



LIQUOR & BEER PERMIT APPLICANT ACKNOWLEDGEMENT FORM

Sec. 4-12. - Acts prohibited on licensed premises; suspension or revocation of permit.

(a) No person holding a retail dealer's permit for sale of beverages, as defined in this Code, and no servant, agent, or employee of the permittee shall do any of the following acts upon the licensed premises:

- (1) Sell or serve beverages of low alcoholic content to any person under the age of twenty-one (21) years, unless such person submits a driver's license, selective service card or other lawful identification which, on its face, establishes the age of the person as twenty-one (21) years or older and there is no reason to doubt the authenticity or correctness of the identification.
- (2) Sell or serve beverages of low alcoholic content to any intoxicated person.
- (3) Intentionally entice, aid, or permit any person under the age of eighteen (18) years to visit or loiter in or about any place where alcoholic beverages are the principal commodities sold, handled or given away. However, the provisions of this section shall in no way prohibit the presence of any person under the age of eighteen (18) years on or about a licensed premises for any function sponsored by a religious or charitable organization with tax exempt status under section 501(3) of the Internal Revenue Code of the United States or by a fraternal beneficiary society with tax exempt status under section 501(8) of the code, and no alcoholic beverages are sold, handled, given away, or accessible during the presence of any such person.
- (4) Permit any prostitute to frequent the licensed premises, or to solicit patrons for prostitution on the licensed premises.
- (5) Sell, offer for sale, possess, or permit the consumption on the licensed premises of any kind or type of alcoholic beverages, the sale, or possession of which is not authorized under this permit.
- (6) Intentionally conduct illegal gambling, as defined by law, on the premises described in the application for the permit.
- (7) Employ or permit persons, commonly known as B drinkers, to solicit patrons for drinks and to accept drinks from patrons and receive therefor any commission or any remuneration in any other way.
- (8)
 - a. Employ anyone under the age of eighteen (18) in any capacity in an establishment where the sale of alcoholic beverages constitutes its main business; however, if the sale of alcoholic beverages does not constitute the main business of the establishment, anyone under the age of eighteen (18) may be employed as long as the employment does not directly involve the sale of alcoholic beverages for consumption on the premises.
 - b. If the sale or handling of alcoholic beverages does not constitute the main business and alcoholic beverages are not sold for consumption on the premises, an employee under the age of eighteen (18) years may be permitted to participate in the sale of packaged alcoholic beverages to collect the price and taxes and issue receipts therefor, or may be permitted to bag packaged alcoholic beverages, or both, where immediate supervision is provided.
- (9) Allow the sale, dispensing, or distribution of beverages of low alcoholic content in any type of automatic mechanical vending machine activated by the use of a coin, token, or similar instrument. The provisions of this subsection shall not apply to establishments exempt from holding permits under this chapter.
- (10) Permit the playing of pool or billiards by any person under eighteen (18) years of age, or permit such a person to frequent the licensed premises operating a pool or billiard hall.
- (11) Illegally sell, offer for sale, possess, or permit the consumption on or about the licensed premises of any kind or type of controlled dangerous substances.
- (12) Accept food stamp coupons as payment for alcoholic beverages in violation of the provisions of Public Law 88-525 and Regulation 1600.2(i) issued pursuant to that section of the federal statute by the United States Secretary of the Department of Agriculture.
- (13) Permit any disturbance of the peace, or obscenity, or any lewd, immoral, or improper entertainment, conduct, or practices on the licensed premises.
- (14)
 - a. **Play live or recorded music which is so unreasonably intrusive or offensive as to interfere with the comfortable enjoyment of the property of a person residing within two hundred (200) feet of the premises. This prohibition shall not apply to any licensed premises which are not located within two hundred (200) feet of a residence or which were not located within two hundred (200) feet of a residence on the date that the first permit was granted for the premises or to any licensed premises which are not located in an un-zoned unincorporated area. This prohibition shall not apply to any premises which provide an entry area with two (2) separate doors or sets of doors separating the exterior of the entrance from the area where music is played. Any licensed premises which are not, on the effective date of this paragraph, in compliance with the provisions of this paragraph, shall have a reasonable time either to modify the premises to comply with this paragraph or to cease the playing of music as described herein.**
 - b. Any person residing within two hundred (200) feet of licensed premises on which is played live or recorded music which is so unreasonably intrusive or offensive as to interfere with the comfortable enjoyment of his property shall have a cause of action for damages and may obtain injunctive relief if the premises are not in compliance with the provisions of this paragraph.

- (b) The following acts or conduct on licensed premises are deemed to constitute lewd, immoral, or improper entertainment as prohibited by this section and therefore no on-site permit for beverages of low alcoholic content shall be held at any premises where such conduct or acts are permitted:
- (1) Employment or use of any person in the sale or service of alcoholic beverages in or upon the licensed premises while such person is unclothed or in such attire, costume, or clothing as to expose to view any portion of the female breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva, or genitals.
 - (2) Employment or use of the services of any hostess or other person to mingle with the patrons while such hostess or other person is unclothed or in such attire, costume, or clothing as described in paragraph (1) of this subsection.
 - (3) Encouraging or permitting any person on the licensed premises to touch, caress, or fondle the breasts, buttocks, anus, or genitals of any other person.
 - (4) Permitting any employee or person to wear or use any device or covering, exposed to view, which simulates the breast, genitals, anus, pubic hair, or any portion thereof.
- (c) Acts or conduct on licensed premises in violation of this section are deemed to constitute lewd, immoral, or improper entertainment as prohibited by this section and therefore no on-site permit for beverages of low alcoholic content shall be held at any premises where such conduct and acts are permitted.
- (d) Live entertainment is permitted on any licensed premises, except that no permittee shall permit any person to perform acts of or acts which simulate:
- (1) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law.
 - (2) The touching, caressing, or fondling of the breast, buttocks, anus, or genitals.
 - (3) The displaying of the pubic hair, anus, vulva, genitals, or nipple of the female breast.
- (e) Subject to the provisions of subsection (d) of this section, entertainers whose breasts or buttocks are exposed to view shall perform only upon a stage at least eighteen (18) inches above the immediate floor level and removed at least three (3) feet from the nearest patron.
- (f) No permittee shall permit any person to use artificial devices or inanimate objects to depict any of the prohibited activities described above.
- (g) The following acts or conduct on licensed premises are deemed to constitute lewd, immoral, or improper entertainment as prohibited by this section and therefore no on-site permit for beverages of low alcoholic content shall be held at any premises where such conduct or acts are permitted: including the showing of film, still pictures, electronic reproduction, or other visual reproductions depicting:
- (1) Acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.
 - (2) Any person being touched, caressed, or fondled on the breast, buttocks, anus, or genitals.
 - (3) Scenes wherein a person displays the vulva or the anus or the genitals.
 - (4) Scenes wherein artificial devices or inanimate objects are employed to depict, or drawings are employed to portray, any of the prohibited activities described above.
- (h) Violation of this section by a retail dealer's agent, associate, employee, representative, or servant shall be considered the retail dealer's act for purposes of suspension or revocation of the permit.

(Ord. No. 3106, 12-7-89; Ord. No. 3982, § 3, 6-4-98; Ord. No. 4115, § 3, 7-1-99)

State Law reference – Similar provisions, R.S. 26-88; 26-285.

I, the undersigned, understand and have a received a copy of the above Ordinance and agree to abide by the regulations.

Applicant's Signature: _____ Date: _____