

Introduced by Legislators Harris and Gonsalves

LOCAL LAW NO. 6-2000

A LOCAL LAW TO REGULATE THE DISPLAY OF ADULT MATERIALS

Passed by the Nassau County Legislature on January 13, 2000 with the approval of the County Executive.  
Passed by the Nassau County Legislature on December 20, 1999

BE IT ENACTED by the Legislature of the County of Nassau as follows:

Section 1. A new Title 39 is hereby added to the Miscellaneous Laws of Nassau County in relation to regulating the display of adult materials to read as follows:

TITLE 39

- Section 1. Legislative intent
- Section 2. Definitions
- Section 3. Display of Adult Material
- Section 4. Enforcement & Penalties
- Section 5. Severability
- Section 6. Effective date

Section 1. Legislative Intent

a) It is the findings and declaration of this Legislature that children, by reason of not possessing well developed intellectual and emotional maturity, are susceptible to being negatively influenced by graphic depiction of sexual and violent images commonly found in adult materials.

b) It is the further finding that exposure to the graphic depiction of sexual and violent images commonly found in adult materials has a deleterious and destructive effect upon children.

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c) It is the further finding of this Legislature that regulating the display, sale, renting and other distribution of adult material is a public purpose properly within the province of County Government in accordance with the New York State Constitution, the Statute of Local Governments and the Municipal Home Rule Law.

Section 2. Definitions

a) "Adult Materials" - cartoons, drawings, books, magazines, periodicals, films, audio recordings, slides, videotapes, games, toys, devices or other materials that may not be sold to minors pursuant to New York State Law.

Section 3. Display of Adult Material

a) Adult materials shall not be displayed in the same casement as materials which are permitted to be sold to patrons of all ages.

b) A casement displaying adult materials shall be enclosed and not displayed in a manner visible to all patrons.

c) A casement displaying adult materials shall be clearly identified as an adult display which is not to be viewed by minors.

Section 4. Enforcement & Penalties

a) This Law shall be jointly enforced by the Nassau County Commissioner of the Nassau County Department of Health or his/her designee and the Nassau County Commissioner of Consumer Affairs or his/her designee.

b) Any violation of noncompliance with any provisions of this Law shall be punishable by a fine not exceeding two-hundred fifty (\$250.00) dollars.

Each day or part of day in which a violation continues shall constitute a separate violation.

Section 5. Severability

a) If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual,

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corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. Effective date

- a) This law shall take effect ninety (90) days after the date of enactment.



APPROVED JANUARY 13, 2000

*Thomas S. Gulotta*  
THOMAS S. GULOTTA  
COUNTY EXECUTIVE