

ORDINANCE # 5872

AN ORDINANCE PROHIBITING PUBLIC URINATION AND PUBLIC DEFECATION IN THE CITY OF RAPID CITY BY AMENDING SECTION 9.08.070 OF THE RAPID CITY MUNICIPAL CODE.

WHEREAS, the City of Rapid City pursuant to Rapid City Municipal Code § 9.08.070 currently prohibits indecent exposure; and

WHEREAS, no section of the Rapid City Municipal Code specifically prohibits urination and/or defecation within public places within the City; and

WHEREAS, pursuant to SDCL § 9-29-1, the City has the authority to prohibit the foregoing within its territorial jurisdiction; and

WHEREAS, the Common Council of the City of Rapid City finds that it is in the best interests of the public health, welfare, and safety to prohibit public urination and to prohibit public defecation within the City of Rapid City.

NOW, THEREFORE, BE IT ORDAINED by the City of Rapid City that section 9.08.070 of the Rapid City Municipal Code is amended in its entirety to read as follows:

9.08.070 ~~Indecent exposure.~~ Public indecency.

No person shall appear on any street, alley or public place in the city in a state of nudity, nor shall any person in the city make any indecent exposure of his or her person or be guilty of any lewd or indecent act or behavior, nor shall any person expose the private parts of his or her body in any place where other persons may be offended by the act, nor shall any person urinate or defecate in any street, alley or public place in the city other than at facilities provided for that purpose.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: