

1 **BOARD BILL NO. 117 INTRODUCED BY ALDERWOMAN MARLENE DAVIS**

2 An Ordinance pertaining to the wearing of pants below the waist in public; repealing
3 Ordinance 60546, which is codified as Chapter 15.30 of the Revised Code of the City of
4 St. Louis, and enacting in lieu thereof new a provision pertaining to the wearing of pants
5 below the waist in public and containing an emergency clause.

6 Whereas,

7 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

8 **SECTION ONE.** Ordinance 60546, codified as Chapter 15.30 of the Revised
9 Code of the City of St. Louis is hereby repealed and enacted in lieu are the following new
10 provisions:

11 **SECTION TWO. Prohibition.**

12 No person shall engage in or commit any indecent or lewd act in any public place.

13 **SECTION THREE. Definitions.**

14 A. For the purpose of this chapter, the following words and phrases shall be
15 defined as follows:

16 1. "Indecent or lewd act" shall include:

17 a. The exposure of one's genitals, buttocks, vulva, pubic hair, pubic area or the
18 female breast below a point immediately above the top of the areola, for the purpose of
19 sexual arousal or gratification or which is likely to cause affront or alarm; provided,
20 however, that any exposure of the female breast necessarily incident to breast-feeding an
21 infant shall not be deemed to be a violation of this chapter; or

22 **b. Any person to appear in a public place wearing pants below the waist**
23 **which exposes the skin or undergarments which is likely to cause affront or alarm;**

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1 c. The touching, caressing or fondling of the breasts, buttocks or genitals,
2 whether, clothed or unclothed for the purpose of sexual arousal or gratification or which
3 is likely to cause affront or alarm; or

4 d. Acts or representations of acts of human masturbation, sexual intercourse or
5 sodomy, bestiality, cunnilingus, fellatio, flagellation or torture by or upon a person as a
6 act of sexual stimulation or gratification; or

7 e. Acts or representation of acts of urination or defecation, other than of the public
8 view in the proper receptacles of public or private comfort stations, restroom, toilets or
9 other similar facilities provided for these acts.

10 2. "Public place" is any publicly owned place or premises or any privately owned
11 place or premises to which the public or a substantial number of persons have access or
12 where the conduct or act involved may be viewed by people other than the members of
13 the actor's family or household.

14 B. Exclusion. This chapter shall not prohibit performances that are not
15 pornographic under the provisions of Chapter 15.32 of the Revised Code of the City of
16 St. Louis.

17 **SECTION FOUR. Penalty for violation.**

18 Any person found in violation of this chapter shall be fined no less than one
19 hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) or by
20 imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

21 **SECTION FIVE: EMERGENCY CLAUSE:** This being an Ordinance for the
22 preservation of public peace, health, and safety, it is hereby declared to be an emergency

1 measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the
2 City of St .Louis and therefore this Ordinance shall become effective immediately upon
3 its passage and approval by the Mayor.