

ORDINANCE AMENDING SECTION 9.06.010 OF THE CASTLE ROCK MUNICIPAL CODE REGARDING ADULT PERFORMANCES

JUNE 17, 2025



BACKGROUND

- The proposed amendment arises out of concerns brought to our attention by District 6 Councilmember Tim Dietz
- The Town Council adopted Chapter 9.06 of the Castle Rock Municipal Code prohibiting public indecency, indecent exposure, and public nudity in 2023.
- The existing Code does not explicitly prohibit performance of live adult entertainment in public places.

REASON FOR THE AMENDMENT

- Chapter 17.56 of the Castle Rock Municipal Code regulates the operation of sexually oriented businesses within the Town.
- The ordinance is designed to prevent the concentration of sexually oriented businesses by limiting the areas in which they may operate and their hours of operation, prohibiting sales of alcoholic beverages, and establishing a minimum age for entry.
- Chapter 17.56, however, does not address individual behavior outside the confines of a licensed establishment.

WHAT DOES THE ORDINANCE PROHIBIT?

- The purpose of the proposed ordinance is to plug that gap in our Code.
- A person who performs live adult entertainment –
 - In a public place; or
 - A location where the conduct may reasonably be expected to be viewed by the public,
- Commits public indecency if –
 - The performance is done with the intent to sexually arouse the viewer and:
 - Involves the exposure of the pubic region, the buttocks, the breast of any person, or male or female genitalia, whether real or prosthetic; or
 - The performance of sexual activities, whether real or simulated.

WHAT ARE THE CONSEQUENCES?

- Those persons who violate the proposed ordinance may be prosecuted in the Castle Rock Municipal Court.
- If found guilty by the Court, the offender may be punished by:
 - A fine of not more than \$1,000.00;
 - Imprisonment not to exceed one year; or
 - Both such fine and imprisonment.



“I MOVE TO APPROVE ORDINANCE NO. 2025-022 AS INTRODUCED BY
TITLE ON FIRST READING.”

“I MOVE TO APPROVE ORDINANCE NO. 2025-022 AS INTRODUCED
BY TITLE, WITH THE FOLLOWING CONDITIONS:
_____.”

“I MOVE TO CONTINUE ORDINANCE NO. 2025-022 TO THE TOWN
COUNCIL MEETING ON _____.”