

RESOLUTION #48 OF 2015
TOWN OF CLAYTON
A RESOLUTION TO PROHIBIT NUDITY AT TOWN-OWNED FACILITIES INCLUDING THE CEROW
RECREATION PARK POOL AND TRANSIENT DOCKING FACILITY
SEPTEMBER 9, 2015

Title: A resolution to prohibit nudity at Town-owned facilities including the Cerow Recreation Park Pool and Transient Docking Facility.

At a regular meeting of the Town Board of the Town of Clayton held at the Town Offices, 405 Riverside Drive, Jefferson County, New York, at 5:00 PM on September 9, 2015, there were

PRESENT: Justin A. Taylor, Supervisor
Lance Peterson, Councilman
Robert W. Cantwell III, Councilman
Christopher D. Matthews, Councilman
Mary Zovistoski, Councilwoman

WHEREAS, the public facilities of the Town are a treasured and valued asset enjoyed not only by the citizens of the Town of Clayton but additionally by thousands of visitors each year. The vast majority of the people are families with children. The continued enjoyment of these facilities by Town residents and visitors is an important and substantial government interest, and

WHEREAS, the contemporary community standards held by the vast majority of users of the facilities require that proper attire be expected, and

WHEREAS, the term nudity shall mean a person's intentional failure to cover, with a fully opaque covering, that person's own genitals, pubic hairs, rectal areas or female breasts below a point immediately above the tip of the areola, when at a Town-owned facility, and

WHEREAS, a Town-owned facility shall mean any facility owned by the Town of Clayton, including but not limited to the Cerow Recreation Park Pool and Transient Docking Facility, and

WHEREAS, the existence at the facilities of individuals who are nude can be upsetting and disturbing to this general public. The users of the public facilities of Clayton find themselves unwilling observers to this course of conduct and often are disturbed at the exposure of this practice, especially to young, impressionable children, and

NOW, THEREFORE, the Board, in the interests of the contemporary moral standards of conduct within the community, feels that nudity at Town-owned facilities should be banned. This prohibition shall not apply to children under ten (10) years of age.

A motion to adopt the foregoing resolution was made by Councilperson Lance Peterson, and seconded by Councilperson Bob Cantwell III, and upon a roll call vote of the Board was duly adopted as follows:

Justin A. Taylor, Supervisor	Yes <u>X</u> No ___
Lance Peterson, Councilman	Yes <u>X</u> No ___
Robert W. Cantwell III, Councilman	Yes <u>X</u> No ___
Christopher D. Matthews, Councilperson	Yes <u>X</u> No ___
Mary Zovistoski, Councilperson	Yes <u>X</u> No ___

Aye 5 Nay 0 Abstain 0 Absent 0

Dated: September 9, 2015

Certification

I, Kathleen E. LaClair, Town Clerk of the Town of Clayton, do hereby certify that the above resolution was adopted at a regular meeting of the Town Board of the Town of Clayton held on September 9, 2015 and it's on file and of record, and that said resolution had not been altered, amended or revoked and it's in full force and effect.

(SEAL)

Kathleen E. LaClair, Town Clerk