

CITY OF VON ORMY, TEXAS

ORDINANCE NO: 2008-9

AN ORDINANCE OF THE CITY OF VON ORMY REGULATING THE LOCATION OF SEXUALLY ORIENTED BUSINESSES NEAR A SCHOOL, REGULAR PLACE OF WORSHIP, DAY-CARE CENTER OR CHILD-CARE FACILITY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Von Ormy (the “City”) finds that the unrestricted operation of certain sexually oriented businesses may be detrimental to the public health, safety, and welfare by contributing to the decline of residential and business neighborhoods and the growth of criminal activity.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VON ORMY:

SECTION 1 DEFINITIONS

“Sexually oriented business” means a sex parlor, nude studio, modeling studio, love parlor, adult bookstore, adult movie theater, adult video arcade, adult movie arcade, adult video store, adult motel, or other commercial enterprise the primary business of which is the offering of a service or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer,

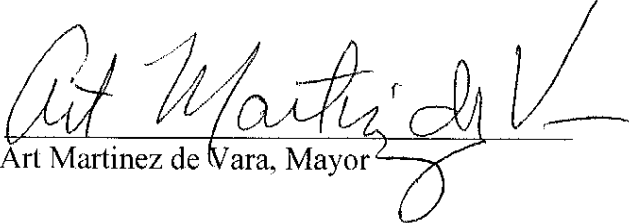
SECTION 2. THE LOCATION OF SEXUALLY ORIENTED BUSINESSES NEAR A SCHOOL, REGULAR PLACE OF WORSHIP, DAY-CARE CENTER OR CHILD-CARE FACILITY.

It shall be unlawful for any sexually oriented business to locate within 300 feet of any church, public hospital or public schools or day-care center or child-care facility. The measurement of the distance between the sexually oriented business the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections. The measurement of the distance between the sexually oriented business and the public schools and day-care or child-care facility shall be in a direct line from the property line of the public school to the property line of the sexually oriented business, and in a direct line across intersections.

SECTION 5 SEVERABILITY

If any section, paragraph, sentence, clause, phrase or word of this ordinance of the application thereof to any person or circumstance is held invalid or unconstitutional such holding shall not affect the validity of the remaining portion of this ordinance, and the City Council hereby declares that it would have passed such remaining portions despite invalidity or unconstitutionality

PASSED, APPROVED, AND ADOPTED THIS 3RD DAY OF DECEMBER 2008.


Art Martinez de Vara, Mayor

ATTEST:


Julia Hernandez, City Clerk