

Article 3: Police Regulated Occupations and Businesses

Division 20: Figure Studios

*(“Sidewalk Contractor” incorp. 1-22-1952 by O-5046 N.S.
contained in O-3179 N.S. adopted 5-14-1946.)*

(Repealed 11-27-1956 by O-7229 N.S.)

(“Figure Studios” added 7-12-1962 by O-8679 N.S.)

§33.2001 Figure Studios — Policy

In adopting the following sections, the City Council intends to provide for such regulation as the public interest may require of the operation of figure studios, as hereinafter defined, in order to aid bona fide artists and art students to practice and develop their talents in portraying the human form, and in order to prevent the operation of figure studios as places which appeal primarily to the prurient interests of members of the public.

(“Figure Studios— Policy” added 7-12-1962 by O-8679 N.S.)

§33.2001.1 Figure Studios — Definitions

(a) Studio

- (1) Any premises on which there is conducted the business of furnishing models who pose for the purpose of being photographed in the nude by persons who pay a fee, or other consideration or compensation, or a gratuity, for the right or opportunity so to depict the model, or for admission to, or for permission to remain upon, or as a condition of remaining upon the premises.
- (2) Any premises where there is conducted the business of furnishing or providing or procuring for a fee or other consideration or compensation or gratuity, models to be photographed in the nude.

(b) Model Any person, male or female, who poses to be photographed in the nude.

(c) Nude shall include:

- (1) Completely without clothing;

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- (2) With any public area exposed; or with the public area covered in such a manner that the private parts are visible or the form thereof discernible;
- (3) With the breasts exposed by a female so that the nipples thereof are exposed.

(Amended 10-25-1962 by O-8738 N.S.)

§33.2002 Figure Studios — Permit Required

The operation of a studio is hereby designated “police regulated.” No person shall operate a studio without first obtaining a permit from the Chief of Police.

(Amended 2-23-1987 by O-16812 N.S.)

§33.2003 Figure Studios— Permit Fee

- (a) No person shall operate a studio without first paying an original permit fee.
- (b) No person shall operate a studio without paying a renewal permit fee due yearly from the date of issuance of the original permit.

(Amended 1-7-1980 by O-15151 N.S.)

§33.2004 Figure Studios — Standard for Issuance of Studio Permit

- (a) No studio permit shall be issued except upon a finding by the Chief of Police that the studio is proposed to be operated for the purpose of providing facilities for use by persons pursuing a course of study, including the artistic photographic portrayal of the nude human form, and by persons who engage in artistic photographic portrayal as a means of livelihood.
- (b) No studio permit shall be issued to any person under eighteen (18) years of age, nor to a corporation any of whose officers are under eighteen (18) years of age.

(Amended 2-23-1987 by O-16812 N.S.)

§33.2005 Figure Studios — Exceptions to Permits

No permit shall be required for any studio which is operated by the University of California, or any State College or public junior college, or where the Chief of Police is furnished satisfactory evidence that the person, firm, association, partnership or corporation operating it has met the requirements established in the Education Code

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for the issuance or conferring of, and is in fact authorized thereunder to issue and confer, a diploma or honorary diploma.

(Amended 2-23-1987 by O-16812 N.S.)

§33.2007 Figure Studios — Grounds for Suspension and Revocation of Studio Permit

The Chief of Police shall take action to suspend or revoke a studio permit under the provisions of Section 33.0401 or upon a finding of any one of the following causes:

- (a) That the studio is not being operated for the purpose of providing facilities for use by persons pursuing a course of study, including the artistic portrayal of the nude human form, and by persons who engage in artistic portrayal as a means of livelihood.
- (b) That the permittee has been convicted of a crime involving physical violence, sexual assault, lewd or lascivious conduct, or prostitution. A conviction is deemed final for purposes of this section upon announcement of a guilty verdict; the pendency of an appeal shall not preclude revocation or suspension.
- (c) That a female or male model under eighteen (18) years of age was permitted or allowed to pose in the nude on the premises; or that a person under eighteen (18) years of age other than a person excepted under Section 33.2005 hereof, was admitted to any part of the premises in which a model was posing in the nude.
- (d) That alcoholic beverages, as defined in Section 33.0202, have been sold, consumed or permitted upon the premises of a studio with the knowledge of the permittee.

(Amended 2-23-1987 by O-16812 N.S.)