

**VILLAGE OF ESSEX JUNCTION
MUNICIPAL CODE**

**Chapter 10.
Regulations of Public Indecency**

SECTION 1001:

(a) No person shall knowingly or intentionally in a public place:

1. engage in sexual intercourse; or
2. appear in a state of nudity; or
3. fondle his/her genitals; or
4. fondle the genitals of another person; or
5. fondle his/her breasts; or
6. fondle the breast of another person.

(b) No person who owns, leases or controls property shall knowingly allow any person to engage in the conduct described in subparagraph (a) above at any time such property is open to the public.

SECTION 1002. Violation - Penalty:

Any person who violates this section shall be subject to a civil penalty of up to \$500.00 per day for each day that such violation continues, with a mandatory minimum civil penalty that shall not be less than the civil penalty set for that offense unless the person does not contest the municipal complaint and pays the waiver fee. Police Officers of the Town of Essex shall be authorized to act as Issuing Municipal Officials to issue and pursue before the Traffic and Municipal Ordinance Bureau a municipal complaint.

An Issuing Municipal Official is authorized to recover a waiver fee, in lieu of a civil penalty, for any person who declines to contest a municipal complaint and pays the following waiver amount for each violation:

First offense \$ 25.00	Third offense \$100.00
Second offense \$ 50.00	Fourth & subsequent offenses \$200.00

Offenses shall be counted on a calendar year basis.

An Issuing Municipal Official is authorized to recover civil penalties in the following amounts for each violation;

First offense \$ 50.00	Third offense \$200.00
Second offense \$ 100.00	Fourth & subsequent offenses \$500.00

Offenses shall be counted on a calendar year basis.

In addition to the enforcement procedures available before the Traffic and Municipal Ordinance Bureau, the

Public Indecency Regulations

Village Manager or his/her designee is authorized to commence a civil action to obtain injunctive and other appropriate relief, or to pursue any other remedy authorized by law.