

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

A. "Minor" means any unmarried person below the age of eighteen (18) years.

B. "Public place" includes stores, parking lots, parks, playgrounds, streets, alleys and sidewalks dedicated to public use; and also includes such parts of buildings and other premises whether publicly or privately owned which are used by the general public or to which the general public is invited commercially for a fee or otherwise; or in or on which the general public is permitted without specific invitation; or to which the general public has access. For purposes of this section, a vehicle or other conveyance is considered to be a public place when in the areas defined above.

2. **Minors Under 14.** Unless accompanied by a responsible adult, no minor fourteen (14) years of age or younger shall be in any public place during the following times:

A. **September 1 through May 31**

(1) Sunday through Thursday – 10:00 p.m. to 5:00 a.m.

(2) Friday and Saturday – 12:00 midnight to 5:00 a.m.

B. **June 1 through August 31**

(1) Sunday through Thursday – 11:00 p.m. to 5:00 a.m.

(2) Friday and Saturday – 12 midnight to 5:00 a.m.

3. **Minors 15, 16 and 17.** Unless accompanied by a responsible adult, no minor fifteen (15) through seventeen (17) years of age shall be in any public place during the following times:

A. **September 1 through May 31**

(1) Sunday through Thursday – 11:00 p.m. to 5:00 a.m.

(2) Friday and Saturday – 1:00 a.m. to 5:00 a.m.

B. **June 1 through August 31**

(1) Sunday through Thursday – 12:00 midnight to 5:0 a.m.

(2) Friday and Saturday – 1:00 am. To 5:00 a.m.

4. **Exceptions.** The following are exceptions to the curfew:

A. The minor is accompanied by a responsible adult.

B. The minor is traveling between home and place of one of the following:

- (1) School activity or traveling within one hour after the end of the activity;
- (2) Religious activity or traveling within one hour after the end of the activity.

5. 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 public places within the curfew hours set in this section except as otherwise provided herein.

(Code of Iowa, Sec. 613.16)

6. Enforcement.

- A. First time violation: verbal warning to minor with letter sent to parent;
- B. Second time violation: written warning to minor with certified notice sent to parent;
- C. Third time violation within one year: Citation to the minor for a simple misdemeanor and citation to the parent for a simple misdemeanor.

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 no 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)