



## Legislation Text

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**File #:** ORD-0146-2000, **Version:** 1

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TO CREATE CHAPTER 771, SEXUALLY ORIENTED BUSINESSES, OF PART 7, BUSINESS REGULATION, OF THE CODIFIED ORDINANCES OF GAHANNA, OHIO

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WHEREAS, sexually oriented businesses require special supervision from the public safety agencies of the City in order to protect and preserve the health, safety, morals and welfare of the patrons of such businesses as well as the citizens of the City; and

WHEREAS, the concern over sexually transmitted diseases is a legitimate health concern of the City which demands reasonable regulation of sexually oriented businesses in order to protect the health and well-being of our citizens; and

WHEREAS, licensing is a legitimate and reasonable means of accountability to ensure that operators of sexually oriented businesses comply with reasonable regulations and to ensure that operators do not knowingly allow their establishments to be used as places of illegal sexual activity or solicitation; and

WHEREAS, there is convincing documented evidence that sexually oriented businesses, because of their very nature, have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime and the downgrading of property values; and

WHEREAS, it is recognized the sexually oriented businesses, due to their nature, have serious objectionable operational characteristics, particularly when they are located in close proximity to each other, thereby contributing to urban blight and downgrading the quality of life in the adjacent area; and

WHEREAS, City Council and the administration desire to minimize and control these adverse effects and thereby protect the health, safety, and welfare of our citizenry, protect our citizens from increased crime, preserve the quality of life, preserve property values and the character of surrounding neighborhoods and deter the spread of urban blight; and

WHEREAS, City Council and the administration have determined that locational criteria alone do not adequately protect the health, safety, and general welfare of the people of this City; and

WHEREAS, it is not the intent of this ordinance to suppress any speech activities protected by the First Amendment, but to enact a content neutral ordinance which addresses the secondary effects of sexually oriented businesses;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, STATE OF OHIO:

Section 1. That Chapter 771, Sexually Oriented Businesses, of Part 7, Business Regulation, of the Codified Ordinances of Gahanna, is hereby created as set forth in EXHIBIT A, attached hereto and made a part herein.

Section 2. That any ordinances or parts of ordinances in conflict herewith, are hereby repealed.

Section 3. That this ordinance shall be in full force and effect after passage by this Council and 30 days after signature of approval by the Mayor.