

ORDINANCE #32

This Ordinance shall be known as the Butman Township **Indecent Exposure Ordinance** and therefore the Township Ordains:

SECTION 1 TITLE

This Ordinance shall be known and cited as the Butman Township Public Indecent Exposure Ordinance with regulations defined in Section 1 through Section 7, inclusive.

SECTION 2 PURPOSE

Nothing in this Ordinance shall be construed to abrogate, affect, or supersede any Michigan law or Gladwin County ordinance, regulations, or authority. It is the purpose of this Ordinance to regulate indecent exposure of any type which may interfere with the comfort, welfare or safety of the residents, visitors or otherwise public exposed to indecent exposure and provide for the enforcement and penalties or the violations thereof.

SECTION 3 DEFINITIONS

- Indecent exposure is defined as any willful public display of the genital or anus area (totally or in part) of either sex, or female breasts, with less than a fully opaque covering; sexual acts or simulations thereof; urinating/defecating in public view.
- Exclusion to the female breast exposure will be allowance of baby breast feeding.
- Exposure is the willful act of publicly displaying anything visible to any passerby, or adjacent property; regardless of inside or outside of a structure, window, doorway, including viewing from an electronic means or otherwise.

SECTION 4 REGULATIONS

It shall be unlawful for any person(s) to engage in, allow or permit, the performance of any/all, but not limited the following:

- Sexual acts involving sex of same/opposite members including individual sexual acts.
- Display of any person defecating or urinating in public view, including violation of any public health law therein.
- Public display of the genital area (totally or in part) of either sex, or female breasts, without a full opaque covering, excluding female breasts exposed for baby breast feeding.

SECTION 5 ENFORCEMENT

5.1 This ordinance shall be enforced by the Township Enforcement Officer, Law Enforcement personnel or other authorized state/government personnel

5.2 Any violation of or any failure to comply with the provisions of this Ordinance shall be deemed a misdemeanor and shall be punishable by a fine not to exceed \$500.00 and/or 90 days in jail.

5.3 Each day a violation of this Ordinance is permitted to exist without compliance shall constitute a separate offense punishable upon conviction in the manner prescribed in this Section. The Township shall proceed under this Section if in addition, any remedies available at law, the Township may bring a action for an injunction or other process against any person(2) to restrain, prevent or abate any violation of this Ordinance.

SECTION 6 SEVERABILITY

All sections of this Ordinance are severable, providing any section, sentence, paragraph, phase of clause if declared unconstitutional, unlawful or unenforceable by law enforcement, courts, or other legal jurisdiction, but will not affect all other sections sentences paragraphs, phases or clauses within this Ordinance.

SECTION 7 EFFECTIVE DATE

This Ordinance shall become effective Thirty Days (30 days) from the date of publication in a newspaper in general circulation within this Township of Butman.

Prescribed before the Board of Trustees July 10, 2014 .

Ayes 5

Nays 0

Absent 0

Adopted July 10, 2014

Dated _____ 2014

Shirley a Kyle,
Butman Township Supervisor

CERTIFICATION

I certify that the foregoing is a true and complete copy of an Ordinance adopted by the Butman Township Board of Trustees at a regular Board meeting held on July 10, 2014, pursuance to the procedures required by law.

Sharon Hobin, Butman Township Clerk

