

ORDINANCE NO. 4594

TITLE: AN ORDINANCE TO BE ADDED AS A NEW CHAPTER TO TITLE 5, BUSINESS LICENSES AND REGULATIONS, OF THE ALBANY MUNICIPAL CODE PROVIDING FOR THE PROHIBITION OF BOTTOMLESS DANCING AND SIMILAR ACTIVITIES IN PLACES OF ENTERTAINMENT LICENSED TO SELL ALCOHOLIC LIQUOR AND FURTHER PROVIDING FOR THE PROHIBITION OF TOPLESS AND/OR BOTTOMLESS APPEARANCES IN PLACES SERVING FOOD OR ALCOHOLIC BEVERAGES.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. That a new Chapter 5.26 be added to the Albany Municipal Code as follows:

Chapter 5.26

PROHIBITIONS ON ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES

Sections:

- 5.26.010 Definitions.
- 5.26.020 Places of entertainment.
- 5.26.030 Places serving liquor.

5.26.010 Definitions. (1) For the purposes of this chapter, a female breast is "substantially exposed" unless it is completely and opaquely covered below a point immediately above the top of the areola.

5.26.020 Places of entertainment. (a) In any place licensed to sell alcoholic liquor and permitted by state law to allow dancing or have other forms of entertainment, it is unlawful for a stage show or floor show entertainer:

- (1) To come into physical contact with any patron or to circulate among the tables, chairs or similar furniture used or intended for use by patrons.
- (2) To expose his or her genitalia or engage in or simulate any act of sexual intercourse, sodomy, masturbation or sexual stimulation by massage of the genital area of the body in the course of the show.
- (3) To appear in the course of the show without covering his or her genitalia with an opaque material which does not simulate the organ covered.

(b) It is unlawful for the owner, operator or person in charge of a place licensed to sell alcoholic liquor and permitted by state law to allow dancing or have other forms of entertainment knowingly to permit any violation of subsection (a) of this section.

5.26.030 Places serving liquor. (a) In any place where food or alcoholic beverage is offered for sale for consumption on the premises, it is unlawful:

(1) For any female person to be so costumed or dressed that one or both breasts are wholly or substantially exposed to public view.


(2) For any person to appear publicly without covering his or her genitalia with an opaque material that does not simulate the organ covered.

(b) It is unlawful for the owner, operator or person in charge of any place where food or alcoholic beverage is offered for sale for consumption on the premises knowingly to permit any violation of subsection (a) of this section.

Passed by the Council: June 15, 1983

Approved by the Mayor: June 15, 1983

Effective Date: July 15, 1983

  
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Mayor

ATTEST:

  
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City Recorder