

ORDINANCE NO. C-14-37

AN ORDINANCE AMENDING CHAPTER 16, MISCELLANEOUS PROVISIONS AND OFFENSES, ARTICLE IV, OFFENSES INVOLVING PUBLIC PEACE AND ORDER, SECTION 16-75, PUBLIC INDECENCY; PROHIBITION ON PUBLIC URINATION AND DEFECATION, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA; TO REVISE TERMINOLOGY AND DELETE OBSOLETE PROVISIONS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 16-75, Public Indecency; Prohibition on Public Urination and Defecation, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

Sec. 16-75. Public indecency; prohibition on public urination and defecation.

(a) Offense. It shall be unlawful for any person to commit public indecency. A person commits public indecency when he or she performs any of the following acts in a public place:

- (1) An act of sexual intercourse; or
- (2) A lewd fondling or caress of the body of any person of either sex; or
- (3) Exposes or exhibits his or her sexual organs; or
- (4) ~~Being a female of the age of nine (9) years and upwards, exposes or exhibits her breasts~~ Exposes or exhibits post-pubescent female breasts; or

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- (5) Urinates or defecates in other than a toilet or washroom; or
- ~~(6) Wears the clothing of the opposite sex with the intent thereby to facilitate the commission of a crime or offense; or~~
- ~~(7)~~
- (6) Throws, dumps, discards, places, deposits, or otherwise disposes of urine or feces, unless such disposal is made into a receptacle that has been specifically provided for that purpose and the receptacle stores or disposes of the wastes in a sanitary manner, and the receptacle is enclosed from the view of the general public.

(b) Definitions. "Public place," for purposes of this section, means any place where conduct may reasonably be expected to be viewed by others.

(c) Penalties. Any person convicted of violating this section shall be deemed guilty of the offense of public indecency or public urination or defecation and upon conviction shall be punished as provided in section 1-6 of this Code.

SECTION 2. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

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SECTION 4. That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED FIRST READING this the 3rd day of September, 2014.

PASSED SECOND READING this the _____ day of _____, 2014.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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