

STATE OF NEW MEXICO
County of Grant
I hereby certify that this instrument
was filed for record on the 29
day of March A.D. 1978
at 10:42 a.m. in book A page 1, and duly
recorded in book 204 of the records
County Ordinances
Date 7-8

WITNESSED and signed and sealed office
Carolyn A. Starey
County Clerk, Grant Co., N.M.

Leean R. White

AN ORDINANCE TO CONTROL THE UNRESTRICTED SHOWING OF
X-RATED MOTION PICTURES WITHIN THE COUNTY OF GRANT, EXCEPT FOR
INCORPORATED MUNICIPALITIES WITHIN THE BOUNDARIES OF SAID COUNTY.

Board of County Commissioners
County of Grant
Ordinance No. 2

Ordinance

WHEREAS, the county commissioners determined that it is necessary for the protection of county residents to control the unrestricted showing of X-rated motion pictures; and

WHEREAS, this problem can be controlled without undue interference to the rights of the public or any individual businessman;

IT IS THEREFORE CONSIDERED that it shall be unlawful for anyone to exhibit any motion picture in which any person is shown, depicted or revealed in any act of sexual excitement, sexual conduct or sado-masochistic abuse, or nude in any outdoor theater where the screen is visible beyond the limits of the theater audience area, so that such motion picture may be readily seen and its content or character distinguished by normal unaided vision by a person viewing it from beyond said limits.

DEFINITIONS:

1. nude - means the showing of the male or female genitals, pubic area or buttocks with less than a full opaque covering, or the depiction or covered male genitals in a discernibly turgid state.

2. sexual conduct - means acts of masturbation, homosexuality, sodomy, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such person be female, breast.

3. sexual excitement - means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

4. sado-masochistic abuse - means flagellation

or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained.

PENALTY: Anyone who violates this ordinance shall for each offense be punished by a fine not to exceed \$300.00 or imprisonment for 90 days or both the fine and imprisonment.

Effective date of Enforcement will be July 1, 1978.

PASSED, ADOPTED AND APPROVED by unanimous vote by the COMMISSIONERS of GRANT COUNTY, New Mexico, this 20th day of March 1978.

Grant County Commissioners

Richard P. Johnson
Richard Johnson, Chairman

Sam Grijalva
Sam Grijalva, Member

Albert J. Chavez
Albert J. Chavez, Member

