

COUNTY ORDINANCE 9601-01

BE IT ORDAINED BY LINCOLN COUNTY, 1) It shall be unlawful for any person to cause, allow, or permit another person to be viewed by or in the presence of any third person of the opposite sex at an establishment while, a) Failing to conceal, with fully opaque covering, the sexual or genital parts of his or her body. For the purpose of this section, "sexual" or "genital parts" shall include the genitals, pubis area, anus, cleavage of the buttocks or perineum of any person; the vulva or nipple and areola (the more darkly pigmented portion of the breast encircling the nipple) of a female; the penis or scrotum of a male. b) Exposing any device, costume or covering which gives the appearance of or simulates the genitals, pubic hair, buttocks, perineum, anal region or pubic hair region or nipple and/or areola of a female, or penis, or scrotum of a male. 2) For the purposes of this ordinance, a person shall be responsible for all acts of any employee or agent whether the person had actual knowledge or not. 3) Any person who violates any of the provisions of this ordinance or who fails to comply therewith shall be subject to a \$200.00 fine and/or 30 days imprisonment. In addition, upon proof of violation of this ordinance, any licensee under SDCL Title 35 or the amendments thereto who is approved or recommended to be approved by the governing body of Lincoln County may be revoked or suspended pursuant to SDCL 35-2-10. A motion by Larsgaard and seconded by Coplan to adopt said ordinance. All commissioners voted "Aye".

First reading: January 2, 1996

Second reading: January 9, 1996

Adoption: January 9, 1996