

Chapter 30
SEXUALLY ORIENTED USES

SECTION:

XX-30-1: Purpose

XX-30-3: General Provisions

XX-30-5: Sexually Oriented Uses, Principal

XX-30-7: Sexually Oriented Uses, Accessory

XX-30-1: PURPOSE: The purpose of this chapter is to establish provisions for the opportunity as well as controls of sexually oriented uses within the town. (Ord. 900, 18 Apr 22)

XX-30-2: GENERAL PROVISIONS: Sexually oriented uses as defined in this ordinance shall be subject to the following general provisions:

- A. Activities classified as obscene as defined by Minnesota statutes 617.241 are not permitted and are prohibited.
- B. Sexually oriented uses, either principal or accessory, shall be prohibited from locating in any building which is also utilized for residential purposes.
- C. Sexually oriented uses, either principal or accessory, shall be prohibited from locating in any building that is also used to dispense or consume alcoholic beverages.
- D. A sexually oriented use that does not qualify as an accessory use shall be classified as a sexually oriented use, principal.
- E. Minnesota statutes 617.242 shall not apply. (Ord. 900, 18 Apr 22)

XX-30-3: SEXUALLY ORIENTED USES, PRINCIPAL:

- A. Sexually oriented uses, principal shall be located at least 500 radial feet, as measured in a straight line from the closest point of the property line of the parcel upon which the sexually oriented use, principal is located to the property line of:
 - 1. Rural zoned property.
 - 2. A licensed daycare center.
 - 3. A Pre-K to Grade 12 public or private educational facility.
 - 4. A public library.
 - 5. A public park.

6. Another sexually oriented use, principal.
 7. An on-/off-sale liquor establishment.
 8. A church or other religious facility.
- B. Sexually oriented use, principal activities, as defined by section XX-2-2 of this ordinance, shall be classified as one use subject to subsection A of this section; no two sexually oriented uses, principal shall be located in the same building or upon the same property.
- C. Sexually oriented uses, principal shall, in addition to other sign requirements established by this ordinance, also adhere to the following signing regulations:
1. Sign messages shall be generic in nature and shall only identify the type of business which is being conducted.
 2. Shall not contain material classified as advertising.
 3. Shall comply with the requirements of size and number for the district in which they are located. (Ord. 900, 18 Apr 22)

XX-30-4: SEXUALLY ORIENTED USES, ACCESSORY:

- A. Sexually oriented uses, accessory shall:
1. Comprise no more than 10 percent of the floor area of the establishment in which it is located.
 2. Comprise no more than 20 percent of the gross receipts of the entire business operation.
 3. Not involve or include any activity except the sale or rental of merchandise.
- B. Sexually oriented uses, accessory shall be restricted from and prohibit access to minors by the physical separation of such items from areas of general public access:
1. Movie Rentals: Display areas shall be restricted from general view and shall be located within a separate room, the access of which is in clear view and under the control of the persons responsible for the operation or shall be in catalogs under the direct control and distribution of the operator.
 2. Magazines: Publications classified or qualifying as sexually oriented uses shall not be physically accessible to minors and shall be covered with a wrapper or other means to prevent display of any material other than the publication title.

3. Other Use: Sexually oriented uses, accessory not specifically cited shall comply with the intent of this chapter subject to the approval of the zoning administrator.
- C. Sexually oriented uses, accessory shall be prohibited from both internal and external advertising and signing of sexually oriented materials and products.
- D. Sexually oriented uses, accessory activities shall be prohibited at any public show, movie, caravan, circus, carnival, theatrical, or other performance or exhibition presented to the general public where minors are admitted. (Ord. 900, 18 Apr 22)