

**AMENDMENT NO. 1 TO ORDINANCE NO. 2006-1
ORDINANCE REGULATING CERTAIN
SEXUALLY ORIENTED ADULT BUSINESSES
OF WYTHE COUNTY, VIRGINIA**

A public hearing was held on the 26th day of October 2010 at 9:05 a.m. in the Board Room of the Wythe County administration Building, 340 South Sixth Street, Wytheville, Virginia to consider amending Ordinance #2006-1 entitled, "Ordinance Regulating Certain Sexually Oriented Adult Businesses."

DELETE:

SECTION 4. Grounds for Revocation.

- (f) On two or more occasions within a 12-month period, employees of the adult business at the time of the offenses committed an offense in or on the permitted premises for which a conviction has been obtained constituting;
- a. Aiding, abetting or harboring a runaway child;
 - b. Prostitution or promotion of prostitution;
 - c. Exposing minors to harmful materials;
 - d. Dissemination of obscenity;
 - e. Sexual assault; or
 - f. Violation of Section 9 of this ordinance.

SECTION 7. Inspection.

In addition to any existing legal authority, law enforcement officials and representatives of county departments shall have the authority to inspect an adult business for the purpose of determining compliance with the provisions of this ordinance.

ADD:

SECTION 1. Definitions.

Security Specialist means a person or entity that has obtained a private security services business license from the Virginia Department of Criminal Justice Services.

SECTION 4. Grounds for Revocation.

- (f) An employee or employees of the adult business at the time of the offenses committed an offense in or on the permitted premises for which a conviction has been obtained constituting:
 - a. Aiding, abetting or harboring a runaway child;
 - b. Prostitution or promotion of prostitution;
 - c. Exposing minors to harmful materials;
 - d. Dissemination of obscenity;
 - e. Sexual assault; or
 - f. Violation of Section 9 of this ordinance.

SECTION 7. Inspection.

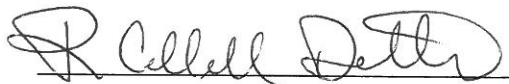
In addition to any existing legal authority, law enforcement officials and representatives of county departments shall have the authority to inspect an adult business for the purpose of determining compliance with the provisions of this ordinance. The application for an adult business license shall constitute a waiver of the licensee and his/her agents Fourth Amendment right against unreasonable searches and seizures and shall constitute consent of the licensee and his/her agents or employees to permit County and/or State law enforcement officials and representatives of County departments to conduct routine or random inspections of any licensed adult business during the hours the establishment is conducting business, with or without a warrant.

Supervisor Gary M. Houseman made a motion to approve this amendment. The motion was seconded by Supervisor Margaret O. Poole and the roll call vote is as follows:

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Absent</u>
B.G. Horney, Jr.	X		
Gary M. Houseman	X		
Danny C. McDaniel	X		
Coy L. McRoberts	X		
Margaret O. Poole	X		
Wythe B. Sharitz	X		
Martha P. Umberger	X		

This amendment shall be effective on and after 12:01 a.m. on the 27th day of October 2010.

I certify that this is a true and correct copy taken from the October 26, 2010 minutes of the Wythe County Board of Supervisors meeting.

A handwritten signature in black ink, appearing to read "R. Cellel Dalton", written over a horizontal line.

R. Cellel Dalton, Clerk