

CHAPTER 8-9
ADULT USES - PERFORMER RESTRICTIONS AND REQUIREMENTS

8-9-1

DANCING

All dancing at any Adult Use establishment shall occur on a platform intended for that purpose which is raised at least two (2) feet from the level of the floor. No dancing shall occur closer than six (6) feet to any patron. No dancer shall have any physical contact with any patron and no patron shall have any physical contact with any dancer while the dancer is engaged in a performance of live sexually oriented entertainment. Specific anatomical areas as defined in 16-1-1 shall not be exhibited during any dance.

Legislative History:
Ordinance No. 434, 2/17/09.

Authority:
SDCL 11-12-4 & 11-12-5

SDCL 12

8-9-2

GRATUITIES

No patron shall directly pay or give any gratuity to any dancer and no dancer shall solicit any pay or gratuity from any patron.

Legislative History:
Ordinance No. 434, 2/17/09.

Authority:
SDCL 11-12-4 & 11-12-5
SDCL 12

8-9-3

ESTABLISHMENT REPORTING REQUIREMENTS

No later than March 1 of each year any Adult Use establishment at which any live dancers have performed shall file a verified report with the City showing the licensee's gross receipts and amounts paid to dancers for the preceding calendar year. In addition, any such establishment shall maintain and retain for a period of two (2) years the names, addresses, and ages of all persons the licensee employed as dancers and all persons the licensee retained as independent contractors to dance.

Legislative History:
Ordinance No. 434, 2/17/09.

Authority:
SDCL 11-12-4 & 11-12-5
SDCL 12

8-9-4

INDECENT EXPOSURE DURING SALE OF ALCOHOLIC BEVERAGES

- A. It is unlawful for any person on premises licensed for the sale of alcoholic beverages, while in the presence of any other person, to expose specified anatomical areas as defined in 16-1-1.

- B. It is unlawful for any licensee in alcoholic beverages to cause, allow or permit any person on the licensed premises to violate the provisions of subsection (A) of this section.

Legislative History:
Ordinance No. 434, 2/17/09.

Authority:
SDCL 11-12-4 & 11-12-5
SDCL 12

