



**ORDINANCE 2007- 07**

**ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF AMERICAN CANYON, STATE OF CALIFORNIA,  
EXTENDING THE MORATORIUM ON THE ESTABLISHMENT AND OPERATION OF ADULT  
BUSINESSES IN THE CITY**

**WHEREAS**, on June 7, 2007, the City Council for the City of American Canyon enacted an urgency interim ordinance (Ordinance 2007-06) effecting a moratorium on the establishment and operation of Adult Businesses within the City (the "Adult Business Moratorium"), which pursuant to Government Code §65858(a), will cease to have any force and effect 45 days from the date of its adoption; and

**WHEREAS**, on July 5, 2007—more than ten days before expiration of the Adult Business Moratorium on July 22, 2007—a report was presented to the City Council describing the measures taken to alleviate the conditions which led to the adoption of the Adult Business Moratorium in compliance with Government Code §65858(d); and

**WHEREAS**, on July 5, 2007, the City Council considered said report and adopted Resolution 2007-127 accepting and issuing it; and

**WHEREAS** on July 19, 2007, the City Council held a duly-noticed Public Hearing to consider extending the Adult Business Moratorium for ten months and fifteen days from its scheduled expiration on July 22, 2007, at which time all those in attendance were given the opportunity to speak on the extension of the Adult Business Moratorium; and

**WHEREAS**, the City Council has considered all of the written and oral testimony presented at the Public Hearing in making its decision.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of American Canyon that the City Council hereby extends the Adult Business Moratorium established by Ordinance 2007-06 for ten months and fifteen days to June 6, 2008, or until such time as the City Council otherwise elects to terminate operation of the Adult Business Moratorium, based on the following findings:

1. The City of American Canyon currently contains inadequate zoning and business regulations pertaining to the establishment and operation of Adult Businesses in the City.
2. The lack of adequate regulations pertaining to the establishment and operation of Adult Businesses poses a current and immediate threat to the public health, safety, or welfare because this condition would allow the unregulated establishment and operation of Adult Businesses in the City, which would likely lead to the unfettered proliferation of negative secondary effects related to Adult Businesses. For example, there are currently no or inadequate provisions in the City's Municipal Code regarding definitions pertaining to Adult Businesses, on-site security and lighting requirements at Adult Business establishments, standards for hours of operation, zoning application procedures and standards, or age limits for patrons or employees.

3. The proposed extension of the Adult Business Moratorium would allow additional time to formulate and implement adequate regulations pertaining to Adult Businesses which could address the negative secondary effects associated with Adult Businesses while respecting the rights of those desiring to engage in Adult Businesses.


**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of American Canyon on July 19, 2007, by the following vote:

**AYES:** Garcia, Bennett, Callison, Coffey, West

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

  
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Leon Garcia, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

  
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Marilynn Linn, Interim City Clerk

  
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William D. Ross, City Attorney