

Sec. 17-142. - Public nudity.

- (a) No person who is ten (10) years of age or older shall intentionally expose any portion of his or her genitals or buttocks while that person is located:
- (1) In a public right-of-way, in a natural area, recreation area or trail, or recreation center, in a public building, in a public square, or while located in any other public place; or
 - (2) On private property if the person is in a place that can be viewed from the ground level by another who is located on public property and who does not take extraordinary steps, such as climbing a ladder or peering over a screening fence, in order to achieve a point of vantage.
 - (3) As used in this Section, *public place* shall mean a place to which the public or a substantial number of the public has access, and includes but it not limited to highways including sidewalks, transportation facilities, school, places of amusement, parks, playgrounds and the common areas of public and private buildings and facilities, and shall not include any theater, concert hall, museum, school or similar establishment to the extent the same is serving as a performance venue.
- (b) No female who is ten (10) years of age or older shall knowingly appear in any public place with her breast exposed below the top of the areola and nipple while located:
- (1) In a public right-of-way, in a natural area, recreation area or trail, or recreation center, in a public building, in a public square, or while located in any other public place; or
 - (2) On private property if the person is in a place that can be viewed from the ground level by another who is located on public property and who does not take extraordinary steps, such as climbing a ladder or peering over a screening fence, in order to achieve a point of vantage.
 - (3) Public place in this Section shall be defined as in Section (a)(3) above.
- (c) The prohibition in subsection (a) does not extend to:
- (1) Persons undergoing bona fide emergency medical examinations or treatment; or
 - (2) Persons located in dressing rooms, shower rooms, bathrooms, or in other enclosed areas specifically designated for changing clothes or in which nudity is explicitly permitted; or
- (d) The prohibition in subsection (b) does not extend to women breastfeeding in places they are legally entitled to be.

(Code 1972, § 84-2(C); Ord. No. 114, 2011, § 3, 9-20-11; [Ord. No. 134, 2015, § 2, 11-3-15](#))

EXHIBIT
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