

MILLVILLE CITY CODE
TITLE 9 - PUBLIC PEACE, MORALS AND WELFARE
CHAPTER 9.32 - OFFENSES BY OR AGAINST MINORS

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9.32.010: PURCHASE, POSSESSION PROHIBITED

- A. A person who sells, gives, or furnishes in any manner any cigar, cigarette or tobacco in any form to any minor under the age of nineteen (19) years is guilty of a class C misdemeanor on the first offense and a class B misdemeanor on the second offense.
- B. A minor under the age of nineteen (19) years commits a class C misdemeanor if he or she possesses, purchases, or accepts any cigar, cigarette or tobacco in any form, and is subject to:
 - 1. A minimum fine or penalty of fifty dollars (\$50.00); or
 - 2. Participation in a court approved tobacco education program which may include a participation fee.
- C. Any person who maintains in his or her place of business a tobacco vending machine accessible to persons under the age of nineteen (19) or provides any method of self-help for the disposition to persons under the age of nineteen (19) by gift, sale or otherwise of any cigarette or cigarette paper or wrapper or any paper made or prepared for the purpose of making cigarettes or tobacco in any form whatsoever is guilty of a class C misdemeanor. Cigarette vending machines shall be deemed accessible to persons under the age of nineteen (19) except:

1. Where they are in locations where persons under the age of nineteen (19) are prohibited;
 2. Where the machine can be operated only by the owner or his or her employee, either directly or through a remote control device which is inaccessible to the customer and must be operated for each sale;
 3. In private industrial locations where only adult employees are customarily allowed, provided such locations are inaccessible to persons under age of nineteen (19);
 4. In adult private clubs, provided that such locations are inaccessible to persons under the age of nineteen (19).
- D. Subsequent violations of this section shall be punished as otherwise provided by Utah Code Annotated 76-10-104 as amended.(Ord. 2000-10 § 2: prior code § 13-311)

9.32.020: MINOR PROHIBITED WHERE BEER IS SOLD

- A. It is unlawful for any person to operate any pool or billiard hall in this municipality if beer as defined in this code is kept, sold or consumed without first making a regulation and enforcing the same, keeping posted in a conspicuous place the terms of such regulation, which shall read:

No person under twenty-one (21) years of age permitted in these premises.

- B. It is unlawful for any person in charge of or employed in such pool or billiard hall to permit any person under twenty one (21) years of age to enter upon or remain in any such premises or for any person under the age of twenty one (21) years to enter upon or remain in said premises for any purpose.
- C. Pool or billiard halls may be kept open to minors where no beer as defined in this code is kept or consumed or sold. (Prior code § 13-314)

9.32.030: DECLARATION OF FINDINGS AND POLICY

The city council finds that it is in the best interest of the city and the citizens thereof to establish a uniform curfew ordinance because it:

- A. Provides a clear message about appropriate norms for youth in our community;
- B. Provides clear boundaries and supervision;
- C. Reduces crime;
- D. Provides parents with an extra tool to keep children safe as youths who are off the streets at night are less likely to be victims of crimes; and
- E. Provides police more resources through this chapter to fight crime in our community. (Ord. 97-12-18-97 § 1, 1997)

9.32.040: PROHIBITED ACTS

- A. It is unlawful for any minor under eighteen (18) years of age to remain or loiter in any of the sidewalks, streets, alleys or public places in the city between ten thirty o'clock (10:30) P.M. and five o'clock (5:00) A.M. immediately following from Sunday evening through Friday morning.
- B. It is unlawful for any minor under eighteen (18) years of age to remain or loiter in any of the sidewalks, streets, alleys or public places in the city between twelve o'clock (12:00) midnight and five o'clock (5:00) A.M., immediately following from Friday evening through Sunday morning.
- C. It is unlawful for any parent, guardian or other person having legal care and custody or any minor under eighteen (18) years of age to allow or permit any such minor to remain or loiter on any of the sidewalks, streets, alleys or public places in the city, within the times provided in subsections A and B of this section except as provided in subsection D of this section.
- D. The provisions of subsections A, B, and C of this section shall not apply where the minor under the age of eighteen (18) is:
 - 1. Married;
 - 2. Accompanied by a parent, guardian or other adult person having care of such minor;
 - 3. Returning home from, going to, or being in attendance at any religious municipal, social, entertainment, sporting, political, library, or school function, or other such

associational activity, provided however that going to or from such activity shall be by a direct route within a reasonable time of the commencement or termination of such event;

4. Engaged in a legitimate emergency errand;
5. Engaged in a legitimate employment and can produce evidence of such employment; or
6. In a motor vehicle engaged in normal travel, while traveling to, from or through the city on an interstate trip. (Ord. 2000-18 § 1: Ord. 97-12-18-97 § 2, 1997)