



# Memo

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## Legal Department

TO: Honorable Mayor and City Council Members  
FROM: Judy K. Parks, Acting City Attorney  
RE: Ordinance Amendment to Correct Internal Reference in Code  
DATE: April 5, 2013

Our office received a call in January from a person inquiring about the regulations contained in Ames Municipal Code Section 17.31, Touching of Certain Entertainers Regulated. The caller was trying to locate the definition of “adult entertainment business” and the ordinance incorrectly referred to a code section that no longer contains that definition. This ordinance amendment is a correction to this internal reference. The definition of “adult entertainment business” is now located in a table in the zoning code, specifically Table 29.501(4)-7. Correcting this error will clarify what specific businesses are subject to the regulations contained in Section 17.31 of the Ames Municipal Code. I am therefore asking that you approve the attached ordinance.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING INTERNAL REFERENCE IN MUNICIPAL CODE TO REFLECT CORRECT LOCATION OF DEFINITION FOR “ADULT ENTERTAINMENT BUSINESS”**

**BE IT ENACTED**, by the City Council for the City of Ames, Iowa, that:

**Section One.** The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Sections 17.31(1) & (2) and adopting a new Sections 17.31(1) & (2) to read as follows:

**“Sec. 17.31. TOUCHING OF CERTAIN ENTERTAINERS REGULATED.**

(1) No person appearing as an entertainer on commercial premises subject to an Iowa liquor license or beer permit, or on premises of an ‘adult entertainment business’ within the meaning of Table 29.501(4)-7, Ames Municipal Code, shall fondle, caress or sit on the lap of any customer on said premises if the entertainer presents a performance on the premises while nude or so attired as to leave exposed the entertainer’s genitals, or pubic hair, or anus, or buttocks, or female breast, or female breast with only the nipple covered.

(2) No person present as a customer on commercial premises subject to an Iowa liquor license or beer permit, or on premises of an ‘adult entertainment business’ within the meaning of Table 29.501(4)-7, Ames Municipal Code, shall fondle, caress or sit on the lap of any entertainer on said premises if the entertainer presents a performance on the premises while nude or so attired as to leave exposed the entertainer’s genitals, or pubic hair, or anus, or buttocks, or female breast, or female breast with only the nipple covered.

...”

**Section Two.** Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

**Section Three.** All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

**Section Four.** This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2013

ATTEST:

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor