

Chapter 22

Other Licenses and Permits

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Chapter 22

Other Licenses and Permits

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22.01 SOLICITOR'S LICENSE

A. Permit Required: It shall be unlawful for any person, firm or corporation to enter or seek entrances, or to arrange for another to enter or seek entrance, to any private property in the Village of Amherst for the purpose of canvassing, offering, or soliciting the order, purchase, sale, or exchange of any goods, services, or interest in property, real or personal, tangible or intangible, without first having applied for and received a Solicitor's Permit from the Village Clerk/Treasurer.

- B. Exemptions: The following shall be exempt from all provisions of this Ordinance:
- (1) Any person delivering newspapers, fuel, dairy products, or bakery goods to regular customers on established routes.
 - (2) Any person selling goods at wholesale to dealers in such goods.
 - (3) Any farmer or truck gardener selling agricultural products of the farm or garden occupied or cultivated by such person.
 - (4) Any charitable organization including any benevolent, philanthropic, patriotic or eleemosynary person, partnership, association or corporation for which there is provided proof of tax-exempt status.
 - (5) Any Veteran who holds a special state license.

- C. Permit Specifications:
- (1) The individual's name and permanent address.
 - (2) The name and address of the organization represented.
 - (3) The name and address and telephone number of the person, firm or corporation by who employed.
 - (4) The nature or character of the goods, wares, merchandise or services to be offered by the applicant.
 - (5) Proposed method of delivery of goods, if applicable.
 - (6) Make, model and license number of any vehicle to be used by applicant in the conduct of his/her business.
 - (7) Last cities, villages, towns not to exceed three, where applicant conducted similar business.
 - (8) Place where applicant can be contacted for at least seven (7) days after leaving this Village.
 - (9) Statement as to whether applicant has been convicted of any crime or ordinance violation related to applicant's transient merchant

business within the last five (5) years; the nature of the offense and the place of conviction.

- (10) Applicant shall present to the Clerk/Treasurer for examination a driver's license or some other proof of identity as may be reasonably required.

D. Solicitors Residing Outside Portage County

- (1) It shall be prerequisite to application that the applicant shall furnish to the Clerk a current valid Portage County Solicitor's Permit for the goods or services for which solicitation is sought in the Village.
- (2) Possession of such current Portage County Solicitor's Permit shall be prima facie evidence that the applicant qualifies for a permit there under, but the Village Clerk/Treasurer or the Village Board may inquire further into an applicant's qualifications and permit specifications under the Portage County Solicitor's Regulations (1.4), which are hereby adopted by reference.

E. Issuance: The Village Clerk/Treasurer, after reviewing the application, shall:

- (1) Determine the application is sound and grant the permit applied for; or
- (2) Refer the application to the Public Safety Committee for further review and recommendations.

Solicitor's Permit shall be issued or denied within three (3) working days of the date of application.

The Permit shall be valid for thirty (30) days from the date of issuance.

The Permit fee shall be charged as per the fee schedule found in Chapter 7 - Finance for each permit issued, with each crew member requiring a separate permit.

The Solicitor Permit shall be carried on the person to whom issued, and shall be exhibited to any law enforcement officer or prospective customer upon demand.

F. Exception - Auction

No person shall conduct a public auction within the Village of Amherst without first having obtained a license from the Village Clerk/Treasurer.

No person shall misrepresent any merchandise offered for sale at a public auction as to character, quantity, kind or description.

License fee shall be set at twenty-five dollars (\$25.00) per fiscal year (January to January).

All other rules and regulations of this Subsection shall apply.

Effective: 12-17-83

22.02 CIGARETTES

A. License Required: No person shall in any manner, or upon any pretense, or by any device, directly or indirectly, expose for sale, possess with intent to sell, exchange, barter, dispose of or give away any cigarettes or cigarette papers or wrappers in the

Village of Amherst without first obtaining a license from the Village Clerk/Treasurer in the manner provided in Chapter 134.65 of the Wisconsin State Statutes.

B. Fee: Upon filing of a proper written application such license shall be issued on July first (1st) of each year or when applied for and continue in force until the following June thirtieth (30th) unless sooner revoked. The fee for such license shall be charged as per the fee schedule found in Chapter 7 – Finance and shall be paid to the Clerk/Treasurer before the license is issued.

C. Restrictions: Each such license shall name the licensee and specifically describe the premises where such business is to be conducted. Such licenses shall not be transferable from one person to another nor from one premise to another.

D. Records: Every licensed retailer shall keep complete and accurate records of all purchases and receipts of cigarettes. Such records shall be preserved on the licensed premises for two (2) years in such a manner as to insure permanency and accessibility for inspection and shall be subject to inspection at all reasonable hours by authorized state and local law enforcement officials.

Effective: 11-11-83

22.03 MINOR ENTERTAINMENT LICENSES

A. Definitions:

- (1) Minor: shall mean any person who has not yet attained the age of eighteen (18) years.
- (2) Entertainment Premises: Hereinafter referred to as “Premises”, shall mean the premises on or from which any individual, partnership, or corporation derives income from amusement, amusement devices, entertainment, or sporting events, or other services of an entertainer.

B. License:

- (1) Requirements: No individual, firm, partnership, or corporation shall operate premises on which minors are present without first obtaining a license authorizing the operation of such premises from the Village Board.
- (2) Building Qualifications: No license shall be granted until the Building Inspector shall determine that the premises complies with and conforms to all health and fire regulations of the Municipal Code, is properly ventilated and supplied with sufficient toilet conveniences, and is a safe and proper place for the purpose for which it is to be used.
- (3) Licensee Qualifications: Licenses shall be granted only to natural persons who:
 - (a) have been residents of Wisconsin continuously for at least one (1) year prior to the date of filing the application;
 - (b) are twenty-one (21) years of age or older;
 - (c) does not have an arrest or conviction record subject to State Statutes 111.321, 111.322, 111.335

- (4) Application: Application shall be made to the Village Clerk/Treasurer on the form provided. The form shall state the applicant's name, name of business and location, type of amusement, entertainment or sporting event. At the time the application is filed the applicant shall pay the Clerk/Treasurer a deposit of twenty five dollars (\$25.00) that is non-refundable.

The application shall be referred to the Public Safety Committee who shall determine:

- (a) That the premises at the location requested will not be detrimental to or endanger the public health and safety;
- (b) That the premises will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminishes and impairs property values within the neighborhood;
- (c) That the premises will not impede the normal orderly development and improvement of the surrounding property for uses permitted in the district;
- (d) That adequate measures have been or will be taken to maintain good order surrounding the location.

The Public Safety Committee shall then make a recommendation to the Village Board and a Public Hearing shall be held prior to the granting of the license.

Upon approval of the application by the Village Board, the Clerk/Treasurer shall, upon payment of the required fee, issue the license to the applicant. Licenses shall be valid for one (1) year from issuance and are non-transferable.

- (5) Fee: The fee required to be paid in order to obtain a license for such a premise shall be seventy-five dollars (\$75.00) per year. This fee shall cover costs related to licensing and shall include but not be limited to public hearings, committee meetings, inspection and law enforcement.
- (6) Bond: The applicant shall, in addition, post a surety bond with the Clerk/Treasurer in the sum of one thousand dollars (\$1,000.00) with surety to be approved by the Clerk/Treasurer provided that the aggregate liability of the surety for all losses shall in no event exceed the sum of the bond. Bond shall be forfeited on violation of disorderly conduct of individuals on premises.

C. Conditions: All such premises for which licenses are granted shall be operated in accordance with the following terms and conditions:

- (1) Licensee shall comply with all applicable State, County and Village laws, ordinances, rules and regulations.
- (2) Licensee shall employ a sufficient number of personnel to insure the orderly operation of such premises at all times.
- (3) Licensee shall, at all times, insure that the operation of such premises does not constitute a public nuisance as defined in Chapter 24 or violate the Orderly Conduct Ordinance (Chapter 12) of the Municipal Code.

- (4) Alcohol beverages shall not be allowed on the premises at any time.
- (5) Licensee shall not allow or permit any intoxicated person or persons to enter or remain in these establishments.

D. Hours

- (1) No premises for which a license has been issued shall be permitted to remain open to the public between the hours of ten (10:00) p.m. and twelve (12:00) noon except on Friday and Saturday when closing hours shall be between twelve (12:00) midnight and twelve (12:00) noon.
- (2) No premises for which a license has been issued shall be permitted to remain open to the public between the hours of twelve (12:00) noon and three (3:00) p.m. on any day in which school is in regular session.

E. Revocation: The license of any premises shall be forfeited and revoked by the Village Board where the licensee permits disorderly or immoral conduct on the premises, or otherwise fails to comply with the requirements contained herein.

Effective: 11-11-83

22.04 ALL OTHER LICENSES AND PERMITS

- A. Alcohol Beverages - Chapter 20
Refer to 20.02 "Licenses" on pages 4 through 10.
 - (1) Fermented Malt Beverage License at Softball Activities - Chapter 19
Refer to 19.02 B. "General Rules for Use of Softball Facilities" on page 2.
- B. Building Permits - Chapter 8
Refer to 8.03 "Permits" on pages 4 and 5.
- C. Dogs - Chapter 23
 - (1) Dog License and Tag
Refer to 23.02 B. "License Required" on page 3.
 - (2) Kennel License
Refer to 23.03.
- D. Grass Fire Permit - Chapter 24
Refer to 24.06 A.(1) "Grass Fire Regulations" on page 9.
- E. Junked Automobile Permit - Chapter 24
Refer to 24.06 C. "Junked Automobiles" on page 10.
- F. Mobile Home Park License - Chapter 21
Refer to 21.02 C. "License" on pages 3 and 4.
- G. Sign Permit - Chapter 11
Refer to 11.08 "Permits and Fees" on page 10.
- H. Natural Lawn Permit - Chapter 24
Refer to 24.06 "Natural Lawn" on page 13 B.

Revised 3-24-98
Effective 11-11-83

22.05 PENALTY

Any person who violates this Section shall be subject to a Class “C” forfeiture, or incarceration in lieu thereof, as provided in Chapter 2.09 of this Code. Violation shall immediately terminate the license of the licensee and such person shall not be entitled to another license for a period of five (5) years.

Effective: 11-11-81

Revised: 3-27-84

22.06 ADULT ENTERTAINMENT LICENSES

Purpose and Intent: It is declared to be the purpose and intent of this ordinance to protect the public health, safety, welfare and morals of the community, to promote the stability of property values, and impose restrictions upon those activities which pander to gross sexuality in a manner that would detract from the neighborhood, adversely affect the property values, increase crime and violence, and be repugnant to the morals of the community. In recognition of the protections afforded to the citizens under the First and Fourteenth Amendments to the Constitution of the United States, it is not the intent of this ordinance to inhibit freedom of speech or the press, but rather to deter those of low morals from imposing their lack of morals upon the rest of the community; and further recognizing that those parts of a community which become centers of loose moral conduct frequently become places of rowdiness, criminality, and indecent behavior.

A. Definitions:

1. Adult Cabaret, shall mean any bar, dance hall, restaurant or other place of business, whether or not licensed under Section B, which features dancers, go-go dancers, exotic dancers, strippers, male/ female impersonators or similar entertainers or waiters or waitresses, any of whom engage in sexual conduct as that term is defined in Section 944.21(2)(e) WI SS, as may be amended from time to time, or the simulation of such activities by any such individual, or any such business establishment, the advertising for, or a sign or signs identifying which use the words, “adult”, “topless”, “nude”, “bottomless” or other words of similar import.

2. Adult-Oriented Entertainment Business shall mean adult bookstore, adult theater, adult massage parlor, adult sauna, adult entertainment center, adult cabaret, adult health/sport club or bar, adult steam room/bathhouse facility, or any other business whose primary business activity is characterized by emphasis on matters depicting, describing, or relating to nudity, sexual conduct, sexual excitement or sadomasochistic abuse as defined herein.

3. Adult Retail shall mean a retail establishment which for money or any other form of consideration, either (a) has as one of its principal purposes to sell, exchange, rent, loan, trade, transfer and/or provide for viewing, off the premises, any adult oriented merchandise, or (b) provides, as its substantial stock in trade, for the sale, exchange,

rent, loan, trade, transfer and/or for viewing or use, off the premises, any adult oriented merchandise.

4. Adult-Oriented Merchandise shall mean any goods, products, commodities or other wares, including but not limited to videos, CD ROM's, DVD, magazines, books, pamphlets, posters, cards, periodicals, or non-clothing novelties which depict, describe, or simulate specified anatomical areas or specified sexual activities (defined below).

5. Adult Theatre shall mean a building or enclosure or any portion thereof used for presenting material 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 and which excludes minors by virtue of age.

6. Nudity shall mean the showing of the human male or female genitals or pubic area with less than a fully opaque covering or the depiction of covered male genitals in the discernibly turgid state and/or the appearance of bare buttocks, anus or female breast.

7. Obscene Activity shall mean any activity that if (a) taken as a whole by an average person applying contemporary community standards, actively appeals to the prurient interest in sex; (b) the activity depicts patently offensive representations of ultimate sexual acts, normal or perverted, actual or simulated; or masturbation, fellatio, cunnilingus, bestiality, excretory functions or lewd exhibition of the genitals or genital area; or violent or destructive sexual acts including but not limited to human or animal mutilation, dismemberment, rape or torture and (c) the activity taken as a whole lacks serious literary, artistic, political or scientific value.

8. Sexual Anatomical Areas shall mean

- a. Less than completely and opaquely covered human genitals, anus, pubic region, buttock, or female breast below a point immediately above the top of the areola.
- b. Human male genitals in the discernibly turgid state, even if completely and opaquely covered.

9. Sexual Conduct shall mean the acts of masturbation, sexual intercourse, or physical contact with a person's unclothed genitals, pubic area, buttocks or if such person be a female, her breast.

10. Sexual Excitement shall mean the condition of human male or female genitals when in a state of sexual simulation or arousal.

11. Specified Sexual Activities shall mean any of the following:

- a. Human genitals in a state of sexual simulation or arousal;
- b. Acts of human masturbation, sexual intercourse, sodomy, oral copulation, bestiality;
- c. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts, whether clothed, of oneself or of one person by another;

- d. Excretory functions as part of or in connection with any of the activities set forth in this section.

B. General Requirements:

1. Zoning Districts: Adult use only bookstores, adult theaters, adult massage parlors, adult saunas, adult entertainment businesses, adult cabarets, adult health/sport clubs, adult steam room/bathhouse facilities, and other adult-oriented entertainment businesses sexual in nature may be operated or maintained only within the current or future Manufacturing or Industrial districts provided that they are located on a minor or major arterial road and subject to the distance limitations noted.

2. Distance Limitations: No adults-only bookstore, adult theaters, adult massage parlor, adult cabaret, health/sport club, adult steam room/bathhouse facility or other adult oriented entertainment businesses as defined under this section shall:

- a. be operated or maintained within 1000 feet of the boundary of any Residentially zoned (R) District or any Suburban Zoned (S) District;
- b. be operated or maintained within 1000 feet of a church, cemetery, parking recreational site, licensed daycare facility, public library, public or private educational facility which serve persons age seventeen (17) or younger, elementary school, high school, place of worship, or elderly housing facility;
- c. be operated or maintained so that there are no more than two (2) such businesses within 2500 feet as measured by the radius from each business;
- d. distance limitations set forth herein shall be measured in a straight line from the main public entrances of said premises or from the lot lines of properties in Residentially Zoned (R) Districts or any Suburban Zoned (S) Districts.

3. License Procurement:

- a. Requirements: No individual, firm, partnership or corporation shall operate premises providing adult entertainment without first obtaining a license authorizing the operation of such premises from the Village Board.
- b. Building Qualifications: No license shall be granted until the Building Inspector shall determine that the premises complies with and conforms to all health and fire regulations of the Municipal Code, is properly ventilated and supplied with sufficient toilet conveniences and is a safe and proper place for the purpose for which it is to be used.
- c. Licensee Qualifications: Licenses shall be granted only to natural persons who:
 1. Have been residents of Wisconsin continuously for at least one (1) year prior to the date of filing the application.
 2. Are twenty-one (21) years of age or older;
 3. Does not have an arrest conviction record subject to State Statutes 111.321, 111.211, 111.35

4. Application: Application shall be made to the Village Clerk on a form that will include the applicant's name, name of business and location, type of amusement, entertainment, or sporting event. At the time the application is filed, the applicant shall pay a deposit of one hundred twenty-five dollars (\$125) that is non-refundable. The application shall be referred to the Public Safety Committee who shall within 45 days determine:

- a. That the premises at the location requested will not be detrimental or endanger the public health and safety;
- b. That the premises will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
- c. That the premises will not impede the normal orderly development and improvement of the surrounding property for uses permitted in the district;
- d. That adequate measures have been or will be taken to maintain good order surrounding the location.

The Public Safety Committee shall then make a recommendation to the Village Board and a Public Hearing shall be held prior to the granting of the license. Upon approval of the application by the Village Board, the Clerk shall, upon payment of the required fee, issue the license to the applicant. License shall be valid for one (1) year from issuance and is non-transferable.

5. Fee: The fee required to be paid in order to obtain a license for such a premise shall be paid to the Village Clerk/Treasurer as per the fee schedule in Chapter 7 -Finance. This fee shall cover costs related to licensing and shall include but not be limited to public hearings, committee meetings, inspections and law enforcement.

6. Bond: The applicant shall, in addition, post a surety bond with the Clerk/Treasurer in the sum of five thousand dollars (\$5,000) with surety to be approved by the Clerk/Treasurer provided that the aggregate liability of the surety for all losses shall in no event exceed the sum of the bond. Bond shall be forfeited on violation of disorderly conduct of individuals on premises.

C. Conditions and Restrictions: In addition to the requirements imposed by provisions of the Wisconsin Statutes adopted by reference in sub. B. (3) (c) above, the following conditions and restrictions shall apply to the issuance of licenses or permits pursuant to this section:

1. Licensee shall comply with all applicable State, County and Village laws, ordinances, rules and regulations.
2. Licensee shall employ a sufficient number of personnel to insure the orderly operation of such premises at all times.
3. Licensee shall, at all times, insure that the operation of such premises does not constitute a public nuisance as defined in local ordinances or violate the Orderly Conduct Ordinance of the Municipal Code.
4. Alcohol beverages shall not be allowed on the premises at any time.

5. Licensee shall not allow or permit any intoxicated person or persons to enter or remain in these establishments.
6. No license shall be granted for operation on any premises upon which taxes or assessments are delinquent or other financial claims of the Village are unpaid.
7. Licenses or permits issued under this section shall be posted and displayed as provided in Section 125.04(10), Wis Stats., and any licensee or permittee who shall fail to post his license or permit as therein required shall be presumed to be operating without a license.
8. It shall be a condition of any license issued hereunder that the licensed premises may be entered and inspected at any reasonable hour by any police officer or other authorized officer of the Village without any warrant and the application for a license hereunder shall be deemed consent to this provision. Any refusal to permit such inspection shall be deemed a violation of this section and a revocation of any license issued hereunder.
9. Each licensed premises shall at all times be conducted in an orderly manner and no disorderly, riotous or indecent conduct or gambling shall be allowed at any time on any licensed premises.
10. All persons involved in the operation of any licensed premises under this section, whether as licensee, member of the immediate family of the licensee, licensed operator, unlicensed operator under the supervision of the licensee or licensed operator, waiter, waitress, entertainer, dancer or any other employee, shall observe the following applicable minimum standards for such licensed premises:
 - a. The costume, uniform or attire of any female shall be of nontransparent material and must completely cover the breasts at all times. The lower portion of such costume, uniform or attire must be of nontransparent material and completely cover the female's pubis genitals and the buttocks at all times.
 - b. The costume, uniform or attire of any male shall be of nontransparent material and must completely cover the pubis area, genitals and buttocks at all times.
11. No premises for which a license has been issued shall be permitted to remain open to the public or for private purposes between the hours of 1:00 a.m. and 9:00 a.m., and during Daylight Savings Time between the hours of 2:00 a.m. and 9:00 a.m.
12. No adult oriented business shall be located in the same building or upon the same property as another use.
13. The building's exterior shall meet the following criteria:
 - a. Colors to be earth or neutral tones with primary accent colors to be within the same color family;
 - b. Stripes and geometric patterns are prohibited.
 - c. A color scheme which is directly inherent to a unique recognized architectural style but not otherwise compliant with this section may be reviewed and approved by the Village Board.
 - d. the exterior shall be adequately maintained in good condition.

14. Sign Limitations. Notwithstanding any other provision of this code, an adult entertainment business shall not be permitted more than one (1) sign advertising its business, which shall be an on-premise or building sign only. All such signs shall meet the following criteria:
- a. has no merchandise or pictures of the products or entertainment on the premises displayed in window areas or any area where they can be viewed from the sidewalk in front of the building;
 - b. no sign shall be placed in any window. A one square foot sign may be placed on the door to state hours of operation and admittance to adults only;
 - c. no sign shall contain any flashing lights, moving elements, or mechanically changing messages.
 - d. no sign shall contain any depiction of the human form or any part thereof nor shall it contain sexually explicit language such as “nude dancing” or “Girls, Girls, Girls, “etc;
 - e. no sexually-oriented business may have any off premise sign.
 - f. all signs, in addition to the above mentioned conditions must also conform to all other standards set by the Village sign ordinance

D. Operating Standards

1. Licensee shall not sell or offer for sale any book, magazine or other periodical which is distinguished or characterized by emphasis on matter depicting, describing or characterized by emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas”.
2. Licensee shall not offer for viewing through coin operated motion picture devices any movie or other form of display which has significant displays of specified sexual activities, or specified anatomical areas.
3. Licensee shall not feature or permit dancers or other persons to be engaged in specified sexual activities.
4. All such adult-oriented businesses as described above shall operate in accordance with the following:
 - a. Licensee shall not solicit business outside the building in which the business is located.
 - b. No male or female person, while on the premises, shall expose to public view his/her genitals, pubic area, anus or anal cleft. No employee or entertainer shall wear or use any device or covering exposed to view which simulates the breast below the top of the areola, vulva, or genitals, anus buttocks or any portion of the pubic hair. Full nudity is prohibited;
 - c. No person on the premises shall engage in any sexual conduct, sadomasochistic abuse or in any way fondle his/her genitals;
 - d. Licensee must prohibit nudity for any employee or patron an adult oriented business.
 - e. No person, employee, entertainer or patron shall be permitted to have any physical contact with any entertainer on the premise during any performance.

- f. All performances shall only occur on a stage that is in a designated area within full and unrestricted view, which is elevated at least eighteen (18) inches above the immediate floor level and removed a distance sufficient to prevent actual physical contact between the entertainer and another entertainer or any other person, employee or patron. The stage and the entire interior portion of any booths, cubicles, rooms or stalls complying with the requirements of the aforesaid stages, when adult entertainment is provided, shall be completely visible from all common areas of the premises. Visibility shall not be blocked or obscured by doors, curtains, drapes or any other obstruction whatsoever.
- g. No employee, entertainer, or patron shall use artificial devices or inanimate objects to depict any of the prohibited activities described in this section.
- h. No person under the age of eighteen (18) years of age may be admitted to, may enter or remain on, may purchase goods or services at, or may work or be permitted to work as an employee in any capacity at an establishment subject to the provisions of this ordinance.
- i. No person shall cause another to commit a violation of this Ordinance nor shall any person permit such violation to occur on any premise under his/her control, tenancy, management or ownership.

E. Additional Requirements: The following additional requirements shall be followed by all licensees of adult use establishments:

- a. The interior of the adult use establishment shall be arranged in such a manner as to insure customers are fully visible from the waist down while viewing peep shows or panoramas, and said customers shall be visible from the entrance of such premises; any booths, cubicles, rooms or stalls shall be completely visible from all common areas of the premises. Visibility shall not be blocked or obscured by doors, curtains, drapes or any other obstruction whatsoever.
- b. The licensee shall not permit any doors to public areas on the premises to be locked during business hours.
- c. Any room or area on such premises shall be readily accessible at all times for inspection by any law enforcement officer or any licensed inspector.
- d. The licensee shall maintain adequate illumination generally distributed in all parts of the premises at all times when the establishment is open or when the public is permitted to enter or remain there.

F. Applicability: This ordinance shall not be construed to prohibit:

- 1. Plays, operas, musicals, dances or other dramatic works which are not obscene.
 - a. An activity is “dramatic” if the activity is of, relating to, devoted to, or concerned specifically or professionally with current drama or contemporary theater.
- 2. Classes, seminars, and lectures held for serious scientific or educational purposes.

G. Severability: If any provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not invalidate this ordinance in its entirety, and to this end the provisions of this ordinance are declared to be severable.

H. Violations and Penalties: Any person violating or failing to comply with any of the standards of conduct and operation or with any other provision of this Ordinance, shall be guilty of a violation of Village ordinance and upon conviction thereof, shall cause the review and possible revocation of the license granted to the Licensee, and shall be punished by a fine not exceeding Five Thousand Dollars (\$5,000.00) or imprisonment in jail for a term not exceeding one (1) year, or both.

Effective: 1-28-94
Amended: 11-23-2004