

ORDINANCE NUMBER 8.03
AN ORDINANCE OF THE TOWN OF BLOOMING GROVE
REGARDING ADULT ENTERTAINMENT ESTABLISHMENTS
AND LIQUOR LICENSES

The Town Board of the Town of Blooming Grove, Dane County, Wisconsin, does ordain as follows:

Section 1. Purpose

The First Amendment of the United States Constitution protects the rights of individuals to present adult entertainment which includes nude dancing, nude entertainment or material with themes or content of a sexual nature. The Town of Blooming Grove ("Town") may not, nor does it desire to, interfere with the rights of individuals to present or attend adult entertainment.

It is the position of the Town that adult entertainment, when combined with the sale and/or consumption of alcohol, is a public nuisance and therefore a hardship on the residents and landowners of the Town, as well as on the Town itself.

Section 2. Definitions.

- 1) For the purpose of this ordinance, "Adult Entertainment" shall include any person who exposes his/her genitals, pubic area, perineum, anus, anal cleft or cleavage, anal region or pubic hair region with less than a fully opaque covering, or who exposes any device, costume or covering which gives the appearance of or simulates genitals, pubic hair, perineum, anal region or pubic hair region, or who exposes any portion of the female breast below a point immediately above the top of the areola thereof, or who shows the covered male genitals in a discernibly turgid state, or who engages in or simulates sexual intercourse and/or sexual contact, including the touching of any portion of the female breast or the male and/or female genitals.
- 2) For the purposes of this ordinance, "Liquor License" shall include all licenses to sell alcoholic beverages as set forth in Wisconsin State Statutes Chapter 125, which includes but is not limited to "Class A", "Class B", Class "B", and "Class C" licenses that would or could be granted by the Blooming Grove Town Board pursuant to Chapter 125.

Section 3. Condition.

The Town shall not approve or renew a liquor license to any person, partnership, corporation or establishment that engages in adult entertainment as defined herein.

Section 4. Effective Date.

This Ordinance shall take effect June 13, 2012.

The above and foregoing ordinance was duly adopted by the Town Board of the Town of Blooming Grove at a regular meeting held on the 12th day of June, 2012.

Chair Dwight Johnson

Supervisor Mark McLaughlin

Supervisor Kathy Linzmeier

Supervisor Arnold Berg

Supervisor David Young

I hereby certify that the foregoing Ordinance regarding adult entertainment establishments and adult entertainment taverns was posted on the 13th day of June, 2012

Michael J. Wolf
Town Clerk
Town of Blooming Grove