

ORDINANCE NO. 2139

AN ORDINANCE OF THE CITY OF REDLANDS ADDING
CHAPTER 9.18 TO THE REDLANDS MUNICIPAL CODE
RELATING TO VIEWING RESTRICTIONS OF PUBLICLY
DISPLAYED EXPLICIT ADULT MATERIALS

WHEREAS, it is within the interest of public health,
safety and welfare of the citizens of Redlands to protect minors
from viewing publicly displayed harmful matter; and

WHEREAS, the State of California has defined harmful
matter that is unsuitable for minors; and

WHEREAS, the State of California has, pursuant to Penal
Code Section 313.1(d), authorized cities to adopt ordinances which
restrict the display of harmful matter to minors by the use of
blinder racks;

NOW, THEREFORE, the City Council of the City of Redlands
does ordain as follows:

Section 1. Chapter 9.18 is hereby added to the Redlands
Municipal Code to read as follows:

Chapter 9.18

BLINDER RACKS

Sections:

- 9.18.010 Definitions.
- 9.18.020 Requirement of Blinder Racks.
- 9.18.030 Penalty.

9.18.010 Definitions.

Unless otherwise stated, words and terms are defined as follows:

(a) "Person" means any individual, partnership, firm, association, corporation, or other legal entity.

(b) "Minor" means any natural person under 18 years of age.

(c) "Matter" means any book, magazine, newspaper, video recording, or other printed or written material or any picture, drawing, photograph, motion picture, or other pictorial representation or any statue or other figure, or any recording, transcription, or mechanical, chemical, or electrical reproduction or any other articles, equipment, machines, or materials.

(d) "Harmful matter" means matter, taken as a whole, the predominant appeal of which to the average person, applying contemporary statewide standards, is to prurient interest, meaning a shameful or morbid interest in nudity, sex, or excretion, and is patently offensive to the prevailing standards in the adult community as a whole with respect to what is suitable material for minors, and lacks significant literary, artistic, political, educational, or scientific value for minors.

(e) "Exhibit" means to show or display.

(f) "Blinder rack" means an opaque device, which serves to completely obscure harmful matter, placed in such fashion so that the lower two-thirds of the harmful matter is not exposed to view.

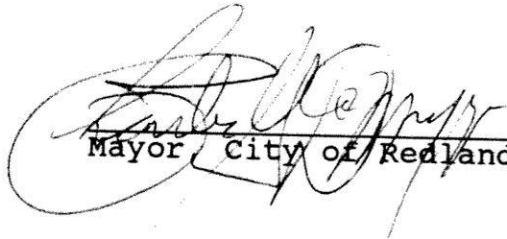
9.18.020 Requirement of Blinder Racks.

No person shall exhibit matter which is harmful to minors in any public place, other than a public place from which minors are excluded, unless "blinder racks" are placed in front of the matter.

9.18.030 Violation -- Penalty.

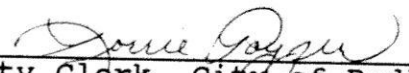
Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than one thousand dollars or by imprisonment for not more than six months, or by both such fine and imprisonment.

Section 2. The Mayor shall sign this ordinance and the City Clerk shall certify to the adoption of this ordinance and cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation printed and published in the City; and thereafter, this ordinance shall take effect in accordance with law.



Mayor, City of Redlands

ATTEST:



City Clerk, City of Redlands

I, Lorrie Poyzer, City Clerk for the City of Redlands hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 20th day of November, 1990, by the following vote:

AYES: Councilmembers Beswick, Cunningham, Larson, Milson;
Mayor DeMirjyn

NOES: None

ABSENT: None



City Clerk