

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. It is unlawful for any minor 13 years of age or under to be present in or upon the public streets, highways, alleys, sidewalks, roads, parks, playgrounds or other public grounds, public places or public buildings, or places of amusement or entertainment, vacant lots or any other unsupervised place within the City limits between the hours of ten o'clock (10:00) p.m. and six o'clock (6:00) a.m. on the following day, unless such minor is accompanied by a parent or guardian or some adult delegated by the parent or guardian to accompany said minor.
2. It is unlawful for any minor between the ages of 14 years and 18 years to be present upon the public streets, highways, alleys, sidewalks, roads, parks, playgrounds or other public grounds, public places or public buildings, or places of amusement or entertainment, vacant lots or any other unsupervised place between the hours of twelve o'clock (12:00) midnight and six o'clock (6:00) a.m., except where said minor is accompanied by a parent or guardian or some adult delegated by the parent or guardian of the minor to accompany the said minor, or where the minor is on an emergency errand or other legitimate business directed by his or her parent or guardian.
3. Each violation of the provisions of this section shall be deemed a separate and distinct offense.
4. Any parent, legal guardian or legal custodian, or other person having the responsibility for the care or custody of any minor child under the age of 18 years who shall assist, aid, abet, permit, allow, or encourage such minor to violate the provisions of this section either by overt act, or by failing to act, or by a lack of supervision and control over the said minor shall be deemed guilty of a violation of this section. The fact that a minor under the age of 18 years is apprehended while on a public street, highway, sidewalk, alley, park, school, or other public place, public building or place of entertainment, vacant lot or other unsupervised place during the hours defined in subsections 1 or 2 hereof shall be prima facie evidence of a violation of this section on the part of the parent, legal guardian, custodian, or other person having the care, custody, and control of said minor.
5. Any minor who violates subsections 1 or 2 of this section or any parent, legal guardian, custodian, or other person having the care or custody of a minor who violates subsection 4 of this section shall be in violation of this Code of Ordinances.
6. Enforcement of the provisions of this section will be carried out by the Police Department of the City or other peace officer. Enforcement shall consist of the issuance of a citation for a violation of this chapter, which shall be answerable in the Iowa District Court, Magistrate's Division.

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, alternative nicotine products, vapor products, or cigarettes. Possession of tobacco, tobacco products, alternative nicotine products, vapor products, or cigarettes by a person under eighteen 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. *(Ord. 1052 – Oct. 14 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)