

ORDINANCE NO. 2722

AN ORDINANCE to amend and reordain Section 13-1-17, Chapter 1, Title 13 of The Code of the City of Alexandria, Virginia, 1981, as amended; which Title 13 relates to MISCELLANEOUS OFFENSES, which Chapter 1 relates to GENERAL OFFENSES and which Section 13-1-17 relates to INDECENT EXPOSURE.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 13-1-17, Chapter 1, Title 13 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 13-1-17. Indecent exposure.

It shall be unlawful for any person to knowingly, voluntarily and intentionally appear in public or in a public place or in a place open to the public, or open to public view in a state of nudity, or to employ, encourage or procure another person to so appear. As used herein, "state of nudity" means a state of undress so as to expose the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple.

Nothing contained herein shall be construed to apply to the exhibition, presentation, showing or performance of any play, ballet, drama, tableau, production or motion picture in any theater, concert hall, museum of fine arts, school, institution of higher learning or other similar establishment which is primarily devoted to such exhibitions, presentations, shows or performances as a form of expression of opinion, communication, speech, ideas, information, act or drama as differentiated from commercial or business advertising, promotion or exploitation of nudity for the purpose of advertising, promotion, selling or serving products or services or otherwise advancing the economic welfare of a commercial or business enterprise such as a hotel, motel, bar, night club, restaurant, tavern or dance hall.

Section 2. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the

second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.  
Mayor

Final Passage: October 16, 1982