

ORDINANCE 93-1

AN ORDINANCE OF HERNANDO COUNTY, FLORIDA PROVIDING THAT THE CODE OF ORDINANCES, HERNANDO COUNTY, FLORIDA, BE AMENDED BY REVISING CHAPTER 18, PERTAINING TO ADULT-ORIENTED AMUSEMENT; SECTION 18-87, PERTAINING TO DEFINITIONS; SECTION 18-98 PERTAINING TO PROSCRIPTIONS WHERE ALCOHOLIC BEVERAGES ARE SOLD, DISPENSED OR PERMITTED; PROVIDING FOR INCORPORATED DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR SEVERABILITY.

SECRETARY OF STATE

JAN 15 1 47 PM '93

FILED

BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

SECTION I. AMENDMENT TO CHAPTER 18

That Chapter 18 of the Code of Ordinances of Hernando County, Florida, be amended as follows:

A. Section 18-87, Definitions, changed to read:

"adult dancing establishment is a commercial establishment that permits, influences, or allows dancers, employees, or performers to display or expose specified anatomical areas, regardless of whether employees, dancers or performers actually engage in dancing."

B. Section 18-87, Definitions, changed to read:

"Specified anatomical areas means less than opaquely covered:

1. human genitals;
2. human pubic region;
3. human female breasts at or directly below the areola. This prohibition shall include the entire lower portion of the female breast but shall not be interpreted to include any portion of the cleavage of the breast exhibited by a dress, blouse, skirt, leotard, bathing suit, or other wearing apparel, provided the areola is not so exposed;
4. human male genitals in a discernible turgid state, even if completely and opaquely covered; [or]
5. human buttocks."

C. Section 18-87, Definitions, changed to read:

"Specified sexual activities means:

1. human genitals in a state of sexual stimulation, arousal or tumescence;
2. acts of human adamitism, anilingus, bestiality, buggery, cunnilingus, coprophagy, coprophilia, fellatio, flagellation, frottage, hyphephilia, masochism, masturbation, sadism, sadomasochism, sexual intercourse, sodomy or urolangia;
3. fondling or other erotic touching of human genitals, pubic region,
4. excretory functions as part of or in connection with any of the activities set forth in 1 through 3 above."

D. Section 18-98, Proscriptions where alcoholic beverages are sold, dispensed or permitted, changed to read:

"no specified anatomical area shall be exposed or displayed on an authorized premise where alcoholic beverages are sold, dispensed or permitted. No specified sexual activity shall be allowed on an authorized premise where alcoholic beverages are sold, dispensed or permitted."

SECTION II. INCORPORATED DOCUMENTS

All local, state and federal codes, manuals, statutes and regulations which are referred to in this Ordinance are adopted and incorporated in this ordinance. All amendments, revisions, changes or additions to these incorporated documents will also be in effect.

SECTION III. EFFECTIVE DATE

This Ordinance shall become effective upon receipt of official acknowledgement from the Secretary of State that said Ordinance has been filed.

SECTION IV. INCLUSION IN THE CODE

It is the intention of the Board of County Commissioners of Hernando county, Florida, and it is hereby provided, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this ordinance may be renumbered or relettered to accomplish such intention,

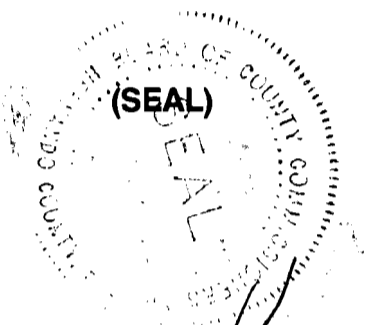
and that the word "ordinance" may be changed to "section", "article", or other appropriate designation.

SECTION V. SEVERABILITY

It is declared to be the intent of the Board of County Commissioners that if any section, subsection, clause, sentence phrase or provision of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this ordinance.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS in Regular

Session this 12th day of January, 1993, A.D.



**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: Karen Nicolai
KAREN NICOLAI
Clerk

By: Anthony C. Mosca, Jr.
ANTHONY C. MOSCA, JR.
Chairman