

ORDINANCE REGULATING THE DIRECT COMMERCIAL DISTRIBUTION OF CERTAIN EXPLICIT SEXUAL MATERIAL TO YOUNG PERSONS AND PROHIBITING THEIR OPEN PUBLIC DISPLAY

ADOPTED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF NEWWAY, ENGLKNER COUNTY, MISSISSIPPI, that

SECTION 1: It is the purpose of this Ordinance to regulate the direct commercial distribution of certain explicit sexual material to young persons in order to aid parents in supervising and controlling the access of children to such material. The Board of Directors finds that whatever social value such material may have for young persons can adequately be served by its availability to young persons through their parents.

SECTION 2: It is also the purpose of this Ordinance to prohibit the public display of certain explicit sexual materials, to protect persons from potential offense through inadvertent exposure to such materials.

SECTION 3: A person is guilty of a misdemeanor if he or she (a) disseminates explicit sexual material, as herein defined, to a young person, or (b) knowingly displays explicit sexual material for sale in an area in which young persons have access to such material, or (c) knowingly places explicit sexual material upon public display, or (d) if he knowingly fails to take prompt action to remove such display from the property in his possession after learning of its existence.

SECTION 4: Definitions: (a) a young person means any person less than seventeen (17) years of age, (b) explicit sexual material means any pictorial or three dimensional material depicting human sexual intercourse, masturbation, sodomy (that is bestiality, oral or anal intercourse), direct physical stimulation of unclothed genitals, flagellation or torture in the context of sexual relationship, or emphasizing the depiction of adult human genitals, buttocks, or female breasts, provided however, that works of art or of anthropological significance, or other materials presented in a program of education in a church, school or college shall not be deemed to be within the foregoing definitions, (c) disseminate means to sell, to sell or exhibit commercially, and in the case of an exhibition, to sell an admission ticket or pass, or to admit