**STATE OF GEORGIA**
**COUNTY OF FULTON**

**ORDINANCE NO. 2008-08-41**

**AN ORDINANCE AMENDING CHAPTER 26, LICENSES, PERMITS AND MISCELLANEOUS PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF SANDY SPRINGS**

**WHEREAS,** the Mayor and City Council of the City of Sandy Springs are charged with the protection of the public health, safety, and welfare of the citizens of the Sandy Spring; and

**WHEREAS,** the State of Georgia authorizes the City of Sandy Springs to exercise regulations where it sees fit to maintain the safety and welfare of the citizens; and

**NOW, THEREFORE**, to accomplish the foregoing, the Mayor and City Council of the City of Sandy Springs, Georgia, while in regular session on August 19, 2008 at 6:00 p.m., pursuant to their authority, do hereby ordain that the Code of Ordinances of the City of Sandy Springs is hereby amended by replacing in its entirety Article II of Chapter 26 to read as follows:

**1.**

ARTICLE II. ADULT ESTABLISHMENTS

Sec. 26-21. Findings.
The council of the city is deeply and profoundly concerned about the many types of criminal activities frequently engendered by adult establishments.
(1) The city is becoming an increasingly attractive place for the location of commercial enterprises and of residences for younger families with small children.
(2) The council desires to establish policies that provide the maximum protection of the general welfare, health, morals, and safety of the residents of the city.
(3) The governing authority of each municipal corporation is authorized to enact ordinances which have the effect of restricting the operation of adult bookstores and video stores to areas zoned for commercial or industrial purposes, provided in O.C.G.A. § 36-60-3.
(4) The state supreme court, in *Chambers d/b/a Neon Cowboy* v. *Peach County, Georgia* , 266 Ga. 318 (1996), held that local governments may adopt ordinances designed to combat the undesirable secondary effects of sexually explicit businesses, and further held that a governing authority seeking to regulate adult establishments must have evidence of a relationship between the proposed regulation and the undesirable secondary effects it seeks to control.
(5) The state supreme court further held in the same opinion that in passing its regulation, a local government may rely on the experience of other counties and municipalities to demonstrate such a relationship.
(6) The United States Supreme Court, in *City of Renton* v. *Playtime Theater, Inc.* , 475 U.S. 41 (1986), held that a local government may rely on the experience of other cities in enacting legislation to regulate adult entertainment business.
(7) The city council has received extensive evidence of secondary effects that are currently occurring within the city at adult establishments. Such evidence consisting of direct testimony of undercover agents and citizens that detailed in explicit terms that violations of law are occurring within the existing adult establishments located within the city. Further, that at least one uniformed county police officer was observing these violations and failed to act on such blatant violations. The city council has considered the affidavit and guilty plea involving former Fulton County police department Captain Mark Lance wherein he pled guilty to extorting protection

money from an adult establishment located within the city. The city council has considered the testimony in contrast with studies and precedents offered by the adult entertainment business.
a. The city council has considered live testimony from Dr. Bill Holland, former Deputy Director for the Georgia Bureau of Investigation, over the Georgia Crime Information Center ("GCIC") and Dr. Richard Clarke, Director of Planning for the City of Atlanta Police Department, and from Dillon Fries, certified real estate appraiser, former member of the Appraisal Foundation Advisory Council and the Metro Atlanta Relocation Council, and has testified in state and federal courts across the country. The testimony of such witnesses in the weighed opinion of the city council is that the studies proffered by the adult entertainment industry are not credible on balance given the presence of the undesirable effects which are currently existing including alcohol abuse, fights, sex for hire, prostitution, diminished property values and deterioration of neighborhoods. Moreover, based on the evidence presented on balance, it appears that the lack of police reports at adult establishments are a result of the county's failure to enforce such laws. Moreover, the city council notes the study prepared by the county in the early 1990s coincided with the time period Captain Lance was providing police protection for an adult establishment, therefore, condemning the validity of such studies.
b. The city council has further received direct testimony involving adult bookstores, explicit media outlets, and adult novelty stores wherein one such establishment used glory holes and booths and considered direct testimony from an undercover former law enforcement officer that illegal activities occurred at one of the adult establishments.
(8) Based on the experiences of other municipalities and counties including, but not limited to, Tucson, Arizona; Garden Grove, California; Ellicottville, New York; New York, New York; Oklahoma City, Oklahoma; Dallas, Texas; Houston, Texas; St. Croix County, Wisconsin; and Gwinnett County, Georgia, which are found to be relevant to the problems faced by the city, the city council notes the documented negative economic, physical, and social impact adult entertainment businesses have on the community.
(9) Among the undesirable community conditions identified with live nude entertainment at which alcohol is served or consumed are depression of property values in the surrounding neighborhood, increased expenditure for the allocation of law enforcement personnel to preserve law and order, increased burden on the judicial system as a consequence of the criminal behavior, and acceleration of community blight.
(10) The council further finds it is an important governmental function of reducing crime and protecting property values which are unrelated to the suppression of speech.
(11) It is the intent of the city council to enact an ordinance, narrowly tailored, sufficient to combat the undesirable secondary effects of the serving and consumption of alcoholic beverages at adult entertainment facilities.
(12) The city council desires to regulate the adult entertainment businesses within the city limits. Notwithstanding, this article is not to be construed as an endorsement from the city of these establishments. The city council understands that adult entertainment businesses are actually protected under the free speech clause of the First Amendment of the Constitution of the United States for their role in communicating "erotic speech." The courts allow communities to regulate speech, not based on the content of the speech, but in time, place, and manner in which it is presented.
(13) It is the intent of this article to regulate the time, place, and manner of the operation of businesses or facilities that offer adult entertainment as defined in section 26-22. It is well established and has been the experience of other communities in the state and throughout the United States that adult entertainment, which includes public nudity, has been associated with

and may encourage disorderly conduct, prostitution and sexual assault. This section advances the substantial government interest in promoting and protecting public health, safety, and general welfare, maintaining law and order and prohibiting public nudity. The section is narrowly constructed to protect the First Amendment rights of citizens of the city while furthering the substantial governmental interest of combating the secondary effects of public nudity and adult entertainment from areas and uses of the community that are incompatible. Areas and uses that are to be protected from adult entertainment include, but are not limited to, residential, churches, day care centers, libraries, recreational facilities, and schools.

(14) Based on the experiences of other counties and municipalities, the city council takes note of the patent conditions and secondary effects attendant to the commercial exploitation of human sexuality, which do not vary greatly among the similar communities within our country.

(15) The city council further finds that public nudity (either partial or total) under certain circumstances, particularly circumstances related to the sale and consumption of alcoholic beverages in establishments offering live nude entertainment or "adult entertainment," whether such alcoholic beverages are sold on the premises or not, begets criminal behavior and tends to create undesirable community conditions. In the same manner, establishments offering cinematographic or videographic adult entertainment have the same deleterious effects on the community. Among the acts of criminal behavior found to be associated with the commercial combination of live nudity and alcohol consumption or sale, live commercial nudity in general, and cinematographic or videographic adult entertainment are disorderly conduct, prostitution, public solicitation, public indecency, fighting, battery, assaults, drug use and drug trafficking.

(16) Among the undesirable community conditions identified in other communities with the commercial combination of live nudity and alcohol consumption or sale, commercial nudity in general, and cinematographic or videographic adult entertainment are depression of property values and acceleration of community blight in the surrounding neighborhood, increased allocation of and expenditure for law enforcement personnel to preserve law and order, and increased burden on the judicial system as a consequence of the criminal behavior described in this article. The m city council finds it is reasonable to believe that some or all of these undesirable community conditions are occurring, and will continue to occur in the city.

(17) The city council further finds that other forms of adult entertainment including, but not limited to, adult bookstores, adult novelty shops, adult video stores, peep shows, and adult theaters have an adverse effect upon the quality of life in surrounding communities.

(18) The city council further finds that the negative secondary effects of adult establishments upon the city are similar whether the adult establishment features live nude dancing or sells books/videotapes depicting sexual activities.

(19) Therefore, the city council finds that it is in the best interests of the health, welfare, safety and morals of the community and the preservation of its businesses, neighborhoods, and of churches, schools, residential areas, public parks and children's day care facilities to prevent or reduce the adverse impacts of adult establishments by restricting hours of operation, prohibiting alcohol sale or consumption, and restricting the distance from other adult establishments and restricting the distance from residential areas, schools, public parks, churches, and children's day care facilities.

(20) The city council finds that licensing and regulations are necessary for any adult establishment.

(21) The city council finds that these regulations promote the public welfare by furthering legitimate public and governmental interests including, but not limited to, reducing criminal

activity and protecting against or eliminating undesirable activities impacting adversely the community conditions and further finds that such will not infringe upon the protected Constitutional rights of freedom of speech or expression. To that end, the city council directed the city attorney to prepare this article.

(22) The city council hereby re-adopts and incorporates these pre-enactment findings and evidence into the adoption of the following code amendments, such amendments being made to clarify definitions, clarify and modify distance requirements, modify work permit requirements, modify time within which adult establishments must make application for amortization.

Sec. 26-22. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Adult bookstore* means a commercial establishment or facility licensed to do business in the city having 25 percent or more of its display area, for any form of consideration including, but not limited to, sales or rental, any one or more of the following materials:

(1) Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, videocassettes, CDs, DVDs or other video reproductions, or slides or other visual representations which are characterized by the depiction or description of specified sexual activities or specified anatomical areas, as defined herein; or

(2) Instruments, devices, novelties, toys or other paraphernalia that are designed for use in connection with specified sexual activities as defined herein or otherwise emulate, simulate, or represent "specified anatomical areas" as defined herein.

*Adult business* means either:

(1) Any business other than those expressly specified in this article, where employees, independent contractors, or patrons expose specified anatomical areas or engage in specified sexual activities; or

(2) Any other business or establishment which offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing, discussing or relating to specified sexual activities or specified anatomical areas.

*Adult dancing establishment* means a business that features dancers displaying or exposing specified anatomical areas.

*Adult entertainer* means any person employed by an adult entertainment establishment who exposes his or her specified anatomical areas, as defined herein. For purposes of this article, adult entertainers include employees as well as independent contractors.

*Adult entertainment* means permitting, performing, or engaging in live acts:

(1) Of touching, caressing or fondling of the breasts, buttocks and anus, vulva, or genitals;

(2) Of the displaying of any portion of the areola of the female breast, or any portion of his pubic hair, cleft of the buttocks, anus, vulva, or genitals;

(3) Of displaying of pubic hair, anus, vulva, or genitals;

(4) Or acts that simulate sexual intercourse (whether homosexual or heterosexual), masturbation, sodomy, bestiality, oral copulation, or flagellation.

None of the definitions contained in this section shall be construed to permit any act that is in violation of any city, county or state law.

Adult Entertainment Establishment. Any establishment or facility licensed to do business in Sandy Springs where adult entertainment is regularly sponsored, allowed, encouraged, condoned,

presented, sold, or offered to the public, including but not limited to an adult dancing establishment, encounter center or rap establishment or erotic dance establishment. This definition shall not include traditional or mainstream theater which means a theater, movie theater, concert hall, museum, educational institution or similar establishment or facility which regularly features live or other performances or showings which are not distinguished or characterized by an emphasis on the depiction, display, or description or the featuring of "specified anatomical areas" or "specified sexual activities" in that the depiction, display, description or featuring is incidental to the primary purpose of any performance. Performances and showings are regularly featured when they comprise 90% of all performances or showings.

*Adult establishment* means any adult bookstore, adult entertainment establishment, adult business, adult dancing establishment, adult motion picture theater, adult mini-motion picture theatre, adult movie house, explicit media outlet, adult hotel or motel, adult motion picture arcade, erotic dance establishment, or encounter center or rap establishment, as herein defined which may be distinguished or characterized by an emphasis on matter depicting, describing, relating to specified sexual activities and/or specified anatomical areas.

*Adult hotel or motel* means a hotel or motel wherein material is presented which is distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

*Adult mini-motion picture theater* means an enclosed building with a capacity for less than 50 persons used for presenting material distinguished or characterized by an emphasis on matter depicting or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

*Adult motion picture arcade* means any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image producing devices are maintained to show images to five or fewer persons per machine at any one time and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

*Adult motion picture theater* means an enclosed building with a capacity of 50 or more persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

*Adult movie house* means any movie theater which on regular, continuing basis shows films rated "X" by the Motion Picture Coding Association of America or any movie theater which presents for public viewing on a regular, continuing basis so-called "adult films" depicting sexual conduct.

Church, Temple or Place of Worship. A facility in which persons regularly assemble for religious ceremonies. This shall include, on the same lot, accessory structures and uses such as minister's and caretaker's residences and others uses identified under the provisions for Administrativeand Use Permits.

Day Care Facility. A use in which shelter, care, and supervision for (7) or more persons on a regular basis away from their residence for less than 24 hours a day. A Day Care Facility may provide basic educational instruction. The term shall include nursery school, kindergarten, earlylearning center, play school, pre-school, and Group Day Care Home.

*Due cause,* for suspension, revocation or probation of a license granted hereunder, shall consist of the violation of any local, state or federal laws, or regulations or ordinances regulating such business, for any reason which would authorize the refusal to issue or renew such license or for

the arrest or conviction of a drug, alcohol or sex-related crime, or a crime involving moral turpitude or the provisions of article III of this chapter.

*Encounter center* or *rap establishment* means any business, agency or person who, for any form of consideration or gratuity, provides a place where two or more persons may congregate, assemble or associate for the primary purpose of engaging in, describing or discussing specified sexual activities, or exposing specified anatomical areas.

*Erotic dance establishment* means a nightclub, theater or other establishment which features live performances by topless and/or bottomless dancers, go-go dancers, strippers or similar entertainers, where such performances are distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

*Escort bureau* or *introduction services* means any business, agency or person who, for a fee, commission, hire, reward or profit furnishes or offers to furnish names or persons, or who introduces, furnishes or arranges for persons who may accompany other persons to or about social affairs, entertainments or places of amusement, or who may consort with others about any place of public resort or within any private quarters.

*Explicit media outlet* means any commercial establishment which has an inventory of goods that is composed of at least fifty percent of books, pamphlets, magazines, or other printed publications, films, or other media which depict sexually explicit nudity or sexual conduct.

Golf Course. A use of land for playing the game of golf. The term shall not include miniature golf, but may include a Country Club and a driving range as an accessory use.

*Good moral character* means a person who has not been convicted of any felony or a crime of moral turpitude within the past five years.

Library. A place set apart to contain books and other literary material for reading, study, or reference, for use by members of a society or the general public.

*Minor* means any person who has not attained the age of 18 years.

*Operator* means the manager or other person principally in charge of an adult establishment.

*Owner* means any individual or entity holding more than a 20 percent interest in an adult establishment.

*Park* means any lands or facility owned, operated, controlled or managed by any county, city or federal government or any governmental entity in and upon which recreational activities or places are provided for the recreation and enjoyment of the general public.

*Premises* means the building for which or upon which a license is issued hereunder and the terms "premises" and "building" are further defined as a structure or edifice enclosing a space within its exterior walls, and covered with a roof or outside top covering of a building or connected or attached or joined with or by a wall, roof, walkway or breezeway. Any structure or structures of any nature that share a wall, roof, walkway or breezeway shall be considered a single premises and building for the purposes of this Code. No building may be subdivided for the purpose of creating more than one premises for the purposes of this Code. In addition, the term "premises" shall include the land and real estate as well as its appurtenances, including the entire parcel together with the boundaries thereof, upon which the licensed premises sits as well as the area of land surrounding said premises.

*Reasonable grounds* shall mean a violation or violations of section 26-28(d)(3).

Recreational Court, Private. An improved area designed and intended for the playing of a game or event such as basketball or tennis, and which serves a single family dwelling(s), duplex dwellings and/or multi-family dwellings, or combinations of dwelling types, including such improved areas which are owned and/or controlled by a neighborhood club or similar organization. A basketball goal adjoining a driveway of typical residential driveway dimensions shall not constitute a recreational court.

Recreational Court, Public. An improved area designed and intended for the playing of a game or event such as basketball or tennis, and is operated as a business or as a club unless such club is a neighborhood club or similar organization identified under Recreational Court, Private.
Recreation Fields - An outside area designed and equipped for the conduct of sports and leisuretime activities including but not limited to softball, soccer, football, and field hockey.
School. Any educational facility established under the laws of the
state (and usually regulated in matters of detail by local authorities), in the various districts, counties, or towns, maintained at the public expense by taxation, and open, usually without charge, to all residents of the city, town or other district or private facility which has students regularly attending classes and which teach subjects commonly taught in these schools of this state.
*Sexual conduct* means acts of masturbation, homosexuality, sodomy, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, or buttocks, or, if such person is female, breast which, to the average person, applying contemporary community standards, taken as a whole, lacks serious literary, artistic, political, or scientific value and predominantly appeals to the prurient interest, that is, a shameful or morbid interest in nudity or sex.
*Sexually explicit nudity* means a state of undress so as to expose the human male or female genitals or pubic area with less than full opaque covering or the depiction of covered or uncovered male genitals in a discernibly turgid state which, to the average person, applying contemporary community standards, taken as a whole, lacks serious literary, artistic, political, or scientific value and predominantly appeals to the prurient interest, that is, a shameful or morbid interest in nudity or sex.
*Specified anatomical areas* shall include any of the following:
(1) Less than completely and opaquely covered human genitals or pubic region, buttock, or female breast below a point immediately above the top of the areola; or
(2) Human male genitalia in a discernibly turgid state, even if completely and opaquely covered.
*Specified sexual activities* shall include any of the following:
(1) Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relations, and any of the following sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zooerasty;
(2) Clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence;
(3) Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation;
(4) Fondling or touching of nude human genitals, pubic region, buttocks or female breast;
(5) Masochism, erotic or sexually oriented torture, beating or the inflicting of pain;
(6) Erotic or lewd touching, fondling or other sexual contact with an animal by a human being; or
(7) Human excretion, urination, menstruation, vaginal or anal irrigation.

Sec. 26-23. Location and distance requirements.
(a) No licensed premises for an adult establishment that features adult entertainment shall be located any closer than 50 feet from any premises authorized and licensed to sell alcoholic beverages or malt beverages or wine for consumption on the premises. For the measurement required by this subsection, distance shall be measured from the nearest entrance to the public of

the structure or tenant space in which the applicant is located to the nearest entrance to the public of the structure or tenant space in which the premises authorized and licensed to sell alcoholic beverages or malt beverages or wine for consumption on the premises is located.

(b) The property line for an explicit media outlet or adult movie house must be located at least one thousand (1,000) feet from the property line of any school building (applies only to public and private school buildings), school grounds, college campus, public place of worship, or area zoned primarily for residential purposes. This one thousand (1,000) foot distance requirement for explicit media outlets and adult movie houses shall not apply to any said locations which hold lawful permits or business license on July 1, 1997. For the measurement required by this section, distance shall be measured from the closest property line in which the explicit media outlet or adult movie house is located to the closest property line of the zoned property or uses outlined herein. This subsection (b) is authorized by O.C.G.A. § 36-60-3.

(c) Additional location restrictions for adult establishments are as follows:

(1) All boundary lines of the property included within the Adult Establishment license as filed must be located at least 300 feet from the properties listed below:

(a) The property line of Suburban A, Suburban B, Suburban C, R-1, R-2, R-2A, R-3, R-3A, R-4A, R-4, R-5, R-5A, R-6, NUP, CUP, TR, A, A-L, AG-1 zoned property, or property conditioned for residential purposes.

(b) The property line of any public park, public recreational fields, public recreational courts, public golf course, public playground, public playing field, government building owned and/or occupied by such government, library, civic center, public or private school, commercial day care facility or church.

(2) For the measurements required by Section 26-23(c) as amended, the distance shall be measured from the structure or tenant space of the applicable adult establishment to the closest property line of the zoned property or uses outlined herein.

(d) No licensed premises for an adult establishment shall be located any closer than 400 feet from any other licensed premises for an adult establishment. For the measurement required by this subsection, distance shall be measured from the nearest entrance to the public of the structure or tenant space in which the applicant is located to the nearest entrance to the public of the structure or tenant space in which the other licensed premises for an adult establishments is located.

(e) Required Districts: C-1, C-2, M-1 and M-2.

Sec. 26-24. Rules of operation.
(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
*Fixed stage* shall be defined as a raised floor area designed exclusively for use by performers at least ten feet from seating area of patrons.

*Full lighted* shall mean illumination equal to 3 1/2 foot candles per square foot.
(b) *Compliance with rules.* Any person, firm, partnership, or corporation licensed hereunder shall comply with the following rules and regulations pertaining to the operation of the adult establishment:
(1) No licensee shall operate between the hours of 4:00 a.m. and 8:00 a.m. on all days except Sundays when the licensee shall not operate between the hours of 2:55 a.m. and 9:00 a.m.
(2) No person under the age of 18 years shall be permitted on the premises.
(3) No dancing or other performance by an adult entertainer at an adult establishment shall occur closer than four feet to any patron.
(4) No patron, customer or guest shall be permitted to have any physical contact with, touch, caress or fondle any specified anatomical area of or any part of the body or clothing of any adult entertainer.
(5) No direct pay or any gratuity for adult entertainers or performers shall be placed on the person of the performer except by hand to hand.
(6) All performers of adult entertainment shall be restricted to fixed stages, and no patron shall be permitted on such stages.
(7) The license shall be displayed in a prominent place on the premises at all times.
(8) No licensee and his employees or contractors shall permit any alcoholic beverages to be served, offered, or consumed on the premises.
(9) All areas of an adult establishment licensed hereunder shall be fully lighted at all times patrons are present.
(10) All adult entertainment which is licensed and permitted by this article shall be carried on inside a closed building with all windows and doors covered so that the activities carried on inside cannot be viewed from the immediate areas surrounding the outside of the building.
(c) *License revocation.* Violations of these rules and regulations may result in the revocation of the license.

Sec. 26-25. Adult Establishment Work Permit.
(a) No person, including but not limited to cashiers, stocking clerks, performers, dancers, adult entertainers, bartenders, barmaids, bouncers, security guards, valets, dj's, bar-backs, waiters, waitresses, bathroom attendants and musicians, working either as an independent contractor or as an employee at any establishment holding a license hereunder shall begin working at such establishment, either temporarily or permanently, until such person has made application for an adult establishment work permit (hereinafter referred to as "work permit") to the city police department and has been issued an work permit by the city police department. If eligible, a work permit shall be issued within 30 days by the city police department indicating the person is eligible for work. In the event the city police department has not issued a work permit or has not issued a letter of non-clearance within the 30-day period following the date of complete application, the applicant shall be deemed to have been granted a work permit hereunder and may begin work at the applicable adult establishment.
(b) All persons required to obtain a work permit hereunder, prior to the date of their first work in an adult establishment, shall report to the city police department for purposes of making application for a work permit to work at an adult establishment, which application shall include providing certain information to determine eligibility, and providing fingerprints and photographs. A criminal investigation shall be conducted on any person making application for an adult establishment work permit under this section. The city police department shall have a full search made relative to any police record of the work permit applicant.

(c) In order to be eligible for a work permit, the applicant must (1) show evidence of legal citizenship or if not a legal citizen, show evidence of legal immigration status; (2) not have been convicted of or plead guilty to or plead nolo contendere to any felony or any crime of moral turpitude in the last five years; (3) not be currently on probation or parole. Any change of place

of employment or independent contract work by the person holding the adult establishment work permit within the city to another adult establishment shall be reported to the city police department. The city police department shall grant only one work permit per person per adult establishment.

(d) If the applicant is deemed ineligible to receive a work permit hereunder based on any of the eligibility requirements contained in subparagraph (c), the city police department shall write a letter of non-clearance to the applicant stating that the person is ineligible for such work permit explaining the reasons therefore, and to the extent that the applicant has already begun working at the adult establishment, the person's employment or independent contract work shall immediately cease. In the event a non-clearance letter is issued, the person seeking such work permit may appeal the decision within 30 days to the city council. In the event the mayor and city council affirms the non-clearance letter, the person seeking such work permit may seek review of such decision by filing a writ of certiorari in the superior court.

(e) Any work permit issued hereunder shall expire twelve months from the date of issue shown on the work permit. The person issued an adult establishment work permit shall make application for renewal at least thirty days prior to the expiration of the work permit in order to continue working at the adult establishment after expiration of the twelve month issue period. The city council may prescribe reasonable fees for annual issuance of work permit.

(f) Any person that has been granted a work permit hereunder shall bring such work permit to the applicable adult establishment and shall make it available to any member of the City upon request. If the work permit is revoked or suspended, the work permit shall be returned to the city police department upon request. It shall be unlawful for any person to transfer, alter, conceal, deface or otherwise destroy the work permit or to refuse to return a work permit to the city police department in the event of suspension, revocation or expiration.

(g) If a person, subsequent to the issuance of a work permit hereunder, violates any provision of this Article or otherwise engages in conduct that would have made the person holding the work permit ineligible hereunder to receive a work permit, the issue of whether or not to suspend or revoke the work permit shall be brought before the city council. The person holding the work permit shall receive reasonable notice of the time and date of the hearing to consider suspension or revocation of the work permit. The person shall be entitled to present evidence and cross examine any witnesses at the hearing, with or without legal counsel. The city council shall make its decision within ten days of the hearing and shall notify the person in writing within five business days of the decision. Any decision of the city council may be appealed to the superior court by writ of certiorari.

Sec. 26-26. License required.

(a) It shall be unlawful for any person, association, partnership, or corporation to operate, engage in, conduct, or carry on, in or upon any premises within the city, an adult establishment as defined in this article without first procuring an annual license to do so except when the city manager or designee fails to approve or deny an application for an adult entertainment license within 30 days of receiving all information as a prerequisite for issuance of a license as required by this article.

(b) The issuance of such an annual license shall not be deemed to authorize, condone or make legal any activity thereunder if the same is deemed illegal or unlawful under the laws of the state or the United States.
(c) No annual license for an adult establishment shall be issued by the city if the premises to be used also holds a license to sell alcoholic beverages or malt beverages and wine for consumption on the premises. Any premises licensed as an adult establishment shall not be eligible to apply at

any time for a license to sell alcoholic beverages or malt beverages and wine for consumption on the premises, nor shall such adult establishment allow patrons, members, or guests to bring in or otherwise consume alcoholic beverages.
(e) There shall be an annual regulatory fee for each adult establishment licensed within the city as provided in section 26-35.
(1) Any person, firm, partnership, or corporation desiring to operate an adult establishment within the territorial boundaries of the city shall be required to file for a new license, with all supporting documentation pursuant to section 26-28(b).
(2) An annual regulatory fee must be paid to the city manager or designee within ten days after the city manager or designee approves the initial application for an adult establishment license. In any event, no adult establishment license shall be issued until the most recent annual regulatory fee has been paid.
(3) Any person applying for any license issued hereunder who shall pay the annual regulatory fee, or any portion thereof, after January 1, shall, in addition to said annual regulatory fee and late charges, pay simple interest on the delinquent balance at the rate of six percent per annum.
(Ord. No. 2006-06-43, attachment art. 1, § 5, 6-20-2006)

Sec. 26-27. On-premises operator required.
An adult establishment shall have a designated person to serve as an on-premises operator. The operator shall be principally in charge of the establishment and shall be located on the premises during all operating hours.
(Ord. No. 2006-06-43, attachment art. 1, § 6, 6-20-2006)

Sec. 26-28. Application process and qualifications.
(a) *Process.* Any person, association, partnership or corporation desiring to obtain a license to operate, engage in, conduct, or carry on any adult establishment in the city shall make application to the city manager or designee of the city. Such application shall be made on forms furnished by the city, shall be made in the name of the adult establishment by an applicant who is a natural person and an agent of the adult establishment and shall include the names of the operators as defined herein and of the owners as defined herein. If the adult establishment is a corporation, then the agent for purposes of making application for a license hereunder shall be an officer of the corporation. If the adult establishment is a partnership, the agent for such purposes shall be a general partner. At the time of submitting such application, a nonrefundable fee payable in cash or by certified check in the amount of $300.00 shall be paid to the city manager or designee to defray, in part, the cost of investigation and report required by this article. The city manager or designee shall issue a receipt showing that such application fee has been paid. The filing of an application for license does not authorize the operation of, engaging in, conducting or carrying on of any adult establishment.
(b) *Contents.* Each application for an adult establishment license shall contain the following information:

(1) The full true name and any other names used by the applicant, the operators and owners;
(2) The present address and telephone number of the applicant, the operators and owners;
(3) All previous addresses of the applicant, the operators and the owners, if any, for a period five years immediately prior to the date of the application and the dates of residence at each;
(4) Acceptable written proof that the applicant, the operators and the owners are at least 18 years of age;
(5) The operators' height, weight, color of eyes and hair and date and place of birth;
(6) Two photographs of the operators at least two inches by two inches taken within the last six months;
(7) The business, occupation or employment history of the applicant, the operators and owners for the five years immediately preceding the date of application;
(8) The business license history of the adult establishment seeking a license and whether such establishment, in previous operations in this or any other location under license, has had such license or permit for an adult entertainment business or similar type of business revoked or suspended, the reason therefor, and the business activity or occupation subsequent to such action of revocation or suspension;
(9) If the application is made on behalf of a corporation, the name of the corporation, exactly as shown in its articles of incorporation or charter, together with the state and date of incorporation. If the application is on behalf of a limited partnership, a copy of the certificate of limited partnership filed with the county clerk of superior court shall be provided. If one or more of the partners is a corporation, the provisions of this subsection pertaining to corporations shall apply;
(10) The names and addresses of the owner and lessor of the real property upon which the adult establishment is to be operated, engaged in, conducted or carried on and a copy of the lease or rental agreement;
(11) With respect to the applicant, the operators and the owners, all convictions (excluding misdemeanor traffic violations unrelated to driving under the influence of drugs or alcohol) within the past five years, including a complete description of the crime or violation, the date of the crime or violation, date of conviction (including plea of guilty or nolo contendere), jurisdiction and any disposition, including any fine or sentence imposed and whether the terms of disposition have been fully completed. Each person required to disclose convictions hereunder shall also provide a signed and notarized consent, on forms prescribed by the state crime information center, authorizing the release of his or her criminal records to the permits unit of the city police department;
(12) A complete set of fingerprints of the applicant and the operators;
(13) If the person or business entity on whose behalf an application is made for a license is doing business under a trade name, a copy of the trade name as properly recorded. If the application is made on behalf of a corporation, a copy of its authority to do business in the state, including articles of incorporation, trade name affidavit, if any, and last annual report, if any;
(14) At least three character references for the applicant, the operators and owners from individuals who are in no way related to the applicant or any operators or owners and who are not or will not benefit financially in any way from the application if the license is granted. The city shall prepare forms consistent with the requirements of this subsection for the applicant, the operators and owners, who shall submit all character references on such forms;
(15) The address of the premises where the adult establishment will be operated, engaged in, conducted, or carried on;
(16) Submit with the application for license, a certified boundary survey by a licensed surveyor of the site and the property lines of surrounding properties identifying the use of the

properties at or within 1,000 feet of the boundary lines of the subject property that is subject to the license herein.
(17) Provide certification from the community development director or his designee of approved conditions of zoning pertaining to the property to be licensed, provide applicable administrative permits, provide an as-built survey depicting the location of the structure that will operate as the adult establishment, and pay the applicable license fee. Prior to the issuance of such license, the as-built survey shall be submitted to the department of public works for a determination as to whether the proposed site meets the standards set forth in the conditions of zoning and certifying that the proposed establishment location does not violate the distance restrictions set forth in section 26-23. Said determination shall be made within 14 days and if not made within said time it shall be deemed that the proposed site meets the standards;
(18) Each application for an adult establishment license shall be personally verified and acknowledged under oath to be true and correct by:
a. The individual, if application is made on behalf of an individual;
b. The general partner, if application is made on behalf of a partnership;
c. The president of the corporation, if application is made on behalf of a corporation;
d. The chief administrative official, if application is made on behalf of any other organization or association.
(c) *Appearance by applicant.* The applicant shall personally appear before the city manager or designee and produce proof that a nonrefundable application fee, in an amount established by resolution of the city council, has been paid and shall present the application containing the aforementioned and described information.
(d) *Investigation; standards for granting of license.* The city shall have 30 business days from the date of actual receipt of a completed application as set forth in subsection (b) of this section, with all required supporting documentation, to investigate the facts provided in the application and the background of the applicant, the operators and the owners. The city manager or designee of the city shall stamp the date of actual receipt of each application on the first page thereof and notify the applicant of the actual receipt of the application within five business days of actual receipt of such application. The city manager or designee shall approve or deny any application for an adult establishment license within 30 days of actual receipt of such properly completed application. The time shall not commence until a completed application, with all supporting documentation, has been filed. The application for an adult establishment license shall be granted if the city manager or designee finds:
(1) The required $300.00 investigative fee has been paid;
(2) The applicant has not made a material misrepresentation in the application;
(3) Neither the applicant nor any of the operators or owners has been convicted or pled guilty or entered a plea of nolo contendere to a crime involving moral turpitude, illegal gambling or illegal possession or sale of controlled substances or the illegal possession or sale of alcoholic beverages, including the sale or transfer of alcoholic beverages, including sale or transfer of alcoholic beverages to minors in a manner contrary to law, to any crime involving keeping a place of prostitution, pandering, pimping, public indecency, prostitution, sodomy, solicitation of sodomy, masturbation for hire, sexual battery, rape, child molestation, enticing a child for indecent purposes, or any offense included in the definition of a "criminal offense against a victim who is a minor," as defined in O.C.G.A. § 42-1-12, within a period of five years from the date of the filing of the application. For purposes of this article, a conviction or plea of guilty or nolo contendere shall be ignored as to any offense for which the applicant was allowed to avail

himself of O.C.G.A. § 42-8-60 et seq., the First Offender Act, unless the applicant is later adjudicated guilty of having violated the terms of his first offender treatment;
(4) Neither the applicant nor any of the operators or owners has had an adult establishment license or other similar license or permit revoked for cause by the city, the county or any other county, or municipality located in or out of this state within the preceding five years prior to the date of application;
(5) The building, structure, equipment and location of the premises of the adult establishment as proposed by the applicant would comply with all applicable laws including, but not limited to, health, zoning, distance, fire and safety requirements and standards;
(6) The applicant is at least 18 years of age;
(7) On the date the business for which a license is required herein commences, and thereafter, there will be an operator as defined herein on the premises at all times during which the business is open;
(8) The proposed premises will be located at least the minimum distances set forth in section 26-23.;
(9) The grant of such license will not cause a violation of and will not be in conflict with this article or any other law, ordinance or regulation of the city, the county, the state, or the United States.
(10) The city manager or designee of the city shall deny the application for an adult establishment license if the application fails to meet any requirement contained in the city's ordinance regulating adult establishments.
(Ord. No. 2006-06-43, attachment art. 1, § 7, 6-20-2006)

Sec. 26-29. Conduct or activities prohibited.
(a) *Advertising without license.* No person, partnership, corporation or other entity shall advertise or cause to be advertised an adult establishment without a valid adult establishment license issued pursuant to this article.
(b) *Employment of minors or unpermitted persons.* No adult establishment licensee shall employ or contract with a person under the age of 18 years or an adult entertainer who has not obtained a permit pursuant to this article.
(c) *Contact between patrons.* No dancing or other performance by an adult entertainer at an adult establishment shall occur closer than four feet to any patron. No patron, customer or guest shall have any physical contact with any specified anatomical area of or any part of the body or clothing of any adult entertainer. No direct pay or any gratuity for adult entertainers or performers shall be placed on the person of the performer except by hand to hand. No adult entertainer shall solicit any pay or gratuity from any patron.
(d) *Engaging in specified sexual activities prohibited.* No adult entertainer, other employee, patron or other person at an adult establishment shall be allowed to engage in any specified sexual activity as defined herein on the premises of any adult establishment.
(e) *Public indecency prohibited.* No adult entertainer, other employee, patron or other person at an adult establishment shall, while on the premises of an adult establishment, commit the offense of public indecency as defined in O.C.G.A. § 16-6-8.
(f) *Private rooms prohibited.* It shall be unlawful for any employee or independent contractor to engage in adult entertainment or to expose any specified anatomical areas or engage in any specified sexual activities in the presence of a customer in any separate area including, but not limited to, any room or booth, within an adult establishment to which entry or access is blocked

or obscured by any door, curtain or other barrier separating entry to such area from any other area of the establishment.

(g) *Physical layout requirements of booths, rooms, etc.* Any adult entertainment business having available for customers, patrons, or members any booth, room, or cubicle for the private viewing of any video or motion picture must comply with the following requirements:

(1) *Access.* Each booth, room, or cubicle shall be totally accessible to and from aisles and public areas of the video store, and shall be unobstructed by any curtain, door, lock, or other control-type or view-obstructing devices or materials.

(2) *Construction.* Every booth, room, or cubicle shall meet the following construction requirements:

a. Each booth, room, or cubicle shall be separated from adjacent booths, rooms and cubicles and any nonpublic areas by a wall.

b. Each booth, room, or cubicle shall have at least one side totally open to a public lighted area or aisle so that there is an unobstructed view of anyone occupying the booth from the area in which the cash register for the video store is located.

c. All walls shall be solid and without openings, extended from the floor to a height of not less than six feet and be light colored, nonabsorbent, smooth-textured and easily cleanable.

d. The floor must be light colored, nonabsorbent, smooth-textured and easily cleaned.

e. The lighting level of each booth, room, or cubicle when not in use shall be a minimum of ten candles at all times, as measured from the floor.

(3) *Occupants.* Only one individual shall occupy a booth, room, or cubicle at any time. No occupant of same shall engage in any type of sexual activity, cause any bodily discharge or litter while in the booth, room, or cubicle. No individual shall damage or deface any portion of the booth, room, or cubicle.

Sec. 26-30. Penalty for violation of section 26-29.

Any person violating any of the provisions of section 26-29 shall be guilty of a violation of this Code punishable by a fine not to exceed $1,000.00 per violation or by imprisonment for a period not to exceed 60 days, or both. Each separate and specific act of conduct and each day of operation in violation of this article shall be deemed a separate offense. In addition, the license of any licensee contributing thereto shall be subject to suspension or revocation in accordance with section 26-33(c).

Sec. 26-31. Unlawful operation declared nuisance.

Any adult establishment operated, conducted or maintained contrary to the provisions of this article shall be and the same is hereby declared to be unlawful and a public nuisance. The city may, in addition to or in lieu of prosecuting a criminal action hereunder, commence an action or actions, proceeding or proceedings for abatement, removal or injunction thereof in the manner provided by law. The city may take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such adult establishment and restrain and enjoin any person from operating, engaging in, conducting or carrying on an adult establishment contrary to the provisions of this article.

Sec. 26-32. Conditions of adult establishment.

(a) *Cleaning of licensed premises.* All adult establishments shall be kept in a clean, sanitary condition, and shall be in full compliance with all applicable ordinances and regulations of the city, the county, and the state.

(b) *Inspection of licensed premises.* The city fire marshal shall have the authority to regularly inspect adult establishments, to determine compliance with and enforce all applicable fire, health and other codes of the county.

(c) *Inspection for unsanitary or unsafe conditions.* The city police department shall have the authority to periodically inspect adult establishments to determine compliance with all provisions of this article and other applicable ordinances, regulations and laws.

Sec. 26-33. Denial, suspension or revocation of license; hearing.

(a) *Grounds.*

(1) A license may be denied to persons or entities that have submitted an incomplete application or that have failed to satisfy any of the requirements of the city's ordinance regulating adult establishments found in this article.

(2) Any of the following shall be grounds for suspension or revocation of a license:

a. The making of any statement on an application for a license issued hereunder which is material and is later found to be false;

b. Violation of any of the regulations or prohibitions of this article;

c. With respect to the applicant, operators and owners, conviction of or a plea of guilty or nolo contendere to any of the crimes which would make such person or adult establishment ineligible to hold a license under section 26-28(d);

d. Due cause as defined in section 26-22.

(b) *Denial; procedure.* Within 30 days of actual receipt of a completed application, with all supporting documentation, for an adult establishment license, the city manager or designee shall either approve or deny the application. In no event shall the city manager's or designee's decision whether to approve or deny the adult establishment license application be withheld for more than 30 days after actual receipt of the completed application. However, in the event that such an application is held without decision for a period of more than 30 days, the license application shall be deemed approved, and expressive conduct may begin immediately notwithstanding the fact that no license has been issued. The director of the city's finance department shall issue an adult establishment license to an applicant who informs the director of finance of the fact that an application has been submitted, but no decision has been made thereon for a period of more than 30 days following actual receipt of the application. Notwithstanding the fact that the license provided by this sentence shall not be a prerequisite to the commencement of business operations contemplated by the application, the director of the city's finance department shall issue an adult establishment license under such circumstances within three business days of actual receipt of written notice by the applicant of such circumstances. In the event that the city manager or designee denies an application for an adult establishment license, notice of such denial shall be delivered to the applicant in person or forwarded by certified mail to the address set forth in the application within five business days of such denial. Any person aggrieved by any decision of the city, its officials, employees or agents, pursuant to this section, may seek review of such decision by filing an appropriate pleading in the superior court of the county or any other court of competent jurisdiction.

(c) *Suspension or revocation; procedure.* Whenever the city council finds due cause exists to suspend or revoke a license issued hereunder, the city council shall schedule a hearing to consider such suspension or revocation and shall, at least 20 days prior to the hearing, notify the licensee of the time and date of the hearing and the proposed action and the grounds therefore. The licensee shall be entitled to present evidence and cross examine any witnesses at the hearing, with or without legal counsel. The m city council shall make its decision within ten days of the hearing and shall notify the licensee in writing within five business days of the decision. Any decision of the city council may be appealed to the superior court by writ of certiorari.

Sec. 26-34. Nonrenewability; change of ownership of establishment.
(a) All persons, firms, companies, or corporations, including limited liability corporations and professional corporations, licensed to operate adult businesses in the municipal limits of the city previously registered with the county shall be granted an additional 45 days to file a new application for a license to operate said adult establishment with the city following the effective date of the ordinance from which this article is derived.
(b) All licenses granted after January 1, 2006, and under this chapter shall expire on December 31 of each year, commencing December 31, 2006. Licensees shall be required to file a new application, with the requisite fee enumerated in sections 26-32 and 26-33, with the city manager

or designee on the form provided for a new license for the ensuing year. Such application shall be treated as an initial application and the applicant shall be required to comply with all rules and regulations for the granting of licenses as if no previous license had been held. For any applications for a new license after January 1, 2006, an application must be filed on or before November 30 of each year. Any applications received after November 30 shall pay in addition to the annual fee a late charge of 20 percent. If a license application is received after January 1, reasonable investigative and administrative costs will be assessed as may be prescribed from time to time by the city council.
(c) All licenses granted under this article shall be for the calendar year, and the full license fee must be paid for a license application filed prior to July 1 of the license year. One-half of a full license fee shall be paid for any license application filed after July 1 of the license year.
(d) Any person applying for a new license issued under this article who shall pay the required fee for an annual license, or any portion thereof, after January 1, shall, in addition to the annual fee and late charges, pay simple interest on the delinquent balance at the annual rate then charged by the Internal Revenue Service of the United States on unpaid federal income taxes.
(e) A change of ownership shall require a new license.

Sec. 26-35. Fee.
The fee for the adult entertainment license shall be established by the city council.

Sec. 26-36. Compliance with applicable laws by licensee.
Any person, firm, partnership, or corporation who holds an adult entertainment license must also display the occupation tax certificate issued hereunder in a conspicuous location. Failure to display the occupation tax certificate in a conspicuous location may result in a fine of $50.00.

Sec. 26-37. Nonconforming uses/amortization.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Financial expenditures* means the capital outlay made by the applicant to establish the adult entertainment establishment, exclusive of the fair market value of the building in which such use is located and site improvements unrelated to the nonconforming adult establishment, i.e. paving, fencing, etc.

*Nonconforming* means a use, lot or structure which use, lot or structure was lawful and valid:

(1) When established, as evidenced by a certificate of occupancy as provided in article 23, section 23.1 of the city zoning ordinance; and

(2) Which use, lot or structure does not conform with one or more requirements of this chapter as a result of a change in the requirements subsequent to the establishment of or application for the subject use, lot or structure.

(b) Any adult establishment lawfully existing under the laws of Fulton County as of December 1, 2005, which becomes a nonconforming use as a result of the enactment of this section, as to location shall be a grandfathered nonconforming use and may not be expanded or otherwise altered outside the scope of the nonconformity currently existing.

(c) Such nonconforming adult establishment as to location shall terminate within five years from the effective date of the ordinance from which this section is derived or from such later date that the adult establishment becomes nonconforming, except that such establishment may be

continued beyond the five year amortization period for a limited period of time by the city council, provided that:

(1) An application is made by the owner of such establishment to the city council at least 120 days after the date on which such establishment became nonconforming;

(2) The city council shall find in connection with such establishment that:

a. The applicant had made, prior to the nonconformity, financial expenditures related to the nonconformity;

b. The applicant had not recovered ninety percent of the financial expenditures related to the nonconforming; and

c. The period for which such establishment may be permitted to continue is the minimum period sufficient for the applicant to recover substantially all of the financial expenditures incurred related to the nonconformity, but not more than five years;

(3) In order to secure an extension of time, the applicant must submit to the city council a written application for such extension which shall set forth the following information:

a. The amount of the financial expenditures for improvements in the existing enterprise through the date of passage and approval of the ordinance from which this article is derived;

b. The date each improvement was made with proof of expenditure;

c. The amount of such financial expenditures that has been or will be realized through the effective date;

d. The life expectancy of the existing enterprise, as based on federal depreciation guidelines;

e. The existence or nonexistence of lease obligations, as well as any contingency clauses therein permitting the termination of such lease.

This information shall be supported by relevant documentary evidence such as financial statements, copies of lease agreements to premises and any equipment, and tax records. Copies of such documentary evidence must be attached to the application for extension. No investment that was not incurred by the date of passage and approval of this ordinance shall be considered.

Sec. 26-38. Alcoholic beverages prohibited; exceptions.
No person, association, partnership or corporation licensed under this article following the effective date of the ordinance from which this article is derived shall serve, sell, distribute or suffer the consumption or possession of any intoxicating liquor, beer or wine or controlled substance defined by state law upon the premises of any licensee. Any licensee who had a license granted by the county shall not be subject to this section until January 1, 2006, at which time all licensees within the city shall be subject to this provision, including those licensees licensed before the effective date of the ordinance from which this article is derived. This section shall not apply to nor prohibit the live performance of legitimate plays, operas, ballets at mainstream theaters, concert halls, museums or educational institutions which derive less than 20 percent of its gross receipts from the sale of alcoholic beverages.

Sec. 26-39. Penalties.
Any person, firm, partnership, or corporation violating the provisions of this article or prohibited conduct, as defined herein, shall be guilty of a violation of this Code, punishable by a fine not to exceed $500.00 per violation or by imprisonment for a period not to exceed 90 days, or by both such fine and imprisonment. In addition to such fine or imprisonment, violation of this article shall also be grounds for immediate suspension or revocation of the license issued hereunder.

**2.**

**Repeal of Conflicting Provisions.** It is the intention of the Mayor and Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Sandy Springs, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention. All ordinances or parts of ordinances in conflict herewith are repealed.

**3.**

This Ordinance is effective August 19, 2008; and

**ORDAINED** this the 19th day of August 2008.

Approved:

Eva Galambos, Mayor

Attest:

Christina Rowland, City Clerk
(Seal)