

# AROUND THE AREA

## E-BIKES

continued from 1A

on sidewalks along Grand Avenue from Park Street to Eighth Street, including one block east and west of the corridor and the Grand Avenue bridge. Westfall said signs are posted throughout the area.

Still, enforcement is a challenge. “From an enforcement standpoint, it’s difficult,” Westfall said. “We have to take into account ... what kind of public risk are we creating by trying to stop somebody who’s rolling down the sidewalk.”

At the same time, Westfall said the downtown sidewalk restrictions exist to protect pedestrians leaving businesses or walking through crowded areas.

“People walking out of stores, they’re not expecting to have a bicycle ... hauling down the side-

walk,” he said. “That’s an issue, and that’s why that’s there.”

So far, Westfall said, the Spencer Police Department has been focused on education rather than punishment.

“That’s not something we want to do,” he said of issuing citations to children. “It’s good to start educating people about what they actually are and technically what you can and cannot do.”

Westfall said much of the confusion begins when parents shop online or at big-box retailers without realizing the legal differences between low-speed e-bikes and higher-powered electric dirt bikes.

“Make sure you understand what it is that you’re buying, and can it technically be operated the

way that you are intending it to be operated,” he said.

In the bicycle industry, e-bikes are generally divided into three classes. Class 1 e-bikes provide pedal-assist only and stop assisting at 20 mph. Class 2 e-bikes can use either pedal assist or a throttle but are also limited to 20 mph. Class 3 e-bikes are pedal-assist bikes capable of speeds up to 28 mph.

Under Iowa law, however, electric bikes capable of speeds greater than 20 mph or producing more than 750 watts of power may fall outside the legal definition of a bicycle and instead be classified as motorized vehicles or all-terrain vehicles, depending on their design and use, Westfall said.

That distinction carries legal

consequences in Spencer. ATVs operated on city streets must be registered, and riders must be at least 16 years old and possess a valid driver’s license. Violations can carry municipal fines.

For low-speed e-bikes — those whose motors can’t produce more than 750 watts — Westfall said officers are generally seeing behavior similar to that of regular bicycles: kids riding through neighborhoods and occasionally making poor decisions, but within familiar levels of risk.

Chaffin said e-bikes present unique safety challenges because riders can reach higher speeds without first developing the ex-

perience and handling skills that typically come with traditional bicycling.

“It used to take kids a while to get strong enough and skilled enough to ride over 20 miles an hour,” Chaffin said. “Now you can get on an e-bike and go that fast without having to learn how to handle a bike or the rules and etiquette of riding on sidewalks.”

Westfall encouraged parents to talk with children about basic traffic safety, including stopping at stop signs, watching for vehicles exiting driveways, and using lights and reflectors at night. Helmets are not required by law in Spencer, though Westfall called

them “a good idea,” even if “it’s a chore” to convince children to wear them.

“On a bike, if you run into a car, the car is going to win every time,” he said. “It doesn’t matter who’s right or wrong in a car versus bicycle accident. We know who’s going to be on the losing end.”

As electric bikes become cheaper and more common, Westfall said parents should focus on two basic questions before making a purchase: Is the machine legally a bicycle or an ATV? And is their child prepared to handle it safely?

“Just because somebody makes it, doesn’t mean your kid should own it,” Chaffin said.

## LEGALS

**PUBLIC NOTICE OF STORM WATER DISCHARGE**  
Clay Co., IA plans to submit a Notice of Intent to the Iowa Department of Natural Resources to be covered under the NPDES General Permit No. 2 “Storm Water Discharge Associated with Industrial Activity for Construction Activities”. The storm water discharge will be from construction related to the replacement of bridge (FHWA#116860) on W. 18th St. over Little Sioux River. The storm water discharge will be located in SW SEC 2 T96N R37W SEC 11 T96N R37W Both in Clay County, Iowa. Storm water will be discharged to the following receiving streams: Little Sioux River.  
Comments may be submitted to the Storm Water Discharge Coordinator, IOWA DEPARTMENT OF NATURAL RESOURCES, Environmental Protection Division, 502 E 9th Street, Des Moines, IA 50319-0034. The public may review the Notice of Intent from 8:00 a.m. to 4:30 p.m., Monday through Friday, at the above address after it has been received by the department.  
#175  
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**IN THE DISTRICT COURT OF THE STATE OF IOWA IN AND FOR CLAY COUNTY**  
Probate No. ESPR015072  
**NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR AND NOTICE TO CREDITORS**  
**IN THE MATTER OF THE ESTATE OF JACKIE WYMAN, Deceased**  
To All Persons Interested in the Estate of Jackie Wyman, deceased, who died on or about May 31, 2024:  
You are hereby notified that on the 13th day of May, 2026, the Last Will and Testament of Jackie Wyman, deceased, bearing date of the 30th of August, 2007, was admitted to probate in the above-named court and that Leah Marie Wyman was appointed Executor of the estate.  
Any action to set aside the Will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be for-

ever barred.  
Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above-named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.  
Dated this 14th day of May, 2026.  
Leah Marie Wyman  
337 East 2nd Street, Spencer, IA 51301  
Ryan L. Crew  
Montgomery, Barry, Bovee & Davis, LLP  
Attorneys for Executor  
316 11th Street SW Plaza  
P.O. Box 500, Spencer, Iowa 51301-0500  
Date of second publication: 5/26/26  
#176  
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**LEGALS**  
**IN THE IOWA DISTRICT COURT OF CLAY COUNTY**  
EQUITY NO: EQCV037334  
**ORIGINAL NOTICE FOR PURCHASE**  
Carrington Mortgage Services, LLC  
Plaintiff,  
vs.  
Steve Firkins; Telco Triad Community Credit Union; Unknown spouse, if any, of Steve Firkins; Parties in Possession, et al.  
Defendants.  
You are notified that a petition has been filed in the office of this court naming you as a defendant in this action. The petition was filed on March 9, 2026, and prays for foreclosure of Plaintiffs Mortgage in favor of the Plaintiff on the property described in this notice and judgment for the unpaid principal amount of \$59,972.81, with 3.625% per annum interest thereon from September 1, 2025, together with late charges, advances and the costs of the action including (but not limited to) title costs and reasonable attorney’s fees, as well as a request that said sums be declared a lien upon the following described premises from July 12, 2013, located in Clay county, Iowa:  
LOT TWELVE (12), BLOCK FIVE (5), HOWE’S ADDITION TO SPENCER, CLAY COUNTY, IOWA, commonly known as 900

W 5th St, Spencer, IA 51301 (the “Property”)  
The petition further prays that the Mortgage on the above described real estate be foreclosed, that a special execution issue for the sale of as much of the mortgaged premises as is necessary to satisfy the judgment and for other relief as the Court deems just and equitable. For further details, please review the petition on file in the clerk’s office. The Plaintiffs attorney is Arlet Costilla, of SouthLaw, P.C.; whose address is 4601 Westown Pkwy, Suite 250, West Des Moines, IA 50266.  
**NOTICE**  
The plaintiff has elected foreclosure without redemption. This means that the sale of the mortgaged property will occur promptly after entry of judgment unless you file a written demand with the court to delay the sale. If you file a written demand, the sale will be delayed until six months (or three months if the petition includes a waiver of deficiency judgment) from the entry of judgment if the mortgaged property is your residence and is a one-family or two-family dwelling or until two months from entry of judgment if the mortgaged property is not your residence or is your residence but not a one-family or two-family dwelling. You will have no right of redemption after the sale. The purchaser at the sale will be entitled to immediate possession of the mortgaged property. You may purchase at the sale.  
You must serve a motion or answer on or before June 15, 2026, and within a reasonable time thereafter, you must file your motion or answer with the Clerk of Court for Clay County, at the county courthouse in Spencer, Iowa. If you fail to respond, judgment by default may be rendered against you for the relief demanded in the petition.  
If you require the assistance of auxiliary aids or services to participate in a court action because of a disability, immediately call your District ADA Coordinator at 712-279-6035. If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.  
This case has been filed in a county that utilizes electronic filing. You may find more information and general rules governing electronic filing in Iowa Court Rules Chapter 16. You may find information concerning protection of personal information in court filings in Iowa Court Rules Chapter 16, Division VI.  
By: CLERK OF THE ABOVE COURT  
Clay County Courthouse  
215 W. 4th Street,  
Spencer, IA 51301-3822  
**IMPORTANT: YOU ARE ADVISED TO SEEK LEGAL ADVICE AT ONCE TO PROTECT YOUR INTERESTS.**  
Date of second publication: 05/12/26  
Date of third publication: 05/19/26  
#158  
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## With a Twist

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**JUNE 28**  
2:00 P.M.  
7:30 P.M.

**CHUBBY CHECKER**  
CELEBRATING 60 YEARS OF THE TWIST  
“THE TWIST”  
“DANCIN’ PARTY”

**JULY 5**  
7:30 P.M.

**MICHAEL CAVANAUGH**  
THE MUSIC OF BILLY JOEL & ELTON JOHN -  
STARRING MICHAEL CAVANAUGH  
“MOVIN’ OUT”  
“UPTOWN GIRL”

**JULY 12**  
7:30 P.M.

**DANNY SERAPHINE & CTA**  
MUSIC OF CHICAGO W/ ORIGINAL  
DRUMMER & CO-FOUNDER  
“MAKE ME SMILE”

**JULY 19**  
7:30 P.M.

**HERMAN’S HERMITS**  
STARRING PETER NOONE  
“MRS. BROWN, YOU GOT A LOVELY DAUGHTER”  
“I’M HENRY VIII, I AM”

**AUG 2**  
7:30 P.M.

**I AM HE SAID**  
A CELEBRATION OF NEIL DIAMOND  
BY MATT VEE & THE KILLER VEES  
“SWEET CAROLINE”

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