

City of Lengby

COUNTY OF POLK
P. O. BOX 55
LENGBY, MINNESOTA 56651

ORDINANCE NO. 34

AN ORDINANCE ON NUDDITY OR OBSENNITY WHICH IS PROHIBITED WITHIN
THE CITY OF LENGBY

The City of Lengby, Polk County, Minnesotad ordains:

SECTION 1. DEFINITIONS

- A. Nudity
- B. Obscene performance
- C. Obscenities
- D. Sado-masochistic
- E. Sexual Conduct
- F. Sexual Excitement

SECTION 2. UNLAWFUL ACT.

It is unlawful for any person issued an on-sale liquor license within the City of Lengby to permit upon the licensed premises any nudity, obscene performance, or continued use of obscenities by any agent, employee, patron or other person.

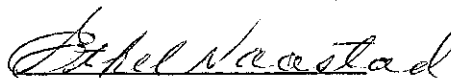
SECTION 3. PENALTY FOR VIOLATION

Violation of this ordinance shall be punishable upon conviction by imprisonment for ninety(90) days, a fine of \$750.00 or both, plus the costs of prosecution.

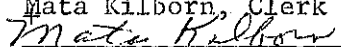
SECTION 4. EFFICTIVE DATE

This ORDENANCE BECOMES EFFECTIVE FROM AND AFTER ITS PASSAGE AND PUBLICATION

Passed by the Council this 2nd. day of April , 1990.


Ethel Naastad, Mayor

ATTEST:

Mata Kilborn, Clerk


Published in the Thirteen Towns at Fosston, Minnesota,
on the 12th. day of April , 1990.

ORDINANCE #34 (cont.)
(Definitions)

NUDITY OR OBSCENITY PROHIBITED

Subd. 1. Definitions. As used in this Section, the following words and terms shall have the meanings stated:

A. The term "nudity" means uncovered, or less than opaquely covered human buttocks, post-pubertal genitals, pubic areas, the post-pubertal human female breast below a point immediately above the top of the areola, or the covered human male genitals in a discernibly turgid state. For purposes of this definition, a female breast is considered uncovered if the nipple only or the nipple and the areola only are covered.

B. The term "obscene performance" means a play, motion picture, dance, show or other presentation, whether pictured, animated or live, performed before an audience and which in whole or in part depicts or reveals nudity, sexual conduct, sexual excitement or sado-masochistic abuse, or which includes obscenities or explicit verbal descriptions or narrative accounts of sexual conduct.

C. The term "obsценities" means those slang words currently generally rejected for regular use in mixed society, that are used to refer to genitals, female breasts, sexual conduct or excretory functions or products, either that have no other meaning or that in context are clearly used for their bodily, sexual or excretory meaning.

D. The term "sado-masochistic abuse" means flagellation or torture by or upon a person who is nude or clad in undergarments or in revealing or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

E. The term "sexual conduct" means human masturbation, sexual intercourse, or any touching of the genitals, pubic areas or buttocks of the human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent sexual ~~simulation~~ stimulation or gratification.

F. The term "sexual excitement" means the condition of human male or female genitals or the breasts of the female when in a state of sexual stimulation, or the sensual experiences of humans engaging in or witnessing sexual conduct or nudity.

Subd. 2. Unlawful Act. It is unlawful for any person issued an on-sale liquor license within the City of Lengby to permit upon the licensed premises any nudity, obscene

(over)

performance, or continued use of obscenities by any agent, employee, patron or other person.

Subd. 3. Penalty for Violation. Violation of this ordinance shall be punishable upon conviction by imprisonment for ninety (90) days, a fine of \$750.00 or both, plus the costs of prosecution.

Subd. 4. Effective Date. This ordinance becomes effective upon its passage and publication. A copy of this ordinance shall be available for inspection at the office of the city clerk.

Passed by the Lengby City Council this 2nd. day of April, 1990.

Ethel Naastad
Mayor

Mata Kelbow
Clerk

Published in Thirteen Towns on April 12, 1990.

Pub April 12-19, 1990