

AN ORDINANCE OF THE TOWNSHIP OF  
WEST MAHANAY DEFINING PUBLIC  
INDECENCY, AND PROVIDING PENALTIES  
FOR THE VIOLATION OF THE SAME.

1-93

The Board of Supervisors of West Mahanoy Township  
Schuylkill County, Pennsylvania, hereby ordains as follows:

- Section 1: A person who knowingly or intentionally,  
in a public place:
- (1) engages in sexual intercourse;
  - (2) engages in deviate sexual conduct;
  - (3) appears in a state of nudity; or
  - (4) fondles the genitals of himself or  
another person;
- commits public indecency.

Section 2: "Nudity", as used in this Ordinance,  
means the showing of the human male or female genitals, pubic  
area or buttocks with less than a fully opaque covering, the  
showing of the female breasts with less than a fully opaque  
covering of any part of the nipple, or showing of covered male  
genitals in a discernibly turgid state.

Section 3: Any person who knowingly or intentionally  
in a public place, commits any of the acts listed in Section  
1 hereof shall, upon conviction thereof, be sentenced to pay  
a fine of not more than Six Hundred Dollars (\$600.00) and costs  
of prosecution, and in default of payment of such fines and  
costs, to imprisonment in the county jail not to exceed thirty  
(30) days. Each day during which any violation of this ordinance  
continues shall constitute a separate offense.

Section 4: The provisions of this Ordinance shall be severable, and if any sentence, clause, section or part thereof is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance, is hereby declared as the intent of the Board of Supervisors of West Mahanoy Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 5: This Ordinance shall become effective on June 9<sup>th</sup>, 1993.

ENACTED AND ORDAINED by the Board of Supervisors of West Mahanoy Township on this the 4<sup>th</sup> day of June 1993.

  
Robert Z. Brink, Chairman

Attest:   
Clerk