

PROHIBITION OF PUBLIC NUDITY

An Ordinance enacted to promote the safety, public health and general welfare of the persons and property of the Township of Erie, County of Monroe, State of Michigan, by the prohibition of public nudity and providing penalties for the violation of the provisions hereof, pursuant to the laws of the State of Michigan including but not limited to Act No. 177 of the Public Acts of 1991 being Section 5.45(1) through (3).

THE TOWNSHIP OF ERIE, MONROE COUNTY, MICHIGAN, HEREBY ORDAINS:

SECTION 1 - TITLE

This Ordinance shall be known and referred to as the "Erie Township Public Nudity Ordinance".

SECTION 2 - DEFINITION

The term "public nudity" shall mean, knowingly or intentionally displaying in a public place, or for payment or promise of payment by any person including, but not limited to, payment or promise of payment of an admission fee, any individual's genitals or anus with less than a full opaque covering.

SECTION 3 - PROHIBITION

It shall be unlawful for any person or persons to display public nudity or for any owner's, lessees, or operators of a premises or property, to knowingly allow the display of public nudity on said premises or property within the boundaries of this Township.

SECTION 4 - REPEAL

All Ordinances or parts of Ordinances in conflict with this Ordinance are to the extent of such conflict repealed.

SECTION 5 - SEVERABILITY

This Ordinance, and the various parts, sentences, paragraphs, sections, subsections, phrases and the clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the

Township Board hereby declares that it would have passed this Ordinance and each part, sentence, paragraph, section, subsection, phrase and clause thereof, irrespective of the fact that either one or more parts, sentences, paragraphs, sections, subsections, phrases or clauses are declared invalid.

SECTION 6 - VIOLATION/PENALTY

1. Any person or persons, firm, corporation, partnership or other organization or entity or anyone acting on behalf of said person, firm, corporation, partnership or other organization or entity, who shall violate the provisions of this Ordinance shall be subject to a fine of not more than Five Hundred and No/100 (\$500.00) Dollars, or imprisonment in the Monroe County Jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment, at the discretion of the Court. Each day a violation continues shall be deemed a separate offense.

2. The imposition of any sentence shall not exempt the offender from compliance with requirements of this Ordinance.

3. Any continued violation of this Ordinance is declared to be a public nuisance per se, and may be abated by order of any court of competent jurisdiction.

SECTION 7 - ENFORCEMENT

Provisions of this Ordinance may be administered and enforced by the Township Ordinance Enforcement Officers, Township Police Department, County Sheriff's Department, and the Department of State Police or any other officials as the Township Board may delegate.

SECTION 8 - EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after it, or a summary of it, has been published in a newspaper of general circulation in the Township of Erie.

I, Carol L. Morin, Township Clerk of the Township of Erie, do hereby certify that this Ordinance was adopted by the Township Board of the Township of Erie, Monroe County, Michigan, at a regular meeting of the Township Board held at the Erie Township Hall, Erie, Michigan, on the 23rd day of June, 1992.

Vote on said Ordinance, 5 members being present and 0 members being absent, was as follows:

Member's Last Names

Voting in favor: 5

Dusseau _____

Morin _____

Norts _____

J. Cousino _____

D. Cousino _____

Voting against: 0

Abstained: 0

Absent: 0

Carol L. Morin
CAROL L. MORIN,
Township Clerk

ATTEST:

Margaret M. Dusseau
MARGARET M. DUSSEAU,
Township Supervisor

I, Carol L. Morin, Township Clerk of the Township of Erie, do hereby certify that this Ordinance was published in its entirety on the 14th day of July, 1992 in the Monroe Evening News, of the City of Monroe, Monroe County, Michigan, a newspaper of general circulation in the Township of Erie, within thirty (30) days of adoption of the Ordinance.

Carol L. Morin
CAROL L. MORIN,
Erie Township Clerk

ATTEST:

Margaret M. Dusseau
MARGARET M. DUSSEAU,
Erie Township Supervisor

ADOPTION DATE: June 23, 1992

PUBLICATION DATE: July 14, 1992

EFFECTIVE DATE: August 13, 1992