

CHAPTER 11 – LICENSES, TAXATION AND MISCELLANEOUS
BUSINESS REGULATIONS

Sec. 11-118. Sexually oriented businesses; regulations pertaining to nudity or live performances.

(a) A sexually oriented business that features persons who appear in a state of nudity or live performances that are characterized by the exposure of specified anatomical areas or by specified sexual activities shall be operated in accordance with the following requirements. It is unlawful for a licensee or employee to knowingly fail to ensure compliance with these requirements:

(1) A person shall not appear in a state of nudity or engage in a live performance that is characterized by the exposure of specified anatomical areas or by specified sexual activities except upon a stage elevated at least eighteen (18) inches above floor level. All parts of the stage in which the person appears in a state of nudity or performs, shall be a distance of at least three (3) feet from all parts of a clearly designated area where patrons may be present. The stage or designated area thereof shall be separated from the area in which patrons may be located by a barrier or railing the top of which is at least three (3) feet above floor level. No person appearing in a state of nudity or engaging in such live performances or patron may extend any part of his or her body over or beyond the barrier or railing.

(2) An employee may not touch the breast, buttocks, or genitals of a patron nor may a patron touch the breast, buttocks, or genitals of an employee.

(3) A patron may not place any money on the person or in or on the costume of an employee.

(4) A person under the age of eighteen (18) years may not observe or appear in a state of nudity or in such live performances on the premises of a sexually oriented business.

(5) A sexually oriented business that features persons who appear in a state of nudity, live performances or nude modeling that are characterized by the exposure of specified anatomical areas or by specified sexual activities shall not require any patron to remove any article of clothing as a condition to performing such acts or to require any patron to consent to the person performing in a state of nudity, live performance or nude modeling touching the patron's breast, buttocks, or genitals prior to such performance.

(6) A sign, in a form to be prescribed by the City and summarizing the provisions of subsections (1),(2),(3),(4) and (5) of this section, shall be posted near the entrance of the sexually oriented business in such a manner as to be clearly visible to patrons upon entry.

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