AN ORDINANCE PERTAINING TO THE FAILURE TO CONCEAL SEXUAL OR GENITAL PART OF THE BODY.

BE IT ORDAINED BY MINNEHAHA COUNTY,

1. It shall be unlawful for any person owning, renting, leasing, operating or managing any establishment that sells, by the drink /or for consumption on the premises, intoxicating liquor, alcoholic beverages, or low point beer, which establishment has had a license application approved or recommended to be approved by the governing body of the County of Minnehaha, to cause, allow or permit any person in or about such establishment, while in the presence of any other person in such establishment:

(A) To fail to conceal with fully opaque covering, the sexual or genital parts of his or her body. For the purposes of this section, "sexual" or "genital parts" shall include the genitals, pubic area, anus, cleavage of the buttocks or perineum of any person or the vulva or nipple and areola (the more darkly pigmented portion of the breast encircling the nipple) of a female. For the purposes of this section, a fully opaque covering, shall mean or include the wearing of pasties that cover the nipple and areola of a female breast.

(B) To expose any device, costume or covering which gives the appearance of or simulates the genitals, public hair, buttocks, perineum, anal region or pubic hair region or nipple and/or the areola of a female.

(C) For the purposes of this ordinance, "person" shall mean a natural person, association, corporation, firm, organization, partnership, or society.

2. Any person who shall violate any of the provisions of this ordinance or shall fail to comply therewith shall be guilty of a Class 2 misdemeanor punishable by thirty days imprisonment in a county jail or one hundred dollars fine, or both.

3. In addition, upon proof of violation of this ordinance, any license approved or recommended to be approved by the governing body of Minnehaha County may be revoked or suspended in pursuant to SDCL 35-2-10.

Dated this 19th day of February, 1980, and upon roll call the following vote

was taken:

Harry Jacobson	Voted ___ NO ___
M. Schurmer	Voted ___ Yes ___
Nila L. Apollo	Voted ___ Yes ___
Clifford Hanson	Voted ___ Yes ___
Gregory A. Peterson	Voted ___ Nay ___

Said Ordinance was declared adopted.

ATTEST:

Donna Thune
County Auditor