

STAGE APPROVAL

For DABC Licensed Sexually Oriented Businesses (SOB)

Sexually Oriented Entertainers (see 32B-1-102 (108), 32B-1-502 to 506 & R82-6-404)

Full nudity is illegal in any DABC licensed establishment. In some cases, sexually oriented entertainers in a state of "semi-nudity" may perform in a DABC licensed bar or tavern but only after local and state approval and under strict rules and regulations.



The Local Jurisdictions have first say about licensing sexually oriented businesses. They are allowed to be more restrictive than the state code. Therefore, a copy of local ordinances must be provided by the applicant and any special licensing from that jurisdiction must be first be met first.

A "Sexually Oriented Entertainer" is defined as a person who performs while in a state of semi-nudity. The entertainer performs at the request of the licensee, either on a contractual or voluntary basis. They may be an employee, an independent contractor, or an agent, etc. (See the state code 32B-1-102 for a definition of semi-nudity)

Stage Approval

After local licensing is granted, an SOB must apply for stage approval with the DABC. A diagram must be provided, drawn to scale of the premises of the business including the location of any stage or performance area where sexually-oriented entertainers will appear or perform. Then the stage must be physically inspected and Commission approved before any performances may begin. Even if the local jurisdiction is less restrictive, the following **minimum stage requirements** must be met:

The Stage must be at least 3 feet tall and separated from the patrons by a physical barrier or railing that is at least three (3) feet high from the stage floor. The stage must be configured so as to preclude a patron from:

- Touching the sexually-oriented entertainer
- Placing any money or object on or within the costume or the person of any sexually-oriented entertainer
- Is configured so as to preclude a sexually-oriented entertainer from touching a patron

