

RENO EVENING GAZETTE

PROOF OF PUBLICATION

STATE OF NEVADA }
COUNTY OF WASHOE } ss.

DOROTHY YOCOM

being first duly sworn, deposes and says: That she is the legal clerk of THE RENO EVENING GAZETTE, a daily newspaper published at Reno, in Washoe County, in the State of Nevada.

That the notice..... BILL NO. 211

.....
of which a copy is hereto attached, was first published in said newspaper in its issue dated the

... 7th day of June, 19 68 .. and
..... June 14

the full period of ... 2 ... days, the last publication thereof being in the issue dated the ... 14th day

of June, 19 68

Signed *Dorothy Yocom*

Subscribed and sworn to before me this

... 14th day of June, 19 68

Richard J. Taylor
Notary Public.

 RICHARD J. TAYLOR
Notary Public — State of Nevada
Washoe County
My Commission Expires Jan. 22, 1971

NOTICE OF COUNTY ORDINANCE
Notice is hereby given that Bill No. 211, Ordinance No. 160 entitled: "An Ordinance to make it unlawful to sell or exhibit obscene material to minors under the age of Eighteen (18) years of age, and other materials properly relating thereto," was adopted on June 5, 1968 by Commissioners: McKissick, McKenzie, Cunningham and Streeter, all voting aye; Commissioner Sauer being absent and not voting.
Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.
H. K. BROWN, County Clerk
33490/211. June 7-14

SUMMARY: Forbids exposing to, and sale of, obscene material to persons under eighteen (18) years of age; defines the material and prescribes penalties.

BILL NO. 211

ORDINANCE NO. 160

AN ORDINANCE TO MAKE IT UNLAWFUL TO SELL OR EXHIBIT OBSCENE MATERIAL TO MINORS UNDER THE AGE OF EIGHTEEN (18) YEARS OF AGE, AND OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Definitions.

Certain words and terms used in this Ordinance are defined for the purpose of this Ordinance as follows:

- A. "Person" as used herein includes any individual, firm, partnership, association or corporation.
- B. "Minor" means any person under the age of eighteen (18) years.
- C. "Nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a full 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, or the depiction of covered male genitals in a discernible turgid state.
- D. "Sexual conduct" means acts of masturbation, homosexuality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such person be a female, breast.
- E. "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.
- F. "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 on the part of one so clothed.
- G. "Harmful to minors" means that quality of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:
 - (1) predominantly appeals to the prurient, shameful or morbid interest of minors, and
 - (2) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors, and
 - (3) is utterly without redeeming social importance for minors.
- H. "Knowingly" means having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry of both:

(1) the character and content of any material described herein which is reasonably susceptible of examination by the defendant, and

(2) the age of the minor, provided however, that an honest mistake shall constitute an excuse from liability hereunder if the defendant made a reasonable bona fide attempt to ascertain the true age of such minor.

SECTION 2. Sale or Exhibiting for Sale Obscene Material Prohibited. It shall be unlawful for any person in an unincorporated area of the County of Washoe, to knowingly exhibit for sale, sell or loan for monetary consideration to a minor:

- A. any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct or sado-masochistic abuse and which is harmful to minors, or
- B. any book, pamphlet, magazine, printed matter however reproduced, or sound recording which contains any matter enumerated in paragraph (A) of section two (2) hereof, or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct or sado-masochistic abuse and which, taken as a whole, is harmful to minors.

SECTION 3. Exposing Minors to Harmful Materials. It shall be unlawful for any person, in an unincorporated area of the County of Washoe, knowingly to exhibit for a monetary consideration to a minor or knowingly to sell to a minor an admission ticket or pass or knowingly to admit a minor for a monetary consideration to premises whereon there is exhibited, a motion picture, show or other presentation which, in whole or in part, depicts nudity, sexual conduct or sado-masochistic abuse and which is harmful to minors.

SECTION 4. Penalties. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$500.00, or by imprisonment in the Washoe County Jail for a period of not more than six (6) months, or by both fine and imprisonment.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as prescribed by N.R.S. §244.100.

Proposed on the 27th day of May, 1968
Proposed by Commissioner Sauer
Passed on the 5th day of June, 1968

Vote:
Ayes: Commissioners McKissick, McKenzie, Cunningham and Streeter
Nays: Commissioners none
Absent: Commissioners Sauer

ATTEST:

[Signature]
County Clerk

[Signature]
Chairman of the Board

This Ordinance shall be in force and effect from and after the 14th day of June, 1968.

