



APPLICATION FOR ADULT BUSINESS PERMIT
NON TRANSFERABLE
APPLICATION FEE: \$50.00 (NON-REFUNDABLE)
CHECKS PAYABLE TO: TREASURER CHESTERFIELD COUNTY

Applicant's Full Legal Name _____
Last Name First Name Middle Name

Maiden Name (where applicable): _____

Social Security Number: _____ Place of Birth (City and State): _____

Sex: Male Female Race: _____ Date of Birth: _____

Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Home Address: _____

City: _____ State: _____ Zip Code: _____

Home Telephone: _____ Work Telephone: _____

Previous Address: _____

City: _____ State: _____ Zip Code: _____

Current Employer: _____

Address: _____ Telephone: _____

City: _____ State: _____ Zip Code: _____

List three (3) character references, other than relatives:

Name	Address, City, State and Zip	Home Telephone	Work Telephone

CONVICTIONS

Have you ever been convicted of a Felony? No Yes: Date: _____

Jurisdiction (Place): _____ State: _____

Nature of the Felony: _____

Please furnish information on any criminal charges you have received, whether as a juvenile or adult, other than traffic offenses. Please list the date and jurisdictions in which the charge occurred. (If more space is needed, attach a separate sheet):

<u>Date</u>	<u>Criminal Charge</u>	<u>Jurisdiction</u>	<u>Convicted</u>	
_____	_____	_____	<input type="checkbox"/> No	<input type="checkbox"/> Yes
_____	_____	_____	<input type="checkbox"/> No	<input type="checkbox"/> Yes
_____	_____	_____	<input type="checkbox"/> No	<input type="checkbox"/> Yes

OTHER PERMITS

Do you hold or have you held any other adult business permits from Chesterfield County or any similar adult use permits from another locality in the previous five (5) years. If yes, please provide the name and address to business or any similar businesses owned or operated by you or your company.

Name of Business	Address	City State and Zip

I hereby certify that there are no willful misrepresentations in or falsifications of the above statements and answers to questions. I am aware that should the investigation disclose such omissions or misrepresentations and falsifications, my application will be rejected.

Signature of Applicant _____

Date: _____

BUSINESS INFORMATION

Business Name: _____

Business Address: _____

City: _____ State: _____ Zip Code: _____

Business Phone: _____ Business Fax Number: _____

Hours of Operation: _____

TYPE OF BUSINESS Check <input checked="" type="checkbox"/> Business Type	Sole Proprietorship	Corporation	S Corporation
	Partnership	Limited Liability Co.	Other:

Description of intended business activity and if adult entertainment is to be provided, a description of such entertainment:

If partnership or corporation or other legal entities, list officers, directors, investors, principals of the entity and any member of the business:

Full Name	Date of Birth	Social Security Number

Each of the above listed individuals must complete Form PD345A Adult Business Permit Supplement to complete the permit application process.



ADULT BUSINESS PERMIT SUPPLEMENT
FOR OFFICERS, DIRECTORS, INVESTORS, PARTNERS, PRINCIPLES OF THE ENTITY

Applicant's Full Legal Name _____
Last Name
First Name
Middle Name

Maiden Name (where applicable): _____

Social Security Number: _____ Place of Birth (City and State): _____

Sex: Male Female Race: _____ Date of Birth: _____

Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Home Address: _____

City: _____ State: _____ Zip Code: _____

Home Telephone: _____ Work Telephone: _____

Previous Address: _____

City: _____ State: _____ Zip Code: _____

Current Employer: _____

Address: _____ Telephone: _____

City: _____ State: _____ Zip Code: _____

List three (3) character references, other than relatives:

Name	Address, City, State and Zip	Home Telephone	Work Telephone

CONVICTIONS

Have you ever been convicted of a Felony? No Yes: Date: _____

Jurisdiction (Place): _____ State: _____

Nature of the Felony: _____

Please furnish information on any criminal charges you have received, whether as a juvenile or adult, other than traffic offenses. Please list the date and jurisdictions in which the charge occurred. (If more space is needed, attach a separate sheet):

<u>Date</u>	<u>Criminal Charge</u>	<u>Jurisdiction</u>	<u>Convicted</u>	
_____	_____	_____	<input type="checkbox"/> No	<input type="checkbox"/> Yes
_____	_____	_____	<input type="checkbox"/> No	<input type="checkbox"/> Yes
_____	_____	_____	<input type="checkbox"/> No	<input type="checkbox"/> Yes

OTHER PERMITS

Do you hold or have you held any other adult business permits from Chesterfield County or any similar adult use permits from another locality in the previous five (5) years. If yes, please provide the name and address to business or any similar businesses owned or operated by you or your company.

Name of Business	Address	City State and Zip

I hereby certify that there are no willful misrepresentations in or falsifications of the above statements and answers to questions. I am aware that should the investigation disclose such omissions or misrepresentations and falsifications, my application will be rejected.

Signature of Applicant _____

Date: _____



Chesterfield County, Virginia Police Department

10001 Iron Bridge Road – P.O. Box 148 – Chesterfield, VA 23832
Phone: (804) 748-1547 – Fax: (804) 768-0172 – Internet: chesterfieldpd.gov



COLONEL JEFFREY S. KATZ
Chief of Police

AUTHORIZATION FOR RELEASE OF PERSONAL INFORMATION

I, _____, authorize a review of and full disclosure of all records, or any part thereof, concerning myself, by a duly authorized agent of the Chesterfield County Police Department whether the said records are of public, private or confidential nature.

The intent of this authorization is to provide full and free access to the background and history of my personal life, for the specific purpose of pursuing a background investigation, which may provide pertinent data for the Chesterfield County Police Department to consider in determining my suitability for this permit or license. It is my specific intent to provide access to personal information, however personal or confidential it may appear to be.

I understand that any information obtained by a personal history background investigation, which is developed directly or indirectly, in whole or in part, upon this release authorization will be considered in determining my suitability for this permit or license.

I agree to indemnify and hold harmless the person to whom this request is presented and his/her agents and employees, from and against all claims, damages, losses and expenses, including reasonable attorney fees arising out of or by reason of complying with this request.

I further understand that in the event my application is disapproved, the sources of confidential information cannot be revealed to me. A photocopy of this release form will be valid as an original hereof, even though the said photocopy does not contain an original writing of my signature.

Date

Signature (sign before a notary public)

Commonwealth of Virginia, County of Chesterfield.

Acknowledged before me this _____ day of _____, 20_____.

Notary Public Signature

Notary Number

Commission Expiration Date



**THE COUNTY OF CHESTERFIELD VIRGINIA
CHESTERFIELD COUNTY POLICE DEPARTMENT**

CRIMINAL RECORD REQUEST

Unit Number _____

Employment Permit

Print all the requested information CLEARLY.
If an item of information is not applicable, print "N/A" in the item space.

Last Name	First Name	Full Middle Name						
	<table border="1" style="margin-left:auto; margin-right:auto;"> <tr> <td style="width:15%;">Month</td> <td style="width:15%;">Day</td> <td style="width:15%;">Year</td> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> </table>	Month	Day	Year				
Month	Day	Year						

Alias and/or Nickname	Date of Birth	Social Security Number
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Place of Birth (City/Town)	State of Birth	Country of Birth			
		<table border="1" style="margin-left:auto; margin-right:auto;"> <tr> <td style="width:15%; height: 20px;"></td> <td style="width:15%; height: 20px;"></td> <td style="width:15%; height: 20px;"></td> </tr> </table>			

Current Driver's License Number	State of Issue	Race	Sex	Age				
		<table border="1" style="margin-left:auto; margin-right:auto;"> <tr> <td style="width:15%;">Feet</td> <td style="width:15%;">Inches</td> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> </table>	Feet	Inches				
Feet	Inches							

Previous Driver's License Number	State of Issue	Height	Weight
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Hair Color	Eye Color	Complexion (Light, Med, Dark or Olive)
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Current Home Address	City	State/Country	Zip Code
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Previous Home Address	City	State/Country	Zip Code
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Home Phone Number	Business Phone Number	Cell Phone Number
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Email Address

DIVISION 2. ADULT BUSINESSES

Sec. 15-122.1. Adult business permits required from chief of police--Application.

(a) Every person desiring a business license to operate an adult business, as defined in chapter 19, shall first apply to the chief of police, or his designee, for a permit to conduct such activity. Each such application shall be accompanied by a fee in the amount of \$62.00. The permit shall be valid for a period of 12 months and may be renewed subject to the same requirements as the initial permit.

(b) Information required on the permit application shall include, but not be limited to, the following:

- (1) The applicant's full name, age, sex, race, weight, height, hair and eye color, address, telephone number, date and place of birth and Social Security Number;
 - (2) Names and addresses of references;
 - (3) Whether the applicant has been convicted of any felony or misdemeanor and, if so, the nature of the offense, when and where convicted, and the penalty or punishment assessed;
 - (4) Photograph and fingerprints of applicant; and
 - (5) Name, including any fictitious names, and address of the business for which a permit is sought.
 - (6) Written authorization to conduct a background investigation of the applicant, including fingerprints and personal descriptive information for the purpose of obtaining criminal history record information, the costs of which shall be borne by the applicant. The fingerprints shall be forwarded to Virginia State Police for processing through the Central Criminal Records Exchange to the Federal Bureau of Investigation as authorized by Code of Virginia, § 15.2-1503.1.
 - (7) Written declaration, dated and signed by the applicant, certifying that the information contained in the application is true and correct.
 - (8) Whether the applicant holds or has held any other permits under this division or other similar adult use ordinance provisions from another locality within the past five years and, if so, the names and locations of such other permitted businesses.
 - (9) A description of the intended business activity and, if adult entertainment as defined in chapter 19 is to be provided, a description of such entertainment.
- (c) For a corporation, partnership or other legal entity, "applicant" includes each officer, director, partner, investor or principal of the entity and any managers of the business.
- (d) Any changes in the ownership or principals of the business entity to which the permit is issued or in the managers of the business itself will automatically make the permit void. Such changes shall be reported to the chief of police or his designee, and a new application may be submitted for review.

(Ord. of 9-26-01, § 1; Ord. of 7-25-12, § (2))

Sec. 15-122.2. Same--Issuance.

(a) The chief of police or his designee shall grant or deny an application within 30 days of its proper filing, unless information requested from other law enforcement agencies is not received within that 30-day period, in which case the chief of police or his designee shall have an additional 30 days to act on the application. Upon the expiration of the applicable time period, unless the applicant requests and is granted a reasonable extension of time, the applicant shall be permitted to begin operating the business for which the permit is sought, unless and until the chief of police or his designee notifies the applicant of a denial of the application and states the reasons for that denial.

(b) If the application is denied, the chief of police or his designee shall notify the applicant of the denial and state the reasons for the denial.

(c) The chief of police or his designee shall deny the application for any of the following reasons:

- (1) An applicant is under 18 years of age.
- (2) An applicant has failed to provide information required by this chapter or has falsely answered a question.
- (3) The premises to be used by the adult business have not been approved as being in compliance with health, fire and building codes.
- (4) The application or permit fees have not been paid.
- (5) The business does not have proper zoning.
- (6) The applicant has a permit under this division which has been suspended or revoked.

(d) The applicant shall not be issued a permit if the county's investigation or the information furnished in compliance with this division shows that the applicant has been convicted within the last ten years from the date of the application of a felony or any other crime materially affecting the applicant's ability to conduct the permitted activity including a crime involving moral turpitude, or has been denied a permit or has had a permit revoked under any statute or ordinance similar in substance to the provisions of this division. In addition, each application shall be reviewed by the county departments charged with enforcing the business license, zoning, building, plumbing, utility, health, electric and fire prevention codes, as needed, and no permit shall be issued if the applicant's business in the county does not comply with these and any other applicable county or state laws or regulations.

(Ord. of 9-26-01, § 1; Ord. of 2-24-10(1), § 1; Ord. of 7-25-12, § (2))

Sec. 15-122.3. Inspection.

In addition to any existing legal authority, representatives of county departments may inspect those areas of each adult business which are open to the public or in plain view for the purpose of determining compliance with these provisions. Inspections shall be made during the adult business' regular business hours.

(Ord. of 9-26-01, § 1)

Sec. 15-122.4. Revocation.

(a) The chief of police or his designee, may revoke or suspend a permit issued pursuant to this division upon determining that:

- (1) A permittee gave false or misleading information in the material submitted during the application process; or
- (2) A permittee or an employee has knowingly allowed possession, use or sale of illegal controlled substances in or on the premises; or
- (3) A permittee or an employee has knowingly allowed prostitution on the premises; or
- (4) The permittee refused to allow an inspection of the adult business premises as authorized by this chapter; or
- (5) On two or more occasions within a 12-month period, a person or persons committed an offense, occurring in or on the permitted premises, constituting (1) aiding, abetting or harboring a runaway child; (2) prostitution or promotion of prostitution; (3) exposing minors to harmful materials; (4) dissemination of obscenity; (5) sexual assault for which a conviction has been obtained, and the person or persons were employees of the adult business at the time the offenses were committed. The fact that a conviction is being appealed shall have no effect on the revocation of the permit; or
- (6) A permittee is convicted of tax violations for any taxes or fees related to the adult business; or
- (7) A permittee has demonstrated inability to operate or manage an adult business in a peaceful and law-abiding manner, thus necessitating action by law enforcement officers; or
- (8) A permittee or an employee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation, or any other sexual activity to occur in or on the permitted premises.
- (9) A permittee has been operating an adult business not approved under the applicable permit.
- (10) A permittee has failed to comply with the provisions of this division.
- (11) A permittee's business fails to comply with applicable county or state laws or regulations.

(b) If the chief of police or his designee revokes or suspends a permit, he shall notify the permittee in writing of such action and the reasons for the action, and the permittee's right to request a hearing. To receive a hearing, the permittee must make a written hearing request which must be received by the chief of police, or his designee within ten days of the date of the revocation notice. If a hearing is properly requested, it shall be held within ten days of receipt of the hearing request. The hearing shall be presided over by the chief of police or his designee. The permittee shall have the right to present evidence and argument or to have counsel do so. Within five days of the hearing, the chief of police or his designee shall render a decision. The permittee must discontinue operation of his business if the chief of police or his designee renders a final decision revoking or suspending the permit.

(Ord. of 9-26-01, § 1)

Sec. 15-122.5. Transfer of permit.

(a) A permittee shall not operate an adult business under the authority of a permit at any place other than the address designated in the approved permit.

(b) A permittee shall not transfer his permit to another person.

(Ord. of 9-26-01, § 1)

Sec. 15-122.6. Judicial review of adult use permit denial or revocation.

After denial of an application, denial of a renewal of an application, or revocation or suspension of a permit, the county will facilitate the applicants' obtaining prompt review of the decision from the circuit court of the county if the applicant desires to appeal. Unless the applicant agrees to an extension, the county will file a responsive pleading within ten days of service upon the county of an appeal, will file a responsive brief within 15 days of service of the applicant's brief and will agree to any reasonable expedited trial or hearing date.

(Ord. of 9-26-01, § 1; Ord. of 5-29-02, § 1)

Sec. 15-122.7. Regulations pertaining to adult businesses providing adult entertainment.

(a) For purposes of this section, "adult entertainment" is defined as dancing, modeling or other live entertainment if the performers' performance is characterized by an emphasis on "specified anatomical areas" or "specified sexual activities" as defined in chapter 19, or is intended for the sexual stimulation or titillation of patrons.

(b) No person shall provide adult entertainment for patron(s) of an adult business except upon a stage at least 18 inches above the level of the floor which is separated by a distance of at least ten feet from the nearest area occupied by patron(s). No patron shall be permitted within ten feet of the stage while the stage is occupied by a performer.

(c) The adult business shall provide separate dressing room facilities for female and male performances which shall not be occupied or used in any way by any one other than performers.

(d) The adult business establishment shall provide access for performers between the stage and the dressing rooms which is completely separated from the patrons. If such separate access is not physically feasible, the establishment shall provide a minimum of four foot wide walk aisle for performers between the dressing room area and the stage, with a railing, fence or other barrier separating the patrons and the performers which prevents any physical contact between patrons and performers.

(e) No entertainer shall have physical contact with any patron, employee or other entertainer and no patron shall have physical contact with any entertainer while in or on the premises of the adult business.

(f) Fixed rail(s) at least 30 inches in height shall be maintained establishing the separation between performers and patrons required by this section.

(g) No patron shall directly pay or give any gratuity to any entertainer. A patron who wishes to pay or give a gratuity to a performance shall place the gratuity in a container that is at all times located separately from the performers for the purpose of preventing any physical contact between a patron and a performer. No performer shall solicit any gratuity from any patron.

(h) Patrons must be at least 18 years of age;

(i) Owners, managers, entertainers must be at least 18 years of age;

(j) The adult business shall not operate between the hours of 2:00 a.m. and 9:00 a.m. on any particular day.

(k) No operator of an adult business shall cause or allow a performer to contract or engage in any entertainment such as a "couch", a "straddle" or lap dance with a patron while in or on the establishment premises. No performer shall contract to or engage in a "couch", a "straddle" or lap dance with a patron while in or on the establishment premises. For purpose of this subsection, "couch", "straddle" or lap dance is defined as an employee of the establishment intentionally touching or coming within ten feet of any patron while engaged in the display or exposure of any "specified anatomical area", or any "specified sexual activity" or while engaged in other activity intended for the sexual stimulation or titillation of patrons.

(l) This section shall not apply to an employee of an establishment who, while acting as a waiter, waitress, host, hostess, or bar tender, comes within ten feet of a patron. No employee shall engage in any "specified sexual activity" or display or expose any "specified anatomical area" or engage in other activity intended for the sexual stimulation or titillation of patrons while acting as a waiter, waitress, host, hostess, or bar tender.

(Ord. of 9-26-01, § 1; Ord. of 5-29-02, § 1)

Sec. 15-122.8. Regulations pertaining to adult businesses offering viewing booths.

(a) Wide angle mirrors and/or video systems must be used to provide the manager with continuous monitoring of all areas of the establishment.

(b) Youth-oriented merchandise must be kept separate from the sexually oriented merchandise.

(c) To the extent booths are provided for viewing of videos, movies, DVDs, or other media, the booths must meet the following criteria:

(1) Minimum size of 500 square feet.

(2) No doors on booths so that manager may have visual access to the booth.

(3) Firewalls must be provided between booths.

(4) The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place patrons are permitted access and an illumination of not less than two foot candles as measured at the floor level.

(Ord. of 9-26-01, § 1; Ord. of 5-29-02, § 1)

Sec. 15-122.9. Regulations pertaining to all adult businesses.

(a) Sexually explicit material shall not be displayed in the windows of adult businesses. Further, adult merchandise as defined in chapter 19 shall not be visible from any point outside the establishment.

(b) Signs advertising the adult business and any attention-getting devices shall not display sexually explicit pictures or language.

(c) All off-street parking areas of the adult business shall be illuminated from dusk to closing hours of operation with a lighting system which provides an average maintained horizontal illumination of one foot candle of light on the parking surface and walkways. Adequate lighting shall also be provided for all entrances and exits serving the adult business.

(d) Adult businesses shall not employ any person under the age of 18.

(e) Wide angle mirrors and/or video systems must be used to provide the manager with continuous monitoring of all areas of the establishment.

(f) The owner or operator shall install, operate and maintain a security camera and video tape system designed by a security specialist which shall continuously monitor all exterior entrances and parking areas of the establishment. Such cameras shall provide clear imagery of the establishment's patrons and their vehicles. Tapes recording activities in the areas under surveillance shall be preserved for a period of 12 months. Authorized representatives of the police department or the planning department shall have access to such tapes in accordance with applicable law.

(g) For purposes of this article, an "employee" means an individual working or performing services for any adult business, including any independent contractor who provides services on behalf of any adult business to the patrons of such business, whether or not the individual receives any remuneration, gratuity, or tips of any kind, or pays the permittee, manager or other person for the right to perform or entertain in the adult business.

(Ord. of 9-26-01, § 1; Ord. of 5-29-02, § 1)

Sec. 15-123. Public indecency prohibited.

Nothing in this article shall be construed to permit any conduct which violates section 14-33 of the Code.

(Ord. of 5-29-02, § 1)

Sec. 15-124. Regulations applying to adult businesses and non-adult businesses.

Businesses that offer after May 29, 2002 that portion of adult merchandise, as defined in chapter 19, which is intended for the sexual stimulation or titillation of patrons for sale or rent shall not permit entry to persons under age 18 or must segregate the adult merchandise from the other merchandise and structure the display of the adult merchandise to prevent examination, perusal, or viewing of such merchandise by juveniles.

(Ord. of 5-29-02, § 1)

Sec. 15-125. Violations.

Except as permitted in subsection 15-122.2(a), operation of an adult business without a permit is prohibited. Violations of this article shall be unlawful and subject to the provisions of section 1-5 of the Code.

(Ord. of 5-29-02, § 1)

Sec. 15-126. Validity.

If any part of this division shall be deemed unconstitutional or otherwise invalid, the validity of the remaining provisions shall not be affected thereby.

(Ord. of 5-29-02, § 1)

Editor's note: Section 1 of an ordinance adopted May 29, 2002, repealed former § 15-122.9A, which pertained to validity and derived from § 1 of an ordinance adopted September 26, 2001, and added new §§ 15-123--15-126 as set out above.