

Chapter 5.104

TEEN-AGE DANCE HALLS

Sections:

5.104.010	Definitions.
5.104.020	License requirements—Fee— Nontransferability.
5.104.030	Application for license.
5.104.040	Licenses—Standards for issuance.
5.104.050	Duties of licensee—Conduct and operation.
5.104.060	Suspension and revocation.
5.104.070	Exemption—Nonprofit organizations.

5.104.010 Definitions.

When not inconsistent with the context, words used in the present tense include the future, words in the masculine gender include the feminine or neuter gender, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

"Licensed premises" means the teenage dance hall, together with the entire premises on which such hall is located and, except where inconsistent with the context, parking facilities used in connection therewith and the sidewalks abutting any of the foregoing.

"Licensee" means the person to whom a license to operate a teenage dance hall is issued, and shall include the manager or agent in charge or control of the licensed premises and, where the context so requires, any agent, servant or employee of the licensee.

"Teenage dance hall" means any room, hall, building, place or location of assemblage for persons from thirteen (13) years of age through sixteen (16) years of age or for persons from sixteen (16) years of age through twenty (20) years of age where dancing is carried on and to which an admission charge is made by payment of a fee or by the purchase, possession or presentation of a ticket or token, or by other device, and which is conducted as a place of business for profit. (Prior code § 66-15)

**5.104.020 License requirements—Fee—
Nontransferability.**

No person shall conduct or engage in the business of operating a teenage dance hall within the city without having first obtained a license to do so pursuant to this chapter and without the license being in force and not suspended or revoked. An annual license fee of five hundred dollars

(\$500.00) shall be paid to the city, and such license shall expire twelve (12) months from the date of issuance of each year. Not more than four of such licenses shall be issued and outstanding within the city, and no such license shall be transferred by the person to whom it is issued to any other person. (Prior code § 66-16)

5.104.030 Application for license.

A. Any person desiring to obtain a license to conduct or engage in the business of operating a teenage dance hall shall make application for the same, in triplicate, to the chief license inspector, division of licensing, department of health and human services. The application shall state the following:

1. The name, home address and business address, if any, and home and business telephone numbers, of the applicant, and if the applicant is a corporation or other legal entity the same information shall be supplied for each of the stockholders of the corporation or principals of the entity.

2. The name, home address and business address, if any, and home and business telephone numbers, of the owner of the premises, if such owner is a person other than the applicant.

3. The name, home address and home telephone number of the manager or other agent of the applicant, if any, who shall be in charge of the licensed premises.

4. The capacity, stated in a number of persons, of the teenage dance hall for which the license is sought, and the location and capacity, stated in a number of cars, of the off-street parking facility to serve the teenage dance hall for which the license is sought.

5. The hours of operation of such teenage dance hall.

6. The minimum number of employees that will be on duty at any time in solely a security or policing capacity.

7. The amount charged for admission and the manner in which that charge is to be made, whether by fee, ticket, token or other device.

8. The amount, if any, charged for parking, and the rate of such charge.

9. Whether any minimum purchase will be required over and above the amount of the admission, and the amount of such minimum purchase.

B. The application shall be accompanied by a plat or drawing of the premises, in triplicate, drawn to scale, showing its location and size; the location and size of entrances and exits; the location and size of the hall, building or place where dancing will be conducted, together with the location and size of the dance floor itself, any bandstand or similar area, any service area, the number and

employee's or driver's employment or termination at all times necessary throughout the year. (Ord. 3355 § 5, 2001; prior code § 133-46)

5.100.450 Violation—Penalty.

A. Any person who violates any provision of this chapter shall be subject to Section 1.12.010 of this code.

B. In addition to the penalty provided in subsection A of this section, the license inspector may recommend the suspension or revocation, and the mayor may suspend or revoke the licenses enumerated in this chapter as provided in this chapter. (Prior code § 133-44)

location of tables, and the number of chairs provided at tables or elsewhere in the dance hall itself; the location and number of toilet facilities; the number, size and location of off-street parking spaces to serve the teenage dance hall; and such other data or information as may be necessary or helpful to show compliance with all the requirements of this chapter or with other pertinent ordinances, regulations or laws.

C. Teenage dance halls not licensed prior to the effective date of the ordinance codified in this chapter shall be restricted to street level.

D. In addition to the annual license referenced in Section 5.104.020, a license shall also be required for each teenage dance. A license may be issued under this provisions for teenage dances for individuals between the ages of thirteen (13) through sixteen (16) or for individuals between the ages of sixteen (16) through twenty (20). There shall be no commingling of age groups other than as provided herein at a teenage dance. Only one age group as cited hereinabove shall be granted a license for a teenage dance at any one time or location under this section. (Prior code § 66-17)

5.104.040 Licenses—Standards for issuance.

A. The chief license inspector shall promptly forward the application and accompanying materials to the director of the police department, the director of the fire department, the director of the department of health and human services, and the director of the department of neighborhood services, for investigation and report. The application, accompanying materials and investigative reports shall be forwarded to the mayor, who, in accordance with the standards set forth herein, may grant or refuse the license. If the mayor grants the license, the chief license inspector shall forthwith issue the license upon payment of the license fee. The mayor shall satisfy himself or herself that the applicant and the manager or other agent of the applicant, if any, are all persons of good moral character and capable of operating the proposed teenage dance hall in a manner consistent with the public safety, good morals, and the general welfare of the community; that the operation of the proposed teenage dance hall will not present a traffic hazard and will not necessarily expose teenagers coming to the licensed premises on foot to the danger of traffic; that the applicant has sufficient contiguous off-street parking facilities in relation to the capacity of the dance hall, or that sufficient off-street parking facilities are available within a reasonable distance of the licensed premises; that the operation of the teenage dance hall will not unnecessarily interfere with the enjoyment of property in the area by the owner or owners thereof; that the

charges made for admission and for items of commerce sold on the premises will not represent an unwarranted financial exploitation of the teenage patrons; and that all requirements of this chapter and the applicable provisions of all other pertinent ordinances, regulations and laws have been fully complied with.

B. No license shall be granted or renewed unless the licensee meets the standards set forth in this chapter and complies with all applicable ordinances, regulations and laws, and in no event shall the license or any renewal thereof become effective until it has been approved by the mayor and the license fee paid. On any application for renewal, the same investigative reports shall be required as for an original application, and the mayor shall grant the renewal upon satisfying himself or herself that the applicant has complied with the standards set forth herein.

C. No license shall be issued until a certificate of occupancy has been obtained from the bureau of construction of the department of neighborhood services. (Prior code § 66-18)

5.104.050 Duties of licensee—Conduct and operation.

A. Hours of Operation. The licensee shall not permit, suffer or allow the licensed premises to remain open for business or use by patrons at any time during the school week except the day before a holiday and on Friday nights. The permitted hours of operation on Saturday and Sunday shall be 2:00 p.m. to 5:30 p.m., and on Friday and Saturday nights and the day before a holiday, 7:00 p.m. to 11:30 p.m.

B. Persons Excluded. The licensee shall not permit, suffer or allow any person who is less than thirteen (13) years of age or more than nineteen (19) years of age, except employees, or any intoxicated or disorderly person, to be admitted to the licensed premises or to remain therein.

C. Readmittance. The licensee shall not permit, suffer or allow any person who, after paying the admission charge, has been admitted to the licensed premises and has left the premises, to be readmitted at any time prior to the next succeeding period, either daytime or evening, when the licensed premises are open for business.

D. Good Order. The licensee shall maintain good order in the teenage dance hall, upon the entire licensed premises, and in any off-street parking facility used in connection therewith, and shall not permit loitering in or about the entrances, exits, sidewalks or other portions of the licensed premises.

E. Betting or Gambling Prohibited. The licensee shall not permit, suffer or allow any person to bet or gamble in any form or manner at or in the licensed premises.

F. **Habit-Forming Drugs and Intoxicating Liquors.** No person in the licensed premises shall have in his or her possession or under his or her control, or offer to another, any habit-forming drug or intoxicating liquor, nor shall the licensee permit, suffer or allow such person to be on the licensed premises. No license hereunder shall be granted covering premises licensed to serve intoxicating liquors.

G. **Employees and Attendants.** At all times during business hours, the licensee shall provide an adequate number of qualified security officers continuously on duty, who shall patrol the licensed premises and its entrances and exits to see that order is maintained, that disorderly or immoral conduct is prevented, that the licensed premises and its entrances and exits are kept free from congestion and loitering, and that the provisions of this chapter and all other applicable ordinances, regulations and laws are complied with. All such security officers and all other persons employed in any capacity in or at the licensed premises, exclusive of performing musicians and persons actually engaged in the service of nonalcoholic beverages, confections or food, shall be at least twenty-one (21) years of age.

H. **Commercial Activity.** No items of commerce shall be sold or offered for sale on the licensed premises except nonalcoholic beverages, confections or food prepared for service upon the premises.

I. **Type of Music Permitted.** Only so-called live music, that music produced by musicians performing at the time, shall be permitted on the licensed premises, except that no more than fifteen (15) minutes of so-called taped or recorded music shall be permitted during any one continuous sixty (60) minute period.

J. **Noise.** No loudspeaker or public-address system nor any other manual, mechanical or electrical means or device for amplifying sound shall at any time be used or permitted to be used upon the licensed premises so as to be heard out of doors. Any loud, unnecessary, annoying, offensive or raucous noise which disturbs the public peace, emitted by or emanating from the licensed premises, is declared to be a nuisance and detrimental to the public health and general welfare, and is prohibited.

K. **Lighting in Off-Street Parking Facility.** The off-street parking facility used in connection with the teenage dance hall shall be lighted in conformance with directions of the police department.

L. **Announcement of Location of Exits.** Licensee shall announce to patrons publicly the locations of building exits prior to the start of each music set or after breaks, but no less than three separate times during the hours of operations. (Prior code § 66-19)

5.104.060 Suspension and revocation.

When the operation of any teenage dance hall, or the conduct of any licensee, agent or employee, is so inimical to the public health, morals, safety or general welfare as to give rise to an emergency or to constitute a nuisance, the chief license inspector shall have the authority summarily to order the cessation and the closing of the licensed premises or to suspend the license; or the chief license inspector, after hearing, upon a showing of good cause for so doing, may revoke any license issued hereunder. During such suspension and after any such license shall have been revoked, the license shall be inoperative and of no effect. (Prior code § 66-20)

5.104.070 Exemption—Nonprofit organizations.

This chapter shall not apply to any nonprofit organization. (Prior code § 66-21)