

RESOLUTION NO. 160

A RESOLUTION OF THE CITY OF PARKER FINDING CHANGES IN THE COMMUNITY AND APPLICABLE LAWS RELATING TO ADULT OR DESIGNATED USES; APPROVING THE PREPARATION OF ONE OR MORE ORDINANCES AMENDING CURRENT REGULATIONS AND DIRECTING STAFF TO ACTIVELY PURSUE PROPOSED CHANGES; PROHIBITING THE OPENING OR OPERATION OF ADULT OR DESIGNATED USES DURING THE DEVELOPMENT AND ADOPTION OF SUCH ORDINANCES AND PROHIBITING STAFF FROM ISSUING LICENSES AND PERMITS THEREFOR; AND PROVIDING FOR AN IMMEDIATELY EFFECTIVE DATE AND A DURATION OF THREE MONTHS.

WHEREAS, since the City of Parker ("City") adopted a beverage ordinance (Ordinance No. 90-171, as amended) regulating certain conduct involving adult oriented activities, including but not limited to topless dancing by females, in businesses serving alcohol there has been an increase in the number of adult oriented businesses promoting nude or semi-nude entertainment in the unincorporated area of Bay County and in adjacent municipalities; and

WHEREAS, after considering a variety of alternatives, the Board of County Commissioners of Bay County, Florida, is in the process of re-zoning certain areas of Bay County relating to topless dancing and other adult uses, and amending the County regulations applicable to conduct in such establishments; and

WHEREAS, the City recognizes that such changes in the community and in the County regulations will affect the land use policies and goals and the health, safety and welfare of the residents of the City; and

WHEREAS, the City anticipates that amendments to the City ordinances may be necessary to address such changes, and promote and protect the public good, and has instructed the staff to prepare and report on available alternatives, and the City Council

concurr, and hereby instructs staff to actively pursue the development of such amendments; and

WHEREAS, the City Council requires time to study the changes in the community, the final action of the Board of County Commissioners of Bay County, Florida, and alternatives available to the City before adopting one or more of the amendments to the City ordinances currently under consideration by City staff; and

WHEREAS, there are currently no such adult oriented businesses within the boundaries of the City, and the City intends to avoid the public expense and delay inherent in imposing new or additional regulations upon an existing business.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF PARKER:

1. From the adoption of this resolution and for a period of three (3) months thereafter, or until the adoption of the ordinance under consideration by the City staff amending current regulations, whichever occurs first, no adult oriented club allowing nude, semi-nude or topless dancing or other forms of entertainment or other similar establishments involving such designated uses may be opened or operated within the City, and no building permit, development order, certificate of occupancy, occupational license, or other license or permit shall be issued therefor by the City.

2. If any person shall be aggrieved by this resolution, he or she may appeal to the City Council which shall explain the status of the ordinances under consideration and consider the specific situation of such person and determine whether it is likely or not that the final regulations adopted by the City will

prohibit the activity requested. If not, such person shall be permitted to proceed with the understanding that they are nonetheless proceeding at their own risk, that the City has not taken final action, and that the final regulations may indeed proscribe the activity requested.

3. This Resolution shall take effect immediately upon its passage.

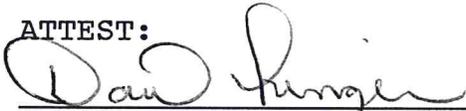
PASSED, APPROVED AND ADOPTED by the City Council of the City of Parker, Florida, on this 3rd day of September, 1996.

CITY OF PARKER, FLORIDA



BRENDA G. HENDRICKS, Mayor

ATTEST:



DAVID W. LINGER, City Clerk