

VILLAGE OF MT. AUBURN

ORDINANCE NO. 76

AN ORDINANCE CREATING ADULT USE  
LICENSING AND REGUALTION

ADOPTED BY THE  
BOARD OF TRUSTEES  
OF THE  
VILLAGE OF MT. AUBURN  
THIS 6th DAY OF MARCH, 2000.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY  
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF  
MT. AUBURN, CHRISTIAN COUNTY, ILLINOIS,  
THIS 6th DAY OF MARCH, 2000.

ORDINANCE NO. 76

AN ORDINANCE CREATING ADULT USE  
LICENSING AND REGULATION

WHEREAS various studies indicated that adult uses, due to their nature, have objectionable operational characteristics and are frequently used for unlawful activities, including prostitution and drug dealing; and

WHEREAS, adults uses, because of their nature, have a deleterious effect on existing businesses and residential areas adjacent to them causing increased crime and lowering of property values; and

WHEREAS, the Corporate Authorities of the Village of Mt. Auburn find that in order to protect the health, safety, morals and welfare of its citizens and businesses, adults uses should be regulated; and

WHEREAS, licensing is a legitimate and reasonable means of accountability to ensure that operators of adult businesses comply with reasonable regulations to ensure that the public, health, safety, morals and welfare are protected; and

WHEREAS, the Corporate Authorities recognize that many adult uses are protected by the First Amendment to the United States Constitution and therefore, it is their intent that the regulations contained herein be severable to the extent that they be enforced only to the limits of what is constitutional; and

WHEREAS, there are currently no adult uses operating within the Village and therefore these regulations will not require any current business to change its operations; and

WHEREAS, the Village of Mt. Auburn is making an attempt to not prohibit constitutionally protected freedom of expression or rights of any citizens by adding section 4-1-16 to Chapter 4, Article I and by adding a new Article to Chapter 4, known as Article II, Adult Use Licensing and Regulation,

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. AUBURN, CHRISTIAN COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The Mt. Auburn Village Code is hereby amended by adding a new section 4-1-16 to Chapter 4, Article I as follows:

4-1-16. Adult Uses.

None of the provisions in Chapter 4, Article I shall apply to "adult use" businesses. Chapter 4, Article II shall govern the licensing and regulation of "adult use" businesses as that term is defined in Article 2.

SECTION 2: The Mt. Auburn Village Code is hereby amended adding a new Article II to Chapter 4 as follows:

ARTICLE II -ADULT USE LICENSING AND REGULATION

4-2-1. Purpose.

The purpose of this Article is to regulate adult uses to protect the community from the many types of criminal activity frequently associated with such uses. The Village recognizes that such regulation cannot effectively prohibit such uses, but can balance the competing interest of the community in reducing criminal activity and protecting property values versus the protected rights of the owners, operators, employees and patrons of adult uses.

4-2-2. Definitions:

A. Adult Bookstore: An establishment having as a substantial or significant portion of its sales or stock in trade, books, magazines, films for sale or for viewing on premises by use of motion picture devices or by coin operated means, and periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities," or "Specified anatomical areas," or an

establishment with a segment or section devoted to the sale or display of such materials, or an establishment that holds itself out to the public as a purveyor of such materials based upon its signage, advertising, displays, actual sales, presence of video preview or coin operated booths, exclusion of minors from the establishment's premises or any other factors showing the establishment's primary purpose is to purvey such material.

B. Adult Entertainment Cabaret: A public or private establishment which regularly features (i) persons who appear in a state of nudity; or (ii) live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or (iii) films, motion pictures, video cassettes, slides or other photographic or computer reproductions which are characterized by the depictions or description of "specified sexual activities" or "specified anatomical areas."

C. Adult Motion Picture Theater: A building or area used for presenting materials distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

D. Adult Novelty Store: An establishment having a substantial or significant portion of its sales or stock in trade consisting of toys, devices, clothing "novelties", lotions and other items distinguished or characterized by their emphasis on or use for "specialized sexual activities" or "specified anatomical areas" or an establishment that holds itself out to the public as a purveyor of such materials based upon its signage, advertising displays, actual sales, exclusion of minors from the establishment's premises or any other factors showing the establishment's primary purpose is to purvey such material.

E. Adult Use: Adults bookstores, adult motion picture theaters, adult entertainment cabarets, adult clubs allowing nudity at regular or frequent time, adult novelty stores and other similar uses.

F. Employee: Employees, independent contractors or any other person who is retained by the licensee or subject to dismissal from working at the licensed premises.

G. Established or Establishment: mean and include any of the following:

(a) The opening or commencement of any sexually oriented business as a new business;

(b) The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business;

(c) The addition of any sexually oriented business to any other existing sexually oriented business; or

(d) The relocation of any sexually oriented business.

H. Licensee: means a person in whose name a license to operate a sexually oriented business has been issued, as well as the individual or individuals listed as an applicant on the application for a sexually oriented business license.

I. Nudity: Nudity, or State of Nudity, means the showing of the human male or female genitals, pubic area, female breasts with less than a full opaque covering below a point immediately above the top of the areola, human male genitals in a discernibly turgid state even if completely and opaquely covered or, that portion of the buttocks which would be covered by a properly worn "thong" type bikini bottom.

J. Operate or Causes to be Operated: means to cause to function or to put or keep in operation. Operator means any person on the premises of a sexually oriented business who is authorized to exercise overall operational control of the business, or who causes to function or who puts or keeps in operation the business. A person may be found to be operating or causing to be operated a sexually oriented business whether or not that person is an owner, part owner, or licensee of the business.

K. Person: means an individual, proprietorship, partnership, corporation, association, or other legal entity.

L. Public Place: Public Place means any location frequented by the public, or where the public is present or likely to be present, or where a person may reasonably be expected to be observed by members of the public. Public Places include, but are not limited to, streets, sidewalks, parks, beaches, business and commercial establishments (whether for-profit or not-for-profit and whether open to the public at large or where entrance is limited by a cover charge or membership requirement), hotels, motels, restaurants, nightclubs, country clubs, cabarets and meeting facilities utilized by social, fraternal or similar organizations. Premises used solely as a private residence, whether permanent or temporary in nature, shall not be deemed a public place. Public places shall not include enclosed single sex public restrooms, enclosed single sex functional showers, locker and/or dressing room facilities, enclosed motel rooms and hotel rooms designed and intended for sleeping accommodations, doctors offices, churches, synagogues or similar places when used for circumcisions, baptisms or similar religious ceremonies, portions of hospitals and similar places in which nudity or exposure is necessarily and customarily expected outside of the home; nor shall it include a person appearing in a state of nudity in a modeling class operated a (1) a proprietary school licensed by the State; a college, junior college or university supported entirely or partly by taxation; or (2) a private college or university which maintains and operates educational programs in which credits are transferrable to a college, junior college or a university supported entirely or partly by taxation or an accredited private college.

M. Semi-nude: means a state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

N. "Specified Anatomical Areas": For the purpose of this Articles, "specified anatomical areas" means:

(1) less than completely and opaquely covered; (i) human genitals, (ii) pubic region, (iii) buttocks, (iv) anus, (v) female breasts below a point immediately above the top of the areola; and

(2) human male genitals in a discernably turgid state, even if completely and opaquely covered.

O. "Specified Criminal Activity": Means any of the following offenses:

(1) Prostitution or promotion of prostitution; dissemination of obscenity; sale, distribution or display of harmful material to a minor; sexual performance by a minor; possession or distribution of child pornography; public lewdness; public indecency; indecency with a child; engaged in organized criminal activity; sexual assault; molestation of a child; gambling; or distribution of a controlled substance; or any similar offenses to those described above under the criminal or penal code of other states or countries;

(2) For which (i) less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction which is the later date, if the conviction is of a misdemeanor offense; (ii) less than five years have elapsed since the date of conviction or the date of release from confinement for conviction, whichever is the later date, if the conviction is a felony offense; or (iii) less than five years have elapsed since the date of the last conviction or the date of release from confinement from the last conviction, whichever is the later date, if the convictions are of two or more misdemeanor offenses or combination of misdemeanor offenses occurred within any 24 month period; and

(3) The fact that a conviction is being appealed shall have no effect on the disqualification of the applicant.

P. "Specified Sexual Activities": For the purpose of this Article, "specified sexual activities" means: (i) human genitals in the state of sexual stimulation or arousal; (ii) human masturbation, sexual intercourse, sodomy, oral copulation, actual or simulated; (iii) fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts; and (iv) excretory functions as part of or in connection with any activities set forth in (i) through (iii) above.

Q. "Transfer of Ownership or Control": of a sexually oriented business means any of the following:

(a) The sale, lease, or sublease of the business;

(b) The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or

(c) The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

#### 4-2-3. License Required.

A. It shall be unlawful for any person to operate an adult use without a valid adult use business license issued by the Village pursuant to this Article; or to employ a person who is not licensed as an adult use employee as provided by subsection (B) of this section or who is not authorized to work or perform services pursuant to subsection (C) of this section.

B. Except as provided in subsection (C) of this section, it shall be unlawful for any person to be an employee of a sexually oriented business without a valid license. The provisions of this subsection shall not apply to an employee of an adult bookstore, unless such bookstore is operated in combination with one or more businesses classified in paragraphs (B), (C) and (D) of Section 2.

C. An applicant, upon receipt by the Mayor of his or her application for a sexually oriented business employee license, may work or perform services without an employee license until such time as the license is granted or the decision to deny the license becomes final pursuant to Section 11. Upon receipt of the applicant's completed application for a employee license, the Mayor shall issue the applicant a temporary work permit. The applicant shall keep the temporary work permit on his or her person or on the premises where the applicant is then working or performing services, and produce such permit for inspection upon request by a law enforcement officer or other authorized city official.

D. All applicants must be qualified according to the provisions of this Article. The application may request and the applicant shall provide such information (including fingerprints) as is needed to enable the Village to determine whether the applicant meets the qualifications established in this Article.

E. An applicant for a sexually oriented business license or a sexually oriented business employee license shall file in person at the office of the Mayor an application made on a form prescribed and provided by the Village. The applicant shall be qualified according to the provisions of this article. The application shall be signed under oath by the applicant and notarized. If a person who wishes to operate an adult use is an individual, the person must sign the application for a license as applicant, and must file the application in person at the Village Hall. If the applicant is a club, consisting of private or public membership, then such entity shall also be licensed under this Article. If a person who wishes to operate an adult use is other than an individual or club, each individual who has a twenty percent (20%) or greater interest in the business, including

corporation, must sign the application for a license as applicant. Each applicant must be qualified under the following section and each applicant shall be considered a licensee if the license is granted.

F. The completed application for an adult use business license shall include, but not be limited to the following information:

(1) If the applicant is an individual, the individual shall state his/her legal name and any other names used in the last five years, submit proof that he/she is 18 years of age, and the current residential mailing address and telephone number.

(2) If the applicant is a club, consisting of private or public membership, a copy of the by-laws of the club must be submitted with the application. In addition, a sworn statement as to the purposes, general activities and requirement for a club membership must be submitted.

(3) A partnership, the partnership shall state its complete name and the names of all partners, whether the partnership is general or limited, and a copy of the partnership agreement, if any; and

(4) A corporation, the corporation shall state its complete name, the date of incorporation, evidence that the corporation is in good standing under the laws of its state of incorporation, the names and capacity of all officers, directors and principal shareholders, (those with a 20% or more stake) and the name and address of the registered corporate agent.

(5) The adult use name, business location, business mailing address and telephone number.

(6) If the applicant intends to operate the adult use business under a name other than that of the application, he/she must state (i) the business' fictitious name and (ii) submit any required registration documents.

(7) Whether the applicant has been convicted of any specified criminal activity as defined in this Article, and if so, the specified criminal activity involved, the date, place and jurisdiction of each.

(8) A photograph of the applicant and two sets of the applicant's complete fingerprints. The photograph and fingerprints, if not taken at the office of the Mayor or at any other Village location, shall be taken within the preceding one month by a law enforcement agency and accompanied by a notarized verification by that agency.

(9) Whether the applicant has had a previous license under this Article or similar ordinances from another jurisdiction denied, suspended or revoked, including the name and location of the business which the permit was denied, suspended or revoked, as well as the date of the denial, suspension or revocation. If the applicant has been a



partner in a partnership or an officer, director or principal stockholder of a corporation that is or was licensed under this Article or similar ordinance in another jurisdiction and a license has previously been denied, suspended or revoked, include the name and location of the business for which the permit was denied, suspended or revoked, as well as the date of denial, suspension or revocation.

(10) Whether the applicant holds any other licenses under this Article or other similar ordinance from another jurisdiction and if so, the names and locations of such other licensed businesses.

(11) A sketch or diagram showing the configuration of the premises, including a statement of total floor area occupied by the business. This sketch or diagram need not be professionally prepared, but it must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises.

G. The information provided pursuant to subparagraphs 1-11 of paragraph F of this Section shall be supplemented in writing by certified mail, return receipt requested, to the Mayor within 10 working days of a change of circumstances which would render the information originally submitted false or incomplete.

H. The information provided by an applicant in connection with the application for a license under this article shall be maintained by the Mayor on a confidential basis, except that such information may be disclosed to other governmental agencies in connection with a law enforcement or public safety function.

#### 4-2-4. Issuance of License.

A. Within thirty (30) days after receipt of a completed adult use business license application, the Village shall approve or deny the issuance of a license to an applicant. The Village shall approve the issuance of a license unless it determines, by a preponderance of the evidence, any one or more the following:

- (1) The applicant is under 18 years of age;
- (2) The applicant is overdue in payment to the Village of taxes, fees, fines or penalties assessed against or imposed upon him/her in relation to any business;
- (3) The applicant has failed to provide information reasonably necessary for the issuance of the license or has falsely answered a question or request for information on the application form.
- (4) The applicant has been denied a license by the Village to operate an adult use business within the preceding twelve (12) months or whose license to operate an adult use business has been revoked within the preceding twelve (12) months.

(5) The applicant has been convicted of a Specified Criminal Activity defined in this Article.

(6) The premises to be used for adult use business has not been inspected and approved by the Fire Department and the Building Department as being in compliance with applicable laws and ordinances.

(7) The license fee required by this Article has not been paid.

(8) The applicant of the proposed establishment is in violation or is not in compliance with all of the provisions of this Article.

B. The license, if granted, shall state on its face the name of the person or persons to whom it is granted, the number of the license issued to that applicant, the expiration date, and, if the license is for an adult use business, the address of the adult use business. An adult use business employee license shall contain a photograph of the licensee. The adult use business license shall be posted in a conspicuous place at or near the entrance to the adult use business so that it may be easily read at any time. An adult use business employee shall keep the employee's license on his or her person or on the premises where the licensee is then working or performing, and shall produce such a license for inspection upon request by a law enforcement officer or other authorized Village official.

C. The Fire Department and Code Enforcement Officers shall complete their inspection certification that the premises is in compliance or not in compliance with Village codes within twenty (20) days of receipt of the application by the Village.

D. No adult use business license shall be issued unless it meets all criteria set forth in the Zoning Code of the Village of Mt. Auburn, Illinois. However, an adult use business license may be issued for a premises which is a legal nonconforming use which has not yet been amortized or for a premises where such amortization is being challenged by litigation.

E. No signs, advertising or other notice to the public may be given for any premises where adult use is conducted, pursuant to this Article.

#### 4-2-5. Liquor.

No liquor license shall be issued to a licensee or to premises where adult use is conducted, nor shall liquor be sold, given away or allowed to be consumed on the premises where any adult use is conducted.

#### 4-2-6. Fees.

Every application for an adult use business license or adult use business employee license (whether a new license or for renewal of an existing license) shall be accompanied by a \$750.00 non-refundable application and investigation fee.

4-2-7. Inspection.

A. An applicant, operator or licensee shall permit representatives of the Police Department, Fire Department, Building Department or other Village or Village designated departments or agencies to inspect the premises of the adult use for the purpose of ensuring compliance with the provisions of this ordinance at any time it is occupied or open for business.

B. A person who operates an adult use or his agent or employee violates this Article if he/she refuses to permit such lawful inspection of the premises at any time it is occupied or open for business.

4-2-8. Expiration of License.

A. Each license shall expire on the January 1 after it was issued and may be renewed only by making application as provided in Section 3. Application for renewal shall be made at least thirty (30) days before that expiration date, and when made less than thirty (30) days before the expiration date, the expiration of license will not be affected.

B. If the Village denies renewal of a license, the applicant shall not be issued a license for one (1) year from the date of denial. If, subsequent to denial, the village finds that the basis for denial of the license has been corrected or abated, the applicant may be granted a license.

4-2-9. Suspension.

The Village may suspend a license for a period not to exceed thirty (30) days if, after a hearing, it determines that a licensee or an employee of a licensee (i) violated or is not in compliance with any section of this Article; (ii) refused to allow an inspection of the adult use business premises as authorized by this Article, (iii) knowingly permitted gambling by any person on the adult use business premises, or (iv) has been on the adult use business premises while in an intoxicated or disorderly condition.

If the licensee or an employee of the licensee has been found guilty in a court of law of a violation of this Article, no hearing is necessary prior to suspension of the license.

4-2-10. Revocation.

A. The village shall revoke a license if a cause of suspension in Section 9 above occurs and the license has been suspended within the preceding twelve (12) months or if the licensee is convicted of any Specified Criminal Activity.

B. The village may revoke a license if it determines, after a hearing, that:

(1) A licensee gave false or misleading information in the material submitted during the application process;

(2) A licensee or management personnel has knowingly allowed possession, use or sale of alcohol or controlled substances on the premises;

(3) A licensee or management personnel has knowingly allowed prostitution on the premises.

(4) A licensee or management personnel knowingly operated the adult use business during a period of time when the licensee's license was suspended;

(5) A licensee or management personnel has knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation or other sex act to occur in or on the licensed premises;

(6) A licensee is delinquent in payment to the Village, County or State for any taxes or fees past due;

(7) A licensee or management personnel has knowingly facilitated another commission of the offense of public indecency; or

(8) The Adult Use is a public nuisance as defined by statute, ordinance or case law.

C. If the Village revokes a license, the revocation shall continue for one (1) year and the licensee shall not be issued an adult use business license for one (1) year from the date the revocation became effective. If subsequent to revocation, the Village finds that the factual basis for the revocation did not occur, the applicant may be granted a license.

D. After denial of an application, or denial of a renewal of an application, or suspension or a revocation of any license, the applicant or licensee may seek prompt judicial review of such action in any court of competent jurisdiction.

#### 4-2-11. Hearing; Judicial Review.

A. If the Village determines that grounds exist for denial, suspension, or revocation of a license under this article, the Village shall notify the applicant or licensee (respondent) in writing of the intent to deny, suspend, or revoke, including a summary of the grounds therefor. The notification shall be by certified mail to the address on file with the Village. Within 10 working days of receipt of such notice, the respondent may provide to the Village in writing a response which shall include a statement of reasons

why the license or permit should not be denied, suspended, or revoked and may include a request for a hearing. If a response is not received by the Village in the time stated, the denial, suspension or revocation shall be final and notice of such will be sent to the applicant or licensee. Within five working days after receipt of a response, the Village shall either withdraw the intent to deny, suspend, or revoke, and so notify the respondent in writing by certified mail or shall schedule a hearing before the Village Board and shall notify the respondent in writing by certified mail of the date, time and place of the hearing. The hearing shall be scheduled not less than 15 nor more than 20 working days after receipt by the Village of the request for a hearing. The hearing shall be conducted in an informal manner. The respondent may be represented by counsel. The rules of evidence shall not apply. The Village Board shall render a written decision within five working days after completion of the hearing and shall mail a copy of the decision by certified mail to the address of the respondent on file with the Village. In no event shall more than 45 days elapse between receipt by the Village of a request for a hearing and mailing by Village Board of a final decision to the respondent. An applicant or licensee may continue to work or perform services under his or her temporary work permit or license pending receipt of the final decision of the Village Board. The decision shall be final at the end of five working days after it is mailed and shall constitute final administrative action.

B. When the decision to deny, suspend or revoke a license becomes final, the applicant or licensee whose application for a license has been denied or whose license has been suspended or revoked shall have the right to seek judicial review of the decision by way of special action or other available procedure in the superior court.

#### 4-2-12. Transfer of License.

A licensee shall not transfer his/her license to another nor shall a license operate an adult use business under the authority of a license at any place other than the address on the license.

#### 4-2-13. Business Records.

All adult uses shall file a verified report with the Village showing the licensee's gross receipts and amounts paid to employees during the preceding calendar year. In addition, all adult uses shall maintain and retain for a period of two (2) year, the names, addresses and ages of all persons employed, including independent contractors, by the licensee.

#### 4-2-14. Liquor License.

No adult use may be issued a liquor license. Nor shall any establishment with a liquor license operate as an adult use.

#### 4-2-15. Adult Entertainment Cabarets - Restrictions.

All dancing or other performances shall occur on a stage intended for that purpose which is raised at least two feet from the level of the floor. No dancing or other performance shall occur closer than ten (10) feet to any patron. In addition, no dancer or performer shall fondle, caress or otherwise touch any patron and no patron shall fondle, caress or otherwise touch any dancer or performer. No patron shall directly pay or give any gratuity to any dancer or performer, and no dancer shall solicit any pay or gratuity from any patron. Gratuities may be indirectly given to dancer or performers by placing the gratuity on the stage. A person below the age of 18 years may not observe or appear in a state of nudity or in such live performances on the premises of an adult use business. A sign in a form to be prescribed by the Village Board and summarizing the provisions of this paragraph shall be posted near the entrance of the adult use business in such a manner as to be clearly visible to patrons upon entry.

4-2-16. Video Viewing Booths - Restrictions.

No booths, stalls or partitioned portions of a room or individual rooms used for the viewing of motion pictures or other forms of entertainment shall have doors, curtains or portal partitions, but all such booths, stalls or partitioned portions or a room or individual rooms so used shall have at least one side open to an adjacent public room so that the area inside is visible to persons in the adjacent public room. All such described areas shall be lighted in such a manner that the persons in the areas used for viewing motion pictures or other forms of entertainment are visible from the adjacent public rooms, but such lighting shall not be of such intensity as to prevent the view of the motion pictures or other offered entertainment.

4-2-17. Hours of Operation.

No adult use shall be open prior to 10:00 a.m. or after 10:00 p.m. Monday through Saturday. No adult use shall be open on any Sunday.


4-2-18. Any licensee hereunder shall permit law enforcement officials, free and unlimited access to the premises during hours of operation, upon reasonable request, for the purposes of investigating compliance with the provisions of this article.

SECTION 3: Severability.

It is hereby declared to be the intention of the Board of Trustees of the Village of Mt. Auburn that the provisions of this Ordinance are severable. If any court of the competent jurisdiction adjudges any provision of this Article as invalid, such judgment shall not affect any other provision of this Article not specifically included in said judgment.

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

ON MOTION DULY MADE AND SECONDED and pursuant to roll call vote, this Ordinance was passed, approved and adopted this 6th day of March, 2000.

  
\_\_\_\_\_  
BRUCE HOMENSTEIN, Village President  
Village of Mt. Auburn, Illinois

ATTEST:

  
\_\_\_\_\_  
TAMMY HAMELL, Village Clerk

AYES: Copembaeger, Clayton, Campbell, Beck, Bottrell, Hanfland

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

FILED IN THE OFFICE OF THE VILLAGE CLERK,  
VILLAGE OF MT. AUBURN, ON THE 6th DAY OF MARCH, 2000.

PUBLISHED IN PAMPHLET FORM ON MARCH 6th, 2000.

CERTIFICATE

STATE OF ILLINOIS        )  
  ) SS.  
COUNTY OF CHRISTIAN )

I, TAMMY HAMELL, certify that I am the duly elected and acting Village Clerk of the Village of Mt. Auburn, Christian County, Illinois.

I further certify that on March 6, 2000, the Board of Trustees of said Village passed and approved Ordinance No. 76 entitled "**AN ORDINANCE CREATING ADULT USE LICENSING AND REGULATION**".

The pamphlet form of Ordinance No. 76 including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on March 6, 2000, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the Office of the Village Clerk.

DATED at Mt. Auburn, Illinois, this 16th day of March, 2000.

  
\_\_\_\_\_  
TAMMY HAMELL, Village Clerk

(MUNICIPAL SEAL)