

STATE OF NEW MEXICO
County of Grant
I hereby certify that this instrument
was for record on the 29
day of March A.D. 1978
at 10:42 o'clock A. M. and duly
recorded in book 204 of the records
of County Ordinances.

Board of County Commissioners

County of Grant

Ordinance No. 2

Witness my hand and seal of Office
Carolina A. Barley
County Clerk Grant Co., N.M.

Reuben 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.

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 un-
due 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 un-
aided 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 discern-
ibly turgid state.
2. sexual conduct - means acts of masturbation, homo-
sexuality, 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 C. Johnson
Richard Johnson, Chairman

Sam Grijalva
Sam Grijalva, Member

Albert J. Chavez
Albert J. Chavez, Member

Attest:
Carolina A. Perez
Carolina A. Perez
County Clerk