

TITLE II - COMMUNITY PROTECTION
DIVISION 2 - ENFORCEMENT: PUBLIC OFFENSES

CHAPTER 48
MINORS

48.01 Curfew
48.02 Cigarettes and Tobacco

48.03 Contributing to Delinquency

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

1. Definitions. For use in this chapter, the following terms are defined:
 - A. "Habitually violates" means violation of the provisions of this chapter more than two (2) times.
 - B. "Minor" means any person below the age of eighteen (18) years.
 - C. "Tavern" means any place of business or amusement that derives more than fifty percent (50%) of its gross income from the sale of alcoholic beverages.
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 eleven o'clock (11:00) p.m. and five o'clock (5:00) a.m. of the following day on days commencing on Sunday, Monday, Tuesday, Wednesday and Thursday and between the hours of one o'clock (1:00) a.m. and five o'clock (5:00) a.m. on Saturday and Sunday. It is also unlawful for any minor to be or remain in any tavern between the hours of nine-thirty o'clock (9:30) p.m. and five o'clock (5:00) a.m. of the following day of each day of the week.
3. Exceptions. The restriction provided by subsection 48.01(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, or other responsible person over twenty (20) years of age, 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 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 48.01(2), except as otherwise provided in subsection 48.01(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 48.01(2) except as otherwise provided in subsection 48.01(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 48.01(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.

48.02 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. 811 - Oct. 00 Supp.)

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

48.03 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)