

CHAPTER 46

MINORS

46.01 Minors in Certain Establishments
46.02 False ID

46.03 Cigarettes and Tobacco
46.04 Contributing to Delinquency
46.05 Penalty

46.01 MINORS IN CERTAIN ESTABLISHMENTS. It is unlawful to permit or allow any person under twenty-one (21) years of age (a minor) to remain upon licensed premises, unless one or more of the following exceptions applies:

1. Over fifty percent (50%) of the dollar volume of the business establishment comes from the sale and serving of prepared foods and non-alcoholic beverages;
2. The underage person is an employee of the license holder, or is performing a contracted service with respect to said premises, and is on the premises during his or her scheduled work hours; or
3. The licensed premises is an events center. The term “events center” as used herein shall mean (i) a facility with a capacity to seat 500 or more persons, (ii) which does not have any regular business hours, and (iii) which is open exclusively for special events, such as sporting events, musical events, weddings, private parties, banquets and similar activities. Notwithstanding the foregoing, at any public event at an events center in which any minor is in attendance, the sale of alcoholic beverages shall be subject to the following restrictions: (1) the alcoholic beverages shall be served only in a specially designated bar area or areas, which are physically separated from the remainder of the premises in a manner reasonably acceptable to the Chief of Police; (2) only persons who are twenty-one (21) years of age or over shall be admitted to the specially designated bar area; (3) persons who are twenty-one (21) years of age or over shall receive some form of physical identification, such as a distinctive stamp or a wristband, which identifies their ability to consume alcoholic beverages; (4) no shots shall be served in the specially designated area; and (5) a person shall not be able to leave the specially designated area with any alcoholic beverages. A “public event” is defined as an event in which the general public is solicited to attend.

(Ord. 744 – Oct. 02 Supp.)

46.02 FALSE ID. It is unlawful for any person under legal age to present any false identification or to misrepresent his or her age for the purpose of purchasing or attempting to purchase any alcoholic beverage or beer, or to obtain unlawful admission to any business establishment.

46.03 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. 713 – Nov. 00 Supp.)

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

46.04 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)

46.05 PENALTY. Unless another penalty is expressly provided by this chapter for any particular provision or section, any person violating any provision of this chapter or any rule or regulation adopted herein by reference shall, upon conviction, be subject to a fine of not more than five hundred dollars (\$500.00) or imprisonment not to exceed thirty (30) days.

(Ord. 718 – Nov. 00 Supp.)

[The next page is 311]