

**PUBLIC ENTERTAINMENT ORDINANCE**

**TOWNSHIP OF MANCELONA**

**COUNTY OF ANTRIM, STATE OF MICHIGAN**

**ORDINANCE NUMBER 10**

**Adopted:** February 16, 1998

**Effective:** April 3, 1998

**PUBLIC ENTERTAINMENT ORDINANCE**

An Ordinance to preserve the peace, general welfare, order, health, and safety of persons and property in the Township, enacted pursuant but not limited to, *Michigan Public Act 246 of 1945*, as amended and MCL 41.181, as amended, to prescribe a penalty for the violation of the provisions of this Ordinance; and to repeal all ordinances or parts of ordinances in conflict with this Ordinance.

**TOWNSHIP OF MANCELONA**

**Antrim County, Michigan**

**ORDAINS:**

**SECTION I**

**TITLE**

This Ordinance shall be known as the Mancelona Township Public Entertainment Ordinance.

**SECTION II**

**PURPOSE**

The purpose of this Ordinance is to regulate public commercial entertainment, including, but not limited to those forms of public commercial entertainment involving dancing, monologues, pantomimes, other personal type of body exhibitions, contortions or display, motion pictures, still slides and closed

circuit television, and establishments within the Township where such public commercial entertainment is presented, promoted, or permitted, to thereby prohibit any lewd, obscene, immoral, or unduly sexually stimulating entertainment acts, shows or personal exhibitions, and to thereby promote the health, safety and general welfare of the inhabitants of the Township. This Ordinance does not apply to any publicly broadcast television transmission from a federally licensed station.

### SECTION III

#### PROHIBITION

No person, business, corporation or any type of association shall permit or allow any form of public nudity in any commercial public entertainment within Mancelona Township, nor shall any person engage in any form of public nudity in any commercial public entertainment within Mancelona Township. Public nudity shall be defined as set forth in MCL 41.181, Section 1(3), as amended.

### SECTION IV

#### PENALTY

Any person who shall violate or assist in the violation of any provision of this ordinance shall be guilty of a misdemeanor punishable by a fine of not more than \$ 500.00, or imprisonment in the county jail for a period not exceeding ninety (90) days, or both such fine and imprisonment, in the discretion of the judge imposing sentence, plus costs. Every day that such violation shall continue shall constitute a separate misdemeanor under the provisions of this Ordinance.

### SECTION V

#### ENFORCEMENT

The Township Supervisor is hereby authorized to enforce this ordinance. The Supervisor may delegate the enforcement of this ordinance to the Township Constables, the Antrim County Sheriff's Department, the Michigan State Police, or any other delegatee permitted by law. Prosecutions may be commenced by Appearance Ticket issued by the Township Constables, the Antrim County

Sheriff's Department, the Michigan State Police, or by a Complaint and Warrant from the District Court.

**SECTION VI**

**SEPARATE COURT ACTION**

Nothing in this Ordinance shall prohibit the Township or any interested party from seeking such other relief as may be permitted by law or in equity regarding the violation of this Ordinance.

**SECTION VII**

**VALIDITY**

If any section, provision, or clause of this Ordinance, or the application thereof, to any person or circumstance is held to be invalid, such invalidity shall not effect any remaining portion or application of this Ordinance which can be given effect without the invalid portion or application.

**SECTION VIII**

**REPEAL**

All ordinances, parts of ordinances, resolutions or parts of resolutions, in conflict with this Ordinance are hereby repealed upon the effective date of this Ordinance.

**SECTION IX**

**EFFECTIVE DATE**

This Ordinance shall become effective thirty (30) days from the date of its publication in the Antrim County News.

Dated: 4-3-98

  
MARGARET CHAPMAN, Clerk  
Mancelona Township

MANCELONA TOWNSHIP

ORDINANCE CERTIFICATION

At a regular meeting of the Township Board, Township of Mancelona, Antrim County, Michigan, held in the Mancelona Township Hall, located at 202 W. State St., Mancelona, Antrim County, Michigan, on February 16, 1998, at 7:00 p.m.:

PRESENT: Sue Robinson, Ray Merillat, Yousef Jabara, Gerald Patrick and Margaret Chapman

ABSENT: none

Ordinance No. 10, the PUBLIC ENTERTAINMENT ORDINANCE was considered by the Board and upon motion made and seconded, the Township Board duly adopted said Ordinance upon the following vote:

YES: Sue Robinson, Ray Merillat, Yousef Jabara, Gerald Patrick and Margaret Chapman

NO: none

I, Margaret Chapman, as Mancelona Township Clerk, hereby certify that said Ordinance was adopted by the Mancelona Township Board at said meeting as set forth above; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act; that a synopsis of said Ordinance was published in the Antrim County News on *March 4*, 1998, and that a true and complete copy of said Ordinance can be inspected or obtained at the office of the Mancelona Township Clerk in the Mancelona Township Hall.

*Margaret Chapman*  
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MARGARET CHAPMAN, Clerk  
Mancelona Township