

ORDINANCE NO. _____

An ordinance amending Chapter 41A, “Sexually Oriented Businesses,” of the Dallas City Code by amending Section 41A-4; providing clarification that the possession of a late hours permit issued pursuant to Section 14-3.1 does not exempt a sexually oriented business from the hours of operation requirement in Section 41A-14.3; providing a penalty not to exceed \$4,000 and confinement in jail not to exceed one year; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Subsection (e) of Section 41A-4, “License and Designated Operator Required,” of Chapter 41A, “Sexually Oriented Businesses,” of the Dallas City Code is amended to read as follows:

“(e) The fact that a person possesses a valid dance hall license does not exempt the person from the requirement of obtaining a sexually oriented business license. A person who operates a sexually oriented business and possesses a dance hall license shall comply with the requirements and provisions of this chapter as well as the requirements and provisions of Chapter 14 of this code when applicable. The possession of a late hours permit issued under Dallas City Code Section 14-3.1 does not exempt the person from the provisions of Section 41A-14.3(a) of this chapter.”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$4,000 and confinement in jail not to exceed one year.

SECTION 3. That Chapter 41A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, City Attorney

By _____
Assistant City Attorney

Passed _____