

ORANGE TOWNSHIP
COLUMBIA COUNTY, PENNSYLVANIA

ORDINANCE NO. 2000-01

AN ORDINANCE OF ORANGE TOWNSHIP TO
PROHIBIT PUBLIC INDECENCY.

BE IT ENACTED AND ORDAINED as an Ordinance of the Board of Supervisors of Orange Township, Columbia County, Pennsylvania, and it is hereby enacted as follows:

WHEREAS, it is deemed to be in the best interests of the residents, citizens, inhabitants, and businesses of Orange Township to establish reasonable and uniform regulations for certain conduct hereinafter indicated; and,

WHEREAS, the regulations of said conduct hereinafter indicated is necessary to protect the health, safety, moral, and general welfare of the citizens of Orange Township; and,

WHEREAS, it is in the best interests of Orange Township so as to promote the public health, safety, and welfare of its citizens, to restrict the act of being nude in such places as are open to the general public; and,

WHEREAS, Orange Township believes that the prohibitions contained herein are reasonable restrictions as to time, manner, and place.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED as an Ordinance by the Board of Supervisors of Orange Township as follows:

Section 1. The Board of Supervisors hereby declares the following conduct to be illegal as hereinafter set forth, and further, that such activities are hereby declared to be and constitute public indecency:

- (a) A person who knowingly or intentionally, in a public place:

- (1) Engages in sexual intercourse;
- (2) Engages in deviate sexual conduct;
- (3) Appears in a state of nudity; or,
- (4) Fondles the genitals of himself or another person.

(b) "Nudity" means the showing of 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 the showing of covered male genitals in a discernibly turgid state.

Section 2. Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600.00 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days. Each day that a violation of this Ordinance continues shall constitute a separate offense.

Section 3. In the event any of the unlawful and illegal activities specified herein are conducted by or on behalf of or in the name of a corporation, partnership, joint venture, trust, firm or association, in addition to the liability of the entity or entities set forth above, the officers, agents, or principals of said corporation, partnership, joint venture, trust, firm, or association shall be deemed in violation of this Ordinance as well as the person or persons engaged in the unlawful activity, and upon conviction thereof, be sentenced to pay a fine of not more than \$600.00 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days. Each day that a violation of this Ordinance continues shall constitute a separate offense.

Section 4. Any Resolution, Ordinance, or part of any Ordinance or Resolution inconsistent herein and any amendments thereof are hereby expressly repealed insofar as they

affect this Ordinance.

Section 5. The provisions of this Ordinance are severable, and if any of its provisions shall be held illegal, invalid, or unconstitutional, the decision of the Court shall not affect or impair any of the remaining provisions of this Ordinance. It is hereby declared to be the intention of the Board of Supervisors of Orange Township that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provisions had not been included herein.

PASSED AND ENACTED as an Ordinance of Orange Township at regular meeting of the Board of Supervisors held this 3rd day of February, 2000.

ORANGE TOWNSHIP:

BY: *Robert O'Connell*
CHAIRPERSON

ATTEST:

Patricia M. Russo
SECRETARY

(SEAL)

