



DEPARTMENT OF BUILDINGS
EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, N.Y. 10013
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Issuance # 493

OPERATIONS
POLICY AND PROCEDURE NOTICES # 17/95

TO: Distribution
FROM: Barry G. Cox
DATE: 27 December 1995
SUBJECT: Adult Establishments

Reference: Zoning Resolution Sections 11-113, 11-30, 12-10, 32-00, 42-00, 42-55, 51-00, 52-00, and 72-00, et seq.

Purpose: To establish a procedure to assure the provisions of the Zoning Resolution relating to adult establishments is accurately enforced.

Effective: October 25, 1995

Specifics:

◆ **Filing Process:**

Applicant:

Directive 14 of 1975 and the Professional Certification of Application and Plans Process (PPN #2/95) may not be used for any filing related to adult establishments.

In Section 16 (comments) of the PW1, the applicant shall indicate whether the filing he/she is making is to create, enlarge or extend an adult establishment or to erect a business

sign accessory to such an adult establishment.

The application shall also include a separate area diagram detailing all existing uses and block and lot numbers within a 500 foot radius of the zoning lot of the adult establishment and include the location of any adult establishment identified on the enclosed list from the Department of City Planning. (Appendix A)

• Plan Examiner:

An objection shall be raised if there exists another adult establishment within 500 feet of the proposed use or on the same zoning lot or if the establishment is in the wrong zoning district. Examiners should be guided by Appendix B.

• Permit Clerk:

Prior to issuing a work permit for an adult establishment, the clerk shall refer the applicant to the Borough Commissioner (or his/her designee) who shall verify from a batch report of all applications filed on or after October 25, 1995 to create, enlarge or extend an adult establishment made available weekly by MIS, that the new establishment meets the criteria established under the Zoning Resolution.

◆ **Enforcement Process:**

Borough Complaint Clerk:

For all Boroughs Except Manhattan:

Any complaint received about an adult establishment shall be data entered onto BIS using complaint category code 75. The complaint will automatically be assigned a "B" priority. The jurisdiction must state "refer to Operations", category 98.

The disposition of the complaint by the Night Squad shall be data entered upon being returned to the Borough office and a written response letter generated to the complainant.

For Manhattan Only:

Any complaint received about an adult establishment shall be data entered onto BIS using complaint category code 75. The complaint will automatically be assigned a "B" priority. The jurisdiction must state "refer to Office of Midtown Enforcement" category G7.

A written response letter will be generated and mailed to the complainant indicating the complaint was referred to the Office of Midtown Enforcement, 330 West 42nd Street, 15th Floor, New York, N.Y. 10036.

On a weekly basis, the Borough office shall batch these complaint letters to that Office for investigation.

Executive Chief Inspector's Office:

The Executive Chief shall secure a city-wide BIS printout of all category code 75 complaints on a weekly basis, print out the required work orders and route the Night Squad inspectors to these premises.

Complaints about premises appearing on Appendix A shall not be inspected prior to October 25, 1996 unless the complaint alleges such premises has been enlarged or the use extended.

The Executive Chief's office shall request the respective borough office to provide the following information with respect to each premises to be inspected:

- * Certificate of occupancy
- * sign permits
- * any other documentation which may establish the existing legal use of the premises.
- * Zoning or Sanborn map showing premises location.

Night Emergency Squad:

Any Department of Buildings notice of violation written for violating Zoning Resolution Section 11-113 must identify the specific type of adult establishment defined in Zoning Resolution Section 12-10 as either:

- * An Adult Bookstore, or
- * Adult Eating or Drinking Establishment, or
- * An Adult Theater or
- * Other commercial establishment or
- * Any combination of the above

To the extent possible, the Night Squad log should include a brief layout of any premises inspected, the extent of the adult establishment and a description of the activities taking place in the premises. Backup documentation and the results of the inspection written on the work order shall be submitted to the Executive Chief who shall review the materials. If a determination is made that a violation should be issued, it shall be returned to the respective Borough Office for data entry.

Inspectors should refer to Appendix B for further guidance.

BGC:yaj
adult.est

BORO-MANHATTAN

CD	TAXBLOCK	TAXLOT	NAME	ADDRESS	USE
01	53	38	THUNDER XXX VIDEO	100 GREENWICH ST	VIDEO STORE
01	53	39	PUSSYCAT LOUNGE	96 GREENWICH ST	TOPLESS BAR
01	65	10	XXX VIDEO	11 MAIDEN LANE	VIDEO STORE
01	90	21	ADULT VIDEO	21 ANN ST	VIDEO STORE
01	92	26	KINOLS	118 NASSAU ST	TOPLESS BAR
01	133	15	THE DOLL HOUSE	59 MURRAY ST	TOPLESS BAR
01	150	6	DESIRE VIDEO	68 READE ST	VIDEO STORE
01	175	16	HARMONY THEATRE	279 CHURCH ST	OTHER THEATER
01	193	17	BABY DOLL LOUNGE	34 WHITE ST	TOPLESS BAR
02	211	28	LOVESTYLE VIDEO	376 CANAL ST	VIDEO STORE
02	228	10	XXX VIDEO SALE	377 CANAL ST	VIDEO STORE
02	230	6	XXX VIDEO SALE	323 CANAL ST	VIDEO STORE
UR	434	0	CHIPPENDALES	110 151 AV	TOPLESS BAR
02	528	52	XXX VIDEO	220 VARICK ST	VIDEO STORE
03	558	30	ALL MALE JEWEL THEATRE	100 3RD AV	MOVIE THEATER
02	577	1	XXX VIDEO SALE	520 6TH AV	VIDEO STORE
02	585	49	CHRISTOPHER ST BOOKS	500 HUDSON ST	VIDEO STORE
02	589	28	CRAZY FANTASY XXX VIDEO	331 6TH AV	VIDEO STORE
02	596	1	PRINCE THEATER	329 WEST ST	MOVIE THEATER
02	619	45	XXX VIDEO	119 CHRISTOPHER ST	VIDEO STORE
02	630	30	HARMONY VIDEO	139 CHRISTOPHER ST	VIDEO STORE
02	636	1	BADLANDS ADULT VIDEO	388 WEST ST	VIDEO STORE
02	636	4	XXX VIDEO	391 WEST ST	VIDEO STORE
04	699	1	PURE GOLD	262 117H AV	TOPLESS BAR
04	761	31	ZIDEO XX VIDEO	539 8TH AV	BOOK STORE

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BORO=MANHATTAN
 (continued)

CD	TAXBLOCK	TAXLOT	NAME	ADDRESS	USE
04	763	42	300 BOOK STORE	300 W 40TH ST	VIDEO STORE
04	763	44	BACK DATE MAGAZINES	304 W 40TH ST	BOOK STORE
04	771	6	ADULT VIDEO	228 8TH AV	VIDEO STORE
04	778	34	CLUB 90	208 W 29TH ST	TOPLESS BAR
05	780	70	PENN VIDEO	252 W 31ST ST	VIDEO STORE
05	784	5	ADULT ENTERTAINMENT CENTER	488 8TH AV	PEEP SHOW
05	787	1	MEDALIOS	552 8TH AV	TOPLESS BAR
04	793	37	XXX VIDEO	603 6TH AV	VIDEO STORE
04	798	11	ALL-STAR HARMONY CLUB	161 W 22ND ST	TOPLESS BAR
04	799	40	ADULT VIDEO XXX	725 6TH AV	VIDEO STORE
04	799	42	DILLYS TOPLESS	729 6TH AV	TOPLESS BAR
04	801	36	SERENDIP XXX VIDEO & PEEP	755 6TH AV	VIDEO STORE
04	803	35	ADULT VIDEO	795 6TH AV	VIDEO STORE
05	809	8	PEEPWORLD	155 W 33RD ST	VIDEO STORE
05	821	55	TEXAS GOLD	20 W 20TH ST	TOPLESS BAR
05	832	46	VOGUE VIDEO	286 5TH AV	VIDEO STORE
05	834	69	WORLD FAMOUS PARADISE	42 W 33RD ST	TOPLESS BAR
05	840	12	BANANA VIDEO	55 W 38TH ST	VIDEO STORE
05	840	81	MANHATTAN VIDEO	60 W 39TH ST	BOOK STORE
05	843	39	SALAX IN NEW YORK	16 E 16TH ST	TOPLESS BAR
05	850	25	STRINGFELLOW	35 E 21ST ST	TOPLESS BAR
05	860	30	A CARNIVALE	39 E 30TH ST	BOOK STORE
06	896	1	ALL MALE ADULT VIDEO	125 3RD AV	VIDEO STORE
06	896	2	XXX VIDEO	127 3RD AV	VIDEO STORE

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DORO-MANIATTAN
(continued)

CD	TAXBLOCK	TAXLOT	NAME	ADDRESS	USE
06	917	156	24-HOUR XXX VIDEO	3RD AV	VIDEO STORE
06	921	1		E 14TH ST	VIDEO STORE
05	984	47	LES GALS	W 42ND ST	PEEP SHOW
05	985	26	FUN CITY	W 42ND ST	VIDEO STORE
05	995	26	113 VIDEO CENTER	W 42ND ST	VIDEO STORE
05	1000	64	JOCKS	7TH AV	OTHER THEATER
05	1000	64	SHOW FOLLIES CENTER	7TH AV	BOOK STORE
05	1001	3	METROPOLE GOGO (RUNWAY 69)	7TH AV	TOPLESS BAR
05	1012	63	XXX NECIAN	8TH AV	VIDEO STORE
05	1013	20	L & J BOOKS & VIDEOS	7TH AV	PEEP SHOW
05	1013	35	FORSYTH BOOKS	7TH AV	BOOK STORE
05	1013	37	VIDEO WORLD CENTER	W 42ND ST	PEEP SHOW
05	1013	83	ROXY MOVIE	W 42ND ST	MOVIE THEATER
05	1013	55	NEPTUNE VIDEO	W 42ND ST	VIDEO STORE
05	1013	55	250 BOOKSTORE	W 42ND ST	BOOK STORE
05	1013	57	EROTICA	W 42ND ST	VIDEO STORE
05	1013	57	NIMBLE VIDEO	W 42ND ST	VIDEO STORE
05	1014	1	TIME COME VIDEO	W 42ND ST	VIDEO STORE
05	1014	1	TIMES SQ ADULT SHOPPING CENTER	W 42ND ST	VIDEO STORE
05	1014	5	SHOW CENTER	W 42ND ST	PEEP SHOW
05	1014	6	G & A BOOKS	W 42ND ST	BOOK STORE
05	1014	10	HAREM	W 42ND ST	MOVIE THEATER
05	1014	11	VIDEO BLOW OUT	W 42ND ST	VIDEO STORE
05	1014	13	241 BOOK INC	W 42ND ST	BOOK STORE

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DORO-MANIATTIAN
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CD	TAXBLOCK	TAXLOT	NAME	ADDRESS	USE
05	1014	58	SUPER VIDEO	W 43RD ST	VIDEO STORE
05	1014	59	PLAYPEN	W 43RD ST	BOOK STORE
05	1014	60	THE MALE BOX	W 43RD ST	VIDEO STORE
05	1014	63	SLR MERCHANDISING	8TH AV	BOOK STORE
05	1014	64	SHOW PALACE	8TH AV	BOOK STORE
05	1017	2	VENUS CINEMA	8TH AV	MOVIE THEATER
05	1017	63	CAPRI THEATER	8TH AV	MOVIE THEATER
05	1017	63	EROS THEATER	8TH AV	MOVIE THEATER
05	1017	105	MARQUIS VIDEO	W 45TH ST	VIDEO STORE
05	1018	39	LAPS	W 47TH ST	MOVIE THEATER
05	1019	3	XXX VIDEO	8TH AV	VIDEO STORE
05	1020	38	CIRCUS CINEMA	BROADWAY	MOVIE THEATER
05	1020	38	PINKS	W 49TH ST	OTHER THEATER
05	1021	49	ADULT VIDEO EXPRESS	W 50TH ST	VIDEO STORE
05	1024	131	FLASH DANCERS	BROADWAY	TOPLESS BAR
05	1025	50	NEW DAVID	W 54TH ST	OTHER THEATER
05	1026	15	FAMOUS LEGZ DIAMOND	W 54TH ST	TOPLESS BAR
04	1033	32	SHOW WORLD	8TH AV	BOOK STORE
04	1034	32	CLUD 44	8TH AV	TOPLESS BAR
04	1034	33	XXX-TASY VIDEO	8TH AV	PEEP SHOW
04	1034	34	ADONIS THEATER	8TH AV	MOVIE THEATER
04	1034	60	NEW KING MALE CINEMA	W 44TH ST	MOVIE THEATER
04	1037	34	ADULT VIDEO	8TH AV	VIDEO STORE
04	1038	31	HOLLYWOOD TWIN	8TH AV	MOVIE THEATER

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BORO-MANHATTAN
(continued)

CD	TAXBLOCK	TAXLOT	NAME	ADDRESS	USE
04	1038	31	HOLLYWOOD TWIN ADULT VIDEO	8TH AV	VIDEO STORE
04	1096	1	THE XXX VIDEO	12TH AV	VIDEO STORE
07	1145	61	AMSTERDAM AVE VIDEO	AMSTERDAM AV	VIDEO STORE
07	1228	22	ESHOMMES	W 80TH ST	VIDEO STORE
06	1302	123	FLASH DANGERS DANGEROUS CURVES	E 47TH ST	TOPLESS BAR
06	1326	36	LIONS DEN	E 53RD ST	VIDEO STORE
06	1326	40	HOUSE OF DREAMS	E 53RD ST	VIDEO STORE
06	1326	40	LOVE TO LOVE	E 53RD ST	VIDEO STORE
06	1347	52	THE DOLL HOUSE	E 54TH ST	TOPLESS BAR
08	1435	16	SCORES	E 60TH ST	TOPLESS BAR

N = 107

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----- BORO=BRONX -----

CD	TAXBLOCK	TAXLOT	NAME	ADDRESS	USE
05	2875	45	ALTAGRACIA RESTAURANT	1548 UNIVERSITY AVE	TOPLESS BAR
05	3164	31	ASCOT MOVIE THEATRE	2313 GRAND CONCOURSE	MOVIE THEATER
08	3266	112	JUST US BAR	156 W 231ST ST	TOPLESS BAR
11	4317	50	GLOBE THEATER	640 PELHAM PARKWAY S	MOVIE THEATER
12	4804	100	MICKEY & ANTHONYS CABARET	1769 E GUN HILL RD	TOPLESS BAR
12	4953	122	PRETTY WOMAN	4141 BOSTON RD	TOPLESS BAR
12	5275	6	FOOLS PARADISE	4074 BOSTON RD	TOPLESS BAR
10	5576	102	RUFFLES BAR	4026 E TREMONT AVE	TOPLESS BAR

N = 8

----- BROOKLYN -----

CD	TAXBLOCK	TAXLOT	NAME	ADDRESS	USE
02	268	52	PANDORA BOOKS	88 COURT ST	BOOK STORE
07	654	7	VIDEO XXX WAREHOUSE	761 3RD AV	VIDEO STORE
07	687	1	FOXY DEN	920 3RD AV	TOPLESS BAR
07	695	38	VIDEO XXX	952 3RD AV	VIDEO STORE
07	706	24	CORRADOS CLUB	3915 1ST AV	TOPLESS BAR
07	707	9	WILD WILD WEST	3901 2ND AV	TOPLESS BAR
07	722	8	MOMS BAR	4201 2ND AV	TOPLESS BAR
06	1009	5	PLAYPEN ADULT VIDEO	463 3RD AV	VIDEO STORE
02	2012	70	VIDEO XXX	851 ATLANTIC AV	VIDEO STORE
12	5719	35	VIDEO XXX	1968 60TH ST	VIDEO STORE
07	5789	46	CORRSCREW CAFE	6120 3RD AV	TOPLESS BAR
15	6774	45	THE HUBY CLUB	1105 QUENTIN RD	TOPLESS BAR
15	6774	45	XXX VIDEO	1103 QUENTIN RD	VIDEO STORE
15	7170	42	THE CABARET	2937 86 ST	TOPLESS BAR
14	7557	40	CLUB CHEETAH	1496 FLATBUSH AV	TOPLESS BAR

N = 15

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BOHOY QUEENS

CD	TAXBLOCK	TAXLOT	NAME	ADDRESS	USE
02	25	9	RIVERHEAD INN	45-08 VERNON BLVD	TOPLESS BAR
02	160	50	MERRY-GO-ROUND	45-15 QUEENS BLVD	TOPLESS BAR
02	190	2	GALLAGHERS	39-33 QUEENS BLVD	TOPLESS BAR
01	239	19	CANDY	29-32 NORTHERN BLVD	TOPLESS BAR
02	276	41	XXX VIDEO	31-17 QUEENS BLVD	VIDEO STORE
02	304	113	SCANDALS	32-37 GREENPOINT AV	TOPLESS BAR
01	589	44	MERMAID	31-08 31ST ST	TOPLESS BAR
01	668	5	CITYSCAPE	35-03 38TH ST	TOPLESS BAR
01	823	165	XXX VIDEO	36-19 DITMARS BLVD	VIDEO STORE
01	833	3	PENNY WHISTLE	31-07 23RD AV	TOPLESS BAR
03	1284	7	EARLE THEATER	73-07 37TH RD	MOVIE THEATER
02	1329	1	NAKED CITY	56-07 QUEENS BLVD	TOPLESS BAR
03	1364	16	FAIR THEATRE	90-18 ASTORIA BLVD	MOVIE THEATER
03	1366	21	COZY CABIN	92-03 ASTORIA BLVD	TOPLESS BAR
03	1366	39	LOVESHACK ADULT VIDEO	92-20 ASTORIA BLVD	VIDEO STORE
03	1398	45	WILEYS	05-07 31ST AVE	TOPLESS BAR
03	1467	39	POLK THEATER	83-09 37TH AVE	MOVIE THEATER
03	1480	42	FIDDLE & BOW	92-07 ROOSEVELT AV	TOPLESS BAR
03	1502	6	DEE TWO VIDEO	86-10 ROOSEVELT AV	VIDEO STORE
04	1506	1	PIDES PLACE 11	81-26 BAXTER AV	TOPLESS BAR
03	1706	1	JOHNNY JAVS CATCH ME IF YOU CA	N112-08 ASTORIA BLVD	TOPLESS BAR
03	1770	81	TOPLESS BAR	39-02 104TH ST	TOPLESS BAR
04	1862	1	CANHE	92-02 CORONA AV	TOPLESS BAR
06	2075	39	GOLDFINGERS	92-77 QUEENS BLVD	TOPLESS BAR
02	2282	29	HONEYS	49-14 QUEENS BLVD	TOPLESS BAR

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BORO-QUEENS
(continued)

CD	TAXBLOCK	TAXLOT	NAME	ADDRESS	USE
02	2432	21	NICKELS	69-20 QUEENS BLVD	TOPLESS BAR
05	2736	55	TREASURE CHEST	60-07 METROPOLITAN AVE	TOPLESS BAR
04	2855	17	ADULT LOVE BOUTIQUE	89-18 QUEENS BLVD	PEEP SHOW
06	3080	23	VIRGINIAS	95-36 QUEENS BLVD	TOPLESS BAR
06	3086	22	XXX VIDEO STORE	98-32 QUEENS BLVD	VIDEO STORE
09	3338	18	AUSTIN THEATER	81-07 LEFFERTS BLVD	MOVIE THEATER
07	4284	1	GALLAGHERS II	26-85 129RD ST	TOPLESS BAR
07	4958	48	SPORTS BAR	135-41 ENORTHERN BLVD	TOPLESS BAR
07	4977	10	CORSETORIUM INC	36-85 MAIN ST	OTHER
07	5033	14	GOODTIME VIDEO	150-36 NORTHERN BLVD	VIDEO STORE
07	5040	1	CANDELWOOD INN	41-57 COLLEGE POINT BLVD	TOPLESS BAR
08	6930	1	MAYFAIR THEATRE	68-25 FRESH MEADOW LANE	MOVIE THEATER
09	8988	103	PORT O CALL	93-10 WOODHAVEN BLVD	TOPLESS BAR
09	9056	16	ANDYS BAR	85-01 ROCKAWAY BLVD	TOPLESS BAR
12	9690	7	GORDONS TOPLESS BAR	146-16 HILLSIDE AV	TOPLESS BAR
12	9798	15	KRYSTALLS	89-25 MERRICK BLVD	TOPLESS BAR
12	9994	51	DREAMS TOPLESS BAR	90-67 SUTPHIN BLVD	TOPLESS BAR
13	10759	147	HAPPY TIPS LOUNGE	215-50 JAMAICA AV	TOPLESS BAR
13	13614	12	XXX VIDEO	245-02 S CONDUIT AVE	VIDEO STORE

N = 44

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DORO-S.1.

CD	TAXBLOCK	TAXLOT	NAME	ADDRESS	USE
02	2162	190	LIPSTICKS	VICTORY BLVD	TOPLESS BAR
02	3110	127	SCARLETT'S	SAND LANE	TOPLESS BAR
03	7206	1	HIPPS	ARTHUR KILL RD	TOPLESS BAR

N = 3

ADULT ESTABLISHMENT GUIDELINES

DEFINITION OF AN ADULT ESTABLISHMENT

ZR §12-10 defines an adult establishment as any commercial establishment which features the depiction, description, or display of "specified anatomical areas" or "specified sexual activities" to the degree specified in the text. Adult establishments include:

- adult bookstores,
- adult eating or drinking establishments,
- adult theaters,
- other adult commercial establishments,
- or any combination of the above.

When determining whether a **substantial portion of an establishment** is devoted to an adult establishment(s), the following factors are to be considered:

- 1) the amount of floor area and cellar space accessible to the customer and allocated to such establishment, and
- 2) the percentage of total floor area and cellar space accessible to the customer and allocated to such establishment ($(\text{"adult" FA accessible to the customer} + \text{"adult" cellar space accessible to the customer}) / (\text{total FA accessible to the customer})$).

When determining whether a **substantial portion of an establishment's stock in trade** is devoted to specified materials, the following factors are to be considered:

- 1) the percentage of total stock accessible to the customer that such materials represent ($(\text{"adult" stock accessible to the customers}) / (\text{total stock accessible to the customer})$), and
- 2) the amount of floor area and cellar space accessible to the customer containing such materials, and
- 3) the percentage of total floor area and cellar space accessible to the customer containing such materials ($(\text{"adult" FA accessible to the customer} + \text{"adult" cellar space accessible to the customer}) / (\text{total FA accessible to the customer})$).

See definition under ZR §12-10 for further guidance.

ADULT ESTABLISHMENT GUIDELINES

PROHIBITED LOCATIONS

Adult establishments are not permitted in the following districts or locations:

- On the same zoning lot as another adult establishment.
- Residence districts.
- C1, C2, C3, C4, C5, C6-1, C6-2, or C6-3 zoning districts.
- C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7, or C8 zoning districts within 500' of:
 - a church established before April 10, 1995,
 - a school established before April 10, 1995,
 - a residence district,
 - a C1, C2, C3, C4, C5-1, C6-1, C6-2, or C6-3 zoning district,
 - a manufacturing district, other than M1-6M district, in which new residence, new joint living-work quarters for artists, or new loft dwellings are allowed, under the provisions of the zoning resolution, as-of-right or by special permit or authorization, or
 - another adult establishment.
- Manufacturing districts in which residences, joint living-work quarters for artists, or loft dwellings are, under the provisions of the Zoning Resolution, allowed as-of-right or by special permit or authorization.
- In any other manufacturing district within 500' of:
 - a church established before April 10, 1995,
 - a school established before April 10, 1995,
 - a residence district,
 - a C1, C2, C3, C4, C5-1, C6-1, C6-2, or C6-3 zoning district,
 - a manufacturing district, other than M1-6M district, in which new residence, new joint living-work quarters for artists, or new loft dwellings are allowed, under the provisions of the zoning resolution, as-of-right or by special permit or authorization, or
 - another adult establishment.

SIZE LIMITATIONS

- Under no circumstances may an adult establishment exceed in total 10,000 square feet of floor area or cellar space not used for enclosed storage or mechanical equipment.

ADULT ESTABLISHMENT GUIDELINES

SIGN LIMITATIONS

- Accessory business signs for adult establishments are permitted but are subject to the sign regulations otherwise applicable in C1 zoning districts except that the provisions of ZR §32-64 shall not apply.
- The maximum surface area of all accessory business signs for adult establishments shall not exceed, in the aggregate, three times the street frontage of the zoning lot, but in no event more than 150 square feet per establishment, of which no more than 50 square feet may be illuminated, non-flashing signs.
- In manufacturing districts, accessory business signs for adult establishments are not permitted on the roof of any building and are not permitted to extend above curb level at a height of greater than 25 feet.

AMORTIZATION OF ADULT ESTABLISHMENTS (§52-77)

General rule: In all districts, non-conforming adult establishments, including any business signs accessory thereto, shall terminate within one year from October 25, 1995, or from such later date that the adult establishment or sign becomes non-conforming.

Exceptions: Any adult establishment which existed on October 25, 1995, and which conform to all provisions of the Zoning Resolution regarding adult establishments other than paragraphs (c), (d), and (e) of ZR §32-01 or paragraphs (c), (d), and (e) of ZR §42-01 shall not be required to amortize pursuant to ZR §52-77.

The Board of Standards and Appeals may, pursuant to ZR §72-40, extend the time period for amortization of an adult establishment or business sign accessory thereto under specified circumstances.

NON-CONFORMING USES (§52-30):

- A legal non-conforming use may not be changed to a use including an adult establishment, except as provided in Section 32-01 or Section 42-01.