

CHAPTER 664
Sex Offenses

664.01 Public nudity.

664.99 Penalty.

CROSS REFERENCES

Indecency and immorality - see M.C.L.A. §§750.335 et seq.

Prostitution - see M.C.L.A. §§750.448 et seq..

664.01 PUBLIC NUILITY.

(a) Purposes. The purposes of this section are to define public nudity and to prohibit public nudity and aiding and abetting public nudity, in order to protect public morals and societal order, to reflect societal disapproval of nudity in public places and among strangers, to prevent prostitution, sexual assault, and associated crime, and to preserve and protect the public health, safety and welfare of residents of the City and, further, to provide for repeal, severability and penalties.

(b) Public Nudity Defined. As used in this section, "public nudity" means knowingly or intentionally displaying in a public place, or for payment or promise of payment by a person, including, but not limited to, payment or promise of an admission fee, any individual's genitals or anus with less than fully opaque covering, or a female individual's breasts with less than a fully opaque covering of the nipple and areola. "Public nudity" does not include a woman's breastfeeding of a baby, whether or not the nipple or areola is exposed during or incidental to the feeding, material as defined in Section 2 of Act 343 of the Public Acts of 1984, as amended, being M.C.L. 752.362, or sexually explicit visual material as defined in Section 3 of Act 33 of the Public Acts of 1978, as amended, being M.C.L. 722.673.

(c) Certain Conduct Prohibited. No person shall engage in public nudity. No business establishment, including, but not limited to, owners, officers, and persons in charge of or control of the premises, shall permit persons to engage in public nudity.

(d) Aiding and Abetting Prohibited. No person shall assist, aid, abet or encourage any other person to appear nude in public.

664.99 PENALTY.

(1) **First Offense** – The first violation of the above rules shall be a civil infraction, punishable by a fine not to exceed \$100.00 plus costs.

(2) **Second Offense** – The second violation of the above rules, within a 3 year period, shall be a civil infraction, punishable by a fine not to exceed \$200.00 plus costs.

(3) **Third Offense** – The third or more violation of the above rules, within a 3 year period, shall be a misdemeanor punishable by a fine of not greater than \$500.00 plus costs and/or jail sentence not to exceed 93 days in jail.