

(OA--03-14) -- AN ORDINANCE TO AMEND THE TEXT OF ODINANCE NO. 99-372 KNOWN AS THE SUMTER COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (PROVIDING THE PURPOSE AND INTENT FOR CONTROLLING ADULT USES)

WHEREAS, the request by the Planning Commission Staff to amend the text of the County Zoning and Development Standards Ordinance, has been duly considered by the Planning Commission and all requirements of Article One, Section T, and all other applicable sections of the County Zoning and Development Standards Ordinance have been complied with; and

WHEREAS, the request has been forwarded to County Council with a recommendation for approval from the Planning Commission and County Council concurs with their recommendation;

Now Therefore, Be It Ordained By The County Council Of The County Of Sumter, South Carolina, At Its Regular Meeting Duly Assembled And By The Authority There Of Amend Ordinance #99-372 as follows:

ORDINANCE CHANGES

A. Article 5, Section 5.b.3.g:

1. Add the following subparagraph 1. Purpose and Intent

It is the purpose of this Article to regulate sexually oriented businesses to promote the health, safety, morals, and general welfare of the citizens of the county and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of sexually oriented businesses within the Sumter County. The provisions of this Article have neither the purpose or effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent or effect of this Article to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent or effect of this Article to condone or legitimize the distribution of obscene material.

2. Re-label existing subparagraph 1 to 2.

B. Article 10, Adult Uses:

1. Adult Club, subparagraph a. after nudity add “or semi-nudity”.

2. Add a new paragraph 8 as follows:

8. SEMI-NUDITY: Semi-nude means a state of dress in which opaque 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.

3. Add a new paragraph 9 as follows:

9. SPECIFIED ANATOMICAL AREAS: Specified Anatomical Areas means human genitals, pubic region, buttock and female breasts below a point immediately above the top of the areola and male human genitals in a discernable turgid state, even if completely and opaquely covered.

All other sections of the Zoning And Development Standards Ordinance of the County of Sumter, South Carolina, and subsequent amendments, shall remain as previously adopted.

Adopted By County Council This 12th Day Of August 2003, To Take Effect Immediately.

SUMTER COUNTY, SOUTH CAROLINA

(Seal)

Naomi D. Sanders
Chairwoman, Sumter County Council

ATTEST:

Mary W. Blanding, Clerk to County Council

First Reading: July 8, 2003

Second Reading: July 22, 2003

Public Hearing: July 22, 2003

Third Reading and Adoption: August 12, 2003

Attachment: Planning Staff Report

cc: Council, Planning Director, County Assessor, Clerk of Court, County Attorney, and County Administrator