

AN ORDINANCE AMENDING SECTIONS 727.06(b)(2) AND (b)(3), 727.11(a),
(b) AND (c) AND 727.19(a)(2) AND (a)(3) OF CHAPTER 727 OF THE BUSI-
NESS REGULATION CODE PERTAINING TO LICENSING AND OPERATION
OF SEXUALLY ORIENTED BUSINESS AND DECLARING AN EMERGENCY

WHEREAS, the Village has received a letter from the Village's consultant, Alan C. Weinstein, recommending certain amendments to Chapter 727 of the Business Regulation Code pertaining to licensing of sexually oriented businesses; and

WHEREAS, the Planning Commission has reviewed and recommends the changes recommended by Professor Weinstein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That Section 727.06(b)(2) and (b)(3) be amended to read as follows:

- “727.06 SEXUALLY ORIENTED BUSINESS LICENSE APPLICATION.
- (a) * * *
 - (b) An application for a sexually oriented business license shall identify and be signed by the following persons:
 - (1) * * *
 - (2) If the business entity is owned by a corporation, each officer or director of the corporation and each individual with a ~~40~~ 50 percent or greater ownership interest in the corporation.
 - (3) If the business entity is owned by a partnership, each partner and each individual with a ~~40~~ 50 percent or greater ownership in the partnership.
 - (4) * * *
 - (c) * * *
 - (d) * * *”

SECTION 2. That Section 727.11(a), (b) and (c) be amended to read as follows:

- “727.11 INSPECTION.
- (a) The Police Department shall, from time to time and at least four times a year, inspect that portion of each sexually oriented business that is open to the public and adult motel licensed under the provisions of this chapter in order to assess compliance with the provisions of this chapter.
 - (b) The Zoning Inspector shall, from time to time and at least four times a year, request that the Health Commissioner inspect that portion of each sexually

oriented business that is open to the public licensed under the provisions of this chapter in order to assess compliance with the provisions of this chapter.

(c) An applicant or licensee shall permit the Village of Richfield Zoning Inspector and representatives of the Village of Richfield Police Department, Fire Department or other Village departments or agencies, or the Health Commissioner, to inspect that portion of the premises of a sexually oriented business that is open to the public or adult motel for the purpose of insuring compliance with the law, at any time that it is occupied or open for business.

(d) * * *

SECTION 3. That Section 727.19(a)(2) and (a)(3) be amended to read as follows:

“727.19 ADDITIONAL REGULATIONS CONCERNING THE
 OPERATION OF SEXUALLY ORIENTED BUSINESSES.

(a) Nudity, Sexual Activity, Live Entertainment and Performances

(1) * * *

(2) Any employee appearing on the premises of a sexually oriented business in a state of semi-nudity, as defined in Section 727.02(q) of this chapter, must be ~~on a stage that is at least 45 inches from the floor, and~~ at a distance at least 72 inches from all parts of a clear designated area in which patrons must be present.

(3) All live entertainment and performances in a sexually oriented business must take place ~~on a stage that is at least 45 inches from the floor and~~ a distance of at least 72 inches from all parts of a clear designated area in which patrons will be present.

(4) * * *

(5) * * *

(6) * * *

(7) * * *

(b) * * *

(c) * * *

(d) * * *

(e) * * *

(f) * * *

(g) * * *

(h) * * *

(i) * * *

(j) * * *”

SECTION 4. That Sections 727.06(b)(2) and (b)(3), 727.11(a), (b) and (c), and 727.19(a)(2) and (a)(3), as they existed prior to the effective date of this Ordinance, be, and the same hereby are, repealed.

SECTION 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to provide viable ordinance at the earliest possible time; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: January 18, 2000

Michael Johnson
President of Council

Ronald W. Larsen
Mayor

Dated: 1/19/00

ATTEST:

Carol Gibson
Clerk of Council