

Missouri's Limitations on Sexually Oriented Business Advertising

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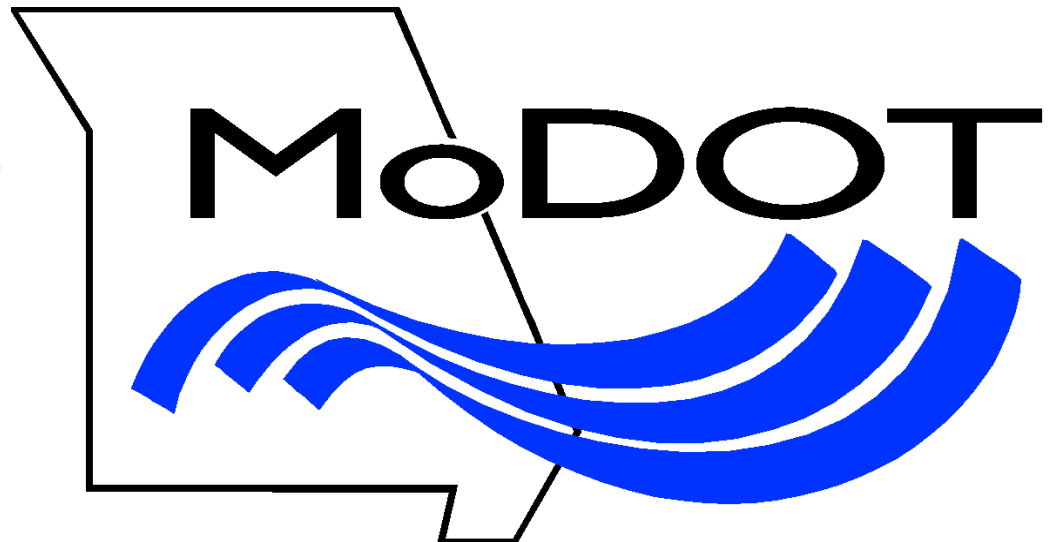
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Missouri Department of Transportation



Overview

- # Evolution of Regulation
- # Missouri's definition of a Sexually Oriented Business
- # Missouri Law
- # Current dilemma "How do we regulate"
- # Missouri Examples



Evolution of Regulation

- ✦ Truck Traffic
- ✦ Lack of Comprehensive County Zoning
- ↓ Abundance of “Adult” Stores
- ↓ Abundance of “Adult” Signs
- ↓ Abundance of Citizen Complaints to Legislature
- Senate Bill 870



Missouri's Definition

- ✦ Missouri defines a sexually-oriented business means any business which offers its patrons goods of which a substantial portion are sexually-oriented materials. Any business where more than ten percent (10%) of the display space is used for sexually-oriented materials shall be presumed to be a sexually-oriented business.



Missouri's Definition

- Sexually-oriented materials means any textual, pictorial, or three dimensional material that depicts nudity, sexual conduct, sexual excitement, or sadomasochistic abuse in a way which is patently offensive to the average person applying contemporary adult community standards with respect to what is suitable for minors.



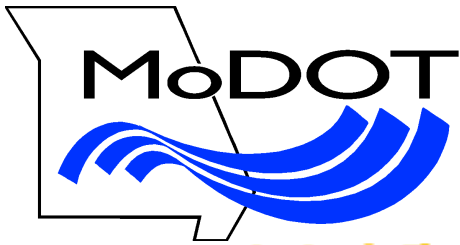
Missouri's Statutes

- ✚ No billboard or other exterior advertising sign, for an adult cabaret or sexually oriented business shall be located within one mile of any state highway except if such business is located within one mile of a state highway then the business may display a maximum of two exterior signs on the premises of the business, consisting of one identification sign and one sign solely giving notice that the premises are off limits to minors. The identification sign shall be no more than forty square feet in size and shall include no more than the following information: name, street address, telephone number, and operating hours of the business.



Reasoning for Law

- ✦ This section is designed to protect the following public policy interests of this state, including but not limited to: to mitigate the adverse secondary effects of sexually oriented businesses, to improve traffic safety, to limit harm to minors, and to reduce prostitution, crime, juvenile delinquency, deterioration in property values, and lethargy in neighborhood improvement efforts.



State Penalty

- Any owner of such a business who violates the provisions of this section shall be guilty of a class C misdemeanor. Each week a violation of this section continues to exist shall constitute a separate offense.



How do we regulate?

- + Tracking/Inventorying Procedures
- + Off-Premises Advertising Violations
- + On-Premises Violations



Missouri Examples





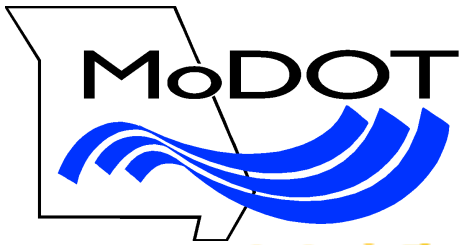
Missouri Examples





Missouri Examples





Missouri Examples





Missouri Examples





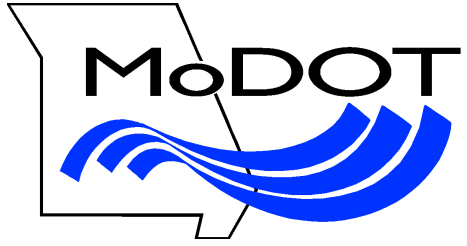
Missouri Examples





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Questions??

