

Chairman Fred O'Neal introduced and moved that the following ordinance to prohibit the operation of adult live entertainment and adult live entertainment businesses in Surry County be adopted. Vice-Chairman Melvin Jackson made a second to the motion and the vote was unanimous, therefore, the following ordinance was adopted:

ORDINANCE
AN ACT TO PROHIBIT THE OPERATION OF ADULT LIVE ENTERTAINMENT
AND ADULT LIVE ENTERTAINMENT BUSINESSES IN SURRY COUNTY

WHEREAS, the Board of Commissioners of the County of Surry acknowledge a duty and obligation on the part of Surry County to provide for the protection of the public health, safety, and morals of the residents of the County of Surry to the extent that the secondary effects of certain adult entertainment activities contribute to the increase or threat of increase of prostitution, sexual assaults and other criminal activity and economic blight in the immediately surrounding area; and

WHEREAS, the Board of Commissioners of Surry County do hereby desire to prohibit such activities within Surry County outside the corporate limits of any town or city within Surry County.

NOW, THEREFORE, the Board of Commissioners of Surry County enacts:

Section 1. It is and shall be unlawful for any person, firm, or corporation as hereafter defined to operate or allow to be operated adult live entertainment or an adult live entertainment business within the boundaries of Surry County outside the corporate limits of any city or town within the boundary of Surry County.

Section 2. Adult live entertainment means any performance of or involving the actual presence of real people which exhibits specified anatomical areas as defined in the provisions of this ordinance as hereafter set forth.

Section 3. Adult live entertainment business means any establishment or business wherein adult live entertainment is shown for observation by patrons.

Section 4. "Specified anatomical areas" means:

a. Less than completely and opaquely covered human genitals or pubic region or buttock or female breasts below a point immediately at the top of the areola.

Section 5. Person shall include:

a. The agent in charge of the building, premises, structure, or facility; or

b. The owner of the building, premises, structure or facility or other property when such owner knew or reasonably should have known the nature of the business located therein, and such owner has refused to cooperate with public officials in reasonable measures designed to terminate the prescribed use; provided, however, that if there is an agent in charge, and if the owner did not have actual knowledge, the owner shall not be prosecuted, or

c. The owner of the business, or

d. The manager of the business

Section 6. Any person who violates the provisions of this ordinance shall be guilty of a misdemeanor and subject to a fine not to exceed \$500. or imprisonment for not more than 30 days.

This act shall become effective February 7, 1994

Before the County Commissioners read and ratified this the 7th day of February, 1994.