

**CITY OF BRIGHTON
200 NORTH FIRST STREET
BRIGHTON, MICHIGAN 48116
(810) 227-1911**

APPLICATION FOR MASSAGE BUSINESS LICENSE

Date: _____

Name of applicant/including aliases within the past ten years:

Applicant's residence address and phone number: _____

All addresses within the last five years: _____

Brief description of service to be provided: _____

Name of Business, location and mailing address of proposed establishment: _____

If applicant is a corporation, full names, residence addresses and date of birth of officers, directors and stockholders owning more than 10% of corporation: _____

If applicant is a partnership, full names, residence addresses and date of birth of each partner including limited partners: _____

Applicants height _____, weight _____, sex _____, eye color _____

hair color _____

Business, occupation or employment of the applicant three years preceding the date of application:

The history of an applicant in the performance of massage services or similar business or occupation, including, but not limited to, whether or not such person, in previously providing such services in this or another municipality or state under permit or license, has had such permit or license revoked or suspended and the reason therefore, and the business activity of occupation subsequent to such action of suspension or revocation: _____

List all convictions for any felony, misdemeanor, or local ordinance (do not include traffic tickets and parking tickets):

Date	Offense	Location / Jurisdiction

The following must be filed with this application:

1. Copy of Driver's License, State Identification Card or U.S. Passport.
2. Written permission from property owner, which includes dates/times and type of sales.

The following information is required for applications for massage business or massage school:

Number of employees, names and qualification of persons intended to give massages: _____

The undersigned does hereby certify, that he/she has read the above and foregoing application and that all acts and information stated in said application is true of his/her own knowledge. The undersigned does further warrant that no misrepresentation of fact is contained in the foregoing application and does hereby assume responsibility for any damage arising out of any false or inaccurate statement. The undersigned acknowledges receipt of City of Brighton Code of Ordinances, Section 22-301 through 22-325 of Ordinance 535 and Section 98-331-98-333.

Signature Date

State of Michigan
County of _____

Subscribed and sworn to me this _____ day of _____, 20_____

Notary Public, _____ County, Michigan

My commission expires: _____

1. All licenses, if issued, must be carried so as to be shown.
2. The license is subject to revocation for cause.
3. The license will expire at the end of the calendar year in which it was issued.

INSPECTIONS:

BUILDING DIVISION DATE RECOMMENDATION

FIRE DEPARTMENT DATE RECOMMENDATION

APPROVAL/DISAPPROVAL:

CHIEF OF POLICE DATE APPROVE/DISAPPRV

Sec. 22-301. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Massage means any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external soft parts of the body with hands or with aid of any mechanical electrical apparatus or appliances with or without rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments or other similar preparations used in this practice.

Massage business means any room, place, establishment, or institution having as a principal activity the treatment of the human body, in any manner, by means of massage, as herein defined, and where a massage, alcohol rub, fomentation, bath, physiotherapy, manipulation of the body or similar treatment is given.

Massage school means a school which is recognized by the state board of massage, which requires for admission students with a tenth grade education or its equivalent, which employs one or more competent licensed massagists as instructors, and which has minimum requirements of a continuous course of study and training and consisting of study in physiology, anatomy, massage theory, hydrotherapy, hygiene, ethics and practical massage. For the purpose of this division, a correspondence school shall not be construed to be a recognized school.

Massage instructor means any person, male or female, who administers to another person a massage, alcohol rub, fomentation, bath, electric or magnetic massage procedure, manipulation of the body or other similar procedure for the purpose of instructing Students in a Massage School in the theory, method or practice of massage for any form of consideration.

Massagist means any person, male or female, who administers to another person, for any form of consideration, a massage, alcohol rub, fomentation, bath, electric or magnetic massage procedure, manipulation of the body or other similar procedure.

Principal activity means a use accounting for more than 20 percent of a business' floor space, revenue or income per month.

Student means any person who, under the guidance of an instructor in a Massage School, is being trained or instructed in the theory, method or practice of massage.

Sec. 22-302. Exemptions.

This article shall not apply to:

- (1) Medical doctors (physicians and surgeons), doctors of osteopathic medicine, doctors of chiropractic medicine, physical therapists, psychiatrists, psychologists, clinical social workers, and family counselors, who are licensed to practice their respective professions in the state, or who are permitted to practice temporarily under the auspices of an associate or establishment duly licensed in the state.
- (2) Nurses who are registered under the laws of this state and who administer a massage in the normal course of nursing duties.
- (3) A trainer of any duly constituted athletic team who administers a massage in the normal course of training duties.
- (4) Barbers and beauticians who are duly licensed under the laws of this state and who administer a massage in the normal course of their duties.
- (5) Participants in growth seminars or sensitivity sessions provided such seminars or sessions are conducted by a member of one of the exempted professions defined in subsection (1) of this section.
- (6) Any duly licensed establishment in which the above described persons only and exclusively practice their respective professions.
- (7) Any student who is performing massages for any form of consideration under the guidance of a massage instructor in a massage school.

Sec. 22-303. Penalties.

- (a) Any person violating, or neglecting or refusing to comply with any provision of this article, shall upon conviction be deemed guilty of a misdemeanor and shall be punished by imposition of a fine not to exceed \$500.00.
- (b) Each day that a violation is permitted to exist shall constitute a separate offense.

Sec. 22-304. License required.

No person shall practice, engage in, carry on or operate the business of a massagist or massage instructor or conduct, operate and carry on a massage business, massage school, or other similar business within the city without first having applied for and obtained the required license, and complying with all requirements of this Code. No person shall employ as a massagist any person who does not hold a current unrevoked license as required by this article. No person shall practice massage for compensation without obtaining and maintaining in effect a permit as a massagist as required by this article.

Sec. 22-305. Requirements and duties.

It shall be the responsibility of an owner, operator, manager or permittee in charge of or in control of a massage business, massage school or similar business to ensure that each person employed or engaged by him in such business as a massagist shall have first obtained a valid massagist license required by this article. Any owner, operator, manager or permittee in charge of or in control of a massage business, massage school or similar business, who employs a person performing as a massagist, who is not in possession of a valid massagist license, or allows such an employee to perform, operate or practice within a massage business shall be in violation of this article.

Sec. 22-306. Application investigation fee.

- (a) Any person desiring to obtain a license to operate a massage business, massage school or similar business, or to perform massage services shall make application to the city clerk, who shall refer all such applications to the police department for an investigation. An application to obtain a license to operate a massage business, massage school or similar business shall be accompanied by an investigation fee in an amount established by resolution of the city council, no part of which shall be refundable.
- (b) This application fee shall be payable to the city treasurer at the time the application is filed and this fee shall be in addition to any other license, permit or fee required under this or any other city ordinance.

Sec. 22-307. Contents of massage business or massage school application.

Any applicant for massage business or massage school licenses required by this article shall submit the following information:

- (1) The full name of the applicant, including aliases used by applicant within the past ten years.

- (2) The present address of applicant and any prior addresses used for the five years immediately preceding the date of the application.
- (3) A description of service to be provided.
- (4) The location and mailing address of the proposed establishment.
- (5) If applicant is a corporation, the full names, residence addresses and dates of birth of each of the officers and directors of such corporation, and of each stockholder owning more than ten percent of the corporation.
- (6) If the applicant is a partnership, the full names, residence addresses and dates of birth of each of the partners including limited partners.
- (7) Proof of identity containing a photographic image of the applicant, to wit, a currently valid state driver's license or state identification, or a currently valid United States passport.
- (8) Individual applicant's height, weight, sex, color of eyes and hair.
- (9) Business, occupation, or employment of the applicant for the three years immediately preceding the date of the application.
- (10) The history of an applicant in the operation of a massage business or similar business or occupation, including, but not limited to, whether or not such person, in previously operating in this or another municipality or state under permit or license, has had such permit or license revoked or suspended and the reason therefor, and the business activity or occupation subsequent to such action of suspension or revocation.
- (11) All criminal convictions other than traffic violations and the reasons therefor.
- (12) The application shall be signed and sworn to by the applicant.
- (13) Such other identification and information necessary to discover the truth of the matters required to be set forth in the application.
- (14) The number of employees and names and qualifications of all persons who are intended to give massages in the business.

Sec. 22-308. Contents of massagist application.

Any applicant for a massagist or massage instructor license required by this article shall submit the following information:

- (1) The full name of the applicant, including aliases used by applicant within the past ten years.
- (2) The present address of applicant and any prior addresses used for the five years immediately preceding the date of the application.
- (3) The location and mailing address where the applicant will be providing massage services.
- (4) Proof of identity containing a photographic image of the applicant, to wit, a currently valid state driver's license or state identification, or a currently valid United States passport.
- (5) Individual applicant's height, weight, sex, color of eyes and hair.
- (6) Business, occupation, or employment of the applicant for the three years immediately preceding the date of the application.
- (7) The history of an applicant in the performance of massage services or similar business or occupation, including, but not limited to, whether or not such person, in previously providing such services in this or another municipality or state under permit or license, has had such permit or license revoked or suspended and the reason therefor, and the business activity or occupation subsequent to such action of suspension or revocation.
- (8) All criminal convictions other than traffic violations and the reasons therefor.
- (9) The application shall be signed and sworn to by the applicant.

(10) Such other identification and information necessary to discover the truth of the matters required to be set forth in the application.

(11) A certificate or letter proving that the applicant attended and graduated from an accredited massage therapy school.

Sec. 22-309. License procedures.

(a) Any applicant for a license pursuant to this article shall present to the city clerk the application containing the required information. The application shall be referred to the police department which shall have 30 days from the receipt of the application in which to investigate the application and the background of the applicant. Based on such investigation, the police chief, or his representative shall render a recommendation as to the approval or denial of the license to the city clerk within 30 days of the receipt of the application.

(b) The police chief shall recommend denial of an application for a license if the character, physical or mental condition of the applicant or his employees is found to be inimical to the public health, safety, morals or general welfare. The police chief's recommendation shall be based on appropriate and competent evidence available to him. In making this determination, the Brighton police chief shall consider:

- (1) *Penal history.* All applicant's convictions, the reasons therefore, and the criminal history of the applicant subsequent to his release if applicant was ever incarcerated or jailed.
- (2) *License and permit history.* The license and permit history of the applicant; whether such person in previously operating in this city or state or in another municipality or state under a license or permit has had such license or permit revoked or suspended; the reasons therefore; and the license and permit history of the applicant subsequent to such action.

(c) The Brighton Area Fire Authority, city building department and the city police department shall inspect the premises proposed to be devoted to the massage business, massage school, or similar business and shall make within 30 days from receipt of the application separate recommendations to the city clerk concerning compliance with the requirements of this article and all other applicable city ordinances and regulations. The Brighton Area fire authority, city building department and the city police department may further retain such other experts as are necessary to render their recommendation.

(d) The city clerk, after receiving these recommendations, shall grant a license to the establishment if all requirements for a massage business, massage school or similar business are met, and shall issue a license to all persons who have applied to perform massage services unless it appears that any person has deliberately falsified the application or unless it appears that the record of any person reveals a conviction of a felony or a crime of moral turpitude. In the event that the city clerk does not receive one or more of the recommendations discussed above within 30 days of the receipt of the application, the city clerk shall make the decision as to whether to

grant a license without such recommendation(s). The city clerk shall render the decision as to the granting of the license within 35 days from the receipt of the application.

(e) Any person denied a license by the city clerk, pursuant to this article may appeal to the city council in writing, stating reasons why the license should be granted. The city council may grant or deny the license after a public hearing, and such decision shall be final. Also, the city council may elect on its own motion to review any determination of the city clerk granting or denying a license. The city council shall make its decision as to whether the license shall be granted or denied within 30 days of receipt of the written appeal, if an appeal is made, or within 30 days of the council's motion to review if no appeal is made.

(f) All licenses issued hereunder are nontransferable; provided, however, a change of location of a massage business or similar business may be permitted pursuant to the provisions of this article.

Sec. 22-310. Facilities necessary.

No license to conduct a massage business, massage school or similar business shall be issued unless an inspection by the city reveals that the establishment complies with each of the following minimum requirements:

- (1) A recognizable and readable sign shall be posted at the main entrance identifying the establishment as a massage business or massage school; provided, that all such signs shall comply with the sign requirements of the city.
- (2) Minimum lighting shall be provided in accordance with the state construction code and in addition, at least one artificial light of not less than 60 watts shall be provided in each enclosed room or booth where massage services are being performed on a patron.
- (3) Minimum ventilation shall be provided in accordance with the state construction code.
- (4) Adequate equipment for disinfecting and sterilizing instruments used in performing the acts of massage shall be provided.
- (5) No cubicle, room, booth or any area within the massage operation in which massages are intended to be performed or are performed shall be fitted with a door capable of being locked.
- (6) Hot and cold running water shall be provided at all times.
- (7) Closed cabinets shall be provided, which cabinets shall be utilized for the storage of clean linen.
- (8) All walls, ceilings, floors, pools, showers, bathtubs, steam rooms, and all other physical facilities for the establishment must be in good repair and maintained in a clean and sanitary condition. Wet and dry heat rooms, steam or vapor rooms, or steam or vapor cabinets, shower compartments, and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs and/or showers shall be thoroughly cleaned after each use.
- (9) Clean and sanitary towels and linens shall be provided for each patron of the establishment or each patron receiving massage services. No common use of towels or linens shall be permitted.
- (10) A minimum of one separate wash basin shall be provided in each massage parlor for the use of employees of any such establishment. The basin shall provide soap or detergent and hot and cold running water at all times and shall be located within or as close as practicable to the area

devoted to the performing of massage services. In addition, there shall be provided at each wash basin, sanitary towels placed in permanently installed dispensers.

(11) If the massage business provides Turkish bath, steam bath or sauna bath facilities, adequate bathing, dressing, and locker facilities shall be provided for massage business patrons. A minimum of one tub or shower, one dressing room containing a separate locker with lock for each patron to be served, as well as a minimum of one toilet and one wash basin, shall be provided by every massage parlor; provided, however, that if male and female patrons are to be served simultaneously at the establishment, separate bathing, a separate massage room or rooms, separate dressing and separate toilet facilities shall be provided for male and female patrons.

Sec. 22-311. Inspections.

(a) Every establishment ostensibly being operated as a massage business or massage school shall be open for inspection by duly authorized representatives of any city department concerned with the licensing and supervision of such establishment during operating hours for the purpose of enforcing any of the provisions of this article or other ordinances or regulations of the city relating to the public health, safety, and welfare.

(b) It shall be unlawful for any person to refuse entry to premises in which a massage business or massage school is ostensibly being operated, by city representatives for the purpose of making lawful inspections.

Sec. 22-312. License fee, term.

Any person granted a license by the city clerk or city council to operate a massage business, massage school or similar business, or to administer massages, shall pay to the city treasurer an annual fee in an amount as established by resolution of the city council. The license year shall be the period from the date of license issuance to December 31 next, inclusive, unless otherwise provided. All licenses issued for the license year shall expire on December 31 unless suspended or revoked.

Sec. 22-313. License renewal.

Massagist and massage instructor licenses, and licenses to operate a massage business, massage school or similar business shall be renewed by December 20 of the year of issuance. In order to renew the license, the license holder shall submit the following to the city clerk's office:

- (1) a sworn affidavit that the information contained in the original application is correct and indicates changes necessary;
- (2) the appropriate permit fee, as set forth by the City Council.

The license holder's renewal affidavit and original application shall be referred to the chief of police who shall investigate the criminal history of the applicant and any employees holding permits as massagists since the grant of the original license. The city clerk shall render the decision as to the granting of the renewal within 35 days from the receipt of the renewal application.

Sec. 22-314. Display of license.

Every person to whom or for which a license shall have been granted shall display the license in a conspicuous place so that it may be readily seen by persons entering the premises where the massage, bath or treatment is given by that person. Each massage business shall further maintain an up-to-date register of all persons performing massages at the massage business, whether those persons are employees or independent contractors, as well as a copy of each such person's license.

Sec. 22-315. Change of location.

A change of location of any of the aforementioned and described premises may be approved by the city clerk and chief of police, provided the requirements set forth in this article as well as all other ordinances and regulations of the city and state law are complied with and the change of location fee in an amount established by resolution of the city council is deposited with the city treasurer.

Sec. 22-316. Unlawful activities.

It shall be unlawful for any person to, for gain or profit, do any of the following:

- a. to touch, fondle or massage the sexual or genital parts of another person, or any portion thereof, for purposes of sexual arousal or gratification
- b. to touch, fondle or massage his or her own sexual or genital parts, or any portion thereof, for purposes of sexual arousal or gratification of any other person
- c. to expose his or her sexual or genital parts, or any portion thereof, for purposes of his or her own sexual gratification or for purposes of sexual arousal or gratification of any other person.

Any violation of this provision shall be deemed grounds for the revocation of the license. It shall further be unlawful for any person owning, operating or managing a massage business under this section to permit or knowingly allow any agent, employee or other person under his or her control or supervision to perform the acts described in subsections "a" through "c" above on the premises of the massage business.

Sec. 22-317. Emergency employee.

If the holder of a license to operate a massage business is required to use an emergency employee because of illness or incapacity of a regular licensed employee, same shall be permitted, provided that such emergency employee shall be required to make application for a valid license as required in this article within three days from date of beginning work. Emergency employee shall be defined to mean an individual who works not more than three days per year in the city, and does not possess a valid city license.

Sec. 22-318. Wearing apparel.

Uniforms or garments covering the torso and sexual or genital parts of the body with fully opaque material shall be worn by massagist or employees while attending patrons. Such uniforms or garments shall be washable material and shall be kept in a clean condition. The sleeves of the uniform or garment shall not reach below the elbow.

Sec. 22-319. Patronage of massage business by minors.

No person licensed as a massagist shall massage or treat any person under the age of 18 upon the licensed premises, except upon written order by a licensed medical doctor, doctor of osteopathic medicine, or physical therapist, such order being dated and in the possession of the massagist giving the massage or treatment. If the person under the age of 18 is accompanied by a parent or legal guardian during the massage or treatment, this provision shall not apply.

Sec. 22-320. Name of business.

No person licensed under this article shall operate under any name or conduct his business under any designation not specified in the license.

Sec. 22-321. Hours of operation.

No massage business shall be open to the public for business between the hours of 12:00 midnight and 6:00 a.m.

Sec. 22-322. Revocation and suspension of license.

(a) No license shall be revoked until after a hearing before the city council to determine just cause for such revocation. The city clerk may order any license suspended pending such hearing, and it shall be unlawful for any person to carry on the business of a massagist or to operate as a massage business, massage school or similar business, depending upon the particular type of license which has been suspended, until the suspended license has been reinstated by the city council. Notice of such hearing shall be given in writing and served at least five days prior to the date of the hearing. The notice shall state the grounds of the complaint against the holder of the license, or against the business carried on by the licensee at the establishment, and shall state the time and place where the hearing shall be held.

(b) Such notice shall be served upon the license holder by delivering it to the person or by leaving the notice at the place of business or residence of the licensee in the custody of a person of suitable age and discretion. If the licensee cannot be found, and the service of the notice cannot be made in this manner, a copy of the notice shall be mailed, postage fully prepaid, addressed to the licensee at his place of business or residence and posted conspicuously on the premises at least five days prior to the date of the hearing.

Sec. 22-323. Sale or transfer.

(a) Upon the sale or transfer of any interest in a massage business, massage school or similar business, the license shall be null and void. A new application shall be made by any person desiring to own or operate the massage business, massage school or similar business.

(b) Any sale or transfer of any interest in an existing massage business or any application for an extension or expansion of the building or other place of business of the massage business shall require inspection and shall require compliance with this article. A fee in an amount as established by resolution of the city council shall be payable for each application involving extension or expansion of the building or other place of business of the massage establishment.

Sec. 22-324. Applicability of regulations to existing businesses.

This article shall be applicable to all persons and businesses described in this article, whether the described activities were established before or after the effective date of the ordinance from which this article was derived and including any person whose application is presently under consideration or investigation by the city. However, those businesses operating prior to the date of adoption of the ordinance from which this article was derived will have a 60-day grace period from the date of adopting within which to comply with all the conditions and requirements of this article, provided, that the provisions of this article other than those provisions dealing with the facilities necessary and license requirements shall require immediate compliance. The city clerk may grant an additional extension for a period not to exceed 60 days for good cause. Good cause means undue delays beyond the control of the existing business.

Sec. 22-325. Storage or dispensing of alcohol on the premises of a massage business prohibited.

Except as permitted by state and federal law, no alcoholic liquor shall be kept, served or dispensed on the premises of any massage business licensed under this section. For the purposes of this subsection, "alcoholic liquor" is defined as set forth in the Michigan Liquor Control Code of 1998, being MCL 436.1101, as amended.

DIVISION 2. ADULT ENTERTAINMENT BUSINESS

Sec. 98-331. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult bookstore means an establishment having as a principal activity the sale of books, magazines, newspapers, video tapes, video discs and motion picture films which are characterized by their emphasis on portrayals of human genitals and pubic regions or acts of human masturbation, sexual intercourse or sodomy.

Adult entertainment business means one or a combination of more than one of the following types of businesses: adult bookstore, adult motion picture theater, adult minimotion picture theater, adult personal service business, adult novelty business.

Adult motion picture theater means an enclosed building with a capacity of 50 or more persons having as a principal activity displaying motion pictures characterized by their emphasis on portrayals of human genitals and pubic regions or acts of human masturbation, sexual intercourse, or sodomy for observation by patrons therein.

Adult minimotion picture theater means an enclosed building having as a principal activity the presentation of material characterized by emphasis of portrayals of human genitals and pubic regions or actions of human masturbation, sexual intercourse or sodomy for observation by patrons therein in individual viewing booths.

Adult novelty business means a business which has a principal activity of the sale of devices of simulated human genitals or devices designed for sexual stimulation.

Adult personal service business means a business having as a principal activity a person of one sex providing services to individuals of the same or opposite sex, on an individual or group basis in a closed room. It includes, but is not limited to, exotic rubs, modeling studios, body painting studios, wrestling studios and individual theatrical performances. It does not include activities performed by persons pursuant to, and in accordance with, licenses issued to such persons by the state.

Massage means any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external soft parts of the body with hands or with aid of any mechanical electrical apparatus or appliances with or without rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments or other similar preparations used in this practice.

Massage parlor means any turkish bath parlor, steam bath, sauna bath, magnetic healing institute, or any room, place, establishment, or institution where treatment of any nature for the human body is given by means of massage, as herein defined, and where a massage, alcohol rub, fomentation, bath, physiotherapy, manipulation of the body or similar treatment is given.

Massage school means a school which is recognized by the state board of massage, which requires for admission students with a tenth grade education or its equivalent, which employs one or more competent licensed massagists as instructors, and which has minimum requirements of a continuous course of study and training and consisting of study in physiology, anatomy, massage theory, hydrotherapy, hygiene, ethics and practical massage. For the purpose of this division, a correspondence school shall not be construed to be a recognized school.

Massagist means any person, male or female, who administers to another person, for any form of consideration, a massage, alcohol rub, fomentation, bath, electric or magnetic massage procedure, manipulation of the body or other similar procedure.

Partially nude means having any or all of the following bodily parts exposed: buttocks, genitals, pubic area or female breasts.

Principal activity means a use accounting for more than 20 percent of a business' stock in trade, display space, floor space or move display time per month.

Student means any person who, under the guidance of an instructor in a Massage School, is being trained or instructed in the theory, method or practice of massage.

(Ord. No. 288, § II, 5-1-86)

Cross references: Definitions generally, § 1-2.

Sec. 98-332. Locations restricted.

An adult entertainment business may be located in the city only in accordance with the following restrictions:

- (1) No such business shall be located within 1,000 feet of a school, church or community building.
- (2) Such businesses shall only be located in a district classified pursuant to this chapter as C-1.

(Ord. No. 288, § II, 5-1-86)

Sec. 98-333. Use regulations.

(a) No person shall reside in or permit any person to reside in the premises of an adult entertainment business.

(b) No person shall operate an adult personal service business unless there is conspicuously posted in each room where such business is carried on a notice indicating the prices for all services performed by said business. No person operating or working at such a place of business shall solicit or accept any fees except those indicated on any such notice.

(c) No person operating an adult entertainment business shall permit it to be used for acts of prostitution or to be frequented by known prostitutes who have been convicted of the act of prostitution.

(d) No person shall operate an adult entertainment business without obtaining a license. Such license shall be issued by the city clerk following the completion of the promulgated application procedure outlined in chapter 22 of this Code.

(e) No person operating an adult entertainment business shall permit any person under the age of 21 to be on the premises of such business either as an employee or customer.

(f) No person shall become the lessee or sublessee of any property for the purpose of using such property for an adult entertainment business without the express written permission of the owner of the property for such use.

(g) No lessee or sublessee of any property shall convert that property from any other use to an adult entertainment business without the express written permission of the owner of the property for such use.

(Ord. No. 288, § II, 5-1-86)