

ORDINANCE NO. 9827 (NEW SERIES)

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
RELATING TO THE DEFINITION OF ADULT BUSINESSES

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The purpose of this ordinance is to provide clarification regarding the term, "significant or substantial portion" as used in the definition of "Adult Bookstore, Adult Novelty Store Adult Video Store".

Section 2. Section 1110 of the Zoning Ordinance is hereby amended to revise the definition of " Adult Bookstore, Adult Novelty Store, Adult Video Store" in Definitions (A), to read as follows:

Adult Bookstore, Adult Novelty Store, Adult Video Store: A commercial establishment which has a significant or substantial portion of its stock-in-trade or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising, or maintains a substantial section of its sales or display space for the sale or rental, for any form of consideration, of any one or more of the following:

- a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas";
- b. Instruments, devices or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of the user or others.

As used in this definition, the term "significant or substantial portion" means 25 percent or more.

Section 3. This Ordinance shall take effect and be in force 30 days after the date of its passage, and before the expiration of 15 days after its passage, a summary shall be published once with names of the members voting for and against the same in the *San Diego Daily Transcript*, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED on this 31<sup>st</sup> day of January, 2007.