

## CHAPTER 46

### MINORS

46.01 Curfew

46.02 Cigarettes and Tobacco

46.03 Contributing to Delinquency

**46.01 CURFEW.** The purpose of this section is to regulate, by the establishment of a curfew, the hours minors can be or remain upon alleys, streets, other public places, and places of business and amusement in the City.

1. Curfew Established. It is unlawful for any minor under the age of eighteen (18) years to be or remain upon any of the streets, alleys, highways, parks, play grounds, or other public grounds, public places and public buildings, places of entertainment or amusement, or vacant lots in the City between the hours of 11:00 p.m. and 5:00 a.m. of the following day on days commencing on Sunday, Monday, Tuesday, Wednesday, and Thursday, and between the hours of 12:00 midnight and 5:00 a.m. on Friday and Saturday.

2. Exceptions. The restrictions provided by this section do not apply to any minor who is accompanied by a guardian, parent, or other person charged with the care and custody of such minor, nor shall the restriction apply to any minor who is traveling between said minor's home or place of residence and the place where any approved church, municipal, or school function is being held, or to a minor who is on an emergency errand or legitimate business directed by his or her parent, guardian, or other adult person having the care and custody of the minor, or where the presence of said minor in said place or places is connected with and required by some legitimate business, trade, profession, or occupation in which said minor is permitted by law to be engaged. These exceptions do not apply when a minor is playing or unnecessarily loitering in or upon the enumerated public or private places even though said minor is accompanied by a parent, guardian, or other person charged with the minor's care and custody.

3. Responsibility of Adults. It is unlawful for any parent, guardian, or other person charged with the care and custody of any minor to allow or permit such minor to be in or upon any of the streets, alleys, highways, places of business or amusement or other public places within the curfew hours set by subsection 1, except as provided in subsection 3. It is unlawful for any person, firm, or corporation operating a place of business or amusement to allow or permit any minor to be in or upon any places of business or amusement operated by them within the curfew hours set by subsection 1, except as provided in subsection 2.

4. Penalties. Any parents, minor, person or firm operating a place of business or amusement who violates the provisions of this chapter shall, upon conviction, be guilty of a municipal infraction as set out in Chapter 3 of this Code of Ordinances.

**46.02 CIGARETTES AND TOBACCO.** It is unlawful for any person under eighteen (18) years of age to smoke, use, possess, purchase, or attempt to purchase any tobacco, tobacco products, or cigarettes. Possession of cigarettes or tobacco products by a person under eighteen years of age shall not constitute a violation of this section if said person possesses the cigarettes or tobacco products as part of the person's employment and said person is employed

by a person who holds a valid permit under Chapter 453A of the *Code of Iowa* and lawfully offers for sale or sells cigarettes or tobacco products.

*(Code of Iowa, Sec. 453A.2)*

**46.03 CONTRIBUTING TO DELINQUENCY.** It is unlawful for any person to encourage any child under eighteen (18) years of age to commit any act of delinquency.

*(Code of Iowa, Sec. 709A.1)*