

CITY OF LE ROY  
COUNTY OF McLEAN, STATE OF ILLINOIS

**ORDINANCE NO. 09-12-02-70**

**AN ORDINANCE AMENDING TITLE FOUR, PUBLIC HEALTH AND SAFETY  
CHAPTER ONE, PUBLIC NUISANCES, SECTION FOUR, PUBLIC  
NUSIANCES OFFENDING MORALS AND DECENCY, MUNICIPAL CODE OF  
LE ROY, ILLINOIS, 2003 (AS AMENDED)**

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ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS  
7th Day of December, 2009

PRESENTED:       **December 7, 2009**  
PASSED:           **December 7, 2009**  
APPROVED:       **December 7, 2009**  
RECORDED:       **December 7, 2009**  
PUBLISHED:       **December 7, 2009**

In Pamphlet Form

Voting "Aye" 8  
Voting "Nay" 0

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The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)

  
\_\_\_\_\_  
City Clerk of City of Le Roy

Dated: December 7, 2009

## ORDINANCE 09-12-02-70

### **AN ORDINANCE AMENDING TITLE FOUR, PUBLIC HEALTH AND SAFETY CHAPTER ONE, PUBLIC NUISANCES, SECTION FOUR, PUBLIC NUISANCES OFFENDING MORALS AND DECENCY, MUNICIPAL CODE OF LE ROY, ILLINOIS, 2003 (as amended)**

Whereas, the Mayor and City Council of the City of Le Roy, McLean County, Illinois, an Illinois municipal corporation, have determined that it is in the best interests of the residents of the City of Le Roy that Title Four, Public Health and Safety, Chapter One, Public Nuisances, Section Four, Public Nuisances Offending Morals and Decency, Municipal Code of Le Roy, Illinois, 2003 (as amended), be amended,

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Le Roy, McLean County, Illinois, in lawful meeting assembled, as follows:

**Section 1. Chapter One, Public Nuisances**, of the Municipal Code of Le Roy, Illinois, 2003 (as amended), is hereby amended by adding Title Four, Public Health and Safety, Chapter One, Public Nuisances, Section Four, Public Nuisances Offending Morals and Decency, Subsection F, Public Indecency (4-1-4, F)

**Section 2. New Section 4-1-4 F of Title 4, Public Health and Safety, Chapter 1, Public Nuisances, Section 4, Public Nuisances Offending Morals and Decency, Subsection F, Public Indecency** of the Municipal Code of Le Roy, Illinois, 2003 (as amended), is hereby adopted in words and figures as follows:

1. Any person who performs any of the following in a public place or where the conduct may reasonably be expected to be viewed by members of the public commits public indecency:
  - a. An act of sexual intercourse; or
  - b. An act of deviate sexual intercourse; or
  - c. A lewd exposure of the body done with intent to arouse or to satisfy sexual desire of any person; or
  - d. A lewd fondling or caress of the body of another person
  - e. Expose genitals, anus or female breasts (except breast feeding infants); or
  - f. Engage in sexual conduct or masturbation; or
  - g. Engage in conduct that to an ordinary observer would appear to be sexual conduct or masturbation.

**Section 3.** All ordinances, or parts thereof, and all resolutions, or parts thereof, in conflict with this ordinance shall be and the same are hereby repealed to the extent of such conflict, and this ordinance shall be in full force and effect as set forth hereafter.

**Section 4.** Nothing in this ordinance hereby adopted shall be construed to affect any suite or proceeding pending in any court, or any rights acquired, or any liability incurred, or any cause or

causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 5.** This ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

**PASSED** by the City Council of the City of Le Roy, Illinois, upon the motion made by Dawn Thompson, and seconded by Nancy Bentley by roll call vote on the 7th day of December, 2009 as follows

Aldermen elected 8

Aldermen Present 8

Voting Aye:

Dawn Thompson, Boyd Denner, John Haney, Shirley Chancellor, and Dawn Hanafin, Julie Duncan, and T.A. Whitsitt, and Nancy Bentley

Voting Nay:

None

Absent:

None

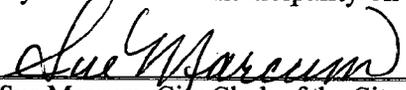
Abstain:

None

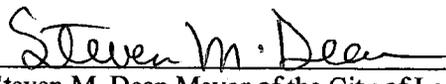
Other:

None

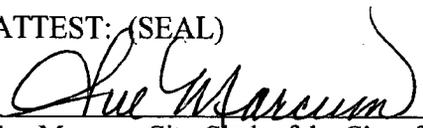
And deposited and filed in the office of the City Clerk in said municipality on the 7th day of December, 2009.

  
Sue Marcum, City Clerk of the City of Le Roy  
McLean County, Illinois

**APPROVED BY** the Mayor of the City of Le Roy, Illinois, this 7th day of December, 2009

  
Steven M. Dean Mayor of the City of Le Roy,  
McLean County, Illinois

ATTEST: (SEAL)

  
Sue Marcum, City Clerk of the City of Le Roy  
McLean County, Illinois

**CERTIFICATE**

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **December 7, 2009** the Corporate Authorities of such municipality passed and approved **Ordinance No. 09-12-02-70** entitled:

**AN ORDINANCE AMENDING TITLE FOUR, PUBLIC HEALTH AND SAFETY  
CHAPTER ONE, PUBLIC NUISANCES, SECTION FOUR, PUBLIC  
NUSIANCES OFFENDING MORALS AND DECENCY, MUNICIPAL CODE OF  
LE ROY, ILLINOIS, 2003 (AS AMENDED)**

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **09-12-02-70**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **December 7, 2009** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 7th day of December, 2009

(SEAL)

  
Municipal Clerk

STATE OF ILLINOIS        )  
                                  ) SS:  
COUNTY OF MCLEAN     )

I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

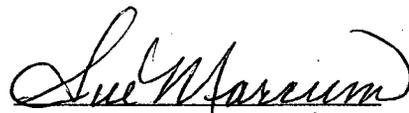
I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

**AN ORDINANCE AMENDING TITLE FOUR, PUBLIC HEALTH AND SAFETY  
CHAPTER ONE, PUBLIC NUISANCES, SECTION FOUR, PUBLIC  
NUSIANCES OFFENDING MORALS AND DECENCY, MUNICIPAL CODE OF  
LE ROY, ILLINOIS, 2003 (AS AMENDED)**

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 7th day of December 2009 and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

*Dated this 7<sup>th</sup> day of December 2009*

(SEAL)

  
City Clerk