

Hartford Township, Van Buren County, Michigan
Ordinance Number 15
Hartford Township Public Entertainment Ordinance

An ordinance to protect and secure the public health, Safety and general welfare by the regulation of certain forms of commercial entertainment and personal service within the Township of Hartford, Van Buren County, Michigan; to provide penalties for the violation of the provisions of this ordinance and to repeal any ordinances or parts of ordinances in conflict herewith.

The Township of Hartford ordains:

Section 1. Title. This Ordinance shall be known and cited as the Hartford Township Public Entertainment Ordinance.

Section 2. Purpose. The purpose of this Ordinance is to regulate public commercial entertainers and serves involving dancing, monologues, pantomimes, and other personal type of body exhibitions, contortions or display, and personal service provided by any waitress, barmaid, waiter, bartender, performer, or other person by establishments within the Township where such public commercial entertainment and personal service of customer is presented, promoted, permitted or provided, to thereby prohibit any lewd, obscene, immoral, or unduly sexually stimulating entertainment acts, shows, or personal exhibitions or displays.

Section 3. Regulations.

- A. No person, firm or corporation shall permit or allow any form of commercial public entertainment or personal service by any waitress, barmaid, waiter, bartender, performer, or other person of customers to be presented or provided within his, its or their establishment, nor shall any such person engage in, present, or provide any form of public entertainment or personal service of customers within Hartford Township involving any lewd, obscene, immoral, or unduly sexually stimulating dancing, monologues, pantomimes, or other types of body exhibitions, contortions, display or personal service. Waitresses, barmaids, waiters or bartenders without substantial covering of the genital area and/or without covering the female breasts at a point immediately above the top of the areola, are specifically prohibited.
- B. The prohibited conducted, display or personal service prohibited by this Ordinance is hereby defined as that which, when taken as a whole, appeals to the prurient interest in sex, which portrays sexual conduct in a patently offensive way, and which, taken as a whole, does not have serious literary, artistic, political, or scientific value, so that the average person, applying contemporary community standards would find such conduct, display, or personal service appeals to the prurient interest.

Section 4. Saving Clause. The provisions of this Ordinance are hereby declared to be separable and if any clause, sentence word, section, or provision is declared void or unenforceable for any reason, by any court of competent jurisdiction, it shall not affect any portion of the Ordinance other than said part or portion thereof.

~~**Section 5. Penalty.** Any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than One Hundred Dollars (\$100.00) or by imprisonment in the county jail for not to exceed ninety (90) days, or by both such fine and imprisonment. Each day that a violation continues to exist shall constitute a separate offence. In addition to the criminal sanctions herein provided, the Township may institute injunctive proceedings, or other appropriate civil proceeding to prevent, enjoin, abate or remove any violations of this Ordinance.~~ *Amended June 17, 2013 by Ordinance No. 38a

Violation and Penalty. Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

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	Minimum Fine	Maximum Fine
1 st Offense within 3-year period*	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	\$150.00	\$500.00
3 rd Offense within 3-year period*	\$300.00	\$500.00
4 th or More offense within 3-year period*	\$500.00	\$500.00

*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

Section 6. Repeal. All ordinances, resolutions or orders, or parts thereof, of the Township of Hartford, in conflict with the provisions of this ordinance are, to the extent of such conflicts, hereby repealed.

Section 7. Effective Date. This Ordinance shall take effect on the 1st day of August, 1979.

*Adopted by the Township Board of the Township of Hartford, Michigan June 13, 1979
Effective August 1, 1979*