

Nudity Ordinance
Knox County,
Tennessee

ORDINANCE

ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO PROHIBIT PUBLIC NUDITY WITHIN KNOX COUNTY.

ORDINANCE NO.: 0-91-7-103

REQUESTED BY: Commissioner Pinkston, Commissioner May

PREPARED BY: Knox County Law Dir.

APPROVED AS TO FOR AND CORRECTNESS: signature, Director of Law

APPROVED 1ST READING: 7/15/91, date

APPROVED 2ND READING: date

APPROVED 3RD READING: 2/24/92, date

VETOED: date

VETO OVERRIDE: date

MINUTE BOOK: page

WHEREAS, it is the long-standing policy both of Knox County and of the state of Tennessee to control public indecency to the maximum extent consistent with the Constitution of the United States and the State of Tennessee;

WHEREAS, the County Commission for Knox County, Tennessee finds that public nudity is injurious to the public health, safety and morals; and

WHEREAS, the County Commission for Knox County, Tennessee finds that public nudity is often attended by and contributes to unlawful and undesirable secondary effects;

WHEREAS, The County Commission for Knox County, Tennessee does not intend to interfere with or prohibit legitimate and constitutional protected forms of expression.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF KNOX COUNTY AS FOLLOWS:

SECTION 1: Indecent exposure.

a) A person commits the offense of indecent exposure who, in a public place or so near thereto as to be seen from private premises, intentionally exposes his or her genitals,

breasts, or buttocks to one or more persons with the reasonable expectation the acts will be viewed by another.

b) "Exposing the genitals, breasts, or buttocks" shall mean displaying the pubic hair, anus, vulva, genitals or any display of the female breasts with less than a fully opaque covering of any part of the nipple and areola.

SECTION 2:

A person commits an offense of indecent exposure who, having ownership or control over a public place wherein any member of the public is invited to enter, knowingly allows indecent exposure to occur within or upon such public place.

SECTION 3:

Every person convicted of having violated the preceding paragraphs shall be fined not less than Fifty Dollars (\$50.00) for each violation. Each instance of indecent exposure shall be deemed a separate punishable offense.

All ordinances or parts of ordinances in conflict with this ordinance or inconsistent with the provision of this ordinance are hereby repealed.

signature, County Clerk

signature, Date: 3-3-92, Presiding Officer of the Commission

Approved: Date, County Executive

Vetoed: Date, County Executive

AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY AMENDING ORDINANCE 0-91-7-103 (NUDIST ORDINANCE), ORDINANCE 0-91-3-103 (SWIMMING POOL ORDINANCE) ORDINANCE 0-90-9-112 (TRAFFIC ORDINANCE) ORDINANCE 0-92-1-101 (UNIFORM ORDINANCE), ORDINANCE 0-92-4-102 (LEASH ORDINANCE), ORDINANCE 0-90-10-103 (NOISE ORDINANCE), AND ORDINANCE 0-92-1-102 (EMERGENCY MEDICAL SERVICES ORDINANCE) TO INCREASE THE FINE OF \$50.00 TO \$500.00.

ORDINANCE NO.: 0-92-11-102

REQUESTED BY:

PREPARED BY: Knox County Law Dir.

APPROVED AS TO FORM AND CORRECTNESS: signature, Director of Law

APPROVED 1ST READING: 11-25-92

APPROVED 2ND READING: 12-21-92

APPROVED 3RD READING: 1-25-93

APPROVED EMERGENCY: (Yes) (No)

VETOED: Date

VETO OVERRIDE:

MINUTE BOOK: PAGE

WHEREAS, Public Chapter 681 of the Public Acts Of 1992 amended TCA § 5-1-211 so as to increase the maximum penalty for Charter County Ordinance violations from \$50.00 to \$500.00, and

WHEREAS, the Commission of Knox County believes that the public health, safety and morals would be advanced by increasing the maximum penalties for violation of Knox County Ordinances as provided by state law,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF KNOX COUNTY AS FOLLOWS:

Section 1. The Knox County Nudity Ordinance, No. 0-91-7-103 is amended by deleting the language in Section 3 and substituting the following:

Every person or corporation convicted of having violated the preceding paragraphs shall suffer a monetary penalty and forfeiture of not less than \$50.00 nor more than \$500.00 for each violation. Each instance of indecent exposure shall be deemed a separate punishable offense.

Section 2: The Knox County Swimming Pool Ordinance, No. 0-91-3-103, is amended by deleting the language of Section 4(a) and substituting therefore the following:

Penalties. Violations of this Ordinance shall be punishable by a monetary penalty and forfeiture of not less than \$50.00 nor more than \$500.00 per violation, and each twenty-four (24) hour period in which a swimming pool is not in compliance with this Ordinance shall be considered a separate violation.

Section 3: (a) The Knox County Traffic Ordinance, No. O-90-9-112 is amended by deleting the language of Section 3-6 and substituting therefore the following:

Each violation of the Traffic Regulation adopted under this code shall constitute a separate offense punishable by a monetary penalty and forfeiture of not less than \$25.00 nor more than \$500.00.

All parking violations shall be punishable by a monetary penalty and forfeiture of not less than \$10.00 nor more than \$500.00 for each separate offense.

(b) Any provisions of Ordinance No. 0-91-10-102 are repealed insofar as they are in conflict with this Ordinance. .

Section 4: The Knox County Uniform Ordinance, No. 0-92-1-101 is amended by deleting the language of Section 2 and substituting therefore the following:

Anyone found in violation of this Ordinance shall be subject to a maximum penalty and forfeiture of not less than \$50.00 nor more than \$500.00.

Section 5: The Knox County Leash Ordinance, No. 0-92-4-102, is amended as follows:

(a) The first sentence of Section 2(C) is deleted and the following is substituted therefore:

Any violation of this Section shall constitute a misdemeanor and shall be punishable by a monetary penalty and forfeiture of not less than \$50.00 nor more than \$500.00.

(b) Section 3(B) is amended by deleting the language therein and substituting the following:

Any owner of a vicious dog, or of a dog which attacks or bites a person, who is in violation of Section 2 of this Ordinance by causing, permitting or allowing said dog to stray or run at large, shall, in addition to being in violation of Section 2, be in violation of this Section, punishable by a monetary penalty and forfeiture of not less than \$50.00 nor more than \$500.00. Each day that this Section is violated shall constitute a separate punishable offense.

Section 6. The Knox County Noise Ordinance, No. 0-90-103 is amended by deleting the first sentence and substituting therefore the following:

Anyone found in violation of this Ordinance shall be subject to a maximum monetary penalty and forfeiture of \$25.00.

Section 7: The Knox County Emergency Medical Services Ordinance, No. 0-92-1-102 is amended by deleting the language of Section C(1) and substituting therefore the following:

Any person or service provider violating or failing to comply with any provision of this Ordinance shall be subject to a penalty and forfeiture in an amount of not less than \$50.00 nor more than \$500.00.

Section 8. This Ordinance shall take effect as provided by the Charter of Knox County, the public welfare requiring it.

signature, Date: 3/22/93, Presiding officer of the Commission

signature, County Clerk

Approved: signature, Date: 3/24/93, County Executive

Vetoed: Date, County Executive