

VILLAGE OF CALUMET

ORDINANCE NO.: 137

AN ORDINANCE TO PROHIBIT NUDITY IN THE
VILLAGE OF CALUMET

The Village of Calumet ordains:

Section 1. No person shall engage in public nudity within the Village of Calumet. No person shall aid, abet, sponsor, promote or provide a place to conduct public nudity within the Village of Calumet.

Section 2. "Public nudity" means 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 fully opaque covering, or a female individual's breast with less than a fully opaque covering of the nipple and areola. Public nudity does not include any of the following:

(1) A woman's breastfeeding of a baby whether or not the nipple or areola is exposed during or incidental to the feeding.

(2) Material as defined in Section 2 of Act No. 343 of the Public Acts of 1984, being Section 752.362 of the Michigan Compiled Laws.

(3) Sexually explicit visual material as defined in Section 3 of Act No. 33 of the Public Acts of 1978 being Section

722.673 of the Michigan Compiled Laws.

Section 3. Any person shall violate the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding \$500.00, or imprisonment not exceeding 90 days or both, in the discretion of the Court, together with the costs of prosecution and court costs.

Section 4. This Ordinance shall be effective 30 days after its passage and publication as required by law.

Passed and adopted by the Village Council of the Village of Calumet, County of Houghton, and State of Michigan, on February 18, _____, 1997.

By

Joe Caron
JOSEPH A. CARON,
Its President

(SEAL)

Attest:

By

Carol Anne Holleyman
CAROL ANNE HOLLEYMAN
Its Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance, duly adopted by the Village Council of the Village of Calumet, County of Houghton, and State of Michigan, at a regular meeting held on February 18, 1997, and that this meeting was conducted and public notice of this

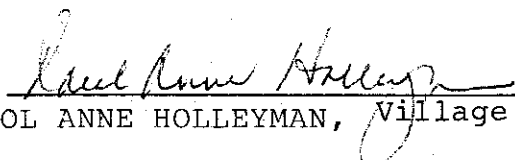
meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of the meeting were kept and will be or have been made available as required by the aforementioned Act.

I further certify that the following Members of the Village Council were present at the meeting: Joseph Caron, Joseph Mihal, William Johnson, Anthony Bausano, Robert Anderson, Carol Phillips and that the following members were absent: Robert Grisolono.

I further certify that Member Bausano moved adoption of this Ordinance and that Member Phillips supported the motion.

I further certify that the following Members voted for the adoption of the Ordinance: Caron, Mihal, Johnson, Bausano, Anderson, Phillips, and that the following members voted against the adoption of the Ordinance: None.

I further certify that the Ordinance has been recorded in the Ordinance Book of the Village of Calumet, and that such recording has been authenticated by the signatures of the President and Village Clerk.


CAROL ANNE HOLLEYMAN, Village Clerk