

CHAPTER 31

CURFEW FOR PERSONS UNDER THE AGE OF 18

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SEC. 31-1. TITLE

This ordinance may be known and cited as the "County Curfew Ordinance" of Scott County, Iowa.

SEC. 31-2. DEFINITIONS

- A. Minor - an unemancipated person who has not yet reached the 18th birthday.
- B. Parent - a person having legal custody of a minor as a natural or adoptive parent, as a legal guardian, as a person who stands in loco parentis, or by virtue of Court order.
- C. Street - a way or place, of whatever nature, open to the use of the public as a matter of right for vehicular or pedestrian travel, including but not limited to streets, alleys, sidewalks, irrespective of what the right of way is called.
- D. No minor shall be or remain upon the streets in the unincorporated areas of the County from 11:00 p.m. until 5:00 a.m. Sunday night through Friday morning, and from 12:00 a.m. until 5:00 a.m. Friday night through Sunday morning.
- E. Exceptions. In the following cases the presence of a minor on city streets shall not constitute a violation of section D. above.
 - 1. When the minor is accompanied by the minor's parent.
 - 2. When the minor is accompanied by an adult authorized by a parent of such minor to take said parent's place in accompanying said minor for a designated period of time and purpose. Such permission shall be written and presented to a peace officer upon request.

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3. When the minor exercises First Amendment rights, such as free exercise of religion, freedom of speech, right of assembly, or right to petition the government, and use of County streets is a necessary incident thereto.
4. When the minor is travelling, via direct route, to or from a place of employment, or such travel necessary in conjunction with employment duties.
5. When the minor is travelling through the unincorporated area of the County from a place that is not within the unincorporated area of the County, when such travel is by direct route.
6. When the minor is returning home by a direct route from and within 30 minutes from the termination of a school or church activity, or government sponsored activity or event.
7. When the minor is travelling to or from a community or school sponsored after prom event.
8. All contacts with juveniles under this section shall be referred to the police social worker for follow-up contact with their parents or guardian.

SEC. 31-3. FULL FORCE AND EFFECT.

This ordinance shall be in full force and effect from the date of passage and publication as required by law.

SEC. 31-4. SEVERABILITY OF PROVISIONS.

If any section, subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

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SEC. 31-5 PENALTY

Anyone violating any of the provisions of this chapter shall be guilty of a simple misdemeanor and, upon conviction, be subject to imprisonment not exceeding thirty days, or a fine not exceeding \$100.00 each day that a violation continues to exist.