

SEC. 11-7-2 OBSCENITY PROHIBITED.

- (a) **Definitions.** In this Section, the following words shall have the following definitions:
- (1) Obscene Material means a writing, picture, sound recording or film and Obscene Performance means a live exhibition before an audience which:
 - a. The average person, applying contemporary community standards, would find appeals to prurient interests if taken as a whole;
 - b. Under contemporary community standards, describes or shows sexual conduct in a patently offensive way; and
 - c. Lacks serious literary, artistic, political or scientific value as measured by objective standards if taken as a whole.
 - (2) Sexual Conduct means the commission of simulation of any of the following: sexual intercourse, sodomy, bestiality, necrophilia, human excretion, masturbation, sadism, masochism, fellatio, cunnilingus or lewd exhibition of human genitals.
- (b) Whoever does any of the following with knowledge of the character and content of the material or performance is guilty of a violation of the Code of Ordinances:
- (1) Imports, prints, advertises, sells, has in his or her possession for sale, or publishes, exhibits or transfers any obscene material.
 - (2) Advertises, produces or performs in any obscene performance.
 - (3) Has in his or her possession, with intent to transfer or exhibit to a person under the age of eighteen (18) years, any obscene material.
 - (4) Transfers or exhibits any obscene materials to a person under the age of eighteen (18) years.
 - (5) Requires, as a condition to the purchase of periodicals, that a retailer accept obscene material.
- (c) **Review of Material.** In determining whether material is obscene under Subsections (a)(1)a and (a)(1)c, a judge or jury shall examine individual pictures or passages in the context of the work in which they appear.