

## Chapter 5.20

### PUBLIC DANCES

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#### **5.20.010 Definitions.**

As used in this chapter

A. "Public charity" means a charity under the control or supervision of a public or general organization created and existing for the purpose of administering relief and charity to needy people generally, and without regard to their affiliation with any particular organization.

B. "Public dance" means any dance to which the public generally may gain admission, with or without the payment of a fee or compensation therefor; provided, however, that no dance, the income of which,

over and above a sufficient sum to pay the actual expenses of the dance, is devoted to public charity, shall be considered a public dance.

C. "Public dance hall" or "public ballroom" means a room, place, space or premises in which a public dance shall be held, or in which classes in dancing are held and instruction in dancing is given for compensation, either directly or indirectly (Ord. 40 § 1, 1949)

#### **5.20.020 Permit—Application.**

No permit shall be issued to any person, firm, association or corporation unless such person, firm, association or corporation, be of good moral character, nor unless a written verified application has been presented to the city council, in which application the following facts shall be set forth:

A. The name and residence of the applicant or applicants, and if any applicant be a firm, the names and residences of the partners thereof, and if the applicant be an association, the names and residences of the officers thereof, and if any applicant be a corporation, the names and addresses of the officers and directors thereof;

B. The particular place for which the permit is desired, or at which any dance is to be, or dances are to be held;

C. The name of the owner of the place or premises in or at which the dance is to be held;

D. In the application for such permit, the applicant must also designate such persons as from time to time will be in charge and such persons from time to time will be responsible

for the order and the due observance of the provisions of this chapter;

E. The number and date of dances to be held under the permit;

F. A statement that the applicant is the sole party, or the applicants are the sole parties either directly or indirectly interested in the dance, for which a permit is sought, and that no other person, firm, association or corporation is or will be in any manner interested therein directly or indirectly during the continuance of the permit. (Ord. 40 § 3, 1949)

**5.20.030 Permit—Granting or denial.**

Any application for a permit by any person, firm, association or corporation may be denied or granted by the city council, and if granted by the city council, the clerk of the city shall issue a permit, as provided for in this chapter, to the person, firm, association or corporation (naming it) for such dance or dances to be held at such place or places as may be named in the application. Each application shall be accompanied by a license fee of fifteen dollars. (Ord. 40 § 4, 1949)

**5.20.040 Public place designated.**

Any place where soft drinks or cigars or cigarettes or tobacco, or articles of food are sold or are offered for sale, is a public place, but this provision is inclusive and does not exclude other public places from the operation of this chapter. (Ord. 40 § 5, 1949)

**5.20.050 Compliance required.**

It is unlawful for any person, firm, association or corporation to open, conduct or

carry on or to participate in the opening, conducting or carrying on of a dance in a public dance hall or public ballroom or any other public place in the city, except upon the conditions provided in this chapter, and except by and after securing a permit from the city council of the city, as provided in this chapter, and during the continuance of such permit, or for the holder of any such permit, or any officer, agent or employee of the holder of any such permit to violate or permit the violation of all or any of the rules and regulations provided in this chapter, or any part thereof, at or in connection with any dance under such permit, which rules and regulations are as provided in Sections 5.20.060 through 5.20.090 of this chapter. (Ord. 40 § 2 (part), 1949)

**5.20.060 Rules and regulations.**

A. No person, firm or corporation shall open, conduct, carry on, manage or operate a public dance or allow dancing on any premises where the business of storing, sale or consumption of any alcoholic beverage takes place and where, a liquor license of any type is required by law as essential to the regular operation of the business or premises; or in any public dance hall or ballroom, or compartment adjoining or in the same building or any outbuilding on the same premises where the business of storing, sale or consumption of any alcoholic beverage takes place and where a liquor license of any type is required by law as essential to the regular operating of the business or premises.

B. No slot machine, wheels of chance, gambling device or paraphernalia shall be

permitted upon the premises where a public dance is being held.

C. No dance shall be allowed at any time of night in such dance hall, ballroom or other public place at any time when the same is not continuously lighted throughout with bright electric lights.

D. No minor under the age of eighteen years shall be permitted to attend any such dance unless accompanied by a parent, guardian or some adult person having the care and custody of the minor.

E. No dancing shall be permitted between the hours of two a.m. and nine a.m. next ensuing.

F. No person under the influence of intoxicating liquors shall be permitted to attend, or remain at, any such dance.

G. At all times during the holding of any dance in any such dance hall, ballroom, or any other public place, all doors leading from or opening into such dance hall, ballroom, or other public place, and all doors leading from and opening into the place or building in which such dance is being held, shall not be in any manner barricaded or locked or fastened during the continuation of any such dance. (Ord. 350 § 2 (part), 1986; Ord. 40 § 2 (part), 1949)

**5.20.070 Permit—Nontransferable.**

No permit issued under this chapter shall be transferable. (Ord. 40 § 2 (part), 1949)

**5.20.080 Permit—Posting.**

Every person, firm or corporation obtaining a permit under the provisions of this chapter shall place such permit in a conspicuous place in the place or premises

named in such application for such permit, and shall show such permit whenever required to do so by any peace officer who may make demand at or in the place or premises to see such permit, and shall permit any peace officer to enter the place or premises at all times during the continuation of any dance for which such permit may be granted. (Ord. 40 § 2 (part), 1949)

**5.20.090 Permit holder required to be present.**

The holder of the permit or some person designated in the application for the permit under which the dance is held, must at all times be present on the dance floor. (Ord. 40 § 2 (part), 1949)

**5.20.100 Violation—Convicted persons not permitted to conduct dance.**

No such dance shall be opened, conducted or carried on or continued by any person, firm or corporation if such person or a member of such firm or any officer of such corporation, or any employee of any such firm, corporation or person shall have suffered a conviction by any court of competent jurisdiction of a violation of any of the terms of this chapter within one year, or ever have been convicted of a felony (Ord. 40 § 6, 1949)

**5.20.110 Violation—Penalty.**

Any person, firm, association or corporation violating all or any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in Chapter 1.08 of this code. (Ord. 40 § 7, 1949)