

ORDINANCE NO. 144

THE CITY COUNCIL OF THE CITY OF LAMBERTON ORDAINS THAT
ORDINANCE NO. 143 SHALL BE AMENDED AS FOLLOWS:

SECTION 1, Subdivision 1, entitled "Findings" shall be amended to read as follows:

Subdivision 1. Findings. The City Council finds that:

1. adult oriented businesses can contribute to an increase in criminal activity in the area in which these businesses are located, increasing the demands on crime-prevention programs and law enforcement services;
2. adult oriented businesses can be used as fronts for prostitution and other criminal activity and the proper management and operation of these businesses can minimize this risk;
3. adult oriented businesses can increase the risk of exposure to communicable diseases and facilitate the spread of communicable diseases by virtue of the design and use of the premises, endangering not only the patrons of these establishments but also the general public;
4. adult oriented businesses can cause or contribute to public health problems by the presence of live adult entertainment in conjunction with food or drink on the same premises;
5. a regulatory scheme as prescribed in this act can aid in monitoring adult oriented businesses for adverse secondary effects on the communities in which they are located; and
6. adult oriented businesses diminish property values and potentially endanger youth if located near schools, churches, or commercial areas.

It is the purpose of this Ordinance to regulate Adult Oriented Businesses to promote the health, safety morals, and general welfare of the citizens of the City and to establish reasonable and uniform regulations to:

1. Prevent additional criminal activity within the City;
2. Diminish the adverse impact of Adult Oriented Businesses by imposing locational requirements, licensing requirements and health requirements;
3. To locate Adult Oriented Businesses away from residential areas, schools, churches, parks and playgrounds;
4. Prevent concentration of Adult Oriented Businesses within certain areas of the City.

SECTION 4, entitled "Location" shall be amended to read as follows:

Section 4. Location.

~~During the term of this Subdivision, No Adult Oriented Businesses shall be located less than 1500 feet from another Adult Oriented Business; less than 300 500 feet from any site used for residential purposes; and less than 300 feet from any church site, from any school site, from any day care facility, public library, or from any public park; or less than 2800 feet from any public or private elementary or secondary school or a church, synagogue, mosque, or other place of worship. In addition, no Adult Oriented Business may be located within 300 feet of another Adult Oriented Business.~~ For purposes of this Subdivision, this distance shall be a horizontal measurement from the nearest existing residential district boundary or site used for residential purposes, church site, school site, day care site, park site, or another Adult Oriented Business site to the nearest boundary of the proposed Adult Oriented Business site.

SECTION 5, entitled "Hours of Operation" shall be amended to read as follows:

Hours and Days of Operation. No Adult Oriented Business site shall be open to the public from the hours of ~~11:00~~ 10:00 p.m. to ~~9:00~~ 10:00 a.m., on Monday through Saturday and shall not be open for business on a Sunday or legal holiday.

SECTION 8, Subdivision 4, entitled "Council Action" shall be amended to read as follows:

Council Action. The City Council shall act to approve or disapprove the license application within 120 days from the date the application was submitted, provided that the application contains all of the information required by this Subdivision. If the application is deficient, the Council shall act on the application within 120 days from the date that the deficiency has been corrected.

The City Council is not required to provide by zoning or otherwise for a location within the City limits in which an Adult Oriented Business may be located if an Adult Oriented Business is located within 50 miles of the City.

These Amendments shall become effective upon publication according to law.

Passed, approved and adopted by the City Council of the City of Lambertton on this 14th day of August, 2006.

City of Lambertton

Craig Witter
Mayor

Attest:

Steve Flay
City Clerk