

Conroe, Montgomery County to tweak ordinances that regulate sexually oriented businesses

By Catherine Dominguez, Staff Writer Updated 5:00 pm CST, Tuesday, November 27, 2018



Photo: Jason Fochtman, Staff Photographer / Houston Chronicle

Precinct 3 Commissioner James Noack, who asked the County Attorney's Office to review the SOB ordinance, said Montgomery County has a reputation as a place to "live, work and play" has set standards that the community does not support sexually oriented businesses.



Photo: Courtesy of RLSD.

After a proposed sex robot brothel was halted in Houston, local cities and counties around the region are re-examining their sexually oriented business ordinances and regulations. The proposed hotel in Houston would have been supplied from Real Love Sex Dolls, one of the largest sellers of ultra-realistic dolls in the U.S. located in Austin, Texas.



Photo: Courtesy of RLSD.

Oak Ridge North on Nov. 8 voted unanimously to amend their sexually oriented business ordinance to prohibit the temporary rental or use of anthropomorphic sex devices, such as this doll from Real Love Sex Dolls, one of the largest sellers of ultra-realistic dolls in the U.S. located in Austin, Texas.

Two months after the city of Houston amended its sexually oriented business ordinance to block a sex doll rental shop, Montgomery County and Conroe officials are looking to strengthen local ordinances in a pre-emptive strike against similar businesses. In October, Houston City Council members updated its rules on sexually oriented businesses, instituting changes that would bar plans for a store that allows customers to try out sex dolls on the premises from opening near the Galleria.

Toronto-based KinkySdolls had planned to open a Houston branch where it would sell “adult love dolls” constructed of synthetic skin and highly articulated skeletons. The company intended to sell the human-like dolls, and rent them out so customers could use them in private rooms at the location.

While Conroe’s ordinance already prohibits businesses that would provide a “sexual encounter,” Montgomery County does not. However, obtaining a permit for such a business is highly regulated in the unincorporated areas of the county. Assistant County Attorney B.D. Griffin said counties have less ordinance making ability than cities. “There

are things cities can prohibit that we cannot," he said. "We are looking at whether (the ordinance) needs to be strengthened at all."

Conroe Director for Community Development Nancy Mikeska said Conroe council members will consider changes to its ordinance during its December meeting.

City, county regulations

In Montgomery County, the sexually oriented business must be permitted and the ordinance gives the sheriff the power to regulate, investigate, deny, suspend or revoke SOB permits. In fact, in May 2017, Montgomery County Sheriff's Office officials worked with the County Attorney's Office to tighten restrictions on sexually oriented businesses, specifically illegal massage parlors.

Sheriff Rand Henderson said the county first developed its SOB ordinance in the 1990s at the request of the sheriff's office. Henderson said at that time the county wanted to "get ahead of the curve" on such businesses. While there are currently no SOBs in Montgomery County, Henderson said several unpermitted businesses have opened in the county in the past but were quickly closed by authorities.

"It doesn't happen very often," he said noting Montgomery County is one of only a few counties in Texas that have SOB ordinances for its unincorporated areas. "(The ordinance) is more than mere lip speak, it's criminally enforceable." Henderson said because of the county's strict stance on sexually oriented business, there isn't a local culture for such businesses. "They are not welcome here, our population doesn't want them here," Henderson said.

Precinct 3 Commissioner James Noack, who asked the County Attorney's Office to review the SOB ordinance, echoed Henderson adding Montgomery County's reputation as a place to "live, work and play" has set standards that the community does not support sexually oriented businesses.

"Making sure our sexually oriented business ordinance is as strong as possible is an important step in protecting our community," Noack said. "It's important for government to review policies and procedures to make sure they are current and able to address issues as they arise. "This is a good time to sharpen our pencil and make sure we are protecting Montgomery County."

In Conroe, Mikeska said, city officials consider a business that allows the rental sex dolls a sexual encounter. That, she added, is prohibited in the city. "In these types of enterprises, typically, a person goes to the business and rents a robot that performs a sex act with them," Mikeska said. "The place of business is for the purpose of the sexual encounter and currently we consider that prohibited, whether it is a robot or otherwise."

Conroe Councilman Duane Ham agrees it is important to keep ordinances and regulations current. "The city has regulated sexually oriented businesses for many years," Ham said. "It is important to stay current on these things as new technology and wording can put an ugly wrinkle in preventing these types of businesses. Core values are still very strong in Conroe. Robots performing sex acts is something we do not need in our city."

The exceptions

While ordinances do stop some sexually oriented businesses, there are some that are not prohibited. Both the city and county have several stores that offer some sexually oriented merchandise. "Those are not considered SOB's because their primary business is something besides services or devices meant for sexual stimulation," Mikeska said.

“These types of businesses are specifically inspected and comply with the city ordinance.”

Additionally, Mikeska said, the city does not “completely” prohibit strip clubs or bars with nudity. However, the city requires these types of enterprises to register with the city as a sexually oriented business. The city’s extensive registration process and an inspection must be done annually. “Conroe would allow a strip club, as long as it was registered and complied with all of the requirements, which means no total nudity,” Mikeska said. “Specific areas of the body must be opaquely covered.”

Conroe’s ordinance also stipulates sexually oriented businesses must be a minimum of 1,500 feet from any child care facility, school, dwelling, hospital, public building, public park, church, or place of worship. At this time, the city does not have any sexually oriented businesses registered.

“Conroe is still a very conservative city and our ordinances reflect that view,” Mikeska said. “I am sure the time will come when a business comes in that will comply with all of the requirements and they could open, but when that happens it will be regulated.”

To read the city’s ordinance, visit www.cityofconroe.org. For the county’s ordinance, visit www.mctxcao.org.