

ARTICLE 11. ENTERTAINMENT BY-LAW

Section 11.1

The acts or conduct enumerated in Section 2 of this article are deemed contrary to the public need and to common good and therefore are prohibited in or on premises licensed under the provisions of MGL. Chapter 18, Section 1 and 12, or Chapter 140, Section 181 or 183A.

Section 11.2

The following acts or conduct are prohibited as provided in Section 1 of this article.

- a. To employ or permit any person in or on the licensed premises while such person is unclothed or in such attire as to expose to view any portion of the areola of the female breast or any portion of the pubic hair, cleft of the buttocks, or genitals.
- b. To employ or permit any hostess or other person to mingle with the patrons while such hostess or other person is unclothed or in such attire as described in paragraph (a) above.
- c. To encourage or permit any hostess or other person in or on the licensed premises to touch, caress or fondle the breasts, buttocks, or genitals of any other person.
- d. To employ or permit any person to wear or use any device or covering exposed to view which simulates the breasts, buttocks, pubic hair or genitals or any portion thereof.
- e. To employ or permit any person in or on the licensed premises to perform an act or acts or to stimulate the acts or acts of:
 1. Sexual intercourse, masturbation, sodomy, flagellation or any sexual acts prohibited by law.
 2. Touching, caressing or fondling of the breasts, buttocks or genitals of one another.
- f. To employ or permit any person in or on the licensed premises to show motion picture films, television tape cassettes, still pictures or other photographic reproductions depicting any acts or any simulation of any of the acts prohibited in paragraphs (a-e) hereof.

Section 11.3

Nothing contained in this article shall permit any other conduct or activity in or on any licensed premises in violation of any general or special by-law or by-law now in force or hereafter enacted or adopted.

Section 11.4

Nothing contained in this article shall limit or prohibit the appropriate licensing authority from adopting additional regulations relating to conduct or activity on licensed premises or from imposing additional conditions on the issuance of any license.

Section 11.5

Violation of the provisions of this article shall be cause for the suspension or revocation of any license granted pursuant to MGL Chapter 138, Section 1 and 12 or Chapter 140, Section 181 or 183A.

Section 11.6

In addition to the penalty imposed by Section 5 hereof, violations of this by-law shall be punished by a fine of not less than fifty dollars (\$50.00) and not more than one hundred dollars (\$100.00). Each day a prohibited activity occurs shall constitute as a separate offense.

Section 11.7

Of any of the provisions of this article, or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provisions of this article, or the application thereof, and for this purpose the provisions for this article are severable.

Adopted: April 18, 1981