



Department of Business License

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TO: All Clark County Resort Hotel Licensees
All Leased Operators of Swimming Pool Venues

RE: Clarification on Topless or European Style Sunbathing in Resort Hotels

Dear Licensees;

This letter is intended to remind you of your responsibility as a Clark County Liquor Licensee to remain informed of the current content of all liquor ordinances and compliance therewith. With the summer season in full swing, the Department is focused on applying the provisions of Clark County Code 8.20.570 and 8.20.465 and their related prohibitions regarding topless activity, lewd acts, sexual activity, and nudity at licensed liquor establishments. In addition, Business License held a training session that was recommended for Resorts or any business that highlights their pool or spa as an integral part of their operations. This training session included a collaboration of Nevada Resort Association, Las Vegas Security Chiefs Association, Southern Nevada Health District and other Clark County Departments. Information related to permits, water quality and safety, supervision and security, preventing illegal activity, food and beverage handling was provided. Handouts from the training session are available from the links under "Swimmar 2013".

Clark County Code 8.20.570(i) subsection (1) provides for an exception to topless activity that allows for a resort hotel to provide an area for topless sunbathing provided the following minimum requirements are met:

- The area must be specially designated as a topless area and separated from all other swimming pool and guest areas.
- The topless sunbathing area must be obstructed from the view of patrons in other swimming and common areas.
- The topless sunbathing area must be off-limits to all minors under the age of eighteen.
- The topless area cannot be used for special events, contests, or parties while topless sunbathing is taking place.

The purpose of Clark County Code 8.20.570 (1) (i) and the topless exception is to provide an area for sunbathing. It is not our intention to define or limit sunbathing as that term is commonly understood (i.e., sitting, standing, lying down), but to clarify those types of activities that would be deemed in violation of Clark County Code, such as:

- Topless performances of any kind by any patron, employee, independent contractor;
- Any type of dancing or entertainment defined in Clark County Codes 6.95 (Adult Cabaret) or 6.160 (Erotic Dance Establishments);
- Special Events and/or contests such as best swim suit, best chest contests, wet t-shirt contests, booty shaking contests and parties; and/or
- Lewd Acts, Nudity, or Sexual Activity

Resort hotels and/or their leased operators of these pool side venues are advised that any operation conducted in these areas beyond the allowances of the code are prohibited and will be strictly enforced.

If you have any questions, please contact Gary Torgerson, Supervising Special Agent at (702) 455-4434.

Sincerely,

Jacqueline R. Holloway, Director