

§ 114.03 RESTRICTIONS, REQUIREMENTS AND CONDITIONS.

(A) An establishment engaging in sexually explicit entertainment activity may not have more than one outside flush to the wall facial style sign, not to exceed ten feet in length and three feet in width with no flashing lights and no lettering, wording or pictorial representational matter which is distinguished or characterized by an emphasis on depictions of sexual activities as defined hereinabove.

(B) An establishment engaging in sexually explicit entertainment activity may not display its stock and trade or matter depicting, describing, or relating to sexual activities in such a manner to be subject to public view from outside the establishment, including but not limited to a view from public sidewalks, streets, arcades, hallways or passways.

(C) An operator of an establishment engaging in sexually explicit entertainment activity or sexually explicit escort service, or its employee, shall not permit a person under eighteen years of age to be employed by or to enter his establishment, or to be a patron of such service. This chapter should not be construed to be an exemption from, or in conflict with, any requirement found in any statute, ordinance or regulation or other provision of law applicable to a licensee or potential licensee hereunder which is more stringent in terms of an age requirement for employees.

(D) An operator engaging in a sexually explicit entertainment activity, shall at all times cause the interest of his establishment to be so attended as to ensure compliance with the requirements contained hereinabove.

(E) An establishment licensed to engage in sexually explicit entertainment shall not provide such entertainment between the hours of 12:00 a.m. and 6:00 a.m.

(F) The public entrance to a sexually explicit entertainment establishment shall not be located nearer than 500 feet from any church, synagogue, or other permanent place of worship, licensed day care center, public or private elementary, middle or secondary school, institution of higher learning or business college, any park, mall, playground, or park like area of open space under the control of a governmental agency. Such distance shall be measured along a straight line from the nearest property line of the real estate on which that building or area is located to the entrance to such establishment engaging in sexually explicit entertainment activity.

(G) The public entrance to a sexually explicit entertainment establishment shall not be located nearer than 500 feet from any area zoned residential. Such distance shall be measured along a straight line from the boundary line of the nearest area zoned for residential purposes to the entrance to such an establishment engaging in a sexually explicit activity.

(H) The public entrance to a sexually explicit entertainment establishment shall not be located nearer than 500 feet from the public entrance of another sexually explicit entertainment activity establishment. Such distance shall be measured in a straight line from the nearest entrance to a building containing an existing sexually explicit entertainment establishment to the

entrance or proposed entrance to the building containing the proposed new sexually explicit entertainment establishment.

(I) No entertainer, dancer, or escort in a sexually oriented business shall be permitted to have any physical contact with any other entertainer, dancer, employee, patron, or spectator, while that entertainer or dancer is performing.

(1) No alcoholic beverages shall be present, stored, or consumed on any premises licensed as a sexually oriented business.

(K) No person shall appear nude on the premises of any sexually oriented business.

(L) No person shall, while on the premises of a sexually oriented business, engage in or simulate any sexual activity.

(Ord. 11-01 930-00, passed 12-1-03) Penalty, see § 114.99