

LINDON CITY CODE

Chapter 17.61

SEXUALLY ORIENTED BUSINESSES

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Section 17.61.010 Purpose.

The purposes and objectives of this chapter are to establish uniform and reasonable regulations to prevent the concentration of sexually oriented businesses or their locations in areas deleterious to the community, to regulate the signs of such businesses, to control the adverse effects of such signs, and to prevent inappropriate exposure to the community. This ordinance by its terms is designed to prevent crime, protect the city's retail trade, maintain property values, and generally protect and preserve the quality of the city's neighborhoods, commercial districts, and the quality of urban life. This ordinance is not designed to suppress the expression of unpopular views. This chapter is to be construed as a regulation of time, place and manner of the operation of these businesses consistent with the limitations provided by the United States and Utah Constitutions. (Ord. 99-20, Amended, 10/04/2000)

Section 17.61.020 Definitions.

For purposes of this article, the following terms shall have the meanings defined in this section:

1. "Park" means a park, playground, swimming pool, golf course or athletic field within the City which is under the control, operation or management of the City's Public Works or Recreation Department.
2. "Church" means a building which is used primarily for religious worship and related religious activities.

3. "School" means an institution of learning or instruction primarily catering to minors, whether public or private, which is licensed as such a facility either by the City or the State. This definition shall include nursery schools, kindergartens, elementary schools, junior high schools, senior high schools, or any special institution of learning under the jurisdiction of the State Department of Education, but not including trade schools, charm schools, dancing schools, music schools or similar limited schools, nor public or private universities or colleges.
4. "Sexually oriented business" means any business for which a sexually oriented business license is required pursuant to Chapter 8.30 of the Lindon City Code.

(Ordinance 2006-3, Amended 027.2006, Ordinance 2002-16, 06/04.2002; Ord. 99-20, Amended, 10/04/2000)

Section 17.61.030 Permitted Locations and Restrictions.

1. Sexually oriented businesses shall only be permitted in areas zoned Heavy Industrial (HI) by the Lindon City Code. Within the HI zone a Sexually Oriented Business District has been identified as an area that is 600 feet from any other zone boundary, as such boundaries existed at the time of adoption of this section (see Sexually Oriented Business Map). All Buildings, parking areas and signage of a sexually oriented business shall be located within the HI zoned portions of the Sexually Oriented Business District. This district location as shown on the Sexually Oriented Business District Map shall be maintained regardless of any future changes to the HI zone boundary.
2. A sexually-oriented business is prohibited from locating within five hundred feet (500') of the following:
 - a. A business licensed for the sale or

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consumption of alcohol.

b. A park, church, or school - as defined in Section 17.61.020 of this chapter.

(Ordinance 2006-3, Amended 02/07/2006, Ordinance 2002-16, Amended 06/04/2002; Ord. 2001-11, Amended, 8/21/2001; Ord. 99-20, Amended, 10/04/2000)

Section 17.61.040 Distance from other similar businesses.

No sexually-oriented business shall be allowed within one thousand feet (1000') of any other sexually-oriented business, measuring a straight distance from the nearest property line of the one business to the nearest property line of the other business. (Ord. 99-20, Amended, 10/04/2000)

Section 17.61.050 Sign Restrictions.

Notwithstanding any contrary provision contained in Chapter 18, sexually-oriented business signs shall be limited as follows:

1. Off premise signs are prohibited.
2. No animation shall be permitted on or around any sexually-oriented business signs or on the exterior walls or roof of the premises;
3. No descriptive area or designs depicting any activity related to or implying the nature of the business shall be allowed on any sexually-oriented business sign. The sign shall contain alpha-numeric copy only;
4. Painted wall advertising shall not be allowed.

(Ord. 99-20, Amended, 10/04/2000)

Section 17.61.060 Severability.

If any provision or clause of this chapter or the application to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses or applications herein which can be implemented without the invalid provision, clause or application. To this end, the

provisions and clauses of this chapter are declared to be severable. (Ord. 17.61. adopted 1997) (Ord. 99-20, Amended, 10/04/2000)

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