

ORDINANCE NO. A 39

TOWN OF DECATUR, MISSISSIPPI

**ORDINANCE AMENDING THE CITY'S INDECENT
EXPOSURE ORDINANCE BY AMENDING SECTION 16-25
OF THE CODE OF ORDINANCES OF THE TOWN OF
DECATUR, MISSISSIPPI**

WHEREAS, the laws of the State of Mississippi prohibit indecency and allow local law in addition thereto; and

WHEREAS, though there is a state law prohibiting public indecency, the law allows for some behavior that is considered indecent; and

WHEREAS, the City has received reports of sagging baggy pants being used to facilitate theft crimes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF DECATUR, MISSISSIPPI, AS FOLLOWS:

SECTION 1. Section 16.25 of the Code of Ordinances of the Town of Decatur, Mississippi is hereby amended to read as follows:

It shall be unlawful for any person to willfully perform any of the following acts in a place where a person should reasonably expect to be in view of the public:

- (1) An actual or simulated act of sexual intercourse or masturbation;
- (2) Exposure of the genitals;
- (3) A lewd appearance in a state of partial or complete nudity;
- (4) A lewd caress of indecent fondling of the body of another person;
- (5) A lewd caress of indecent fondling of the sexual organs of any person, including oneself;
- (6) Urination or defecation; or
- (7) Appears wearing pants or skirts more than three inches below the top of the hips (crest of the ilium) exposing the skin or undergarments.

SECTION 2. If a person violates said ordinance and is found guilty of a misdemeanor and, upon conviction, shall be punishable by a fine not to exceed \$250.00 or be imprisoned not to exceed three (3) months, or both.

SECTION 3. This ordinance shall be published three (3) times in a newspaper in Newton County, Mississippi which newspaper which is in general circulation in Newton County, Mississippi and shall take effect after said publication.

SO ORDAINED this the 6th day of September, 2011.