

Title: Regulatory Policy Nude Entertainment Establishments	Policy No. Part 3, Regulations Chapter 3, Business Regulations Section 2
	Effective Date May 8, 2007
Policy Custodian Sheriff	Adoption/Revision Date May 8, 2007

Adopting Resolution(s): CC07-245

References (Statutes /Resos/Policies): CC93-188, CC97-351; BCC MINUTES 4/20/93

Purpose: To establish regulations for Nude Entertainment Establishments

Policy: Nude Entertainment Establishments

A. Applicability of Regulations

These regulations shall apply to any Nude Entertainment Establishments located in unincorporated Jefferson County.

B. Definitions

1. "Nude" or "Nudity" means unclothed or partially clothed so as to expose any portion of the female breast below the top of the areola or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals.
2. "Nude Entertainment Establishment" means an establishment open to the public in which persons appear in a state of nudity for the purpose of entertaining the patrons of such establishments.
3. "Repeated Violation" means three or more violations of any provision set out herein within a one (1) year period dating from the time of any violation.
4. "Continuing Violation" means a violation of any provision set out herein lasting for three (3) or more consecutive days.

C. Minimum Age Restriction

No person under twenty-one (21) years of age shall be admitted to any Nude Entertainment Establishment, including without limitation any patron or employee, agent, servant, or independent contractor working on the premises during hours when nude entertainment is presented.

D. Hours of Operation

Nude entertainment is permissible between the hours of 4:00 p.m. to 12:00 midnight, Monday through Saturday of each week. It shall not be permitted during any other hours.

E. Distance Restrictions

No Nude Entertainment Establishment shall be operated within 1000 feet of any property which is zoned or used for residential, school or church purposes or which holds a liquor license, measured in a straight line, without regard to intervening structures or objects or political boundaries from the closest exterior wall of the structure in which the nude entertainment establishment is located to the nearest property line of the premises of a residence, school, church, or establishment holding a liquor license.

- F. Zoning Regulations Apply
Nude Entertainment Establishments shall comply with all regulations set forth in the Jefferson County Zoning Resolution as amended from time to time.
- G. Inspections
Nude Entertainment Establishments may be inspected at any time by the Jefferson County Sheriff's Office. Inspections may include:
1. A request that any employee, patron or other person present on the premises produce identification to determine that such person meets the minimum age requirement.
 2. Such inspection as is necessary or desirable to determine the health condition of the Nude Entertainment Establishment; and
 3. Any other reasonable inspection or request.
- H. Public Nuisance
Any Nude Entertainment Establishment which engages in a Repeated Violation or a Continuing Violation shall constitute a public nuisance.
- I. Separate Offense
Each day of operation in violation of any provision set out herein shall constitute a separate offense.
- J. Enforcement of Violations
1. Injunction
The Jefferson County Attorney or the District Attorney acting pursuant to §16-13-301, et.seq., C.R.S., may bring an action in the District Court for Jefferson County for an injunction against the operation of a Nude Entertainment Establishment in any manner which constitutes a public nuisance.
 2. Petty Offense
Any person who violates any provision set out herein commits a Class 2 Petty Offense and upon conviction thereof shall be punished by a fine of Three Hundred Dollars (\$300.00) for each separate offense.
 3. Additional Remedies
The remedies set forth above shall be in addition to and not in lieu of any other remedy, action, suit or criminal prosecution available by law or in equity.
- K. Severability
If any provision of this Policy is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not invalidate this Policy in its entirety, and to this end, the provisions of this Policy are declared to be severable.