

1 CITY OF LITTLETON, COLORADO

2
3 ORDINANCE NO. 8

4
5 Series, 2020

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7
8 AN ORDINANCE OF THE CITY OF LITTLETON,
9 COLORADO, AMENDING SECTION 3-14-15 OF THE
10 LITTLETON MUNICIPAL CODE PERTAINING TO ADULT
11 ENTERTAINMENT ESTABLISHMENTS

12
13 WHEREAS, the City Council of the City of Littleton desires to update the Littleton
14 Municipal Code to reflect the current Colorado Revised Statutes; and

15
16 WHEREAS, Section 3-14-15 of the Littleton Municipal Code is amended to show
17 a change to the maximum jail penalty, reducing the term by one day.

18
19 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
20 THE CITY OF LITTLETON, COLORADO, THAT:

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22 Section 1: Section 15 of Chapter 14 of Title 3, Standards of Conduct is amended
23 as follows:

24
25 **3-14-15: STANDARDS OF CONDUCT:**

26
27 (A) The following standards of conduct must be adhered to by employees of any adult business
28 which offers, conducts or maintains live adult entertainment:

29 1. Clothing: No employee or entertainer mingling with the patrons or serving food or beverages
30 shall be unclothed or in such attire, costume or clothing so as to expose to view any specified
31 anatomical area.

32 2. Touching, Caressing, Fondling: No employee or entertainer shall encourage or knowingly
33 permit any person upon the premises to touch, caress or fondle the breasts, buttocks, anus or
34 genitals of any other person.

35 3. Simulation Of Specified Areas: No employee or entertainer shall wear or use any device or
36 covering exposed to view, which simulates the breast, genitals, anus, pubic hair or any portion
37 thereof.

38 4. Performance Standards:

39 (a) No employee or entertainer shall be unclothed or in such attire, costume or clothing so as to
40 expose any portion of the specified anatomical area except upon a stage at least eighteen inches
41 (18") above the immediate floor level and removed at least six feet (6') from the nearest patron or
42 behind a solid, uninterrupted physical barrier which completely separates the entertainer from
43 any patrons. This barrier must be a minimum of one-fourth inch ($\frac{1}{4}$ ") thick and have no
44 openings between the entertainer and any patrons. The stage shall be fixed and immovable.

1 (b) No employee or entertainer shall perform while nude or seminude any obscene acts or
2 obscene acts which simulate specified sexual activities.

3 5. Use Of Inanimate Objects: No employee or entertainer shall use artificial devices or inanimate
4 objects to depict any of the prohibited activities described in this Section.

5 6. Menu: There shall be posted and conspicuously displayed in every area offering adult
6 entertainment a list of food and beverage prices.

7 7. Alcohol And Liquor: No adult entertainment use shall be located within any premises which is
8 licensed for the retail sale of three and two-tenths percent (3.2%) beer, malt, vinous or spirituous
9 liquor, as such terms are defined in [title 12, articles 46 and 47](#) SECTION 44-3-103 OF THE
10 Colorado Revised Statutes.

11 8. Consumption Of Alcohol: It shall be unlawful to permit the consumption of three and two-
12 tenths percent (3.2%) beer or other alcoholic beverages within the same premises as an adult
13 entertainment use.

14 9. Tips: Any tips for entertainers shall be placed by a patron into a tip box which is permanently
15 affixed in the adult business and no tip may be handed directly to an entertainer. A licensee that
16 desires to provide for such tips from its patrons shall establish one or more containers to receive
17 tips. Any physical contact between a patron and an entertainer is strictly prohibited.

18 10. Tip Boxes: An adult business that provides tip boxes shall conspicuously display in the
19 common area of the premises one or more signs in letters at least one inch (1") high to read as
20 follows:

21
22 *ADULT ENTERTAINMENT IS REGULATED*
23 *BY THE CITY OF LITTLETON*

24
25 *Any tips are to be placed in tip box and not handed directly to the entertainer. Any physical*
26 *contact between the patron and the entertainer is prohibited by law. Violators face maximum*
27 *penalties of \$1,000 and/or ~~one year~~ THREE HUNDRED SIXTY-FOUR (364) DAYS in jail.*

28 11. Outside Visibility: No adult entertainment occurring on the premises shall be visible at any
29 time from outside of the premises.

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31 (B) Any licensee who offers, conducts, or maintains live adult entertainment or an adult arcade
32 which exhibits in a peep booth, a film, videocassette or other video reproduction, shall
33 comply with the following requirements in addition to those set forth in subsection (A) of
34 this section:

35 1. It is the duty of the licensee of the premises to ensure that at least one employee is on duty and
36 situated in each manager's station at all times that any patron is present inside the premises.

1 2. It is the duty of the licensee and manager of the premises to ensure that any doors to public
2 areas on the premises remain unlocked during business hours.

3 3. The interior of the premises shall be configured in such a manner that there is an unobstructed
4 view from a manager's station of every area of the premises to which any patron is permitted
5 access for any purpose, excluding restrooms. Restrooms may not contain video reproduction
6 equipment or other forms of adult entertainment. If the premises has two (2) or more manager's
7 stations designated, then the interior of the premises shall be configured in such a manner that
8 there is an unobstructed view of each area of the premises to which any patron is permitted
9 access for any purpose, excluding restrooms, from at least one of the manager's, stations. The
10 view required in this subsection must be by direct line of sight from the manager's station. A
11 manager's station may not exceed thirty two (32) square feet of floor area.

12 4. No alteration to the configuration or location of an adult business may be made without the
13 prior written approval of the zoning official.

14
15 5. It shall be the duty of the licensee, and it shall also be the duty of any agents and employees
16 present in the premises to ensure that the view area specified in subsection (B)3 of this section
17 remains unobstructed by any doors, curtains, drapes, walls, merchandise, display racks or other
18 materials at all times and to ensure that no patron is permitted access to any area of the premises
19 which has been designated as an area in which patrons will not be permitted in the license
20 application filed pursuant to this chapter.

21 6. No peep booth may be occupied by more than one person at any one time.

22 7. Peep booths must be separated from other peep booths by a solid, uninterrupted physical
23 divider which is a minimum of one-fourth inch ($\frac{1}{4}$ ") thick and serves to prevent physical contact
24 between patrons.

25 **Section 2:** Severability. If any part, section, subsection, sentence, clause or
26 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the
27 validity of the remaining sections of this ordinance. The City Council hereby declares that it would
28 have passed this ordinance, including each part, section, subsection, sentence, clause or phrase
29 hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or
30 phrases may be declared invalid.

31
32 **Section 3:** Repealer. All ordinances or resolutions, or parts thereof, in conflict
33 with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer
34 clauses of such ordinance nor revive any ordinance thereby.

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37 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council

38 of the City of Littleton on the 3rd day of March, 2020, passed on first reading by a vote of 6 FOR

1 and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the
2 Municipal Courthouse and on the City of Littleton Website.

3 PUBLIC HEARING on the Ordinance to take place on the 17th day of March¹,
4 2020, in the Council Chamber², Littleton Center, 2255 West Berry Avenue, Littleton, Colorado,
5 at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

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7 PASSED on second and final reading, following public hearing, by a vote of _____FOR
8 and _____ AGAINST on the 2020 and ordered published by posting at Littleton Center, Bemis
9 Library, the Municipal Courthouse and on the City of Littleton Website.

10 ATTEST:

11 _____
12 Colleen L. Norton
13 CITY CLERK

Jerry Valdes
MAYOR

14
15 _____
16 Reid Betzing
17 CITY ATTORNEY

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19



1 Public Hearing rescheduled to May 5, 2020 due to COVID-19 closures

2 Due to COVID19, the City of Littleton is providing virtual coverage of city council meetings to protect the health of citizens, council members and staff. Meetings will not be held in the council chamber until further notice.