

**ALLEN COUNTY CODE TITLE 8
PUBLIC SAFETY**

**ARTICLE 31
LIVE SEX ACT BUSINESSES**

8-31-1 Chapter 1: LIVE SEX ACT BUSINESSES PROHIBITED

8-31-1-1 Definitions.

“*Consideration*” means the payment of money or the exchange of any item of value for:

- (a) The right to enter the business premises or any portion thereof; or
- (b) The right to remain on the business premises or any portion thereof; or
- (c) The right to purchase any item permitting the right to enter, or remain on, the business premises or any portion thereof; or
- (d) The right to a membership permitting the right to enter, or remain on, the business premises or any portion thereof.

“*Live sex act*” means any act whereby one or more persons engage in live conduct which contains oral sexual contact or sexual intercourse.

“*Live sex act business*” means any business in which one or more persons may view, or may participate in, a live sex act for a consideration.

“*Operate and maintain*” means to organize, design, perpetuate, or control. Operate and maintain includes providing financial support by paying utilities, rent, maintenance costs or advertising costs, supervising activities or work schedules, and directing or furthering the aims of the enterprise.

“*Oral sexual contact*” means oral contact with the penis, vulva, or anus.

“*Sexual intercourse*” means penetration into the penis, vulva, or anus by any part of the body or by any object or manual masturbatory contact with the penis or vulva.

8-31-1-2 Prohibition

It shall be unlawful for any person to operate and maintain a live sex act business.

8-31-1-3 Nuisance

Operation of a live sex act business is a public nuisance per se.

8-31-1-4 Enforcement

Any violation or violations of this Article 8-31 shall be enforced pursuant to and in accordance with A.C.C. 8-32.

8-31-1-5 Effective date

This ordinance shall become effective as provided by law.

Passed this 28th day of June, 2019.