

**CITY OF SAN ANTONIO  
CITY ATTORNEY'S OFFICE**

**INTERDEPARTMENTAL CORRESPONDENCE**

**TO:** Mayor and City Council

**FROM:** Andrew Martin, City Attorney, City Attorney's Office

**THROUGH:** Terry M. Brechtel, City Manager

**COPIES TO:** File

**SUBJECT:** Reinstatement of Section 21-22 of the City Code and Ordinance numbers 67481 and 68791.

**DATE:** September 25, 2003

**SUMMARY AND RECOMMENDATIONS**

This ordinance reinstates Section 21-22 of the City Code, which regulates adult arcades, and amends the definition of "arcade device" to include machines that accept paper money.

Staff recommends approval of this ordinance.

**BACKGROUND**

Ordinance numbers 67481 and 68791 and Section 21-22 of the City Code all deal with the regulation of adult arcades. Ordinance 67481 was passed on July 7, 1988 and it initially enacted section 21-22. Ordinance 68791 was passed on February 9, 1989 and it updated certain provisions of Section 21-22.

On April 17, 2003, the City passed an ordinance 97497 (hereinafter Human Display Ordinance), which regulates nudity and semi-nudity and also establishes a licensing procedure for Human Display Establishments. Early drafts of the Human Display Ordinance contained licensing provisions and regulations that applied to adult arcades. The licensing provisions and regulations were removed in later drafts, but the provisions repealing ordinance numbers 67481 and 68791 and Chapter 21-22 were unintentionally left in the Human Display Ordinance.

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### **POLICY ANALYSIS**

Passage of the ordinance will reinstate Section 21-22 of the City Code and allow for the regulation of adult arcades. Amending the definition of "arcade device" to include machines that accept currency closes a potential loophole in the ordinance because many of the newer machines accept paper money, rather than coins or slugs.

### **FINANCIAL IMPACT**

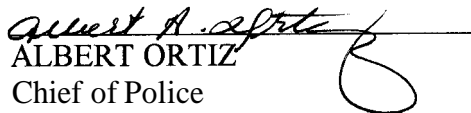
There are no additional expenses necessary for the implementation of this ordinance.

### **COORDINATION**

This Council action has been coordinated through the Police Department and the Office of the City Attorney.



ANDREW MARTIN  
City Attorney



ALBERT ORTIZ  
Chief of Police

Approved:



TERRY BRECHTEL  
City Manager