

SEP 09 1982

RESOLUTION NO. 82-M-20

A RESOLUTION BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY CALLING FOR A REFERENDUM CONCERNING: THE PRESENTATION OF NUDE AND SEMI-NUDE DANCING AND CONDUCT (AS DEFINED IN ORANGE COUNTY ORDINANCES 80-17, 80-18 AND 82-13) IN COMMERCIAL ESTABLISHMENTS; THE COMMERCIAL SALE, DISPLAY, OR PRESENTATION OF MATERIAL WHICH VISUALLY DEPICTS NUDE OR SEMI-NUDE PERSONS ENGAGED IN, OR SIMULATING, SEXUAL ACTIVITY; THE ADVERTISEMENT BY COMMERCIAL ESTABLISHMENTS OF HUMAN "NUDITY", "LAP DANCING", "TOPLESS", "BOTTOMLESS" OR "FACE DANCING" OR ANY ADVERTISEMENT WHICH PROMOTES PERSONS ENGAGED IN OR SIMULATING SEXUAL ACTIVITY IN A MANNER WHICH IS OPEN TO VIEW BY THE CITIZENS OF ORANGE COUNTY; DIRECTING THE SUPERVISOR OF ELECTIONS TO CERTIFY OR CAUSE TO BE CERTIFIED THE RESULTS OF SAID REFERENDUM TO THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR NOTICE OF THE REFERENDUM; PROVIDING AN EFFECTIVE DATE.

PREMISES

1. There is an increasing trend in Orange County toward nude and semi-nude acts, exhibitions, and entertainment, and toward the utilization of nude or semi-nude employees or entertainers for service oriented aspects of certain commercial establishments.
2. There is an increasing trend in Orange County toward the commercial sale, display, or presentation of material which visually depicts nude or semi-nude persons engaged in, or simulating, sexual activity.
3. The Board of County Commissioners of Orange County, Florida has received numerous complaints from citizens, and citizens groups, concerning the commercial advertisement and commercial exploitation of nude or semi-nude persons engaged in, or simulating, sexual activity.
4. The Board of County Commissioners of Orange County, Florida has previously determined that in certain contexts the commercial exploitation of nude or semi-nude persons in Orange County, Florida, is adverse to the public interest in the quality of life, tone of commerce, and total community environment in Orange County, Florida.
5. The Board of County Commissioners of Orange County, Florida has received numerous complaints from citizens, and citizens groups, concerning language used to advertise persons engaged in nude or semi-nude activities or for the sale or presentation of materials visually depicting nude or semi-nude persons engaged in, or simulating, sexual activity.
6. It is the intent of the Board of County Commissioners of Orange County, Florida, to utilize a referendum to assist it and its citizens, in legally curtailing the commercial exploitation of nude or semi-nude persons, or the commercial exploitation of material which visually depicts nude or semi-nude persons engaged in, or simulating, sexual activity.

Section 1. The Board of County Commissioners hereby declare that a referendum be held at the next general election concerning the following: (1) the commercial presentation of nude or semi-nude persons; (2) the commercial sale, presentation, or depiction of material which visually depicts nude or semi-nude persons engaged in, or simulating, sexual activity; and (3) the commercial advertisement of nude or semi-nude persons, or advertisement promoting persons engaged in, or simulating sexual activity.

Section 2. The Supervisor of Elections shall present to the voters of Orange County and the voters residing in all municipalities located in Orange County the following questions:

"A. Is the presentation of nude and semi-nude dancing and conduct, (as defined in Orange County Ordinances 80-18, 81-11 and 82-13) in commercial establishments which exclude minors, annoying to the community or manifestly injurious to the morals and manners of the citizens of Orange County, Florida?

Yes\_\_\_\_ No\_\_\_\_

B. Is the commercial sale, display, or presentation of material within Orange County which visually depicts nude or semi-nude persons engaged in, or simulating, sexual activity annoying to the community or manifestly injurious to the morals and manners of the citizens of Orange County, Florida?

Yes\_\_\_\_ No\_\_\_\_

C. Is the advertisement by commercial establishments of human "nudity", "lap dancing", "topless", "bottomless", "face dancing", or advertisement promoting persons engaged in, or simulating, sexual activity in a manner which is open to view by the general public of Orange County annoying to the community or manifestly injurious to the morals and manners of the citizens of Orange County, Florida?

Yes\_\_\_\_ No\_\_\_\_"

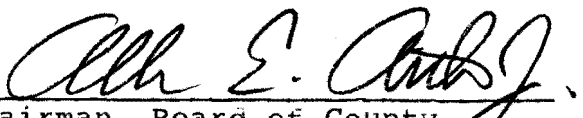
Section 3. The Supervisor of Elections shall cause the County Canvassing Board to certify the results of this referendum to the Board of County Commissioners, and such certification shall show the results of the referendum both within each municipality and throughout the County as a whole.

Section 4. Pursuant to §100.342, Florida Statutes (1981), the Clerk to the Board of County Commissioners of Orange County shall


give notice of this referendum by publication in a newspaper of general circulation in Orange County in accordance with terms of such statute.

Section 5. This Resolution shall take effect upon adoption.

ADOPTED THIS 9TH DAY OF SEPTEMBER, 1982.

  
Chairman, Board of County  
Commissioners of Orange County

ATTEST:

  
Deputy Clerk to Board of  
County Commissioners