

CHAPTER 46

MINORS

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46.01 CURFEW. A curfew applicable to minors is hereby established. It is unlawful for any minor to be or remain upon any alley, street, public place, or place of business in the City, as follows:

1. Definition. For the purposes of this section, the term “minor” means any unmarried or unemancipated person under the age of eighteen (18) years.
2. Time Limits. For persons 15 years of age or under, time limit restrictions are between the hours of 10:30 p.m. and 5:30 a.m. daily. For persons age 16 and 17, the time restrictions are between the hours of 12:00 midnight and 5:30 a.m. daily.
3. Exceptions. The time limit restrictions do not apply to a minor who is accompanied by a parent, guardian, or other person charged with the care and custody of such minor; nor shall the restrictions apply to any minor who is employed and working during those hours; or who is at a place where any municipal, church, or school function is being held; or who is actively traveling to or from his or her house and such exempted locations.
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 alley, street, public place, or place of business in the City within the curfew hours except as otherwise provided in subsection 3 of this section.

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.

(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)

46.04 MINORS IN TAVERNS. It is the purpose of this section to prohibit minors from frequenting taverns within the corporate limits of the City.

1. Definitions. For use in this section, the following are defined:
 - A. “Knowingly” includes constructive knowledge which a reasonable man or woman would obtain by the observation of the appearance of an individual which should lead such person to reasonably conclude that an individual is a “minor.”
 - B. “Tavern” means an establishment which derives over 50 percent of its revenues from the sale of alcoholic beverages.
2. Minors Prohibited From Taverns.

A. It is unlawful for any person who keeps a tavern within the City, or any person having charge or control of any such tavern, to knowingly permit a minor to enter, frequent, loiter in, or remain in any such tavern.

B. It is unlawful for the parent or guardian of a minor to knowingly permit said minor to enter, frequent, loiter in, or remain in any tavern within the corporate limits of the City.

C. It is unlawful for any person to knowingly accompany or escort a minor into a tavern within the corporate limits of the City.

D. It is unlawful for any minor to voluntarily or intentionally enter, frequent, loiter in, or remain in any tavern within the corporate limits of the City or to misrepresent his or her age when questioned. Any violation of this subsection constitutes a juvenile offense and shall be reported to the county Juvenile Probation office or to the County Attorney.

This subsection applies whether or not a minor is accompanied in a tavern by his or her parent or guardian, and such accompaniment shall be no defense.

3. Exceptions. Subsection 2 does not apply to a minor who, during the course of his regular employment, enters or remains in a tavern for purposes reasonably connected with that employment, including, but not limited to the following: deliveries, building maintenance or repairs and utility installation or repairs; provided, however, no minor shall be employed by a tavern to work during regular business hours.