

ORDINANCE NO. 79-1

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, MAKING CERTAIN FINDINGS OF FACT; PROHIBITING THE EXPOSURE OF PRIVATE PARTS OR FEMALE BREASTS IN AN ESTABLISHMENT AT WHICH ALCOHOLIC AND INTOXICATING BEVERAGES ARE OFFERED FOR SALE FOR CONSUMPTION ON THE PREMISES; PROHIBITING THE USE OF ANY DEVICE OR COVERING WHICH SIMULATES PRIVATE PARTS OR FEMALE BREASTS IN AN ESTABLISHMENT AT WHICH ALCOHOLIC AND INTOXICATING BEVERAGES ARE OFFERED FOR SALE FOR CONSUMPTION ON THE PREMISES; PROHIBITING ANY PERSON OWNING, MAINTAINING, OR OPERATING AN ESTABLISHMENT AT WHICH ALCOHOLIC AND INTOXICATING BEVERAGES ARE OFFERED FOR SALE FOR CONSUMPTION ON THE PREMISES FROM SUFFERING OR PERMITTING, ON THE PREMISES OF SAID ESTABLISHMENT, THE EXPOSURE OF PRIVATE PARTS OR FEMALE BREASTS OR THE USE OF ANY DEVICE OR COVERING WHICH SIMULATES PRIVATE PARTS OR FEMALE BREASTS; LEGISLATIVE AUTHORIZATION; PROVIDING FOR PENALTIES; SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners of Manatee County, Florida, finds that there is presently, in Manatee County, an increasing trend toward nude and semi-nude acts, exhibitions, and entertainment, and toward the utilization of nude and semi-nude female employees engaged in other service oriented aspects of and by the commercial establishments subject hereto; and,

WHEREAS, the Board of County Commissioners of Manatee County, Florida, finds that the competitive commercial exploitation of such nudity is adverse to the public's interest in the quality of life, tone of commerce, and total community environment in Manatee County; and,

WHEREAS, the Board of County Commissioners of Manatee County, Florida, finds that there is a direct relationship between the concurrent consumption of alcoholic and intoxicating beverages and the nude and semi-nude activities mentioned above prohibited hereunder, and more fully described hereinafter and an increase in criminal activities, moral degradation and disturbances of the peace and good order of the community, and further finds that the concurrency of these activities is hazardous to the health and safety of those persons in attendance, and tends to depreciate the value of adjoining property and harm the economic welfare of the community as a whole; and,

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SECRETARY OF STATE

WHEREAS, the Board of County Commissioners of Manatee County, Florida, finds that in order to preserve the public peace and good order, and to safeguard the health, safety and welfare of the community and the citizens thereof, it is necessary and advisable to regulate and restrict the conduct of owners, operators, agents, employees, and patrons of the commercial establishments subject hereto.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. Legislative Authorization.

This Ordinance is adopted pursuant to Article VIII, Section 1, under the State Constitution and Section 125.01(1)(o) of the Florida Statutes.

Section 2. Prohibition.

2.1 It shall be unlawful for any person maintaining, owning or operating a commercial establishment located within the unincorporated areas of Manatee County, Florida, at which alcoholic and intoxicating beverages are offered for sale for consumption on the premises:

(A) To suffer or permit any female person, while on the premises of said commercial establishment, to expose to the public view that area of the human female breast at or below the areola thereof.

(B) To suffer or permit any female person, while on the premises of said commercial establishment, to employ any device or covering which is intended to give the appearance of or simulate such portions of the human female breast as described in Section 2.1(A).

(C) To suffer or permit any person, while on the premises of said commercial establishment, to expose to public view his or her genitals, pubic area, buttocks, anus or anal cleft or cleavage.

(D) To suffer or permit any person, while on the prem-

ises of said commercial establishment, to employ any device or covering which is intended to give the appearance of or simulate the genitals, pubic area, buttocks, anus, anal cleft or cleavage.

2.2 It shall be unlawful for any female person, while on the premises of a commercial establishment located within the unincorporated areas of Manatee County, Florida, at which alcoholic and intoxicating beverages are offered for sale for consumption on the premises, to expose to public view that area of the human female breast at or below the areola thereof, or to employ any device or covering which is intended to give the appearance or simulate such areas of the female breast as described herein.

2.3 It shall be unlawful for any person, while on the premises of a commercial establishment located within the unincorporated areas of Manatee County, Florida, at which alcoholic and intoxicating beverages are offered for sale for consumption on the premises, to expose to public view his or her genitals, pubic area, buttocks, anus, or anal cleft or cleavage, or to employ any device or covering which is intended to give the appearance of or simulate the genitals, pubic area, buttocks, anus or anal cleft or cleavage.

Section 3. Penalties.

Any person who shall violate any section of this Ordinance shall be guilty of a misdemeanor punishable as provided by General Law.

Section 4. Severability.

It is declared to be the legislative intent that, if any section, sub-section, sentence, clause or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

Section 5. Effective Date.

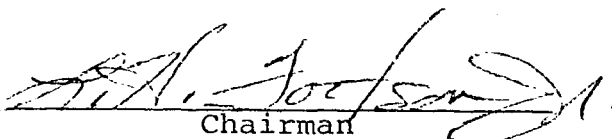
This Ordinance takes effect immediately upon receipt of the official acknowledgement from the Office of the Secretary of State of Florida that this Ordinance has been filed with that

office.

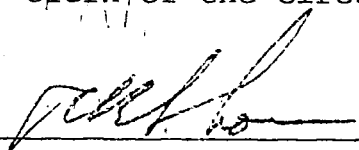
PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida, this the 30th day of January, 1979.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA.

By:


Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court



STATE OF FLORIDA

COUNTY OF MANATEE

I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of ORDINANCE NO. 79-1

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, MAKING CERTAIN FINDINGS OF FACT; PROHIBITING THE EXPOSURE OF PRIVATE PARTS OR FEMALE BREASTS IN AN ESTABLISHMENT AT WHICH ALCOHOLIC AND INTOXICATING BEVERAGES ARE OFFERED FOR SALE FOR CONSUMPTION ON THE PREMISES; PROHIBITING THE USE OF ANY DEVICE OR COVERING WHICH SIMULATES PRIVATE PARTS OR FEMALE BREASTS IN AN ESTABLISHMENT AT WHICH ALCOHOLIC AND INTOXICATING BEVERAGES ARE OFFERED FOR SALE FOR CONSUMPTION ON THE PREMISES; PROHIBITING ANY PERSON OWNING, MAINTAINING, OR OPERATING AN ESTABLISHMENT AT WHICH ALCOHOLIC AND INTOXICATING BEVERAGES ARE OFFERED FOR SALE FOR CONSUMPTION ON THE PREMISES FROM SUFFERING OR PERMITTING, ON THE PREMISES OF SAID ESTABLISHMENT, THE EXPOSURE OF PRIVATE PARTS OR FEMALE BREASTS OR THE USE OF ANY DEVICE OR COVERING WHICH SIMULATES PRIVATE PARTS OR FEMALE BREASTS; LEGISLATIVE AUTHORIZATION; PROVIDING FOR PENALTIES: SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

approved by the Board of County Commissioners of said County in session on the 30th day of JANUARY 1979.

WITNESS my hand and official seal this 31st day of JANUARY 1979 in Bradenton, Florida.



R. B. Shore, Clerk of Circuit Court, Manatee County, Florida

