

**FRENCHTOWN CHARTER TOWNSHIP  
ENTERTAINMENT AND NUILITY PROHIBITION ORDINANCE  
Ord. No. 182; Date of Adoption: November 1997**

An Ordinance to define nudity, prohibit nudity, explicit sexual activity, wet tee shirt and lingerie displays and dancing with touching for compensation in liquor licensed establishments, providing for issuance of appearance tickets, providing for covenants, establishing violations as a nuisance per se, providing penalties, repeal and severability.

**THE CHARTER TOWNSHIP OF FRENCHTOWN ORDAINS:**

**Section 1. Legislative Findings and Interest.**

The Township Board of Frenchtown Charter Township recognizes and concludes that undesirable behavior and disorderly behavior stem from the combination of nudity and alcohol in public places and that unless properly regulated the combination of nudity and alcohol in public places poses a threat to the health, safety and welfare of the persons within Frenchtown Charter Township. The purpose and intent of this Ordinance is to eradicate the effects of undesirable behavior stemming from the combination of alcohol and nudity.

**Section 2. Short Title.**

This Ordinance shall be known as the Frenchtown Charter Township Entertainment and Nudity Prohibition Ordinance.

**Section 3. Nudity Defined.**

Nudity shall be defined to be the exposure to view of persons, of any of the following body parts, either directly or indirectly, including but not limited to by exposure, see through clothing articles or body stockings;

- (a) The whole or part of the pubic region;
- (b) The whole or part of the anus;
- (c) The whole or part of the buttocks;
- (d) The whole or part of the genitals;
- (e) The breast area including nipple, or more than one-half of the area of the breast;

**Section 4. Nudity Prohibited.**

Nudity as defined herein is prohibited at any time in any establishment licensed or subject to licensing by the Michigan Liquor Control Commission.

**Section 5. Covenant Required and Civil Penalties.**

All applicants for issuance of a license or a renewal of a license through the Michigan Liquor Control Commission shall be required to execute a covenant which provides for compliance with the provisions of this Ordinance. Such covenant shall further provide that the Township shall be entitled to all actual attorney fees and costs associated with the enforcement of the covenant. The execution of and enforcement of any such covenant shall be a cumulative remedy and shall not prohibit the enforcement and imposition of penalties elsewhere provided in this Ordinance. Any violation of the terms of this Ordinance, its amendments or successors or violation of the covenant executed in connection herewith shall serve as a basis for either revocation or non-renewal of any liquor license and permit applied for or issued. Any violation of the terms of this Ordinance, its amendments or successors shall serve as a basis for the revocation of any occupancy permit.

**Section 6. Dancing With Touching for Compensation Prohibited.**

Dancing by employees, contractors, patrons or others on the premises where dancers touch or are touched by persons and dancers are compensated directly or indirectly including but not limited to wages, tips or voluntary gratuities is prohibited in establishments licensed or subject to licensing by the Michigan Liquor Control Commission.

**Section 7. Explicit Sexual Activity Prohibited.**

No person shall engage in, nor shall a licensee, owner or occupant allow in or upon the premises, a person who performs or simulates the performance of sexual intercourse, masturbation, sodomy, bestiality, fellatio, or cunnilingus. No person shall display and no licensee, occupant or owner shall allow the display or showing of films, television, slides, or other electronic reproductions which depict scenes wherein a person performs or simulates performance of sexual intercourse, masturbation, sodomy, bestiality, fellatio, or cunnilingus. This prohibition does not apply to any publicly broadcast television transmission from a federally licensed station. The provisions of this section apply to establishments licensed or subject to licensing by the Michigan Liquor Control Commission.

**Section 8. Wet Tee Shirts, Lingerie, Fashion Shows, Mud Wrestling and Similar Displays Prohibited.**

Wet tee shirt contests, the wetting of clothing articles in the area of the breasts, buttocks, and/or genitalia exposed to view by patrons, lingerie fashion shows, mud wrestling or similar displays and contests are prohibited in establishments licensed by or subject to licensing by the Michigan Liquor Control Commission.

**Section 9. Enforcement.**

Officers, employees, and representatives of the Michigan State Police Department, the Monroe County Sheriff's Department, the Building Official and his designated agents are hereby authorized to issue citations to any person violating the provisions of this Ordinance. Any article or articles of clothing worn by the person may be seized and held as evidence pending final disposition of any civil or criminal proceedings brought pursuant to this Ordinance.

**Section 10. Criminal Penalties.**

Any person, corporation and the owner or occupant of any establishment, their shareholders, directors and officers violating any provision of this Ordinance shall be guilty of a misdemeanor and subject to a fine of not more than \$500.00 and/or by imprisonment in the County Jail for a period not to exceed ninety (90) days or by both fine and imprisonment within the discretion of the Court. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance.

**Section 11. Nuisance Per Se.**

The owner or operator of any establishment or business upon which a violation of this Ordinance occurs shall be deemed to be permitting the existence of a nuisance per se injurious to the public health, safety and welfare of the citizens of Frenchtown Charter Township, which shall be subject to abatement, including but not limited to a permanent injunction in the discretion of the Court.

**Section 12. Severability.**

Every word, sentence and clause of this Ordinance is hereby declared to be severable and if any word, sentence, clause, provision or part thereof is declared to be invalid by a court of competent jurisdiction, the remaining provisions shall not be affected.

**Section 13. Repeal.**

The provisions of any or all ordinances or sub-parts thereof in conflict herewith are repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 14. Effective Date.**

The provisions of this Ordinance shall take effect immediately upon publication following adoption.

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