

**APPLICATION FOR AN EXOTIC ENTERTAINMENT ESTABLISHMENT
WOOD COUNTY, WEST VIRGINIA**

APPLICANT'S NAME: _____ PHONE: _____

APPLICANT'S ADDRESS: _____

ESTABLISHMENT NAME: _____ PHONE: _____

ESTABLISHMENT ADDRESS: _____

ESTABLISHMENT CLASSIFICATION:

- Adult Arcade - any place to which the public is permitted or invited wherein coin-operated, slug-operated, or for any form of consideration, or electronically, electrically or mechanically controlled still or motion picture machines, projectors, video or laser disc players or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized as exotic entertainment.
- Adult Bookstore, Novelty Store, or Video Store – commercial establishment which, as one of its principal purposes, offers for sale or rental for any form of consideration.
- Adult Motion Picture Theater – commercial establishment where films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized as exotic entertainment.
- Adult Cabaret – nightclub, bar, restaurant with regular nudity/semi-nudity, live entertainment that characterizes exotic entertainment, or photographic reproductions that characterize exotic entertainment.
- Adult Theater – a theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or semi-nudity or live performances which are characterized as exotic entertainment.

This application shall include, without limitation, a copy of the site plan of the Premises and the existing or proposed Improvement or Improvements, together with a letter describing the proposed Exotic Entertainment Establishment.

LOCATION OF EXOTIC ENTERTAINMENT BUSINESSES

The ordinance (Exotic Entertainment Restriction) prohibits any person, entity, or business from establishing, operating, or causing to be operated, an exotic business within 2,000 feet of:

1. buildings used primarily for religious worship and related religious activities;
2. a public or private education facility including, but not limited to, child day care facilities, nursery schools, preschools, kindergartens, elementary schools, private

schools, junior high schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities. The term schools includes the school grounds but does not include facilities used primarily for another purpose and only incidentally as a school;

3. a public park or recreational area which has been designated for park or recreational activities including, but not limited to, a park, playground, natural trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, wilderness areas, or other similar public land;
4. the property line of a lot devoted to a residential use;
5. a restaurant or entertainment business which is oriented primarily towards children or family entertainment;
6. licensed premises, which is licensed pursuant to the alcoholic beverage control regulations of the State of West Virginia;
7. hotel, motel, campground, bed and breakfast.

This ordinance also prohibits the causing or permitting of the operation, establishment, substantial enlargement or transfer of ownership or control of an exotic entertainment business within 2,000 feet of another exotic entertainment business. It also prohibits the causing or permitting of the operation, establishment, or maintenance of more than one exotic entertainment business in the same building, structure or portion thereof or the increase of floor area of any exotic entertainment business in any building, structure or portion thereof containing another exotic entertainment business.

Measurements will be made in a straight line, without regard to the intervening structures or objects, from the nearest portion of the building or structure used as the part of the premises where an exotic entertainment business is conducted, to the nearest property line of the premises listed above. Presence of a city, county or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements. The distance between any two sexually oriented businesses shall be measured in a straight line, without regard to the intervening structures or objects or political boundaries, from the closest exterior wall of the structure in which each business is located.

FEES:

There is an annual license fee of \$2,000 renewable every July 1 and a one time application fee of \$500. If a new building is to be erected, a building permit is required.

SIGNATURE OF APPLICANT: _____

DATE SIGNED: _____

APPROVED: _____ DENIED: _____

SIGNATURE OF PLANNING OFFICIAL: _____

DATE: _____