

FAILED

ORDINANCE 1493

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 5.36.160 LOCATION OF BUSINESS IN CHAPTER 5.36 ADULT ENTERTAINMENT BUSINESS, OF TITLE 5, BUSINESS LICENSES & REGULATIONS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO:

**Section 1.** Section 5.36.160 of the Payette Municipal Code is hereby amended to read:

5.36.160: LOCATION OF BUSINESS:

No adult store, adult theater, adult arcade or adult entertainment establishment shall be located within three hundred (300) yards of any school, church, bar, hospital, nursing home, assisted living facility, adult or child daycare facility, ~~liquor store~~ or public park which is open to children. No adult store, adult theater, adult arcade or adult entertainment establishment shall be located in any area which has been zoned as A or B residential, ~~C-commercial, T-trailer or as F-unclassified~~ or in any similarly designated zone if those zoning designations should be changed.

**Section 2.** This Ordinance may be published in summary form allowed by Idaho Code.

**Section 3.** This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

**Section 4.** Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

**Section 5.** If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

CITY OF PAYETTE, IDAHO

BY \_\_\_\_\_

Jeffrey T. Williams, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk