

Sex Shop Licences Standard Conditions

- 1 Premises licensed as a Sex Shop under the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act, 1982, shall be used only for the purpose of a Sex Shop as defined in Paragraph 4 of the said Schedule 3 and shall not be used, wholly or in part, for any other purpose during the period the premises are licensed as a Sex Shop
- 2 Except with the previous written consent of the Council no sex shop shall be open to the public earlier than 9am in the morning and shall be closed not later than 8pm in the evening on any day Monday to Friday and not later than 9pm in the evening on Saturdays. The sex shop shall not be open on Sundays or any Bank Holidays or any public holidays.
- 3 Over each entrance to the premises the Licensee shall affix and maintain in a permanent form a Notice stating that the premises are licensed as a Sex Shop under the provisions of the Local Government (Miscellaneous Provisions) Act, 1982. Such a Notice shall also carry the full name of the Licensee and the number of the licence and if the Licensee is a private or public company the Notice shall also carry the address of the registered or principal office and the full name of the Secretary of the Company. The lettering on such Notice shall be 75mm tall and at least 6.25mm thick and shall be in white on a dark background.
- 4 At each entrance there shall be prominently displayed, so as to be visible at all times to persons approaching the premises, a notice prohibiting entry to persons under 18 years of age. Such a Notice shall be in letters at least 50mm high and 6.25mm thick and shall be in dark letters on a light background.
- 5 The Licensee of every premises licensed as a Sex Shop shall ensure that all persons employed on the premises are aware of the age restriction on clients and that they exclude or remove from the premises any person attempting to evade the restriction.
- 6 The Licensee shall not display outside, near to, or within the premises any advertising material, sign or pictorial display referring to the licensed premises or the goods, articles or services provided at the premises, in such a position or manner that it is visible to any person using adjacent highways, streets, footpaths or forecourts except any notice displaying the name or trading title of the Licensee, any Notice indicating the times of opening of the premises for business, any Notice required by statute, regulation or bylaw applicable to the premises or business carried thereon or any notice prescribed by these conditions. The use of loudspeakers and displays on business vehicles is also prohibited.
- 7 The licensed premises shall be so arranged by screening or obscuring windows, doors and other openings so that the interior of the licensed premises and the displays of sex articles (as defined by the Local Government [Miscellaneous Provisions] Act, 1982) sold at the premises shall not be visible at any time to persons outside the building. The external doors shall be fitted with automatic closing devices which shall be maintained in good working order.

- 8 Except as allowed by a licence issued permitting public music under the provisions of the Local Government (Miscellaneous Provisions) Act, 1982, no music of any kind shall be played on the licensed premises and no public entertainment of any nature shall be provided or permitted by the Licensee to take place on the premises.
- 9 The Licensee shall not at any time keep or allow to be used on the premises any gaming or amusement machine whether for prizes or not.
- 10 No moving picture or display or recorded sound of any description or however provided shall be permitted on the licensed premises except for a period of not more than one minute for the sole purpose of demonstrating to a prospective purchaser or hirer of the article in question and such display shall be in a booth to which there shall be only permitted the prospective purchaser or hirer and any one person employed by the Licensee to sell or hire such articles. The Licensee shall not make any charge or permit any charge to be made for such a display.
- 11 The Licensee shall not supply or permit to be supplied to any person, other than a person employed to work on the premises, any article of food or drink whether for consumption on or off the premises.
- 12 All refuse produced on the premises and materials, goods or articles discarded for any reason shall be securely stored within the premises and delivered in sealed containers to the refuse collection service.
- 13 The Licensee shall make such provision for the reception of goods and articles for sale, hire, exchange, loan, demonstration or display at the premises so that they are received directly into the premises and not subject to storage for any period of time on any pavement, footpath, forecourt or yard nor in any vessel or vehicle etc.
- 14 The Licensee, or some responsible person nominated by him/her in writing for the purpose and approved by the Council, shall be in charge of and upon the licensed premises during the whole time they are open to the public. Such written nominations shall be continuously available for inspection by authorised officers of the Council or the Police. During the hours that the premises are open the person in charge shall wear a form of visible photographic identification.
- 15 A daily register of persons employed shall be kept stating names, addresses, position and times worked. The register is to be completed each day within thirty minutes of the premises opening for business and must be kept at the premises and be open for inspection by authorised officers of the Council of the Police
- 16 No part of the premises shall be used by prostitutes (male or female) for the purpose of solicitation or of otherwise exercising their calling or profession.
- 17 The Licensee shall ensure that no employee or other person shall seek to obtain custom for the premises by means of personal solicitation outside or in the vicinity of the premises.

- 18 The Licensee shall not in the conduct of the business employ any person:
- (a) Under the age of 18 years;
 - (b) Whose application for a licence to carry on a sex establishment, or renewal thereof, has been refused by the Council or any other licensing authority;
 - (c) Whose licence to carry on the business of a sex establishment has been revoked by the Council or any other licensing authority;
- 19 The Council shall approve the external appearance of the premises and neither the interior nor the exterior of the premises shall be altered without the approval of the Council.
- 20 All sex articles and other things displayed for; sale, supply, hire, exchange or loan within the premises shall be clearly marked to show to persons who are inside the premises the respective prices being charged.
- 21 No advertisements, other than advertisements relating to other licensed sex establishments or relating to goods sold from the premises, shall be displayed at the premises.
- 22 No part of the premises shall be used as a sex cinema
- 23 The Licensee shall not contravene the Unsolicited Goods and Services Act, 1971.
- 24 The licence and a copy of these Conditions shall be conspicuously displayed on a part of the premises to which the public has access as specified by the Council.
- 25 A record shall be kept of all mail order transactions (if any) in such a form as agreed by the Council.
- 26 The licence is not transferable by the Licensee.
- 27 The Licensee shall forthwith notify the Council of his/her ceasing to carry on the business.
- 28 The Licensee shall inform the Council if s/he is convicted under the Obscene Publications Act, 1959, the Protection of Children Act, 1978, or the Customs and Excise Management Act, 1979 or if an order for forfeiture is made under the Obscene Publications Act, 1959 following the service of a summons on the Licensee. The Council will take into consideration any such conviction or orders for possible revocation or non-renewal of the licence.
- 29 Where the Licensee is a company, any change of Director, Company Secretary or other person responsible for the management of the company is to be notified in writing to the Council within 14 days.
- 30 Any breach of or failure to comply with the Conditions attached to this Licence may result in the revocation of the Licence.