

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 establishment of a curfew, the hours minors can be or remain upon the alleys, streets, other public places, and places of business and amusement in the City, but to fully allow their participation in political, religious, cultural, and educational events.

1. Definitions. For use in this section, the following terms are defined:
 - A. The term “minor” means any unemancipated person below the age of 18 years.
 - B. The term “habitually violates” means any minor who has violated the provisions of this section more than two times.
2. Time Limits. It is unlawful for any minor to be or remain, whether in a motor vehicle or walking, upon any of the alleys, streets, sidewalks, public places, or places of business and amusement in the City between the hours of 11:00 p.m. and 6:00 a.m. of the following day.
3. Exceptions. The restriction provided by subsection 2 of this section does not apply to any minor who is personally accompanied by a guardian or parent, nor does the restriction apply to any minor who is acting in the course of his or her employment or who is traveling directly between his or her home or place of residence to participate at any social activity or function organized by a church, governmental body, school, or political or non-profit organization.
4. Responsibility of Adults and Places of Business and Amusement. 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 2 of this section, except as otherwise provided in subsection 3 of this section. 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 2 of this section, except as provided in subsection 3 of this ordinance.
5. Penalties. Any peace officer of the City while on duty is hereby empowered to arrest any minor who violates any of the provisions of subsections 2 and 3 of this section. 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 18 years of age to smoke, use, possess, purchase, or attempt to purchase any tobacco, tobacco products, alternative nicotine products, vapor products, or cigarettes. Possession of tobacco, tobacco products, alternative nicotine products, vapor products, or cigarettes by a person under 18

years of age shall not constitute a violation of this section if said person possesses the tobacco, tobacco products, alternative nicotine products, vapor products, or cigarettes 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* or who 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 18 years of age to commit any act of delinquency.

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

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