

**PART ELEVEN
PUBLIC HEALTH CODE**

**TITLE NINE
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**ARTICLE 1156
ADULT ARCADES**

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1156.01 PURPOSE

There exists a threat to the public health, safety and welfare to the citizens of the City of Allentown from sexually transmissible diseases. Certain conditions can exist in adult arcades which would foster the transmission of these diseases and, therefore, regulations are necessary to reduce this threat to the public health.

1156.02 DEFINITION OF TERMS

As used in this ordinance, unless:

1. **Adult arcade** shall mean any premises to which members of the public or members of any club, group or association are admitted and permitted to use one or more "arcade devices." (12732 §1 11/5/86; 13595 §1 8/8/97)
2. **Arcade device** shall mean any coin or slug operated or electronically or mechanically controlled machine or device that dispenses or effects the dispensing or "entertainment" that is intended for the viewing in exchange for any payment of any consideration. (12732 §1 11/5/86; 13595 §1 8/8/97)
3. **Arcade device booth** shall mean any enclosure containing an "arcade device" and constructed so as to permit exclusive and/or private viewing of the entertainment produced by said arcade device for less than all patrons entering the adult arcade at any point in time. (12732 §1 11/5/86)
4. **Entertainment** shall mean any live entertainment, display or performance, or any still pictures or motion pictures whether mechanically, electronically or electrically displayed, or any combination of the foregoing in which "specified sexual activities" as defined in Article 1355 of the Codified Ordinances of the City of Allentown are depicted. (12732 §1 11/5/86)
5. **Manager** shall mean any person who manages or is in charge of an adult arcade for any length of time. For the purposes of this ordinance, a Manager shall be the person in charge in the event two (2) or more employees of an adult arcade are present at a given time. If only one (1) employee is present in an adult arcade, that person shall be considered a Manager for the purposes of this ordinance. (12865 §1 9/7/88)
6. **Owner/Operator** shall mean any person, partnership, corporation or entity which owns, operates or has a financial interest in an adult arcade. (12865 §1 9/7/88)

1156.03 ARCADE DEVICE BOOTHS

A. Each arcade device booth in an adult arcade shall be separated from all other arcade device booths by solid, stationary, uninterrupted partitions. All partitions, walls and doors of each arcade device booth shall not contain any hole, gap or opening. (12732 §1 11/5/86; 12865 §2 9/7/88)

B. No more than one person shall occupy an arcade device booth at any one time, and neither the owner/ operator or manager of said adult arcade shall permit no more than one (1) occupant per arcade device booth at any one time. The owner/ operator of an adult arcade shall properly staff the adult arcade and position adult arcade device booths to insure this occupancy limit is met. In the event two (2) or more persons occupy an arcade device booth, all such occupants shall have violated this ordinance. (12732 §1 11/5/86; 12865 §2 9/7/88)

1156.04 WARNING SIGNS

The owner of any adult arcade shall post at the entrance of each arcade device booth the following warning:
"Occupancy limit of this booth not to exceed one person. All sexual acts are forbidden within the premises to reduce the risk of communicable disease transmission." (12732 §1 11/5/86)

1156.99 PENALTY

Any person, firm or corporation violating any of the provisions of this article shall be liable to a fine or penalty of not more than Three Hundred (\$300.00) Dollars and/or imprisonment of not more than ninety (90) days for each offense. (12732 §1 11/5/86)
