

SECTION XXII. LOCATION OF ADULT BUSINESSES. [Adopted 1/20/93]

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1. DEFINITIONS

a. “Adult business”

means any business in any use category, a substantial or significant portion of which consists of selling, renting, leasing, exhibiting, displaying, or otherwise dealing in materials or devices of any kind which appeal to prurient interest and which depict or describe specified sexual activities.

b. “Specified sexual activities” means:

1. human genitals in a state of sexual stimulation or arousal;
2. acts of human masturbation, sexual intercourse or sodomy;
3. fondling or other erotic touching of human genitals, pubic region, buttocks or female breast.

c. “Public Building”

means a building owned, operated or funded in whole or in part by the Town of Scarborough which members of the general public have occasion to visit, either regularly or occasionally, such as, but not limited to, the Town Hall, the Public Library, the Police Station and Fire Stations.

2. LOCATION OF ADULT BUSINESSES RESTRICTED

No adult business shall be located:

- a.** in any zoning district other than the General Business District B-2 or the Highway Business District BO-R; or
- b.** in any location where the customer entrance to the adult business would be closer than 1,000 feet, measured in a straight line without regard to intervening structures or objects, to the nearest point on the boundary of any property which is:
 - i. occupied by a residence, school, park, playground, church or public building,
 - ii. located in a residential zone, or
 - iii. occupied by another adult business.

3. OUTSIDE DISPLAYS PROHIBITED

No materials or devices displaying or exhibiting specified sexual activities shall be visible from the exterior of the building in which the adult business is located.