religion, age, mental or physical disability, sexual orientation, or gender identity and must further agree that their license agreement shall be terminated by the state fair board if a violation is found.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.26(173) Violation of license agreement. Any violation of any of the fair board's administrative rules or the terms and agreements of a space sales license agreement shall, at the election of the fair board, cause the whole amount of the license agreement to become due and be cause for revocation and forfeiture of all rights and privileges granted to the licensee, and in the event of a breach or rule violation by the licensee, any and all sums paid or due to be paid under the licensee agreement to the fair board shall be and become the property of the fair as liquidated damages for the breach or rule violation.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

SPECIFIC RULES FOR INDUSTRIAL EXHIBITS

371—4.27(173) Direct selling. Orders for future delivery may be taken under an industrial exhibit license agreement, but direct selling from exhibits is prohibited unless authorized in license agreement by the Iowa state fair board.

4.27(1) *Parking in exhibit space.* Parking of automobiles or trailers in exhibit space will not be permitted, except when they are being exhibited and are open to the public. Travel trailers in an exhibit space can only be used as an office when they are part of the exhibit. Trailers cannot be used for overnight camping.

4.27(2) *Exhibition hours.* All exhibits will be open to the public during the hours specified in their individual license agreements.

4.27(3) *Digging demonstrations.* Demonstrations of digging, trenching or excavation must be approved by the electrical and maintenance departments prior to the fair.

4.27(4) *Gasoline engines.* Demonstration of gasoline engines will be permitted in the varied industries building and on the promenade surrounding the building only if propelled by electric motors.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

SPECIFIC RULES FOR CONCESSIONS

371—4.28(173) Needs of the people. The board shall authorize only the letting of concessions as are required to meet the necessary wants of those attending the grounds.

4.28(1) *Clean stands.* The concessionaire shall conduct business in a quiet and orderly manner, keep the area neat and clean, deposit all rubbish, garbage, tin cans, and paper in the receptacles placed or

constructed adjacent to the concession plot for this purpose and shall keep the ground in front and in the rear of the concession free from all rubbish.

4.28(2) *Quality standards and products.* All dining halls, lunch booths and refreshment stands must be substantial in structure and neat in appearance. All structures and food must meet standards of the city, county and state health boards, as provided in Iowa Code chapter 137.

4.28(3) *Posted prices.* The concessionaire shall post in a conspicuous manner at the front or entrance of the place of business, a sign showing the price of meals, lunches, drink and all other articles of food and drinks to be sold. The size of the sign or bill of fare and place of posting must be approved by the fair board. The concessionaire shall not increase or reduce the established and posted price of any item of merchandise or meal sold without the consent of the fair board.

4.28(4) *No bottles or cans.* Drinks must be sold or served in soft containers.

4.28(5) *Fire extinguishers.* All concessions having cooking or heating devices must have a fire extinguisher in their kitchen.

4.28(6) *Restriction on employees.* No officer or employee in any department of the fair shall have any interest or connection with any concession operated at the fair.

4.28(7) *Space rate.* The concessionaire shall pay a space rate in the amount and manner determined by the fair board.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—4.29(173) Advertising restrictions. No concessionaire or exhibitor will be permitted to advertise by barking, loud recordings or demonstrations unless permission is given in writing by the fair board.

These rules are intended to implement Iowa Code section 173.14.

[Filed 6/19/81, Notice 4/15/81—published 7/8/81, effective 8/12/81]

[Filed 3/30/84, Notice 2/15/84—published 4/25/84, effective 5/30/84]

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[Filed 4/22/88, Notice 2/24/88—published 5/18/88, effective 6/30/88¹]

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[Filed ARC 0163C (Notice ARC 0049C, IAB 3/21/12), IAB 6/13/12, effective 7/18/12]

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¹ Effective date delayed by the Administrative Rules Review Committee at its June 1988 meeting.

² Objection to 371—4.8(173) was imposed by the Administrative Rules Review Committee at its meeting held August 1, 1981, was filed August 6, 1981, and was published in the August 19, 1981, IAC Supplement. At its meeting held May 9, 1995, the Committee voted to retain the objection but referred the issue to the General Assembly. The objection was lifted by the Committee at its meeting held August 14, 2012.

CHAPTER 5
YOUTH HOUSING AND DINING HALL

[Prior to 5/18/88, see Fair Board[430] Ch 5]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

371—5.1(173) Housing. Youth inn privileges will be available to those 4-H and FFA members and other youth participants, leaders, staff and other fair personnel who will abide by the rules and will cooperate with the state fair management and youth inn supervisors.

4-H and FFA exhibitors staying overnight on the fairgrounds are to sleep in the youth inns unless the exhibitors are staying with parents, in which case the parents must appear in person to make arrangements. Chaperons accompanying youth staying at youth inn must sleep in the dorm area assigned to this group. Exhibitors violating this rule will forfeit all rights to show and any premium money previously won. A fee on a per-night basis will be charged for each person.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—5.2(173) Dining hall. Rescinded IAB 4/12/95, effective 5/17/95.

[Filed 6/19/81, Notice 4/15/81—published 7/8/81, effective 8/12/81]

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[Filed ARC 0163C (Notice ARC 0049C, IAB 3/21/12), IAB 6/13/12, effective 7/18/12]

CHAPTER 6
COMPETITIVE EXHIBITS AND COMPETITIONS
GENERAL RULES

[Prior to 5/18/88, see Fair Board[430] Ch 6]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

371—6.1(173) Composition of exhibits. The Iowa state fair board shall sponsor, organize, produce and stage competitive exhibits and competitions that it deems are educational, enjoyable or possess social redeeming value for the participants and spectators. The composition of all competitive exhibits and competitions shall be determined by the fair board annually.

All competitive exhibits and competitions shall be coordinated by a superintendent appointed by the board. The superintendent's duties shall consist of assisting with the preparation and execution of rules and regulations of the competition with the approval of the secretary of the fair.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—6.2(173) Filing date. All entries must be filed with the secretary on the date determined by the fair board and printed in the premium list.

371—6.3(173) Fees. All entry fees, stall and pen rent shall be as determined by the fair board and printed in the premium list. The management shall return any entries received beyond the capacity of the facilities offered.

371—6.4(173) Placement and release of exhibits. Time of placement and release of exhibits will be as determined by the fair board and printed in the premium list.

371—6.5(173) Time of judging. The time of judging in all departments shall be as determined by the fair board and printed in the premium list.

371—6.6(173) Entries. Entries into competitive exhibits or competitions may be made online at www.iowastatefair.org or on printed forms, which may be obtained free at www.iowastatefair.org or by writing the Entry Department, Iowa State Fair, P.O. Box 57130, Des Moines, Iowa 50319.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—6.7(173) Fraud and misrepresentation. Should any individual enter an animal or article in a name other than that of a bona fide owner or attempt to perpetrate a fraud by misrepresenting any fact, the entry shall not be allowed to compete for or receive any premium.

371—6.8(173) Erroneous entries. Exhibits which have been erroneously entered may, at the discretion of the secretary, superintendent or authorized person of the department, be transferred to their proper class previous to the judging. If that class has been judged, it shall not be rejudged.

371—6.9(173) Entry tags. Competitors in departments where coupon entry tags are used must present coupons for the return of their articles to the superintendent or the assistants of the department in which the exhibit is shown. Under no circumstances will the exhibitor be permitted access to display cases or space where exhibits are shown.

371—6.10(173) Transportation charges. The state fair board will not assume or pay the transportation charges on articles sent for exhibition or assume or pay any expense in their delivery to the grounds.

371—6.11(173) Exhibit safety. The state fair board will use diligence in caring for the safety of livestock or articles after their arrival but will not be responsible for any loss or damage that may occur.

371—6.12(173) Early removal of exhibits. Gatekeepers and police are instructed to restrict any person from leaving the grounds with stock or other articles that have been on exhibition, before the hour of release, without written permission of the superintendent of the department.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—6.13(173) Protests. All protests must be made in writing and accompanied by a deposit, set by the fair board and published in premium book of current year, which will be forfeited if the protest is not sustained. No protest based upon the statement that a judge is incompetent will be considered.

371—6.14(173) Judges. Competitors may not in any way, whether in person or by agent, interfere with the judges while judging. Any disrespect shown judges will be cause for an apology, and will expel exhibitor from further competition, and no premiums will be paid to the exhibitor.

371—6.15(173) Premiums. Premiums paid will be as determined by the fair board and printed in the premium book.

6.15(1) Premiums in the open livestock departments will be paid at a time determined by the fair board and printed in the premium book.

6.15(2) Premiums in other departments will be paid as soon after the close of the fair as possible.

6.15(3) All warrants must be cashed 60 days from the date of issuance. No claims for errors will be honored after October 15, the year of the fair.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—6.16(173) Specials. The fair board will list special premiums in the premium list, but will not be responsible for their payments or delivery unless they are delivered to the secretary prior to the opening day of the fair.

6.16(1) Specials are limited to money prizes or articles of intrinsic value.

6.16(2) Special prizes will not be accepted for classes that do not conform to the regular classifications of the department in which they are offered unless for reasons satisfactory to the fair board and the superintendent of the department in which they are offered.

371—6.17(173) Only one exhibitor. When there is only one exhibitor in a class, the first prize, if merited, will be awarded. When more than one, all prizes will be awarded at the discretion of the judge. Where animals or articles are not worthy of first prize, judges may, at their discretion, award a prize or prizes of such grade as the animal or articles deserve. When there is competition, all prizes may be awarded as far as there are worthy entries. If two entries are equal, both place moneys are to be totaled and divided equally.

371—6.18(173) Entries by creator. Articles which are the result of mechanical or artistic skill must be entered by the artist, inventor, manufacturer or authorized agent.

371—6.19(173) Entries by owner. Refer to premium book, which may be found at www.iowastatefair.org/competition/categories.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—6.20(173) Substitution of animals. Substitution of animals entered for reasons satisfactory to the management of the fair will be permitted prior to the time set out in the premium books, providing the animal meets all the applicable regulations. All requests for substitution of this kind and the reasons therefor, together with name, date of birth and registry number of the animal substituted, must have the approval of the superintendent of the department and be filed with the secretary.

371—6.21(173) Elimination of classification. Refer to premium book, which may be found at www.iowastatefair.org/competition/categories.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—6.22(173) Health requirements. All animals presented for exhibition shall be subjected to examination by the chief of animal industry before exhibition, and to daily inspection during the fair. The office of the veterinary department at which place official health certifications must be presented and approved for all livestock exhibited, is located south of the cattle barn. Please read official health requirements under each livestock department. All buildings, stalls, and pens at state fairgrounds will be disinfected prior to opening of the state fair.

371—6.23(173) Health rules. Rules governing the health of all animals shown at the fair will be as determined by the Iowa department of agriculture, division of animal industry, and published in the premium book.

371—6.24(173) Clean stalls. Livestock exhibitors must keep the space in the rear of their stalls and pens and all alleyways clear and clean. All litter must be deposited in areas designated by the superintendent and assistants.

371—6.25(173) Exhibition of stalls. Exhibitors must keep their stalls open and stock uncovered from 8 a.m. to 6 p.m. each day of the fair.

371—6.26(173) Prompt showing. No animal will be awarded a prize unless promptly brought into the show ring with catalog number attached when class is called.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—6.27(173) Purebred entries. No animal can be entered or exhibited as purebred unless it has been recorded in the recognized book of record for its respective breed, and exhibitors must produce certificates of registry at the request of the superintendent in charge anytime during the fair.

371—6.28(173) Reserved pens. Stalls and pens will not be reserved unless entry is accompanied by the required stall, pen and entry fees.

371—6.29(173) Rent refund. No refunds of any kind will be made unless cancellation is made before July 2, year of the fair.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—6.30(173) Forage. Forage will be available on the grounds. No delivery of feed other than for the forage concession will be permitted within the grounds after opening day. Exhibitors will be permitted to bring into the grounds only a limited amount of feed, hay, or straw, and the management reserves the right to refuse admission of any which in their judgment is an excessive amount.

371—6.31(173) Insurance. Competitive exhibitors are required to carry insurance to cover any loss to persons or property which may occur as a result of their participation in fair competition.

These rules are intended to implement Iowa Code section 173.14.

[Filed 6/19/81, Notice 4/15/81—published 7/8/81, effective 8/12/81]

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CHAPTER 7
INTERIM EVENTS

[Prior to 5/18/88, see Fair Board[430] Ch 7]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

371—7.1(173) Interim events. Interim events are events held on the Iowa state fairgrounds at times other than the Iowa state fair.

371—7.2(173) Policy, insurance, concessions and security.

7.2(1) Policy. According to Iowa Code section 173.14(7), the fair board has the authority to grant written permission to individuals and organizations to use the fairgrounds and its facilities when the fair is not in progress.

a. Preference in scheduling shall be given to promoters who have previously sponsored the same interim events.

b. All license agreements shall be based on scheduled rates. Scheduled rates will be approved by the Iowa state fair board. If any rate change needs to be made during the year because of emergency, the change will be made at an open regular meeting with this item on a published agenda. In any area when gate admission is charged in addition to regular rental rates, 10 percent of gross receipts after sales tax will be added.

c. Secretary may grant variances from listed policies and charges subject to board review.

d. A 1.5 percent per month penalty charge on unpaid bills will commence 30 days after original billing. (This amounts to an annual percentage rate of 18 percent.)

e. Terms of license agreements regarding the use of facilities shall be negotiated based upon event requirements, services rendered, and availability.

f. A building deposit is required to secure an event date. Deposit amount is generally one day's rent for the facility being rented.

g. No event shall run past midnight without written consent of the Iowa state fair board.

h. Decorating guidelines are available with the license agreement or upon request.

i. The Iowa state fair reserves the right to cancel the license agreement when the facility is required pursuant to declaration of public necessity, emergency use or act of God or legislative action resulting in dissolution of the Iowa state fair. A refund will be made for the deposit.

j. Licensee is responsible for all damages.

k. Licensee will not sell or assign the license agreement or sublet premises outlined in the agreement without written consent of the Iowa state fair board.

7.2(2) Insurance requirements.

a. All persons as defined by Iowa Code section 4.1(20) must provide liability insurance jointly protecting the licensee, state of Iowa, Iowa state fair authority, their officers, employees and agents.

b. The coverage shall provide liability insurance in the minimum of \$1 million bodily injury for any person, \$1 million for each occurrence, including spectator protection.

c. Evidence of this insurance must be presented to the Iowa state fair staff in time for review and approval 14 days prior to use of any facility by the licensee.

d. For auto races or hazardous events, the requirements of paragraphs 7.2(2) "a" to "c" apply, and the minimal insurance will be \$1 million for each occurrence.

7.2(3) Concessions.

a. The Iowa state fair reserves all concession rights.

b. The Iowa state fair shall charge an amount not to exceed 25 percent of the gross sales from facilities provided by the Iowa state fair and from those other than fair-owned facilities.

c. Concessions shall be subject to the rules contained in 371—Chapter 3.

7.2(4) Security.

a. Security and other services are available at a rate set by the Iowa state fair (see 7.2(1) "b" above) and a rate schedule may be obtained by writing the Iowa state fair board.

b. It is the responsibility of the Iowa state fair board to determine when these services are needed and will be used.

This rule is intended to implement Iowa Code section 173.15.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.3(173) Miscellaneous services offered.

7.3(1) The following items are available upon request by the licensee:

a. Service and labor requested:

- (1) Electrician.
- (2) Security.
- (3) End loader and driver.
- (4) Plumber.
- (5) Grader and driver.
- (6) Truck and driver.
- (7) Carpenter.
- (8) Ordinary labor.
- (9) Janitor.
- (10) Internet/telephone.

b. Equipment:

- (1) Benches.
- (2) Folding chairs.
- (3) Folding tables.
- (4) Picnic tables.
- (5) Banquet tables.
- (6) Stage sections.
- (7) Podium.
- (8) Easels.
- (9) Bleachers.
- (10) Stanchions.
- (11) Ice machines.
- (12) Sign stands.
- (13) Information booths.
- (14) Livestock panels.

c. Public address systems are available for all buildings at a daily rate.

d. Feed barn service. Feed, hay and livestock bedding are available on the Iowa state fairgrounds during interim events.

e. Fly control. Fly control will be charged as needed.

7.3(2) Reserved.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.4(173) Horse shows.

7.4(1) Iowa state fair may provide:

- a.* Horse barn with box stalls and tie stalls.
- b.* Office in horse barn.
- c.* Parking areas.
- d.* Police and parking supervisors.
- e.* Livestock pavilion for show, cleaned and ready.
- f.* Toilet facilities in livestock pavilion and horse barn.
- g.* Toilet attendants for livestock pavilion.
- h.* Loading and unloading chutes.
- i.* Hauling of manure, garbage and other refuse from barn area and concession areas.
- j.* Food and drink concessions.
- k.* Permission to permit others to sell materials and equipment needed for horse shows provided:

- (1) Fees are paid to the Iowa state fair board.
- (2) The concessionaires clean up area on leaving.
- l.* Equipment to maintain show ring in livestock pavilion.

7.4(2) Licensee to provide:

- a.* Show manager.
- b.* Manager to assign definite stalls to exhibitors.
- c.* Manager or informed designated person to be on the show site during the entire time of the lease.
- d.* Manager to prevent vehicles from parking inside the barn and from blocking outside drives.
- e.* Manager to help supervise parking of all vehicles.
- f.* Manager to plan and authorize the schedule for the use of the livestock pavilion.
- g.* Security for horses and fire guard.

7.4(3) Policy.

a. All camping units will be assigned to designated areas. Camping fees will be determined by the Iowa state fair. Camping fees will be collected by fair personnel and will be paid to the Iowa state fair or show committee.

- b.* All vehicles and equipment must be parked in designated areas.
- c.* Licensees shall provide liability insurance (see subrule 7.2(2)).

7.4(4) Prohibitions.

a. Trailers, campers and trucks are prohibited from parking inside any building.

b. Heating and cooking units using volatile fuel are prohibited by the fire marshal inside all buildings.

7.4(5) Charges.

a. Barns are available at a daily rate. The fee schedule will be approved by the Iowa state fair board. A copy of the fee schedule may be obtained by writing the Iowa state fair board. Stalls are available at a daily rate.

- b.* Livestock pavilion will be available at a daily rate, plus utilities.
- c.* Any show using covered area or warm-up east of pavilion in lieu of stock pavilion will be charged a fee per day.
- d.* Added service and labor, equipment, telephone, and Internet services will be charged at established rates (see rule 371—7.3(173)).
- e.* Preparation with lights will be charged a fee per hour.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.5(173) Horse sales.**7.5(1)** Iowa state fair may provide:

- a.* Horse barn with stalls and tie stalls.
- b.* Outside space for those who work out of truck or trailer.
- c.* Office in horse barn or in cattle barn as needed.
- d.* Parking areas.
- e.* Police and parking supervisors.
- f.* Toilet facilities in cattle barn or horse barn as needed.
- g.* Loading and unloading chutes.
- h.* Hauling of manure, garbage and other refuse from barn area and concession areas.
- i.* Food and drink concessions.
- j.* Permission to permit others to sell materials and equipment needed for horse sales, provided:

- (1) Fees are paid to the Iowa state fair board.
- (2) The concessionaires clean up area on leaving.

7.5(2) Licensee to provide:

- a.* Show manager who must cooperate with fair personnel.
- b.* Security for horses and fire guard.
- c.* Payment for cost of services requested and not covered in 7.5(1).
- d.* Check-in for animals before the sale and check-out after.

7.5(3) Policy.

- a.* All camping units will be assigned to designated areas. Camping fees will be determined by the Iowa state fair. Camping fees will be collected by fair personnel or show committee.
- b.* All vehicles and equipment must be parked in designated areas.
- c.* Licensees shall provide liability insurance (see subrule 7.2(2)).

7.5(4) Prohibitions.

- a.* Trailers, campers and trucks are prohibited from parking inside any building.
- b.* Heating and cooking units using volatile fuel are prohibited by the fire marshal inside all buildings.

7.5(5) Charges.

- a.* Barns are available at a daily rate. The fee schedule will be approved by the Iowa state fair board. A copy of the fee schedule may be obtained by writing the Iowa state fair board. Stalls are available at a daily rate.

b. Livestock pavilion will be charged at a daily rate, plus utilities.

c. Sale ring and cattle barn will be charged at a daily rate, plus utilities.

- d.* Added service, labor, equipment, telephone, and Internet services will be charged at established rates (see 371—7.3(173)).

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.6(173) Cattle sales/shows.

7.6(1) Iowa state fair may provide:

- a.* Tie stalls for cattle in cattle barn.
- b.* Hauling of manure, garbage and other refuse from barn area.
- c.* Washing, drying and grooming area in north foyer or SW annex.
- d.* Show ring annex with bleachers for showing cattle in NW corner of the barn.
- e.* Office area for making entries, settling for sale and other purposes.
- f.* Restrooms for both men and women.
- g.* Heat for show ring, office, north foyer, sale ring, toilets and lunch room for the cost of propane.
- h.* Lunch room.
- i.* For large sales, and on request, wash rack area and foyer may be cleaned once and made ready for use.
- j.* On show and sale days, wash rack area and foyer will be cleaned once daily. Extra cleanings will result in an extra charge. Sale manager to notify Iowa state fair when to clean the area.
- k.* Electric current to the capacity of the electric wiring and properly fused fuse boxes.
- l.* Sale ring with lights.
- m.* Noncertified scales on request for supervised weighing.
- n.* Staff to:
 - (1) Operate furnace.
 - (2) Check electrical systems.
 - (3) Prepare show and sale rings, clean seats, dampen rings.
 - (4) Clean office and foyer area at appointed times.
 - (5) Be on watch for fires.
 - (6) Notify sale/show manager or representative when sighting loose cattle, but will not be responsible for tying up the loose cattle.
- o.* Snow removal.
- p.* Necessary permission to approve magazine and supply exhibits and sale, provided approved by sale manager and at no expense to the fair board. The usual concession fee shall be paid to the Iowa state fair.

7.6(2) Policy.

- a.* All camping units will be assigned to designated areas. Camping fees will be charged at a daily rate. Fees will be collected by a representative of the Iowa state fair.

b. All vehicles and equipment must be parked in designated areas.

c. Licensees shall provide liability insurance (see subrule 7.2(2)).

7.6(3) Prohibitions.

- a. Trailers, campers and trucks are prohibited from parking inside buildings.
- b. Heating and cooking units using volatile fuel are prohibited by the fire marshal inside all buildings. Electric dryers and heating units may be used in wash rack area and foyer at outlets provided.

7.6(4) Licensee. The licensee shall:

- a. Be responsible for checking cattle in and out of barn.
- b. Check with fair officials before leaving grounds regarding number of aisles used and billing.
- c. Rescinded IAB 6/13/12, effective 7/18/12.
- d. Pay additional costs for service requested and not covered above.

7.6(5) Charges.

a. Barns are available at a daily rate. The fee schedule will be approved by the Iowa state fair board. A copy of the fee schedule may be obtained by writing the Iowa state fair board. Stalls are available at a daily rate.

b. Added service and labor, equipment, telephone, and Internet services will be charged at established rates (see 371—7.3(173)).

c. Wash rack, north or south, will be charged at a daily rate, plus heat.

d. Livestock pavilions will be charged at a daily rate, plus utilities.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.7(173) Sheep sales.

7.7(1) Iowa state fair will provide:

- a. Sheep barn with pens.
- b. Office area.
- c. Unloading, parking and service areas.
- d. Bleachers located near sale and show rings.
- e. Normal water and electricity.
- f. Auction block.
- g. Panels available as needed to get sheep to and from show and sale rings.
- h. Scales on request for supervised weighing.
- i. Toilet facilities.
- j. Hauling of manure, garbage and other refuse from barn area.
- k. Necessary permission to approve magazine and supply exhibits and sale, provided approved by sale manager and at no expense to the fair board. The usual concession fee shall be paid to the Iowa state fair.

7.7(2) Policy.

a. All camping units will be assigned to designated areas. Camping fees will be charged on a daily basis; fees will be collected by a representative of the Iowa state fair.

b. All vehicles and equipment must be parked in designated areas.

c. Licensees shall provide liability insurance (see subrule 7.2(2)).

7.7(3) Prohibitions.

- a. Trailers, campers and trucks are prohibited from parking inside any building.
- b. Heating and cooking units using volatile fuel are prohibited by the fire marshal inside all buildings.

7.7(4) Licensee shall provide:

- a. Security for sheep and fire guard.
- b. Payment at cost for service requested and not covered above.
- c. Representative to check the number of pens used and other charges with fair officials before leaving grounds at close of sale.
- d. Wood chips for sale/show ring.

7.7(5) Charges.

a. Barns are available at a daily rate. The fee schedule will be approved by the Iowa state fair board. A copy of the fee schedule may be obtained by writing the Iowa state fair board. Pens are available at a daily rate.

b. Added service and labor, equipment, telephone, and Internet services will be charged at established rates (see 371—7.3(173)).

c. Rings will be charged at a daily rate for each ring.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.8(173) Swine sales/shows.

7.8(1) Iowa state fair may provide:

a. Swine barn and pens.

b. Bleachers normally in area.

c. Office and store room.

d. Toilet facilities.

e. Normal water and electricity.

f. Wash racks.

g. Auction block.

h. Loading and unloading chutes.

i. Scales on request for supervised weighing.

j. Panels are available in swine barn area.

k. Hauling of manure, garbage and other refuse from barn area.

l. Necessary permission to approve magazine and supply exhibits and sale, provided approved by sale manager and at no expense to the fair board. The usual concession fee shall be paid to the Iowa state fair.

7.8(2) Policy.

a. All camping units will be assigned to designated areas. Camping fees will be charged on a daily rate; fees will be collected by a representative of the Iowa state fair.

b. All vehicles and equipment must be parked in designated areas.

c. Licensees shall provide liability insurance (see subrule 7.2(2)).

7.8(3) Prohibitions.

a. Trailers, campers and trucks are prohibited from parking inside any building.

b. Heating and cooking units using volatile fuel are prohibited by the fire marshal.

7.8(4) Licensee shall provide:

a. Security for swine and fire guard.

b. Representative to check the number of pens used and other charges with fair officials before leaving grounds at close of sale/show.

c. Wood chips for sale/show ring.

7.8(5) Charges.

a. Barns are available at a daily rate. The fee schedule will be approved by the Iowa state fair board. A copy of the fee schedule may be obtained by writing the Iowa state fair board. Pens are available at a daily rate.

b. Added service and labor, equipment, telephone, and Internet services will be charged at established rates (see 371—7.3(173)).

c. Each ring charge will be made on a daily basis.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.9(173) Walnut Center.

7.9(1) Area: 65' × 107'. The facility includes:

a. Ordinary electricity and water.

b. Preparation and cleanup.

7.9(2) Charges. Licensees are subject to the following charges:

a. At a daily rate.

b. Final cleanup and garbage hauling.

c. Added service, labor, equipment, telephone and Internet services at established rates (see 371—7.3(173)).

7.9(3) Policy.

- a. All camping fees will be charged on a daily basis; fees will be collected by a representative of the Iowa state fair.
- b. All vehicles and equipment must be parked in designated areas.
- c. Licensees shall provide liability insurance (see subrule 7.2(2)).

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.10(173) Varied industries building.

7.10(1) Area: 480' × 230'.

7.10(2) Charges. Licensees are subject to the following charges:

- a. At a daily rate.
- b. Added service, labor, equipment, telephone and Internet services at established rates (see 371—7.3(173)).
- c. Final cleanup.

7.10(3) Policy.

- a. All camping units will be assigned to designated areas. Camping fees will be charged at a daily rate; fees will be collected by a representative of the Iowa state fair.
- b. Licensees shall provide liability insurance (see subrule 7.2(2)).

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.11(173) Agriculture building.

7.11(1) Area: 100' × 290'.

7.11(2) Charges. Licensees are subject to the following charges:

- a. At a daily rate.
- b. Final cleanup.
- c. Added service, labor, equipment, telephone and Internet services at established rates (see 371—7.3(173)).

7.11(3) Policy.

- a. All camping units will be assigned to designated areas. Camping fees will be charged at a daily rate; fees will be collected by a representative of the Iowa state fair.
- b. All vehicles and equipment must be parked in designated areas.
- c. Licensees shall provide liability insurance (see subrule 7.2(2)).

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.12(173) Youth inns.

7.12(1) *Area.* Main floor of boys' youth inn includes dorm area, kitchen area, dining area and auditorium and toilet facilities.

7.12(2) *Charges.* Charges are as follows:

- a. A daily rate plus preparation, cleanup and utilities.
- b. Added services, labor, equipment, telephone and Internet services at established rates (see 371—7.3(173)).
- c. Boys' youth inn second floor dorm fee negotiable.
- d. Girls' youth inn first floor dorm fee negotiable.
- e. Girls' youth inn second floor dorm fee negotiable.
- f. Dorm area in boys' youth inn per daily rate.
- g. Auditorium in boys' youth inn per daily rate.

7.12(3) *Policy.* Licensees shall provide liability insurance (see subrule 7.2(2)).

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.13(173) Campgrounds.

1. Campgrounds are available for interim camping from April through October, exact date to be determined by fair.
2. The following charges apply: A set fee per campsite per night, including electricity, showers, restroom and space. All fees must be paid in advance. A current camping permit must be visibly displayed on camping unit.

3. Registration/parking. All campers must register with the campground attendant upon arrival. Camper units will be placed by the campground attendant on designated site, two vehicles maximum.
4. Checkout time is 2 p.m.
5. Quiet hours are 10 p.m. to 7 a.m.; no visitors are allowed after 10 p.m.
6. Motorcycles/mopeds must be driven in a responsible and considerate manner. They may not be driven during quiet hours.
7. Pets must be on a leash and not left unattended.
8. All campers must secure their own personal property. Any property left unattended over 24 hours may be considered abandoned and be subject to impoundment.
9. Open fires on the ground are prohibited. However, barbecue grills are allowed on the campsite.
10. Fuel lanterns shall not be hung on trees. Nails and spikes are not allowed to be put into trees.
11. Weapons, explosives and fireworks are prohibited.
12. Parents are responsible for supervising their children. Playing in or around toilets/showers or with fairgrounds property is prohibited.
13. Campers will keep sites free of trash and litter. Trash containers are located throughout the campgrounds.
14. A dump out area for waste is provided. Campers shall check with attendant for dumping procedures. Gray water will not be dumped on a site.
15. These rules will be enforced in order that all campers may have a safe and enjoyable visit. Violations of these rules will result in expulsion from the campground or legal action, or both.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.14(173) Grandstand racetrack.

- 7.14(1) Each event must be considered separately because of widely varying requirements of most shows.
- 7.14(2) In all events, the Iowa state fair will reserve the right of concession privileges.
- 7.14(3) Licensees shall provide liability insurance (see subrule 7.2(2)).
- 7.14(4) For events where a gate admission will be charged, there will be a guaranteed price required for the use of the grandstand based on actual costs involved against a mutually agreed percentage of gross ticket sales.
- 7.14(5) The guaranteed price for grandstand use will be charged for daytime and a larger charge for nighttime use.
- 7.14(6) Portable stage charge will be on a daily basis, plus crew.
- 7.14(7) Iowa state fair may provide parking crew and police at prevailing rate.
- 7.14(8) All contractors will comply with the requirements of the city of Des Moines noise ordinance in conducting their events.
- 7.14(9) The curfew time for all rock music concerts and racetrack events is 10:30 p.m.
- 7.14(10) Promoters of grandstand racetrack events shall inform the city of Des Moines of the date, time and anticipated attendance of the events no later than 30 days prior to the scheduled date of the event.
- 7.14(11) Promoters of grandstand and racetrack events shall remind the public of legal responsibility to obey municipal parking and traffic regulations.
- 7.14(12) Promoters of grandstand racetrack events shall inform the public that parking is available on the fairgrounds.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.15(173) Livestock pavilion.

- 7.15(1) Iowa state fair may provide:
 - a. Indoor arena: 170' × 120'.
 - b. Seating: 2,000.
 - c. Building heating and ventilating systems.
 - d. Restroom facilities.
 - e. Indoor ticket booths.
 - f. Judge's stand.

7.15(2) Policy.

- a. In all events, the Iowa state fair reserves the right of concession privileges.
- b. All camping units will be assigned to designated areas. Camping fees will be charged at set rate per night; fees will be collected by a representative of the Iowa state fair.
- c. Licensees shall provide liability insurance (see subrule 7.2(2)).
- d. All vehicles and equipment must be parked in designated areas.

7.15(3) Charges. Licensees are subject to the following charges:

- a. At a daily rate.
- b. Fuel.
- c. Added service, labor, equipment, telephone, and Internet services at established rates (see 371—7.3(173)).

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.16(173) Multimedia center.**7.16(1)** Iowa state fair may provide:

- a. Sale arena with seating.
- b. Four reverse projection screens above the arena.
- c. Projection room behind the screens.
- d. Restroom facilities.
- e. Parking areas.
- f. Office area.

7.16(2) Charges. Licensees are subject to the following charges:

- a. At a daily rate.
- b. Added service, labor, equipment, telephone and Internet services at established rates (see 371—7.3(173)).

7.16(3) Policies.

- a. All camping units will be assigned to designated areas. Camping fees will be charged at a set rate per night; fees will be collected by a representative of the Iowa state fair.
- b. All vehicles and equipment must be parked in designated areas.
- c. Licensees shall provide liability insurance (see subrule 7.2(2)).

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.17(173) Family theaters.**7.17(1)** Iowa state fair may provide:

- a. Area: 35' × 75' and 35' × 85'.
- b. Restrooms.
- c. Parking areas.
- d. Normal water and electricity.

7.17(2) Charges. Licensees are subject to the following charges:

- a. At a daily rate.
- b. Added service, labor, equipment, telephone and Internet services will be at established rates (see 371—7.3(173)).

7.17(3) Policy.

- a. All camping units will be assigned to designated areas. Camping fees will be charged at a set rate per night; fees will be collected by a representative of the Iowa state fair.
- b. All vehicles and equipment must be parked in designated areas.
- c. Licensees shall provide liability insurance (see subrule 7.2(2)).

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.18(173) Sheep and baby beef barn.**7.18(1)** Iowa state fair may provide:

- a. Tie stalls.
- b. Office area.

- c. Hauling of manure, garbage and other refuse from barn area.
- d. Washing area on south side of barn.
- e. Restroom facilities.
- f. Normal electricity and water.
- g. Parking areas.
- h. Noncertified scales on request for supervised weighing.
- i. Loading and unloading chutes.

7.18(2) Licensee will:

- a. Be responsible for checking sheep and cattle in and out of barn.
- b. Check with fair officials before leaving grounds regarding number of aisles used and billing.
- c. Provide liability insurance (see subrule 7.2(2)).

7.18(3) Policy.

- a. All camping units will be assigned to designated areas. Camping fees will be charged at a set rate per night; fees will be collected by a representative of the Iowa state fair.
- b. All vehicles and equipment must be parked in designated areas.

7.18(4) Prohibitions.

- a. Trailers, campers and trucks, except those displayed, are prohibited from parking inside buildings.
- b. Heating and cooking units using volatile fuel are prohibited by the fire marshal.

7.18(5) Charges. Charges will apply at a daily rate.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.19(173) 4-H exhibit building.

7.19(1) Iowa state fair may provide:

- a. Area: 165' × 262'.
- b. Restroom facilities.
- c. Normal water and electricity.
- d. Parking areas.
- e. Office area.

7.19(2) Charges. Licensees are subject to the following charges:

- a. At a daily rate.
- b. Added service, labor, equipment, telephone and Internet services at established rates (see 371—7.3(173)).

7.19(3) Policies.

- a. All camping units will be assigned to designated areas. Camping fees will be charged at a set fee per night; fees will be collected by a representative of the Iowa state fair.
- b. All vehicles and equipment must be parked in designated areas.
- c. Licensees shall provide liability insurance (see subrule 7.2(2)).

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.20(173) Elwell family food center.

7.20(1) Area: 100' × 150'.

7.20(2) Charges. Licensees are subject to the following charges:

- a. At a daily rate.
- b. Added service, labor, equipment, telephone and Internet services at established rates (see 371—7.3(173)).
- c. Final cleanup.

7.20(3) Policy.

- a. All camping units will be assigned to designated areas. Camping fees will be charged at a daily rate; fees will be collected by a representative of the Iowa state fair.
- b. All vehicles and equipment must be parked in designated areas.
- c. Licensees shall provide liability insurance (see subrule 7.2(2)).

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.21(173) Richard O. Jacobson exhibition center.**7.21(1) Area:**

- a. Warm-up arena: 200' × 125'.
- b. Conference area: 12' × 23'.
- c. VIP/upper level: 70' × 30'.

7.21(2) Charges. Licensees are subject to the following charges:

- a. At a daily rate.
- b. Added service, labor, equipment, telephone and Internet services at established rates (see 371—7.3(173)).
- c. Final cleanup.

7.21(3) Policy.

- a. All camping units will be assigned to designated areas. Camping fees will be charged at a daily rate; fees will be collected by a representative of the Iowa state fair.
- b. All vehicles and equipment must be parked in designated areas.
- c. Licensees shall provide liability insurance (see subrule 7.2(2)).

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

371—7.22(173) Paul R. Knapp animal learning center.**7.22(1) Area:** 180' × 96'.**7.22(2) Charges.** Licensees are subject to the following charges:

- a. At a daily rate.
- b. Added service, labor, equipment, telephone and Internet services at established rates (see 371—7.3(173)).
- c. Final cleanup.

7.22(3) Policy.

- a. All camping units will be assigned to designated areas. Camping fees will be charged at a daily rate; fees will be collected by a representative of the Iowa state fair.
- b. All vehicles and equipment must be parked in designated areas.
- c. Licensees shall provide liability insurance (see subrule 7.2(2)).

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

These rules are intended to implement Iowa Code section 173.14.

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¹ Effective date delayed by the Administrative Rules Review Committee at its June 1988 meeting.

CHAPTER 8
ADMITTANCE AND USE OF FAIRGROUNDS

[Prior to 5/18/88, see Fair Board[430] Ch 8]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

371—8.1(173) Curfew. During the fair a curfew will be in force from 1 a.m. to 5 a.m. daily; only those persons with business may remain on the fairgrounds (including owners and caretakers of exhibits, guards, persons registered at dormitories, fair officials and employees).

371—8.2(173) Admittance to grounds. Year-round admittance to the fairgrounds may be made for justified and lawful purposes. The Iowa state fair board reserves the right to restrict admittance during the fair, special events, and during the hours of darkness. Failure to comply with this rule shall be cause for expulsion from the grounds or being charged under Iowa Code chapter 716.

371—8.3(173) Metal detectors. The use of metal detectors on the Iowa state fairgrounds is prohibited at all times unless approved in writing by the Iowa state fair board.

371—8.4(173) Pets.

8.4(1) No privately owned animals or pets shall be allowed to run at large on the Iowa state fairgrounds or upon lands under the jurisdiction of the Iowa state fair board except by permission of the fair board.

a. Animals shall be deemed as running at large unless carried by owner or on a leash or chain or confined or tied to a vehicle.

b. Any animal found running at large will be subject to confinement and will be turned over to the animal shelter.

c. No animals, except animals providing disability assistive services, may be taken into any building on the Iowa state fairgrounds that is posted stating such animals are not allowed in this building.

8.4(2) During the annual fair no pets shall be brought onto the Iowa state fairgrounds or upon lands under the jurisdiction of the Iowa state fair board except as follows:

a. Pets may be brought onto land designated as campgrounds by the Iowa state fair board. Pets brought onto state fair campgrounds are subject to campground rules and shall not be allowed to run at large.

b. Pets or other privately owned animals shall be permitted access to those portions of the Iowa state fairgrounds as is necessary for those animals to participate in competitions, exhibitions, or shows sanctioned or approved by the Iowa state fair board provided such animals are not allowed to run at large.

c. Pets or other privately owned animals subject to contractual agreement with the Iowa state fair to provide entertainment services during the annual fair shall be permitted access to those portions of the Iowa state fairgrounds as is necessary to perform such services. Animals providing entertainment services shall not be left unattended on state fair lands.

8.4(3) Regardless of the preceding provisions, animals that are providing guide or assistive services to a person who requires accommodation for a disability to the Iowa state fairgrounds or other lands under the jurisdiction of the Iowa state fair board will be allowed admittance.

8.4(4) Persons bringing pets onto the Iowa state fairgrounds or upon lands under the jurisdiction of the Iowa state fair board shall clean up and dispose of all animal waste attributable to their pets.

8.4(5) Persons failing to comply with the Iowa state fair board's pet policies may be denied admission to the Iowa state fairgrounds or may be barred from bringing their pets onto state fair lands.

[ARC 0163C, IAB 6/13/12, effective 7/18/12]

These rules are intended to implement Iowa Code sections 173.14 and 173.15.

[Filed 6/19/81, Notice 4/15/81—published 7/8/81, effective 8/12/81]

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[Filed ARC 0163C (Notice ARC 0049C, IAB 3/21/12), IAB 6/13/12, effective 7/18/12]

CHAPTER 9
PUBLIC RECORDS AND
FAIR INFORMATION PRACTICES

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

The fair board hereby adopts, with the following exceptions and amendments, rules of the Governor's Task Force on Uniform Rules of Agency Procedure relating to public records and fair information practices which are printed in the first volume of the Iowa Administrative Code.

371—9.1(17A,22) Definitions. As used in this chapter:

“Agency.” In lieu of “(official or body issuing these rules)” insert “the fair board”.

371—9.3(17A,22) Requests for access to records.

9.3(1) In lieu of “(insert agency head)” insert “secretary/manager of the fair board”. In lieu of “(insert agency name and address)” insert “Secretary of Fair Board, Statehouse, Des Moines, Iowa 50319”.

9.3(2) Office hours. In lieu of “(insert customary office hours and, if agency does not have customary office hours of at least thirty hours per week, insert hours specified in Iowa Code section 22.4)” insert “8 a.m. to 4:30 p.m. daily, excluding Saturdays, Sundays, and legal holidays”.

9.3(7) Fees.

c. Supervisory fee. In lieu of “(specify time period)” insert “one-half hour”.

371—9.9(17A,22) Disclosures without the consent of the subject.

9.9(1) Open records are routinely disclosed without the consent of the subject.

9.9(2) To the extent allowed by law, disclosure of confidential records may occur without the consent of the subject. Following are instances where disclosure, if lawful, will generally occur without notice to the subject:

a. For a routine use as defined in rule 9.10(17A,22) or in any notice for a particular record system.

b. To a recipient who has provided the agency with advance written assurance that the record will be used solely as a statistical research or reporting record; provided that the record is transferred in a form that does not identify the subject.

c. To another government agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if an authorized representative of such government agency or instrumentality had submitted a written request to the fair board specifying the record desired and the law enforcement activity for which the record is sought.

d. To an individual pursuant to a showing of compelling circumstances affecting the health or safety of any individual if a notice of the disclosure is transmitted to the last known address of the subject.

e. To the legislative services agency under Iowa Code section 2A.3.

f. Disclosures in the course of employee disciplinary proceedings.

g. In response to a court order or subpoena.

371—9.10(17A,22) Routine use.

9.10(1) Defined. “Routine use” means the disclosure of a record without the consent of the subject or subjects, for a purpose which is compatible with the purpose for which the record was collected. It includes disclosures required to be made by statute other than the public records law, Iowa Code chapter 22.

9.10(2) To the extent allowed by law, the following uses are considered routine uses of all fair board records:

a. Disclosure to those officers, employees, and agents of the agency who have a need for the record in the performance of their duties. The custodian of the record may upon request of any officer or employee, or on the custodian's own initiative, determine what constitutes legitimate need to use confidential records.

b. Disclosure of information indicating an apparent violation of the law to appropriate law enforcement authorities for investigation and possible criminal prosecution, civil court action, or regulatory order.

c. Disclosure to the department of inspections and appeals for matters in which it is performing services or functions on behalf of the fair board.

d. Transfers of information within the agency, to other state agencies, or to local units of government as appropriate to administer the program for which the information is collected.

e. Information released to staff of federal and state entities for audit purposes or for purposes of determining whether the agency is operating a program lawfully.

f. Any disclosure specifically authorized by the statute under which the record was collected or maintained.

371—9.11(17A,22) Consensual disclosure of confidential records.

9.11(1) Consent to disclosure by a subject individual. To the extent permitted by law, the subject may consent in writing to agency disclosure of confidential records as provided in rule 9.7(17A,22).

9.11(2) Complaints to public officials. A letter from a subject of a confidential record to a public official which seeks the official's intervention on behalf of the subject in a matter that involves the agency may to the extent permitted by law be treated as an authorization to release sufficient information about the subject to the official to resolve the matter.

371—9.12(17A,22) Release to subject.

9.12(1) The subject of a confidential record may file a written request to review confidential records about that person as provided in rule 9.6(17A,22). However, the agency need not release the following records to the subject:

a. The identity of a person providing information to the agency need not be disclosed directly or indirectly to the subject of the information when the information is authorized to be held confidential pursuant to Iowa Code section 22.7(18) or other provision of law.

b. Records need not be disclosed to the subject when they are the work product of an attorney or are otherwise privileged.

c. Peace officers' investigative reports may be withheld from the subject, except as required by the Iowa Code. See Iowa Code section 22.7(5).

d. As otherwise authorized by law.

9.12(2) Where a record has multiple subjects with interest in the confidentiality of the record, the fair board may take reasonable steps to protect confidential information relating to another subject.

371—9.13(17A,22) Availability of records.

9.13(1) *General.* Fair board records are open for public inspection and copying unless otherwise provided by rule or law.

9.13(2) *Confidential records.* The following records may be withheld from public inspection. Records are listed by category, according to the legal basis for withholding them from public inspection.

a. Sealed bids received prior to the time set for public opening of bids. (Iowa Code section 72.3)

b. Tax records made available to the agency. (Iowa Code sections 422.20, 422.72)

c. Records which are exempt from disclosure under Iowa Code section 22.7.

d. Minutes of closed meetings of a government body. (Iowa Code section 21.5(4))

e. Identifying details in final orders, decisions and opinions to the extent required to prevent a clearly unwarranted invasion of personal privacy or trade secrets under Iowa Code section 17A.3(1) "d."

f. Those portions of agency staff manuals, instructions or other statements issued which set forth criteria or guidelines to be used by agency staff in auditing, in making inspections, in settling commercial disputes or negotiating commercial arrangements, or in the selection or handling of cases, such as operational tactics or allowable tolerances or criteria for the defense, prosecution or settlement of cases, when disclosure of these statements would:

(1) Enable law violators to avoid detection;

(2) Facilitate disregard of requirements imposed by law; or

(3) Give a clearly improper advantage to persons who are in an adverse position to the agency. (See Iowa Code sections 17A.2, 17A.3.)

g. Records which constitute attorney work product, attorney-client communications, or which are otherwise privileged. Attorney work product is confidential under Iowa Code sections 22.7(4), 622.10 and 622.11. Iowa R.C.P. 122(c), Fed. R. Civ. P. 26(b)(3), and case law. Attorney-client communications are confidential under Iowa Code sections 622.10 and 622.11, the rules of evidence, the Code of Professional Responsibility, and case law.

h. Any other records made confidential by law.

9.13(3) Authority to release confidential records. The agency may have discretion to disclose some confidential records which are exempt from disclosure under Iowa Code section 22.7 or other law. Any person may request permission to inspect records withheld from inspection under a statute which authorizes limited or discretionary disclosure as provided in rule 9.4(17A,22). If the agency initially determines that it will release such records, the agency may where appropriate notify interested parties and withhold the records from inspection as provided in subrule 9.4(3).

371—9.14(17A,22) Personally identifiable information—personnel files. The fair board maintains files containing information about employees and applicants for positions with the agency. The files include payroll records, performance reviews and evaluations, disciplinary information, information required for tax withholding, information concerning employee benefits, affirmative action reports, and other information concerning the employer-employee relationship. Some of this information is confidential under Iowa Code section 22.7(11).

371—9.15(17A,22) Other groups of records. This rule describes groups of records maintained by the agency other than record systems as defined in rule 9.1(17A,22). These records are routinely available to the public. However, the agency's files of these records may contain confidential information as discussed in rule 9.13(17A,22). The records listed may contain information about individuals.

Council and commission records. Agendas, minutes, and materials presented to the fair board are available from the office of the fair board, except those records concerning closed sessions which are exempt from disclosure under Iowa Code section 21.5 or which are otherwise confidential by law. Fair board records contain information about people who participate in meetings. This information is collected pursuant to Iowa Code section 21.3. This information is not stored on an automated data processing system.

1. Administrative records. This includes documents concerning budget, property inventory, purchasing, yearly reports, office policies for employees, time sheets, printing and supply requisitions.

2. Publications. The office receives a number of books, periodicals, newsletters, government documents, etc. These materials would generally be open to the public but may be protected by copyright law. Most publications of general interest are available in the state law library.

3. Office publications. This office issues a variety of materials including premium books and newsletters, brochures and pamphlets, press releases, and statistical reports.

4. Rule-making records. Public documents generated during the promulgation of agency rules, including notices and public comments, are available for public inspection.

5. Office manuals. Information in office manuals such as the Superintendents Manual may be confidential under Iowa Code section 17A.2(7) "f" or other applicable provision of law.

6. All other records that are not exempted from disclosure by law.

371—9.16(17A,22) Data processing systems. None of the data processing systems used by the agency permit the comparison of personally identifiable information in one record system with personally identifiable information in another record system.

These rules are intended to implement Iowa Code section 22.11.

[Filed 8/1/88, Notice 5/18/88—published 8/24/88, effective 9/28/88]