

1 Introduced September 26, 2000, by  
2 Councilman Binder, seconded by Council  
3 Members Washington, Cusimano, Kingston,  
4 Livaudais, Cerny, Williams, Singletary, and  
5 Smith (by request of Administration)

6 **Item No. 00-09-2177**

7 **ORDINANCE NO. 2965**

8  
9 An ordinance amending Appendix A Zoning of the Code of Ordinances of  
10 the City of Slidell to provide for adult businesses.

11 WHEREAS, there is convincing documented evidence that sexually  
12 oriented businesses, because of their very nature, have a deleterious effect on both the  
13 existing businesses around them and the surrounding residential areas adjacent to  
14 them, causing increased crime and the downgrading of property values; and  
15

16  
17  
18 WHEREAS, it is recognized that sexually oriented businesses, due to their  
19 nature, have serious objectionable operational characteristics, particularly when they  
20 are located in close proximity to each other, thereby contributing to urban blight and  
21 downgrading the quality of life in the adjacent area; and  
22

23  
24  
25 WHEREAS, it is not the intent of the City Council to condone or legitimize  
26 the distribution of obscene material, and the Council recognizes that state and federal  
27 law prohibits the distribution of obscene materials and expects and encourages state  
28 law enforcement officials to enforce state obscenity statutes against any such illegal  
29 activities in the City; and  
30

31  
32  
33 WHEREAS, the City of Slidell desires to establish guidelines for adult  
34 businesses.  
35

36 NOW THEREFORE BE IT ORDAINED by the Slidell City Council that it  
37 does hereby amend Appendix A Zoning of the Code of Ordinances of the City of Slidell  
38 as follows:  
39

40  
41 Section 2.18. C-4 highway commercial, is hereby amended by adding the  
42 following:  
43

44 "2.1801 D Conditional uses in C-4 district: Adult businesses as defined in

45 Section 9.2. Such uses shall conform to the following standards:

- 46  
47 (1) The distance between any adult business and any residential district or  
48 dwelling shall be a minimum of one thousand (1,000) feet measured in  
49 a straight line, without regard to intervening structures, from the  
50

1  
2  
3  
4  
5 nearest point of the property line of the residential district or dwelling to  
6 the nearest point of the property line of the adult use or the property on  
7 which it is situated, if it is one of several business establishments on  
8 the property, whichever is greater.  
9

10  
11 (2) The distance between any two adult businesses shall be minimum of  
12 one thousand (1,000) feet measured in a straight line, without regard to  
13 intervening structures, from the closest property lines of each adult  
14 business.  
15  
16

17  
18 (3) The distance between any adult business and any existing school,  
19 child care center, church or place of worship, park or recreational area,  
20 public library, public building, any establishment licensed to sell  
21 alcoholic beverages, museum, or community center shall be a  
22 minimum of one thousand (1,000) feet measured in a straight line,  
23 without regard to intervening structures, from the nearest point of the  
24 property line of the adult business to the nearest point of the property  
25 line of the school, child care center, church or place of worship, park or  
26 recreational area, public library, public building, any establishment  
27 licensed to sell alcoholic beverages, museum, or community center.  
28  
29  
30  
31  
32  
33

34 (4) The adult business shall comply with City of Slidell Code of Ordinances  
35 Chapter 4 – Alcoholic Beverages and all necessary state and parish  
36 licenses and/or permits as required.  
37  
38

39 (5) All activities shall cease between the hours of 10:00 p.m. and 7:00  
40 a.m.  
41

42 (6) Live entertainment, when expressly authorized and permitted, will only  
43 be allowed when it does not adversely affect the surrounding  
44 neighborhood because of noise, crowd, and other factors.  
45

46  
47 (7) The use of neon or similar lighting technology exposed to the exterior  
48 shall be limited to one sign unit which conforms to all other code  
49 signage requirements, is directly related to the subject facility, and is  
50

not advertisement for products or services provided or sold in the facility.

(8) The premises on which the adult business is located and the public rights of way within one hundred (100) feet of such facility must be maintained in a clean and orderly manner.

(9) The premises on which an adult theater establishment is located shall operate only as an adult theater and shall not contain or offer any items or services consistent with that of an adult cabaret, adult store, massage parlor, or escort agency. Any of the afore-mentioned businesses shall constitute a separate adult business and must independently conform to all of the requirements of this Section. Massage establishments shall conform to Chapter 8, Article III of the Slidell Code of Ordinances.

Adult theaters offering viewing of film, photograph material or live performances to audiences smaller in size than five (5) persons per viewing area are expressly prohibited.

(10) Any business that less than 10 percent of its gross income from the sale of materials listed in Section 9.2(a) thru 9.2(g) shall be exempt from these regulations.”

PART 9. DEFINITIONS

Add the following to Paragraph 9.2 :

“9.2 *Adult Businesses*

9.2a *Adult Theater:* Any place or establishment that as a substantial or significant portion of its business features or provides for viewing on site (i) films, motion pictures, video or audio cassettes, slides, or other visual representations or recordings that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities; or (ii) live performances that are distinguished or characterized

1  
2  
3  
4  
5 by an emphasis on the exposure, depiction, or description of specified  
6 anatomical areas or the conduct or simulation of specified sexual  
7 activities. Adult theaters offering viewing of film, photograph material or  
8 live performances to audiences smaller in size than five (5) persons per  
9 seating, are expressly prohibited.  
10  
11

12  
13 9.2b *Adult Cabarets:* Any place or establishment that has a substantial or  
14 significant portion of its business features or provides any of the following:

- 15 (1) Persons who appear semi-nude, or  
16  
17 (2) Live performances that are distinguished or characterized by an  
18 emphasis on the exposure, depiction, or description of specified  
19 anatomical areas or the conduct or simulation of specified sexual  
20 activities, or  
21  
22 (3) Films, motion pictures, video or audio cassettes, slides, computer  
23 displays, or other visual representations or recordings of any kind that  
24 are distinguished or characterized by an emphasis on the exposure,  
25 depiction, or description of specified anatomical areas, or the conduct  
26 or simulation of specified sexual activities, or,  
27  
28  
29  
30  
31

32 9.2c *Adult Store:* Any place or establishment which sells, offers for sale or  
33 rents, for any form of consideration, any one or more of the following:

- 34 (1) Books, magazines, periodicals, or other printed matter, or  
35 photographs, films, motion pictures, video cassettes, slides or other  
36 visual representations or recordings, novelties and devices, which  
37 have as their primary or dominant theme, matter depicting, illustrating,  
38 describing or relating to specific sexual activities or specified  
39 anatomical areas; or  
40  
41 (2) Instruments, devices or paraphernalia, which are designed for use in  
42 connection with, specified sexual activities.  
43  
44  
45  
46  
47  
48  
49  
50

4 9.2d *Specified anatomical areas:*

5 (1) Less than completely and opaquely covered:

6 a. Human genitals or pubic region;

7 b. Human buttocks

8 c. Human female breasts below a point immediately above the top  
9 of the areola; and

10 (2) Human male genitals in a discernibly turgid state, even if completely  
11 and opaquely covered.

12 9.2e *Specified sexual activities:*

13 (1) Human genitals in a state of sexual stimulation, arousal or swelling;

14 (2) Acts of human anilingus, bestiality, buggery, cunnilingus, coprophagy,  
15 coprophilia, fellatio, flagellation, masochism, masturbation, necrophilia,  
16 pederasty, pedophilia, sadism, sadomasochism, sapphism, sexual  
17 intercourse, sodomy, urolagnia or zoerasty;

18 (3) Fondling or other erotic touching of human genitals, pubic region,  
19 buttocks, anus or female breast; and

20 (4) Excretory functions as part of or in connection with any of the activities  
21 set forth in subsections (1) through (3) of this subsection.

22 9.2f *Escort:*

23 A person who, for compensation, agrees or offers to engage in any of the  
24 following acts:

25 (1) Privately to model lingerie with the intention of and for the purpose of  
26 providing sexual stimulation or sexual gratification to the customer.

27 (2) Privately to disrobe for another person with the intention of and for the  
28 purpose of providing sexual stimulation or sexual gratification to the  
29 customer.

30 (3) Agrees to come to a specified location for the purpose of disrobing and  
31 for the purpose of providing sexual stimulation or sexual gratification to  
32 the customer.

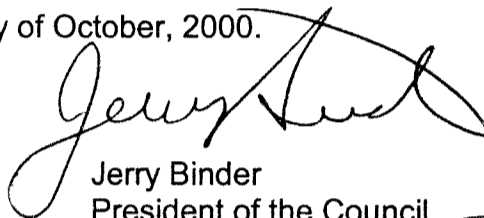
4 (4) To perform a massage for the purpose of providing sexual stimulation  
5 or sexual gratification to the customer.  
6

7  
8 9.2g *Escort Agency*

9 A person or business association who, whether on or off the licensed  
10 premises, furnishes, offers to furnish, or advertises to furnish escorts, as  
11 defined herein, for compensation."  
12

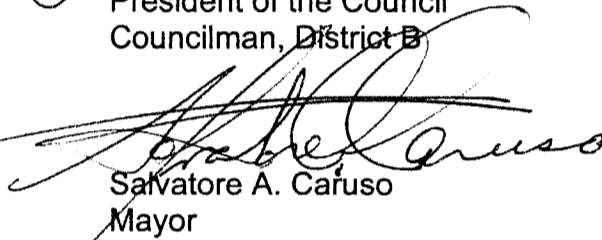
13  
14 ADOPTED this 24th day of October, 2000.

15  
16  
17  
18 **DELIVERED** 1 p.m.  
19 10/26/00 to the Mayor

16  
17  
18 

18 Jerry Binder  
19 President of the Council  
20 Councilman, District B

20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
**RECEIVED** 2:42 p.m.  
10/31/00 from the Mayor

20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
  
Salvatore A. Caruso  
Mayor

24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  


26 Davis Dautreuil  
27 Council Administrator/Clerk of the Council