

(ii) Restrict off sale privileges of the licensee.

(2) The provisions of paragraph (1) of this subsection do not apply to a holder of a Class A beer, wine, and liquor license.

~~(D) (1) (1) IN THIS SUBSECTION, "ADULT ENTERTAINMENT" MEANS EMPLOYEES OF THE HOLDER OF AN ALCOHOLIC BEVERAGES LICENSE WHERE THE EMPLOYEE'S PERFORMANCES AT LICENSED PREMISES THAT ARE COMMONLY CALLED "GO-GO DANCERS DANCING", "MALE REVUES", "FEMALE REVUES", AND "EXOTIC DANCERS DANCING". IT INCLUDES EMPLOYEES OF THE HOLDER OF AN ALCOHOLIC BEVERAGES LICENSE~~

(II) "ADULT ENTERTAINMENT" INCLUDES PERFORMANCES BY INDIVIDUALS WHO PERFORM IN ANY MANNER WHILE IN A STATE OF DRESS IN WHICH CLOTHING COVERS NO MORE THAN THE GENITALS, PUBIC REGION, AND AREOLA OF THE FEMALE BREAST, AS WELL AS PORTIONS OF THE BODY COVERED BY SUPPORTING STRAPS AND DEVICES.

~~(2) BEFORE A LICENSEE MAY PERMIT ADULT ENTERTAINMENT ON THE LICENSED PREMISES, THE LICENSEE SHALL FILE AN APPLICATION FOR A PUBLIC HEARING WITH THE BOARD OF LICENSE COMMISSIONERS. THE APPLICATION SHALL REQUEST THE PERMISSION OF THE BOARD FOR THE LICENSEE TO PRESENT ADULT ENTERTAINMENT ON THE LICENSED PREMISES.~~

~~(3) AFTER THE PUBLIC HEARING, THE BOARD SHALL DETERMINE WHETHER TO GRANT PERMISSION FOR THE PERFORMANCES. IF THE BOARD PERMITS ADULT ENTERTAINMENT PERFORMANCES, IT MAY ATTACH WHATEVER CONDITIONS AND RESTRICTIONS IT DEEMS APPROPRIATE TO THE GRANT OF PERMISSION.~~

(2) THE HOLDER OF ANY CLASS OF ALCOHOLIC BEVERAGES LICENSE MAY NOT PERMIT ADULT ENTERTAINMENT ON LICENSED PREMISES OR ON PROPERTY ADJACENT TO THE LICENSED PREMISES OVER WHICH THE HOLDER HAS OWNERSHIP OR CONTROL.

(3) IF THE BOARD FINDS THAT A VIOLATION OF THIS SUBSECTION HAS OCCURRED, THE BOARD SHALL SUSPEND OR REVOKE THE LICENSE FOR THE PREMISES WHERE THE VIOLATION OCCURRED, IMPOSE A FINE ON THE HOLDER OF THE LICENSE FOR THE PREMISES WHERE THE VIOLATION OCCURRED, OR BOTH.

(4) THE PROVISIONS OF THIS SUBSECTION DO NOT APPLY TO:

(I) THE HOLDER OF AN ALCOHOLIC BEVERAGES LICENSE THAT OFFERED ADULT ENTERTAINMENT ON LICENSED PREMISES FOR AT LEAST 5 CALENDAR DAYS BETWEEN MARCH 8, 1996 AND APRIL 8, 1996; OR

(II) A TRANSFEREE OF AN ALCOHOLIC BEVERAGES LICENSE FROM A HOLDER DESCRIBED IN ITEM (1) OF THIS PARAGRAPH AS LONG AS THE TRANSFEREE CONTINUES TO OFFER ADULT ENTERTAINMENT ON THE SAME LICENSED PREMISES.