
Sec. 42-4. Camping.

- (a) It shall be unlawful for any person to erect, construct, maintain or use any tent, lean-to or other temporary shelter customarily used for camping purposes within the territorial limits of the town except in a place approved by the town council for such purpose.
- (b) It shall be unlawful for any person to park, leave or store a motor vehicle, recreational vehicle, tractor trailer or trailer within the territorial limits of the town during nighttime hours, for use as sleeping accommodations or for camping, except in a place approved by the town for such purpose.
- (c) It shall be unlawful for any person to sleep out-of-doors on public property except as otherwise authorized by the Town of Ponce Inlet by law or permit. Prior to citing or otherwise commencing prosecution against an individual who violates this provision, the town employee or law enforcement officer enforcing this provision shall provide the violator with an opportunity to state whether they are homeless. If the violator responds in the affirmative, the violator shall be provided an opportunity to relocate to a homeless shelter or alternative shelter, such as First Step Shelter, if available. If the individual refuses to relocate to an available shelter, the town may prosecute the violator. If there are no shelters available, the town shall not prosecute or otherwise punish the individual for a violation of this section.
- (d) Violators of this section shall be subject to noncriminal prosecution, criminal prosecution, or code enforcement board prosecution and subject to the penalties provided in section 1-11(a)(1) or 1-11(a)(3), respectively.

(Code 1984, § 12-4; Ord. No. 2004-25, § 15, 11-17-2004; Ord. No. 2007-02, § 1, 1-17-2007; Ord. No. 2021-07, § 2, 5-20-2021)

Sec. 42-32. Nudity and sexual conduct prohibited in public.

- (a) *Exposure prohibited.* It shall be unlawful and an offense for any person to appear nude under any one or more of the following conditions:
 - (1) While in or at any public place.
 - (2) While serving any food or beverage in or at any place where the public is admitted or, in the case of a private club, where the members are admitted.
- (b) *Definitions.*
 - (1) *Nude* means to display or expose the male or female genitals, pubic area, or the female breast with no covering or less than a fully opaque covering. A female breast is considered exposed if any part of the areola and nipple is not covered by an opaque covering. For purposes of this definition, body paint, body dye, a tattoo, latex, or any similar substances shall not be considered an "opaque covering."
 - (2) *Public place* means any location open to the common and general use, participation or enjoyment of the public where the public is present or likely to be present, or any location where the public is invited and is free to go upon special or implied invitation, or any location where a person may reasonably be expected to be observed by the public. A public place includes, but is not limited to, a street, sidewalk, park, business or commercial establishment.
- (c) *Procuring or assisting violation.* It shall be unlawful and an offense for any person to procure, employ, counsel or aid or assist any person in violating any of the provisions of this section.
- (d) *Penalty.* Violators of this section shall be subject to criminal prosecution or code enforcement board prosecution and subject to the penalties provided in section 1-11(a)(2) or 1-11(a)(3), respectively.
- (e) *Exceptions.* This section shall not apply to the following:

-
- (1) Nudity during breastfeeding of a child.
 - (2) Nudity in portions of public places specifically set aside for privacy, such as restrooms, locker rooms, motel rooms, and hotel rooms.

(Code 1984, § 12-52; Ord. No. 2002-08, § 1, 4-17-2002; Ord. No. 2002-30, § 7, 10-16-2002; Ord. No. 2021-11, § 2, 5-20-2021)

Sec. 42-33. Urinating or defecating in public.

- (a) It shall be unlawful for any person to urinate or defecate in a public place other than one set aside and designated for that particular purpose.
- (b) Violators of this section shall be subject to criminal prosecution or code enforcement board prosecution and subject to the penalties provided in section 1-11(a)(2) or 1-11(a)(3), respectively.

(Ord. No. 2021-10, § 2, 5-20-2021)