

Chapter 6-20

PUBLIC NUDITY

Sections:

- 6-20.010** **Supersedes county ordinances.**
6-20.020 **Public nudity—Prohibited.**
6-20.030 **Exemptions.**
6-20.040 **Violation—Penalty.**

6-20.010 **Supersedes county ordinances.**

Division 11 of Title 3 of the Codified Ordinances of the County of Orange, entitled "Unlawful Exposure of Private Parts and Female Breasts," adopted by reference by the city in Ordinance No. 92-6, is repealed in its entirety. (Prior code § 6-30.005)

6-20.020 **Public nudity—Prohibited.**

It is unlawful, and a misdemeanor, for any person, while in any public park, playground, public right-of-way, or in any other public place or public accommodation, or in any place open to the public or obviously open to public view (with or without payment of an admission fee), to knowingly and intentionally:

- A. Expose his or her genitals, pubic hair, natal cleft, perineum, anal region, or pubic hair region; or
- B. Use any device, costume, or covering which gives the appearance of or simulates the genitals, pubic hair, natal cleft, perineum, anal region or pubic hair region; or
- C. Expose the nipples and/or areolae of the female breast, except as necessary while breast feeding an infant under two years of age; or
- D. Use any device (commonly known as a "pasty" or "pasties") worn as a cover over the nipples and/or areolae of the female breast, which device simulates and gives the realistic appearance of nipples and/or areolae.

(Prior code § 6-30.010)

6-20.030 **Exemptions.**

Prohibitions set forth in Section 6-20.020 of this chapter shall not apply to:

- A. Any child under ten years of age; or
- B. Any acts prohibited, or the prohibition of which is preempted, by any provision of state law;
- C. Any theater, concert hall, auditorium, or similar establishment devoted to theatrical performances. The phrase "theater, concert hall, auditorium or similar establishment devoted to theatrical performances" means a building, playhouse, room, hall, or other place having fixed seats so arranged that a body of

spectators can have an unobstructed view of the stage upon which theatrical performances or similar forms of artistic expression are presented, and where such performances are not incidental to the promoting of the sale of food, drink, or other merchandise and for which a city license or permit for a theater is in full force and effect.

(Prior code § 6-30.020)

6-20.040 **Violation—Penalty.**

It is unlawful for any person, firm, or corporation to violate any provision or to fail to comply with any of the requirements of this chapter. Any person, firm or corporation violating any provision of this chapter or failing to comply with any of its requirements shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment not exceeding six months, or by both such fine and imprisonment. Each such person, firm or corporation shall be deemed guilty of a separate offense for each day during any portion of which any violation or any of the provisions of this chapter is committed, continued or permitted by such person, firm or corporation, and shall be punishable therefor as provided for in this chapter. (Prior code § 6-30.030)