

## **MOTION PICTURE THEATERS**

### **CHAPTER 153**

<b>Section</b>	<b>Description</b>
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**§ 153-1. License required.**

**§ 153-2. Application.**

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**§ 153-6. Violation and penalties.**

**[HISTORY: Adopted by the Town Council of the Town of Windham 7-10-1979. Amended in its entirety 2-28-1989. Subsequent amendments noted where applicable.]**

**§ 153-1. License required.**

No one shall operate a motion-picture theater in the Town of Windham without having obtained a license therefor from the Town Clerk as provided in this chapter.

**§ 153-2. Application.**

The application for a license shall be on a form provided by the Town Clerk.

**§ 153-3. Application fee.**

Each application shall be accompanied by a fee according to the following schedule: one-hundred fifty dollars (\$150.00) per screen, except for the initial year when the fee will be pro-rated based on the number of months remaining before the next license expiration date as established in Section 4 of this ordinance. (Amended 3-26-2013)

**§ 153-4. Expiration of license.**

License granted hereunder shall expire on September 1. Licenses shall not be assignable.

**§ 153-5. Prohibited exhibits.**

No license shall exhibit any motion picture which, in whole or in part, depicts nudity, sexual conduct, sexual excitement or sadomasochistic abuse, when it:

- A. Predominately appeals to the prurient, shameful, lustful or morbid interest in sexual conduct.
- B. Is patently offensive to prevailing standards in the community; and
- C. Is utterly without redeeming social value.

**§ 153-6. Violations and penalties.**

Any violation of this chapter may subject the offender to a civil penalty of not more than one-hundred dollars (\$100.00) or, after notice and hearing, suspension or revocation of this license or both.