

AN ORDINANCE EXTENDING THE MORATORIUM ON THE ESTABLISHMENT, OPERATION, PERMITTING OR APPROVAL OF ADULT ENTERTAINMENT BUSINESSES WITHIN THE VILLAGE OF RICHFIELD; AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Richfield may legitimately regulate the location of adult entertainment businesses by requiring that such businesses be concentrated in one area and/or be separated from other land uses that may suffer negative secondary effects from the operation of one or more adult entertainment businesses; and

WHEREAS, the Village of Richfield may legitimately regulate the operation and appearance of adult entertainment businesses; and

WHEREAS, the Village of Richfield does not presently have any business in operation that meets the definition of an adult entertainment business set forth below; and

WHEREAS, this Council has requested that the Planning Commission conduct a study to determine the appropriateness of adopting one or more ordinances that will regulate the location, operation and appearance of adult entertainment businesses in order to minimize or eliminate any negative secondary effects that may be found to result from the operation of one or more adult entertainment businesses; and

WHEREAS, additional time is needed to adequately study and perform the review of studies necessary to adopt a comprehensive regulatory ordinance on this subject matter.

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

SECTION 1: That this Council hereby declares the above findings to be true and correct in all respects.

SECTION 2: For purposes of this Ordinance, "adult entertainment business" means a commercial enterprise which, as one of its principal purposes:

- (a) offers for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, video disks, CD-ROM disks, or other visual representations which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas," or instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities."

SECTION 7: This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and general welfare of the Village by reason of the immediate necessity of implementing this moratorium at the earliest possible date so as to enable the Planning Commission to commence its study, and therefore shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: September 2, 1997

*John S. ...*  
President of Council

*Ronald M. Larsen*  
Mayor

Dated: 9/4/97

ATTEST:

*Carole Gibson*

Clerk of Council