

CHAPTER 11

TEENAGE DANCE HALLS

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5-11-1: DEFINITION:

The term "teenage dance hall" whenever used in this Chapter shall, unless a different meaning appears from the context, mean an establishment open to persons under nineteen (19) years of age unaccompanied by adults where music is furnished for the purpose of dancing, at which an admission or minimum fee is charged, and includes the building or pavilion or other place provided for dancing, together with all surrounding premises used for parking or any other activity or purpose related to the dancing operation. This definition shall not include an establishment operated or conducted exclusively by and under the auspices of one (1) or more bona fide charitable, fraternal, or religious organizations or schools and the proceeds of which do not inure to the benefit of any private person or individual. (541,1188)

5-11-2: HOURS OF OPERATION:

It shall be unlawful for a teenage dance hall to be operated except during the following hours: (541,1188)

Four thirty (4:30) P.M. to twelve (12:00) midnight on any day Monday through Thursday; (541,1188)

Four thirty (4:30) P.M. Friday to one (1:00) A.M. the following Saturday; (541,1188)

Four thirty (4:30) P.M. Saturday to one (1:00) A.M. the following Sunday. (541,1188)

5-11-3: AGE OF PATRONS:

It shall be unlawful for a person under the age of fifteen (15) years to be admitted to or to be present at a teenage dance hall while it is in operation. The owner, manager, or other person operating a teenage dance hall shall be presumed to know the age of those seeking admission thereto and of those present thereat. (541)

5-11-4: ALCOHOLIC BEVERAGE OR TOBACCO:

It shall be unlawful for any alcoholic beverage or tobacco in any form to be consumed, dispensed, or possessed by or to any person at a teenage dance hall. (541)

5-11-5: PERSONS UNDER THE INFLUENCE OF ALCOHOL:

It shall be unlawful for a person to be admitted to or be present at a teenage dance hall who is under the influence of alcohol or who has consumed any alcoholic beverage in any form within the twelve (12) hours immediately preceding or who is disorderly or boisterous. (541)

5-11-6: LOITERING:

It shall be unlawful for a person to loiter on or around the parking area or other premises of a teenage dance hall, except for persons who are then presently lawfully admitted thereto. (541)

5-11-7: LIGHTING:

Teenage dance halls shall at all times during the operation thereof be illuminated with the following minimum lighting: (541)

- (A) On the dance floor or pavilion and in all places inside an enclosed structure which are used by patrons, at least one (1) footcandle per square foot. (541)
- (B) On all outside premises, at least three (3) footcandles per square foot. (541)

5-11-8: SUPERVISION AND SECURITY:

The owner, manager, operator, or other person in charge of a teenage dance hall shall at all times during the operation thereof provide adequate security and adult supervision to keep all patrons thereof orderly. As a minimum, at least two (2) responsible persons over the age of twenty-one (21) years shall be present at all times, and one regular or reserve police officer of the City, approved in advance by the Chief of Police, shall be present at all times deemed necessary by the Chief of Police. (541,1188)

5-11-9: POSTING REGULATIONS:

A copy of Chapter 11 of Title 5 of this Code, printed in at least ten (10) point type, shall at all times be posted in a conspicuous place at each teenage dance hall. (541,1188)

5-11-10: LICENSE:

It shall be unlawful for any person to conduct, operate, or carry on a teenage dance hall without first procuring from the Finance Director a license to do so, which license shall be issued only upon approval of the Council. Each and every day or fractional part of a day that a teenage dance hall is conducted or carried on without such license shall constitute a violation of this Chapter. (541,1605,1195,2034)

- (A) A person applying for a teenage dance hall license shall make payment of the application fee established in the current Schedule of Fees and Charges and shall make written application filed with the Finance Director on such form as he may prescribe, setting forth the following information: (541,1195,1605,4982)
 1. The name and address of the applicant and of each owner, manager, and operator connected with the proposed teenage dance hall. (541,1195,2034)
 2. The place where such proposed teenage dance hall is to be located. (541,1195,2034)

3. Whether the applicant or any owner, manager, or operator connected with the proposed teenage dance hall has ever previously been issued a teenage dance hall license which has been revoked, suspended, or forfeited. (541,1195,2034)
4. Any other information called for on the application to aid in determining the moral character of the applicant, owner, principal, agent, or their employees, relating to the proposed dance hall. (541,1195,2034)

A teenage dance hall license shall not be approved or issued unless the location for which it is to be issued is zoned "C-3" or less restrictive zoning and unless said location is a distance of more than three hundred feet (300') from any area having more restrictive zoning. (541,1195,2034)

A teenage dance hall license shall not be assignable or transferable from the person or place set forth in the application, and any attempted assignment or transfer thereof shall be void and shall work a forfeiture of such license and all license fees and taxes paid therefor. (541,1195,2034)

- (B) A first year license fee as established by the current Schedule of Fees and Charges shall be paid at the time of application. Additionally, an annual renewal fee as established by the current Schedule of Fees and Charges shall be payable in advance by the applicant at the office of the Finance Director for subsequent years. Every license shall expire on December 31 of each year. Failure to pay the license renewal fee prior to the beginning of each calendar year shall automatically cause the license to be revoked. (541,1195,1605,2034,4982)
- (C) Every person having a teenage dance hall license shall at all times keep it posted in a conspicuous place on the premises to which it applies. (541,1195,2034)
- (D) The Finance Director shall have the power to revoke at any time a license granted in accordance with this Chapter for any of the following causes: (541,1195,1605,2034)
 1. Fraud, misrepresentation, or false statement contained in the application for license; (541,1195,2034)
 2. Fraud, misrepresentation, or false statement made in the course of carrying on his business; (541,1195,2034)
 3. Any violation of this Chapter; (541,1195,2034)
 4. Conviction of any crime or misdemeanor involving moral turpitude; (541,1195,2034)
 5. Conducting business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public. (541,1195,2034)
- (E) Within five (5) days, excluding weekends and legal holidays, a licensee may appeal to the City Manager from the revocation by the Finance Director of any license granted in accordance with this Chapter. The City Manager may appoint a Hearing Officer to hear the appeal. (1195,2034,2383)

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