

## CHAPTER 46

### MINORS

46.01 Curfew

46.02 Minors in Taverns

46.03 Minors in Billiard Rooms

46.04 Cigarettes and Tobacco

46.05 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 places of business and amusement in the City between the hours of twelve o’clock (12:00) midnight and five o’clock (5:00) a.m. of any day of the week.

*(Ord. 814 – Oct. 08 Supp.)*

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/her home or place of residence and the place where any approved employment, church, municipal or school function is being held.

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 MINORS IN TAVERNS.** It is unlawful for any person under legal age to enter, remain in or frequent a business establishment holding a retail liquor or beer permit after the hour of nine o'clock (9:00) p.m. on any day unless over fifty percent (50%) of the dollar volume of the business establishment comes from the sale and serving of prepared foods.

**46.03 MINORS IN BILLIARD ROOMS.** It is unlawful for any person who keeps a billiard hall where beer, liquor or wine is sold, or the agent, clerk or employee of any such person, or any person having charge or control of any such hall, to permit any minor to remain in such hall or to take part in any of the games known as billiards or pool.

**46.04 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. 663 – Sep. 00 Supp.)*

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

**46.05 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)*