Chapter 5.24

SEXUALLY ORIENTED BUSINESSES

Sections:

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5.24.010 Declaration of public record.

That certain document known as "The Adult Entertainment Ordinance of the City of Casa Grande, Arizona," three copies of which are on file in the office of the city clerk which document was made a public record by Resolution No. 2089 of the city is referred to, adopted and made a part hereof as if fully set out in this chapter. (Ord. 1397.05.2 § 1, 1993)

5.24.020 Criminal penalty.

Any person who violates any provision of this chapter or of the city code as amended by this chapter shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not to exceed two thousand five hundred dollars or by imprisonment for a term not to exceed six months, or by both fine and imprisonment. (Ord. 1397.05.2 § 2, 1993)

5.24.030 Civil injunction.

Any person who violates this chapter, or the city code as amended by this chapter, is subject to a civil suit for injunction as well as prosecution for criminal violations and liability for licensing sanctions such as suspension or revocation. (Ord. 1397.05.2 § 3, 1993)

5.24.040 Strict liability and liability for the conduct of others.

A. The offenses and violations described in this chapter are strict liability offenses and violations requiring no proof of culpable mental state.

B. A licensee of a sexually oriented business is jointly and individually liable for violations of and offenses under this chapter by the employees of the sexually oriented business, and for all civil and criminal sanctions or remedies for such violations and offenses, including but not limited to license suspension or revocation, prescribed herein. (Ord. 1397.05.2 § 4, 1993)

5.24.050 Procedure for amendment.

Section 5.24.120 of the city code as enacted in the adult entertainment ordinance adopted by reference in this chapter may be amended only after compliance with the legal procedures required to amend zoning regulations. Other sections of said ordinance or of the city code established under this chapter may be amended directly by vote of the city council. (Ord. 1397.05.2 § 7, 1993)

RENUMBERED NO. 1397.05.2
ORDINANCE NO. 1526

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CASA GRANDE ADOPTING "THE ADULT ENTERTAINMENT ORDINANCE OF THE CITY OF CASA GRANDE, ARIZONA" BY REFERENCE; AMENDING THE CITY CODE BY ESTABLISHING A NEW CHAPTER 5.24 TO TITLE 5 RELATING TO SEXUALLY ORIENTED BUSINESSES; PRESCRIBING DEFINITIONS OF ADULT ARCADE, ADULT BOOKSTORE, ADULT CABARET, ADULT MOTEL, ADULT MOTION PICTURE THEATRE, ADULT THEATRE, ESCORT AGENCY, NUDE MODEL STUDIO, AND SEXUAL ENCOUNTER CENTER; ESTABLISHING CONDITIONS UNDER WHICH SEXUALLY ORIENTED BUSINESSES WILL BE PERMITTED IN AND LIMITED TO THE B-2, B-3, B-4, I-1 AND I-2 ZONING DISTRICTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CASA GRANDE as follows:

Section 1. Declaration of Public Record

That certain document known as "The Adult Entertainment Ordinance of the City of Casa Grande, Arizona", three copies of which are on file in the office of the City Clerk which document was made a public record by Resolution No. 2089 of the City of Casa Grande, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

Section 2. Criminal Penalty

Any person who violates any provision of this Chapter or of the Casa Grande City Code as amended by this ordinance shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not to exceed two thousand five hundred dollars ($2,500.00) or by imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment.

Section 3. Civil Injunction

Any person who violates this Chapter, or of the Casa Grande City Code as amended by this ordinance, is subject to a civil suit for injunction as well as prosecution for criminal violations and liability for licensing sanctions such as suspension or revocation.

Section 4. Strict Liability and Liability for the Conduct of Others

(A) The offenses and violations described in this Chapter are strict liability offenses and violations requiring no proof of culpable mental state.

(B) A licensee of a sexually oriented business is jointly and individually liable for violations of and offenses under this Chapter by the employees of the sexually oriented business, and for all civil and criminal sanctions or remedies for such violations and offenses, including but not limited to license suspension or revocation, prescribed herein.

Section 5. Providing for Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the Casa Grande City Code adopted or amended herein are repealed.

Section 6. Providing for Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the Casa Grande City Code adopted or amended herein is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 7. Procedure for Amendment

Section 5.24.120 of the Casa Grande City Code as enacted herein may be amended only after compliance with the legal procedures required to amend zoning regulations. Other sections of this ordinance or of the Casa Grande City Code established under this ordinance may be amended directly by vote of the City Council.

PASSED AND ADOPTED by the Mayor and Council of the City of Casa Grande, Arizona, this 20th day of September, 1993.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. 2089

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CASA GRANDE DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "CHAPTER 5.24 ADULT ENTERTAINMENT ORDINANCE" OF THE CITY OF CASA GRANDE, ARIZONA.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CASA GRANDE as follows:

Section 1. Declaring a Public Record.

That certain document entitled "ADULT ENTERTAINMENT ORDINANCE", consisting of eighteen (18) pages and three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the City Clerk.

PASSED AND ADOPTED by the Mayor and Council of the City of Casa Grande, Arizona, this 20th day of September, 1993.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ADULT ENTERTAINMENT

WHEREAS, the Casa Grande City Council is committed to protecting the general welfare of the City through the enforcement of laws prohibiting obscenity, indecency, and sexual offenses; and

WHEREAS, the City Council seeks to reduce and eliminate the deleterious effects of sexually oriented businesses while preserving constitutionally protected forms of expression; and

WHEREAS, the City Council finds that sexually oriented businesses in certain locations contribute to neighborhood deterioration and blight through an increase in crime and diminution of property values, among other adverse consequences, and finds that such effects are contrary to the general welfare of the City; and

WHEREAS, the City Council recognizes that important and substantial government interests provide a constitutional basis for reasonable regulation of the time, place and manner under which sexually oriented businesses operate; and that, therefore, the City Council has determined that persons seeking to operate

sexually oriented businesses shall be required to observe specific locational requirements before they commence business, as provided for in this Ordinance;

WHEREAS, the City Council finds that the licensing of sexually oriented businesses is necessary to ensure compliance with the locational and zoning requirements of such businesses; and

WHEREAS, the City Council finds that sexually oriented businesses in other communities have been used for unlawful sexual activities, including prostitution, and sexual encounters of a casual nature; and

WHEREAS, the concern over sexually transmitted diseases is a legitimate health concern of the City;

WHEREAS, the provisions of this Ordinance shall not be construed as permitting any use, activity or structure that is otherwise prohibited, illegal or made punishable by law, nor shall it be construed so as to prohibit conduct or expression that are subject to constitutional protection.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Casa Grande, Arizona, as follows:

Section 1: The City of Casa Grande Code is amended by enacting a new Chapter 5.24 to Title 5 to read as follows:

CHAPTER 16

SEXUALLY ORIENTED BUSINESSES

SECTION 5.24.010: **DEFINITIONS:**

ADULT ARCADE (also known as "peep show") means any place to which the public is permitted or invited wherein coin-operated 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 persons in booths or viewing rooms where the images so displayed depict or describe "specified sexual activities" or "specified anatomical areas."

ADULT BOOKSTORE OR **ADULT VIDEO STORE** means a commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration any one or more of the following:

A) books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations that depict or describe "specified sexual activities" or "specified anatomical areas"; or

B) instruments, devices, or paraphernalia that are designed for use in connection with "specified sexual activities."

ADULT CABARET means a nightclub, bar, restaurant, or other commercial establishment that regularly features, exhibits or displays as one of its principal business purposes:

A) persons who appear in a state of nudity or semi-nude; or

B) live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities", or

C) films, motion pictures, video cassettes, slides, or other photographic reproductions which depict or describe "specified sexual activities" or "specified anatomical areas."

ADULT MOTEL means a hotel, motel or similar commercial establishment that:

A) offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproduction that depict or describe "specified sexual activities" or "specified anatomical areas" as one of its principal business purposes; or

B) offers a sleeping room for rent for a period of time that is less than 10 hours; or

C) allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than 10 hours.

ADULT MOTION PICTURE THEATER means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown as one of its principal business purposes that depict or describe "specified sexual activities" or "specified anatomical areas."

ADULT THEATER means a theater, concert hall, auditorium, or similar commercial establishment which regularly features exhibits or displays, as one of its principal business purposes, persons who appear in a state of nudity or semi-nude, or live performances that expose or depict "specified anatomical areas" or "specified sexual activities."

BOARD OF ADJUSTMENT means the board established pursuant to A.R.S. 9-462.06 and Casa Grande City Code 17.08.070.

CHIEF OF POLICE means the Chief of Police of the City of Casa Grande or the designed agent of the Chief of Police.

EMPLOY, EMPLOYEE AND EMPLOYMENT describe and pertain to any person who performs any service on the premises of a sexually oriented business on a full-time, part-time or contract basis, whether or not the person is denominated an employee, independent contractor, agent or otherwise. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or for the delivery of goods to the premises.

ESCORT means a person who for tips or any other form of consideration, agrees or offer to act as a date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

ESCORT AGENCY means a person or business that furnishes, offers to furnish, or advertises to furnish escorts as one of its principal business purposes, for a fee, tip, or other consideration.

ESTABLISHMENT means and includes any of the following:

A) the opening or commencement of any sexually oriented business as a new business; or

B) the conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business; or

C) the addition of any sexually oriented business to any other existing sexually oriented business; or

D) the relocation of any sexually oriented business.

LICENSEE means, in the case of a business, a person in whose name a license to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application for a license; and in the case of an employee, a person in whose name a license has been issued authorizing employment in a sexually oriented business.

NUDE MODEL STUDIO means any place where a person who appears semi-nude, in a state of nudity, or who displays "specified anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Nude Model Studio shall not include a proprietary school licensed by the state of Arizona or a college, junior college or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or in a structure:

A) that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and

B) where in order to participate in a class a student must enroll at least three days in advance of the class; and

C) where no more than one nude or semi-nude model is on the premises at any one time.

OPERATES OR CAUSES TO BE OPERATED means to cause to function or to put or keep in operation. A person may be found to be operating or causing to be operated a sexually oriented business whether or not that person is an owner, part owner, or

licensee of the business.

NUDITY or a **STATE OF NUDITY** means:

A) the appearance of a human anus, male genitals, female genitals, or female breast; or

B) a state of dress which fails to opaquely cover a human anus, male genitals, female genitals, or areola of the female breast.

PERSON means an individual, proprietorship, partnership, corporation, association, or other legal entity.

RESIDENTIAL DISTRICT means the urban-ranch residential district, the single-family residential district, the multi-family residential district and the mobile home residential district described and defined in the Casa Grande Zoning Ordinance.

RESIDENTIAL USE means all uses allowed in residential districts under the Casa Grande Zoning Ordinance.

SEMI-NUDE means a state of dress in which clothing covers no more than the genitals, pubic region, and areolae of the female breast, as well as portions of the body covered by supporting straps or devices.

SEXUAL ENCOUNTER CENTER means a business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration physical contact in the form of wrestling or tumbling between persons of the opposite sex, or activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

SEXUALLY ORIENTED BUSINESS means an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, sexual encounter center, or any combination of the foregoing.

SPECIFIED ANATOMICAL AREAS means human genitals in a state of sexual arousal.

SPECIFIED SEXUAL ACTIVITIES means and includes any of the following:

A) the fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts; or

B sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; or

C) masturbation, actual or simulated; or

D) excretory functions as part of or in connection with any of the activities set forth in A) through C) above.

SUBSTANTIAL ENLARGEMENT of a sexually oriented business means the increase in floor area occupied by the business by more than 25 percent, as the floor area exists on September 20, 1993.

TAX AND LICENSING ADMINISTRATOR means the City of Casa Grande Finance Director or the designated agent of the Finance Director.

TRANSFER OF OWNERSHIP OR CONTROL of a sexually oriented business means and includes any of the following:

A) the sale, lease, or sublease of the business;

B) the transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or

C) the establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

5.24.020: **CLASSIFICATION:**

Sexually oriented businesses are classified as follows:

1) adult arcades;

2) adult bookstores or adult video stores;

3) adult cabarets;

4) adult motels;

5) adult motion picture theaters;

6) adult theaters;

7) escort agencies;

8) nude model studios;

9) sexual encounter centers; and

10) any combination of classifications set forth above.

5.24.030: **LICENSE REQUIRED:**

(A) It is unlawful:

1. For any person to operate a sexually oriented business without a valid sexually oriented business license issued by the Tax and Licensing Administrator pursuant to this Chapter.

2. For any person who operates a sexually oriented business to employ a person to work for the sexually oriented business who is not licensed as a sexually oriented business employee by the Tax and Licensing Administrator pursuant to this Chapter.

3. For any person to obtain employment with a sexually oriented business without having secured a sexually oriented business employee license pursuant to this Chapter.

(B) An application for a license must be made on a form prescribed by the Chief of Police. An application for a sexually oriented business license must be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared but must be drawn to designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches.

C) All applicants must be qualified according to the provisions of this Chapter. The application may request and the applicant shall provide such information (including fingerprints and current photos) as to enable the Chief of Police and the Tax and Licensing Administrator to determine whether the applicant meets the qualifications established in this Chapter.

D) If a person who wishes to operate a sexually oriented business is an individual, the person must sign the application for a license as applicant. If a person who

wishes to operate a sexually oriented business is other than an individual, each individual who has a 10 percent or greater interest in the business must sign the application for a license as applicant. Each applicant must be qualified under Section 5.24.040 and each applicant shall be considered a licensee if a license is ranted.

5.24.040: **ISSUANCE OF LICENSE:**

(A) Within 30 days after receipt of a completed application, the Tax and Licensing Administrator will approve or deny the issuance of a license to an applicant for a sexually oriented business license and to an applicant for a sexually oriented business employee license. The Tax and Licensing Administrator will approve the issuance of a license to an applicant unless the Chief of Police finds one or more of the following to be true:

1. An applicant is under 18 years of age.

2. An applicant has been employed in a sexually oriented business in a managerial capacity in Casa Grande or any other jurisdiction within the preceding 12 months and has demonstrated an inability to operate or manage a sexually oriented business in a peaceful and law-abiding manner, thus necessitating action by law enforcement officers.

3. The application and investigation fee or the license fee required by this Chapter have not been paid.

4. An applicant or an applicant's spouse is overdue in payment to the City of taxes, fees, fines, or penalties assessed against or imposed upon the applicant or the applicant's spouse in relation to a sexually oriented business.

5. An applicant has failed to provide information required in order to determine the qualifications of the applicant under this Chapter for issuance of the license, or has falsely answered a question or request for information on the application form.

6. An applicant or the proposed establishment is in violation of or is not in compliance with this Chapter or the Casa Grande City Code.

7. An applicant or an applicant's spouse has been convicted of a violation of a provision of this chapter, other than the offense of operating a sexually oriented business without a license, within two years immediately preceding the application. The fact that a conviction is being appealed shall have no effect.

8. An applicant or an applicant's spouse has been convicted of a crime:

A) involving:

(i) any of the following offenses as described in Chapter 14 of the Arizona Criminal Code;

aa) indecent exposure;

bb) public sexual indecency;

cc) public sexual indecency to a minor;

dd) sexual abuse;

ee) sexual conduct with a minor;

ff) sexual assault;

gg) sexual assault of a spouse;

hh) molestation of a child;

ii) lewd and lascivious acts;

(ii) any of the prostitution or pandering offenses described in Chapter 32 of the Arizona Criminal Code;

(iii) any of the following offenses as described in Chapter 35 of the Arizona Criminal Code:

aa) production, publication, sale, possession and presentation of obscene items;

bb) coercing acceptance obscene articles or publications;

cc) furnishing obscene or harmful items to minors;

dd) public display of explicit sexual materials,

ee) creation, transportation or distribution of obscene films, photographs or motion pictures of minors;

ff) obscene or indecent telephone communications to minors for commercial purposes;

(iv) any of the following offenses described in Chapter 35.1 of the Arizona Criminal Code:

aa) commercial sexual exploitation of a minor;

bb) sexual exploitation of a minor;

cc) admitting minors to public displays of sexual conduct;

(v) any of the following offenses described in Chapter 36 of the Arizona Criminal Code:

aa) incest;

bb) contributing to delinquency and dependency;

cc) permitting life, health or morals of minor to be imperiled by neglect, abuse or immoral associations;

(vi) any offense described in Chapter 9.08 of Title Nine of the Casa Grande City Code pertaining to prostitution;

(vii) any similar offenses to those described above under the criminal or penal code of Arizona, other states, Casa Grande, other cities, or other countries;

(viii) facilitation, attempt, conspiracy, or solicitation to commit any of the foregoing offenses;

B) for which:

(i) less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;

(ii) less than five years have elapsed since the date of conviction or the date or release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense; or

(iii) less than five years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if the convictions are of two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 24-month period.

(C) The fact that a conviction is being appealed shall have no effect on the disqualification of the applicant or applicant's spouse.

(D) An applicant who has been convicted or whose spouse has been convicted of an offense listed above may qualify for a sexually oriented business license only when the time period required by this section has elapsed.

(E) The license, if granted, shall state on its face the name of the person or persons to whom it is granted, the classification or classifications of sexually oriented business for which it is granted, the expiration date, and the address of the sexually oriented business. All licenses, both those pertaining to the business as well as those applicable to employees, shall be posted in a conspicuous place at or near the entrance to the sexually oriented business so that they may be easily read at any time.

5.24.050: **FEES:**

(A) Every application for a sexually oriented business license (whether for a new license or for renewal of an existing license) shall be accompanied by a $500 non-refundable application and investigation fee.

(B) In addition to the application and investigation fee required above, every sexually oriented business that is granted a license (new or renewal) shall pay to the Tax and Licensing Administrator an annual non-refundable license fee of $500 within 30 days of license issuance or renewal.

(C) Every application for a sexually oriented business employee license (whether for a new license or for renewal of an existing license) shall be accompanied by a $50 non-refundable application and investigation fee.

(D) All license applications and fees shall be submitted to the Tax and Licensing Administrator.

5.24.060: **INSPECTION:**

(A) A business license applicant or licensee shall permit representatives of the police department or any other city, county, state or federal department, division, or agency that enforces codes, regulations or statutes relating to human health, safety or

welfare or structural safety to inspect the premises of a sexually oriented business for the purpose of ensuring compliance with the law, at any time it is occupied or open for business.

(B) A person who operates a sexually oriented business or his agent or employee commits an offense if such person refuses to permit a lawful inspection of the premises by the persons designated above.

(C) The provisions of this section do not apply to areas of an adult motel which are currently being rented by a customer for use as a permanent or temporary habitation.

5.24.070: **EXPIRATION OF LICENSE:**

All licenses shall expire one year from the date of issuance and may be renewed only by making application as provided in Section 5.24.030. Application for renewal should be made at lease 30 days before the expiration date, and when made less than 30 days before the expiration date, the expiration of the license will not be affected.

5.24.080: **SUSPENSION:**

The Tax and Licensing Administrator is authorized to, and will, suspend a sexually oriented business license and a sexually oriented business employee license for a period not to exceed 30 days if the Chief of Police determines that a business licensee or an employee has:

(1) violated or is not in compliance with this Chapter or with the uniform codes adopted by the City in Title 15 of the Casa Grande City Code, including those relating to buildings, electricity, plumbing, fire safety, and mechanical equipment; or

(2) engaged in excessive use of alcoholic beverages while on the sexually oriented business premises; or

(3) refused to allow an inspection of the sexually oriented business premises as authorized by this chapter; or

(4) permitted illegal gambling by any person on the sexually oriented business premises; or

(5) demonstrated an inability to operate or manage a sexually oriented business in a peaceful and law-abiding manner thus necessitating action by law enforcement officers.

5.24.090: **REVOCATION:**

(A) The Tax and Licensing Administrator is authorized to, and will, revoke a license if a cause of suspension in Section 5.24.080 occurs and the license has been suspended within the preceding 12 months.

(B) The Tax and Licensing Administrator is authorized to, and will revoke a sexually business license and a sexually oriented business employee license if the Chief of Police determines that a business licensee or an employee:

1. gave false or misleading information in the material submitted to the City during the application process; or

2. has allowed the possession, use, or sale of controlled substances on the premises; or

3. has allowed prostitution on the premises; or

4. has operated or worked in the sexually oriented business during a period of time when the licensee's license was suspended; or

5. has been convicted of an offense listed in Section 5.24.040(A)(8)(A) for which the time period required in Section 5.24.040(A)(8)(B) has not elapsed; or

6. on two or more occasions within a 12 month period, a person or persons committed an offense occurring in or on the licensed premises of a crime listed in Section 5.24.040 for which a conviction has been obtained, and the person or persons were employees of the sexually oriented business at the time the offenses were committed; or

7. has allowed any act of sexual intercourse, sodomy, oral copulation, masturbation, or oral sexual contact to occur in or on the licensed premises. The term "oral sexual contact" shall have the same meaning as defined in Section 13-1401, Arizona Criminal Code; or

8. is delinquent in payment to the City of hotel occupancy taxes, ad valorem taxes, sales taxes, or the annual license fee, or any other fee or tax related to the sexually oriented business or other business of the licensee.

(C) The fact that a conviction is being appealed shall have no effect on the revocation of the license.

(D) Subsection (B)(7) does not apply to adult motels as a ground for revoking the license unless the business licensee or employee allowed the act of sexual intercourse, sodomy, oral copulation, masturbation, or sexual contact to occur in a public place or within public view.

(E) When the Tax and Licensing Administrator revokes a license, the revocation shall continue for one year and the licensee shall not be issued a sexually oriented business or employee license for one year from the date revocation became effective. If, subsequent to revocation, the Tax and Licensing Administrator finds that the basis for the revocation has been corrected or abated, the licensee may be granted a license if at least 90 days have elapsed since the date the revocation became effective. If the license was revoked under Subsection (B)(5), an applicant may not be granted another license until the appropriate number of years required under Section 5.24.040(A)(8)(B) have elapsed.

5.24.100: **APPEAL:**

If the City denies the issuance of a license, or suspends or revokes a license, the City will send to the applicant, or licensee, by certified mail, return receipt requested, written notice of the action and the right to an appeal. Upon receipt of written notice of the denial, suspension, or revocation, the person whose application for a license has been denied or whose license has been suspended or revoked shall have the right to appeal to the state superior court. An appeal to the Arizona superior court must be filed within 30 days after the receipt of notice of the decision of the City. The licensee shall bear the burden of proof in court.

5.24.110: **TRANSFER OF LICENSE:**

A licensee shall not transfer a license to another, nor shall a business licensee operate a different classification of a sexually oriented business than that designated in the application, or operate a sexually oriented business under the authority of a license at any place other than the address designated in the application. No sexually oriented business shall be operated under any name or conducted under any designation or classification not specified in the license for that business.

5.24.120 **LOCATION OF A SEXUALLY ORIENTED BUSINESS:**

(A) A person commits an offense if that person operates or causes to be operated a sexually oriented business in any zoning district other than the B-2 District (General Business), the B-3 District (Central Business), the I-1 District (Light Industrial), the I-2 District (General Industrial), as defined and described in the Casa Grande Zoning Ordinance.

(B) A person commits an offense if the person operates or causes to be operated a sexually oriented business within 1,000 feet of :

1. a church; or

2. a public or private elementary or secondary school; or

3. a public or private day care center, preschool, nursery, kindergarten, or similar use; or

4. a boundary of a residential district as defined in this chapter; or

5. a public park; or

6. the property line of a lot devoted to a residential use as defined in this chapter; or

7. an establishment having an Arizona spiritous Liquor License with any of the following classifications: Bar License (Series #06), Beer and Wine Bar License (Series #07), or the equivalent of such licenses.

(C) A person commits an offense if that person causes or permits the operation, establishment, substantial enlargement, or transfer of ownership or control of a sexually oriented business within 1,000 feet of another sexually oriented business.

(D) A person commits an offense if the person causes or permits the operation, establishment, or maintenance of more than one sexually oriented business in the same building, structure, or portion thereof, or the increase of floor area of any sexually oriented business in any building, structure, or portion thereof containing another sexually oriented business.

(E) For the purposes of Subsection (B), measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church, a public or private elementary or secondary school, a public or private day care center, preschool, nursery, kindergarten or similar use, or establishment having the designated Spiritous Liquor License, or to the nearest boundary of an affected public park, residential district, or residential lot. The presence of city, county or other political boundaries shall be irrelevant for purposes of calculating and applying the distance requirements of this Chapter.

(F) For purposes of Subsection (C) of this section, the distance between any two

sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects or political boundaries, from the closest exterior wall of the structure in which each business is located.

(G) Any sexually oriented business that fails to comply with Subsections (A), (B), or (C) of this section but which was lawfully operating before this Chapter took effect shall not be deemed to be in violation of this Chapter when this Chapter takes effect. However, such business will only be permitted to continue in noncompliance with Subsections (A), (B) or (C) for a period not to exceed three years from the effective date of this Chapter, unless sooner terminated for any reason or voluntarily discontinued for a period of 30 days or more. In addition, during those three years such business shall not be increased, enlarged, extended or altered except that the business may be changed so as to fully comply with this Chapter.

(H) A sexually oriented business lawfully operating is not rendered in violation of this Chapter by the location, subsequent to the grant or renewal of the sexually oriented business license, of a church, public or private elementary or secondary school, public park, residential district, or residential lot within 1,000 feet of the sexually oriented business. This provision applies only to the renewal of a valid license, and does not apply when an application for a license is submitted after a license has expired or has been revoked.

5.24.130: **EXEMPTION FROM LOCATION RESTRICTIONS:**

(A) If the City denies the issuance of a license to an applicant because the location of the sexually oriented business establishment is in violation of Section 5.24.120 of this Chapter, then the applicant may, not later than 10 calendar days after receiving notice of the denial, file with the City Clerk a written request for an exemption from the locational restrictions of Section 5.24.120:

(B) If the written request is filed with the City Clerk within the 10-day limit, the Board of Adjustment shall hear and consider the request. The Board of Adjustment shall set a date for the hearing within 60 days from the date the written request is received.

(C) The Board shall hear and consider evidence offered by any interested person. The formal rules of evidence do not apply.

(D) The board of Adjustment may, in its discretion, grant an exemption from the locational restrictions of Section 5.24.120 if it makes the following findings:

1. that the location of the proposed sexually oriented business will not have a detrimental effect on nearby properties or be contrary to the public safety or

welfare; and

2. that the granting of the exemption will not violate the spirit and intent of this chapter of the city code; and

3. that the location of the proposed sexually oriented business will not downgrade the property values or quality of life in the adjacent areas or encourage the development of blight; and

4. that the location of an additional sexually oriented business in the area will not be contrary to any program of neighborhood conservation nor will it interfere with any efforts of neighborhood renewal or restoration; and

5. that all other applicable provisions of this chapter and the Casa Grande City Code will be observed.

(E) If the Board grants the exemption, the exemption is valid for one year from the date of the board's action. Upon the expiration of an exemption, the sexually oriented business is in violation of the locational restrictions of Section 5.24.120 until the applicant applies for and receives another exemption.

(F) If the Board denies the exemption, the applicant may not re-apply for an exemption until at least 12 months have elapsed since the date of the Board's action.

(G) The granting of an exemption does not exempt the applicant from any provisions of this chapter other than the locational restrictions of Section 6-16-12.

5.24.140: **HOURS OF OPERATION:**

No sexually oriented business, except for an adult motel, may remain open at any time between the hours of one o'clock (1:00) A.M. and six o'clock (6:00) A.M. on weekdays and Saturdays, and one o'clock (1:00) A.M. and ten o'clock (10:00) A.M. on Sundays.

5.24.150: **ADDITIONAL REGULATIONS FOR ESCORT AGENCIES:**

(A) An escort agency shall not employ any person under the age of 18 years.

(B) A person commits an offense if the person acts as an escort or agrees to act as an escort for any person under the age of 18 years.

5.24.160: **ADDITIONAL REGULATIONS FOR NUDE MODEL STUDIOS:**

(A) A nude model studio shall not employ any person under the age of 18 years.

(B) A person under the age of 18 years commits an offense if the person appears semi-nude or in a state of nudity in or on the premises of a nude model studio. It is a defense to prosecution under this subsection if the person under 18 years was in a restroom not open to public view or persons of the opposite sex.

(C) A person commits an offense if the person appears semi-nude or in a state of nudity, or knowingly allows another to appear semi-nude or in a state of nudity in area of a nude model studio premises which can be viewed from the public right of way.

(D) A nude model studio shall not place or permit a bed, sofa, or mattress in any room on the premises, except that a sofa may be placed in a reception room open to the public.

5.24.170: **ADDITIONAL REGULATIONS FOR ADULT THEATERS AND ADULT MOTION PICTURE THEATERS:**

(A) A person commits an offense if the person knowingly allows a person under the age of 18 years to appear semi-nude or in a state of nudity in or on the premises of an adult theater or adult motion picture theater.

(B) A person under the age of 18 years commits an offense if the person knowingly appears semi-nude or in a state of nudity in or on the premises of an adult theater or adult motion picture theater.

(C) It is a defense to prosecution under Subsections (A) and (B) of this section if the person under 18 years was in a restroom not open to public view or to persons of the opposite sex.

5.24.180: **ADDITIONAL REGULATIONS FOR ADULT MOTELS:**

(A) Evidence that a sleeping room in a hotel, motel, or similar commercial establishment has been rented and vacated two or more times in a period of time that is less than 10 hours creates a rebuttable presumption that the establishment is an adult motel as that term is defined in this chapter.

(B) A person commits an offense if, as the person in control of a sleeping room in a hotel, motel, or similar commercial establishment that does not have a sexually oriented business license, such person rents or subrents a sleeping room to another and, within 10 hours from the time the room is rented, such person rents or subrents the same sleeping room again.

(C) For purposes of Subsection B. of this section, the terms "rent" or "subrent" mean the act of permitting a room to be occupied for any form of consideration.

5.24.190: **REGULATIONS PERTAINING TO EXHIBITION OF SEXUALLY EXPLICIT FILMS OR VIDEOS:**

(A) A person who operates or causes to be operated a sexually oriented business, other than an adult motel, which exhibits on the premises in a viewing room of less than 150 square feet of floor space, a film, video cassette, or other video reproduction which depicts specified sexual activities or specified anatomical areas, shall comply with the following requirements:

1. Upon application for a sexually oriented business license, the application shall be accompanied by a diagram of the premises showing a plan thereof specifying the location of one or more manager's stations and the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted. A manager's station may not exceed 32 square feet of floor area. The diagram shall also designate the place at which the license will be conspicuously posted, if granted. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram should be oriented to the north or to some designated street or object and should be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the premises to an accuracy of plus or minus six inches. The Chief of Police may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously submitted and certifies that the configuration of the premises has not been altered since it was prepared.

2. The application shall be sworn to be true and correct by the applicant(s).

3. No alteration in the configuration or location of a manager's station may be made without the prior approval of the Chief of Police or his designee.

4. It is the duty of the owners and operator of the premises to ensure that at least one licensed employee is on duty and situated in each manager's station at all times that any patron is present inside the premises. In the case of an adult arcade (or "peep show"), it is the duty of the owners and operator of the premises and the licensed employees who are present to ensure that no more than one person occupies a viewing room or "peep" booth at any time, and that all other entrances to peep booths or other viewing areas (and to the aisles, walkways and hallways leading to peep booths or other viewing areas) are maintained free of any obstruction such as a door, curtain, panel, board, slat, ribbon, cord, rope, chain or other device.

5. The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. Restrooms may not contain video reproduction equipment. If the premises have two or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one of the manager's stations. The view required in this subsection must be by direct line of sight from the manager's station.

6. It shall be the duty of the owners and operator, and it shall also be the duty of all employees present in the premises to ensure that the line of sight and view area specified in subsection (5) remains unobstructed by any doors, walls, merchandise, display racks or other materials at all times that any patron is present in the premises and to ensure that no patron is permitted access to any area of the premises which has been designated as an area in which patrons will not be permitted in the application filed pursuant to Subsection (1) of this section.

7. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than one (1.0) footcandle as measured at the floor level.

8. It shall be the duty of the owners and operator and it shall also be the duty of all employees present on the premises to ensure that the illumination described above is maintained at all times that any patron is present in the premises.

9. No operator, owner or employee shall allow openings of any kind to exist between viewing rooms or booths.

10. No person shall make or attempt to make an opening of any kind between viewing booths or rooms.

11. The operator or owner shall, during each business day, regularly inspect the walls between the viewing booths to determine if any openings or holes exist.

12. The owner or operator shall cause all floor coverings in viewing booths to be non-porous, easily cleanable surfaces, with no rugs or carpeting.

13. The owner or operator shall cause all wall surfaces and seating surfaces in viewing booths to be constructed of, or permanently covered by, non-porous, easily cleanable material. No wood, plywood, composition board or other porous material shall be used within forty-eight inches of the floor.

(B) A person having a duty under Subsections 1 through 13 of Subsection (A) above commits an offense if the person fails to fulfill that duty.

5.24.200: **CRIMINAL PENALTY:**

Any person who violates any provision of this Chapter or of the Casa Grande City Code as amended by this ordinance shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not to exceed two thousand five hundred dollars ($2,500.00) or by imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment.

5.24.210: **CIVIL INJUNCTION:**

Any person who violates this Chapter, or of the Casa Grande City Code as amended by this ordinance, is subject to a civil suit for injunction as well as prosecution for criminal violations and liability for licensing sanctions such as suspension or revocation.

5.24.220: **STRICT LIABILITY AND LIABILITY FOR THE CONDUCT OF OTHERS:**

(A) The offenses and violations described in this Chapter are strict liability offenses and violations requiring no proof of culpable mental state.

(B) A licensee of a sexually oriented business is jointly and individually liable for violations of and offenses under this Chapter by the employees of the sexually oriented business, and for all civil and criminal sanctions or remedies for such violations and offenses, including but not limited to license suspension or revocation, prescribed herein.

Section 2: All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the Casa Grande City Code adopted or amended herein are repealed.

Section 3: If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the Casa Grande City Code adopted or amended herein is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

de adopted or amended herein is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4: Section 5.24.120 of the Casa Grande City Code as enacted herein may be amended only after compliance with the legal procedures required to amend zoning regulations. Other sections of this ordinance or of the Casa Grande City Code established under this ordinance may be amended directly by vote of the City Council.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CASA GRANDE, PINAL COUNTY, ARIZONA this 20th day of September, 1993.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Table 17.16.030A Residential Zone Uses

	UR	R-1	R-1a	R-2	R-3	R-4
A. Principally Permitted Uses						
Single-family dwelling unit	o	o	o	o	o	o
Two family structure			o	o		o
Three family structure				o	o	
Four family structure				o	o	
Multiple family structure				o	o	
Residential facility	o	o	o	o		
Townhouse cluster, not to exceed four (4) units or 120 feet in length				o	o	
Townhouse cluster with four or more units, but not to exceed 160 feet in length					o	
Public parks	o	o	o	o	o	o
Commercial Agricultural Uses Including:						
-Field crops, truck gardening, berry or bush crops, tree crops, flower gardening, plant nurseries and green houses, orchards, aviaries, and apiaries.	o					
-Raising and marketing of poultry, rabbits, and small animals, but not slaughtering of other than such raised on the premises.	o					

	UR	R-1	R-1a	R-2	R-3	R-4
A. Principally Permitted Uses						
-The grazing and raising of livestock and horses except that not more than three (3) hogs shall be kept or maintained on any parcel, lot or tract under one ownership within 500' of any more restrictive zone.	o					
-Fruit, vegetable or agricultural products packing or processing plant, provided the same is located on a site of not less than 10 acres and any buildings located thereon occupy not more than 30% of the site area.	o					
-Livestock sales yard or auction yard, provided the site where located is not less than one-half mile (as the crow flies) from a more restrictive residential zone or within one-half mile of any exterior boundary of a more restrictive zone. Further, that the site is not less than twenty acres in area and applicant shall provide the Planning Director with written consent of 51% of the owners by number and area of property within 300 hundred feet of proposed site.	o					
-A stand of not more than 200 square feet in area for the sale of farm products grown or produced on the premises, provided said stand is not more than 10 feet to any street right-of-way line and not closer than 20 feet to any other lot line.	o					

	UR	R-1	R-1a	R-2	R-3	R-4
A. Principally Permitted Uses						
-Public riding stables and boarding stables, providing the site contains not less than 10 acres and the buildings housing animals set back from all lot lines a distance of not less than 100 feet.	o					
-Wireless telecommunication facilities (28 feet height or under)	o					
B. Conditionally Permitted Uses						
Bed & breakfast establishments (tourist home)	o					
Cemeteries	o	o				
Charity dining facilities, homeless shelters, and similar services	o	o	o	o	o	o
Churches	o	o	o	o	o	o
Day care centers	o	o	o	o	o	o
Electrical sub-stations	o	o	o	o	o	o
Gas regulating stations	o	o	o	o	o	o
Golf courses	o	o	o	o	o	o
Group homes		o		o	o	
Mobile homes	o					o

	UR	R-1	R-1a	R-2	R-3	R-4
B. Conditionally Permitted Uses						
Model homes, temporary	o	o	o	o	o	o
Public/Quasi-Public buildings and uses (all buildings to be located at least 50' from property lines)	o	o	o	o	o	o
Recreational vehicles within a mobile home park						o
Recreational vehicle storage areas						o
Schools	o	o	o	o	o	o

	UR	R-1	R-1a	R-2	R-3	R-4
B. Conditionally Permitted Uses						
Sewer lift station	o	o	o	o	o	o
Temporary sales and office buildings, buildings incidental to construction work	o	o	o	o	o	o
Water pump station	o	o	o	o	o	o
Water tower	o	o	o	o	o	o
Wireless Telecommunication facilities (over 28 feet)	o					
C. Permitted Accessory Uses						
Fences	o	o	o	o	o	o
Greenhouse	o	o	o	o	o	o
Home occupations	o	o	o	o	o	o

	UR	R-1	R-1a	R-2	R-3	R-4
C. Permitted Accessory Uses						o
Private garage	o	o	o	o	o	
Private or jointly owned community center, recreational facilities, pools, tennis courts, spas	o	o	o	o	o	o
Tool sheds, for storage of domestic supplies	o	o	o	o	o	o

Table 17.16.030 B Business and Industrial Zone Uses

A. Principally Permitted Uses	B-1	B-2 B-3	B-4	I-1	I-2
Animal hospital, clinic and kennel providing the establishment and animal runs are completely enclosed in the building			o	o	
Appliance sales, service		o	o		
Appliance repair			o		
Athletic clubs		o	o	o	
Automobile, boat or recreational vehicle sales, maintenance and rental		o	o	o	
Automobile, auto body repair, boat, recreational vehicle repair			o	o	
Bakery for on-site sales, less than 3,500 square feet	o	o	o		
Bakery, greater than 3,500 square feet					o
Banks and other savings and lending institutions	o	o	o		
Barber shop	o	o	o		
Beauty parlor	o	o	o		

A. Principally Permitted Uses	B-1	B-2 B-3	B-4	I-1	I-2
Blueprint shop and photo processing		o	o	o	o
Bottling Plant				o	o
Bowling alley			o	o	
Building material sales yard, including sand and gravel			o	o	
Bus terminals			o	o	
Business and office machine sales, service and repair shop		o	o	o	
Business, technical or vocational school			o	o	o
Cabinet shop and furniture manufacture				o	o
Candy and ice cream store	o	o			
Cigar and tobacco store	o	o			
Clothing and costume rental shop		o	o		
Community center or meeting hall		o	o		
Contractors storage yard			o	o	o
Convenience food store of not more than 3,500 square feet	o	o	o		
Convenience food store of more than 3,500 square feet		o	o		
Custom dressmaking, furrier, millinery or tailor shop employing five persons or less		o	o		
Dancing or theatrical studio		o	o		
Delicatessen and catering establishment		o	o		
Dry cleaning and laundry establishment	o	o	o	o	

A. Principally Permitted Uses	B-1	B-2 B-3	B-4	I-1	I-2
Electrical, electronic or electromechanic machinery manufacture				o	o
Equipment rental or storage yard			o	o	
Essential public service or utility installation	o	o	o	o	o
Exterminator shop			o	o	o
Exterior storage of goods and materials provided that all goods and materials are screened from view from adjacent properties and rights-of-way			o	o	o
Feed store, including yard			o	o	o
Fertilizer manufacture, subject to Section 17.36.030(Q)					o
Florist	o	o	o		
Food processing, not including meat packing				o	o
Frozen food locker			o	o	
Game rooms, pool halls		o	o		
Garden supply store		o	o	o	
General service uses including business, personal and professional service establishments		o	o		
General retail businesses engaged in direct sales to the ultimate consumer		o	o		
Granary, elevator storage					o
Greenhouse			o	o	
Hospital		o	o		

A. Principally Permitted Uses	B-1	B-2 B-3	B-4	I-1	I-2
Hotel or motel		o	o		
Ice and cold storage plant			o	o	o
Interior decorator's shop		o	o		
Impound yard			o	o	o
Laundromat, self service	o	o			
Liquified petroleum gas storage and similar storage areas pursuant to uniform building and fire codes as adopted			o	o	o
Liquor store	o	o	o		
Lock and key shop		o	o		
Machine shop			o	o	o
Mail order catalog store		o	o		
Manufacture of pharmaceutical products and food products including soft drinks, but not including production of fish or meat products, sauerkraut, vinegar or rendering or refining of fats or oils				o	
Manufacturing					o
Manufacturing, light			o	o	o
Medical, dental or health clinic		o	o		
Monument sales and engraving shop			o	o	
Mortuary		o	o		
Museum		o	o	o	
Music studio		o	o		
Newsstand	o	o			

A. Principally Permitted Uses	B-1	B-2 B-3	B-4	I-1	I-2
Offices	o	o	o		
Optician		o	o		
Pawn shop		o	o		
Photographic studio		o	o		
Printing and publishing house (including newspapers)			o	o	o
Private club, fraternity, sorority or lodge		o	o		
Product development and product testing activities				o	o
Public buildings	o	o	o	o	o
Public utility service yard			o	o	o
Radio and television studio		o	o	o	
Recycling center			o	o	o
Restaurant, greater than 3,500 square feet		o	o		
Restaurants of not more than 3,500 square feet, excluding convenience food restaurant	o	o	o		
Sexually oriented businesses subject to licensing requirements of Chapter 5.24		o	o	o	o
Shoe repair and shoe shine shop		o	o		
Swap meet, flea market			o	o	
Tavern, bar or lounge		o	o	o	
Taxidermist		o	o	o	o
Theatre, excluding drive-in theatre		o	o		
Theatre, drive-in			o		

A. Principally Permitted Uses	B-1	B-2 B-3	B-4	I-1	I-2
Tire sales, repair and mounting			o	o	
Truck repairing and overhauling			o	o	
Truck stop			o	o	
Truck washing establishment			o	o	
Trucking yard terminal		o		o	
Upholstery shop			o	o	
Video arcade			o		
Video sales and rental		o	o		
Warehousing				o	o
Warehousing, limited (not to cover more than 40% of floor area)			o	o	o
Watch repair shop		o	o		
Wireless telecommunication facilities (See notes below for height limitations)			o*	o**	o***

Conditionally Permitted Uses. Refer to conditionally permitted uses for the specific zone classification in question.

Permitted Accessory Uses. Refer to permitted accessory uses for the specific zone in question.

* Height is 35 feet or less.

** Height limit is 35 feet or less.

*** The maximum height of any facility shall be 55 feet, except that buildings over 35 feet in height must be approved by the city and shall be subject to additional fire protection precautions as determined by the city fire department.

(Ord. 1397.17.21 § 1, 1999; Ord. 1397.17.20 § I, 1998; Ord. 1397.17.16 § III, 1997; Ord. 1397.17.14 §§ II, III, IV, 1996; Ord. 1397.17.12, 1994; Ord. 1397.17.11 § 3, 1994; Ord. 1397.16.2 §§ 1 (part), 2 (part), 1994; Ord. 1397.17.8 § 1, 1993; Ord. 1178.44 § 2, 1991; Ord. 1178.32 attachment A, 1990: Ord. 1178 § 4.3.2, 1987)