

RESOLUTION NO. 110

BE IT RESOLVED BY THE CITY OF PARKER:

WHEREAS, Ordinance 73-67 of the City of Parker and Chapter 847 Florida Statutes, purport to prohibit the commercial sale of obscene materials; and

WHEREAS, the regulation of sale of obscene materials to adults may be preempted by Chapter 847, Florida Statutes; and

WHEREAS, J & D Movies on Wheels has filed suit in the U. S. District Court of the Northern District of Florida, Case Number MCA 88-50014 RV, alleging state preemption;

NOW THEREFORE, BE IT RESOLVED:

1. The City Council of the City of Parker hereby declares a moratorium on the enforcement of the provisions of Ordinance 73-67 with respect to any acts occurring during the pendency of the above-referenced litigation, and for a period of thirty days following final resolution thereof.

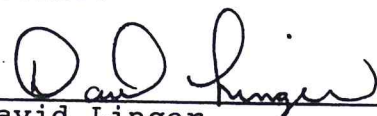
2. Nothing herein shall preclude or prevent the arrest or prosecution of any person who may violate within the City of Parker any of the provisions of Chapter 847, Florida Statutes, (1987).

DATED this 5th day of April, 1988.



Earl Gilbert
Mayor

ATTEST:



David Linger
City Clerk

