

TITLE

AN ORDINANCE TO AMEND TITLE 9, TITLED "BUSINESS, PEDDLERS, SOLICITORS, ETC.," CHAPTER 7, TITLED "ADULT ENTERTAINMENT ESTABLISHMENTS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE," BY AMENDING SECTION 9-703, TITLED "LOCATION OF ADULT ENTERTAINMENT ESTABLISHMENTS," TO ADD ADDITIONAL LOCATION RESTRICTIONS, INCREASE THE DISTANCE PROVISION FOR RESIDENTIAL AREAS, AND ALTER THE DISTANCE MEASUREMENT METHOD FOR COMPLIANCE WITH TENNESSEE CODE ANNOTATED §7-51-1407.

WHEREAS, the Code of Ordinances, City of Oak Ridge, Tennessee, (City Code) contains regulations for adult entertainment establishments, which regulations were put into place in 1999 by Ordinance 16-99; and

WHEREAS, the City desires to amend the City Code to update Section 9-703 for compliance with State law provisions on adult entertainment, specifically Tennessee Code Annotated §7-51-1407; and

WHEREAS, Tennessee Code Annotated §7-51-1407 contains additional distance prohibitions that are not currently included in the City Code (charter schools, places of worship as opposed to only churches, and family recreational centers), as well as provides for a 1,000 feet distance requirement from residential areas as opposed to the City Code distance requirement of 500 feet; and

WHEREAS, further, Tennessee Code Annotated §7-51-1407 contains a more restrictive distance measurement method than the City Code which measures from the property line of the adult entertainment establishment rather than from the building or structure.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. Title 9, titled "Business, Peddlers, Solicitors, Etc.," Chapter 7, titled "Adult Entertainment Establishments," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Section 9-703, titled "Location of Adult Entertainment Establishments," in its entirety and substituting therefor a new Section 9-703, titled "Location of Adult Entertainment Establishments," which section shall read as follows:

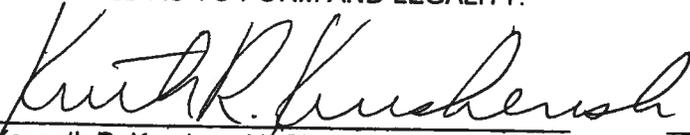
Sec. 9-703. Location of Adult Entertainment Establishments.

All adult entertainment establishments must be located within an area zoned as B-2 as set forth in the zoning ordinance and must comply with the additional requirements set forth below.

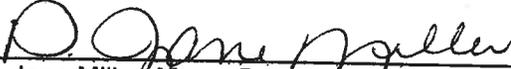
- (1) An operator commits an offense if he or she operates or causes to be operated an adult entertainment establishment within one thousand (1000) feet of any existing: public, private, or charter school; child care facility; public park; place of worship; family recreation center (as defined in Tennessee Code Annotated §7-51-1401); hospital; mortuary; or adult entertainment establishment.
- (2) An operator commits an offense if he or she operates or causes to be operated an adult entertainment establishment within one thousand (1,000) feet of any existing residential zoning district.
- (3) The distance shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of a parcel where an adult entertainment establishment is conducted, to the nearest point on the property line of the parcel containing any of the areas listed in subsections (1) and (2).

Section 2. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

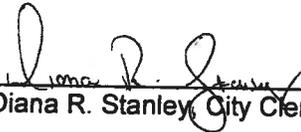
APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney



D. Jane Miller, Mayor Pro Tem



Diana R. Stanley, City Clerk

First Reading: 09/10/2012
Publication Date: 09/17/2012
Second Reading: 10/08/2012
Publication Date: 10/15/2012
Effective Date: 10/18/2012