

BILL NO. 2001-3

ORDINANCE NO. 178

AN ORDINANCE CREATING THE OFFENSE OF "INDECENT EXPOSURE" WITHIN THE MUNICIPAL LIMITS OF THE CITY OF FOLEY, ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF AND MATTERS RELATED THERETO. THIS ORDINANCE WILL AMEND/SUPERSEDE ORDINANCE NO. 162.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FOLEY, MISSOURI, AS FOLLOWS:

Section 1: That cities of the fourth class, Foley being such, have the power under ss79.450 RSMO. to pass laws regulating offenses against public morals.

Section 2: That the City hereby creates the following Ordinance violation, the offense of Indecent Exposure.

Section 3. Any person who knowingly or intentionally, in a public place or any place open to the public, to include, but not be limited to , indoor and outdoor entertainment establishments, restaurants, theaters, premises licensed to sell intoxicating and/or non-intoxicating liquor, bookstores, , and places of public accommodation where one (1) or more persons is present, does or engages in any of the following shall be guilty of indecent exposure and unlawful acts of public indecency.

A.: Any person who engages in sexual intercourse.

B.: Any person who engages in deviate sexual conduct.

C.: Any person who touches or simulates the touching, caressing, or fondling of the breast, buttocks, anus or genitals of himself/herself or another person.

D.: Any person who permits the performance of acts, or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.

E.: Any person who displays by actual or simulated displaying any portion of the areola of the female breast, pubic hair, anus, vulva or genitals.

F.: Any person who allows a person to remain in or upon any licensed premises who exposes to public view any portion of his/her genitals or anus.

G.: Any person who displays films, video programs or pictures depicting acts, the live performances of which are prohibited by this regulation or by any other law.

H.: Any person who appears in a state of nudity; nudity meaning the showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple or areola, or the showing of the covered male genitals in a discernibly turgid state.

Section 4: Any person found guilty of violating the provisions of this ordinance shall be deemed guilty of committing a misdemeanor and shall be subject to a fine of up to \$500.00 or imprisonment in the county jail for up to 90 days, or both such fine or imprisonment.

Section 5: This ordinance shall be in full force and effect immediately upon its enactment and approval.

READ THREE TIMES AND APPROVED THIS 18th DAY OF July, 2001.