

CHAPTER 46

MINORS

46.01 Curfew
46.02 Cigarettes and Tobacco

46.03 Contributing to Delinquency

46.01 CURFEW.

1. Definitions. For use in this section, the following terms are defined:

A. "Minor" means any unemancipated person seventeen (17) years of age or younger.

B. "Public place" includes all places where members of the public have unrestricted access. The term "public place" does not include a sidewalk immediately adjacent to a minor's residence or usual place of abode.

C. "Unemancipated" means unmarried and still under the custody or control of a responsible adult.

2. Curfew Established. A curfew applicable to minors is established and shall be enforced as follows:

A. It is unlawful for any minor to be in or remain upon any of the alleys, streets or public places of the City or within any business establishments of the City between the hours of eleven o'clock (11:00) p.m. and five o'clock (5:00) a.m. of the following day, Sunday through Thursday, local time.

B. It is unlawful for any minor to be in or remain upon any of the alleys, streets or public places of the City or within any business establishments of the City between the hours of twelve o'clock (12:00) midnight and five o'clock (5:00) a.m. of the following day, Friday and Saturday, local time.

3. Exceptions. The following are exceptions to the curfew:

A. The minor is under the supervision and control of a guardian, parent or other person not a minor with the written consent of the parent or guardian.

B. The minor is attending a church, religious, governmental or school activity, or is engaged in lawful employment activities or is

participating in a meeting, gathering or other assembly for the purpose of exercising rights and privileges granted to all citizens, including minors, under the First Amendment of the United States Constitution or is engaged in interstate travel.

C. The minor is traveling, by any means, between his or her place of employment or an activity described in the preceding subsection, to his or her place of residence or from said place of residence to place of employment or other activity.

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 violate the provisions of this section.

5. Mayor's Extension of Hours. Where exceptional circumstances exist because of an economic, ethnic, social, religious, cultural event or special school function within the City, the Mayor, by decree, may extend the hours of curfew for said event if the presence of any minor at said event would be of benefit to said minor and serve the public interest. Examples of such events are proms, dances and assemblages for the purposes stated herein. If a decree by the Mayor is issued extending curfew, the decree shall be written stating the reasons therefor and the Mayor or Clerk shall notify law enforcement agencies and the local news media.

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.

(Ord. 344 - Dec. 00 Supp.)

(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)