

## CHAPTER 46

### MINORS

46.01 Curfew

46.02 Cigarettes and Tobacco

46.03 Contributing to Delinquency

**46.01 CURFEW.** A curfew applicable to minors is established and shall be enforced as follows:

1. Definition. The term “minor” means in this section, any unmarried person below the age of eighteen (18) years.
2. Time Limits. It is unlawful for any minor to be or remain upon any of the alleys, streets or public places or to be in places of business and amusement in the City between the hours of 10:30 p.m. and 6:00 a.m. of the following day on days commencing on Sunday, Monday, Tuesday, Wednesday and Thursday and between the hours of 12:30 a.m. and 6:00 a.m. on Saturday and Sunday.
3. Exceptions. The restriction provided by subsection 46.01(2) shall 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 his or her home or place of residence and the place where any publicized church, municipal or school-sponsored function is being held, for thirty minutes after the function, nor shall this restriction apply to any minor who is traveling between his or her home or place of residence who has employment during the restricted hours, for thirty minutes after said working hours; nor shall this restriction apply to a minor on the sidewalk of his or her residence or the sidewalk of either next-door neighbor; nor shall the restriction apply to any minor while at or traveling between his or her home or place of residence and the place where any social or civic function or commercial entertainment is held for which a gate admission is charged, for thirty minutes after the function. The restriction also does not apply to any minor who is exercising First Amendment rights, provided the minor has first given written notice to the Mayor that specifies where, when and in what manner and for what purpose the minor will be on the streets during the curfew period.
4. 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, places of business, or amusement or other public places within the curfew hours set

by subsection 46.01(2), except as otherwise provided in subsection 46.01(3).

*(Code of Iowa, Sec. 613.16)*

5. Responsibility of Business Establishments. It is unlawful for any persons operating a place of business or amusement to allow or permit any minor to be in or upon any place of business or amusement operated by them within the curfew hours set by subsection 46.01(2) except as otherwise provided in subsection 46.01(3).

6. Enforcement. Any peace officer of the City while on duty is hereby empowered to arrest any minor who violates any of the provisions of Subsections 46.01(2) and (3). Upon arrest, the minor shall be returned to the custody of the parent, guardian or other person charged with the care and custody of the minor.

**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)*