

CHAPTER 129

LICENSING OF PUBLIC DANCE HALLS

129.01 Definition

129.02 When Dancing Prohibited

129.03 License Required

129.04 License Application

129.05 License Fee

129.06 License Issued

129.07 Closing Hours

129.08 Age Limit

129.09 Beer and Alcoholic Beverages

129.10 Persons and Conduct Prohibited

129.11 Refusal to Obey Orders

129.01 DEFINITION. A public dance hall, within the meaning of this chapter, is any building, hall, room, enclosure, structure, platform, floor or place wherein any dance on any occasion is conducted or permitted and wherein the floor space set aside or used for dancing purposes exceeds one hundred fifty (150) square feet; and for admission to which or for participation in which anything of value is charged or required or to which persons or the public generally are admitted with or without the payment of a fee, or to which persons or the public are invited by general or private invitation.

129.02 WHEN DANCING PROHIBITED. Dancing shall be prohibited on premises operating under a liquor control license and/or Class B beer permit except that it may be permitted by the holder thereof provided the floor space used for dancing purposes therein shall contain at least two hundred (200) square feet and provided that proper application and license is secured under this chapter.

129.03 LICENSE REQUIRED. No person shall operate a public dance hall within the City without first securing a license therefor in accordance with the provisions of this chapter.

129.04 LICENSE APPLICATION. A written application shall be filed with the Clerk and shall contain such information as required by the Clerk and Council.

129.05 LICENSE FEE. The annual license fee for each public dance hall shall be in an amount established by resolution of the Council and shall be nonrefundable.

129.06 LICENSE ISSUED. Upon Council approval of the application and payment of the license fee, the Clerk shall issue a license. All licenses shall expire one year from the date of issuance.

129.07 CLOSING HOURS. It is unlawful to keep open or operate a public dance hall on any day between the hours of two o'clock (2:00) a.m. and one o'clock (1:00) p.m., except on Sundays, when it is unlawful to keep open or operate a public dance hall between the hours of one o'clock (1:00) a.m. and one o'clock (1:00) p.m. Exceptions to such hours will be made only when a written extension of time is secured from the City Administrator or City Council in advance for each and every specific extension thereof. Licensees also operating under a liquor control license and/or Class B beer permit shall specifically operate under the provisions of Chapter 123 of the Code of Iowa.

129.08 AGE LIMIT. It is unlawful to attempt to attend or to permit or allow the attendance of any unmarried person who has not reached the age of sixteen (16) years at any dance unless such person is accompanied by the parents, guardian or other responsible person having proper custody of such minor. It is unlawful for any person to falsely represent himself or herself regarding the age of such person or regarding parent, guardian or other person having proper custody of such minor in order that such minor may attend or remain at any public dance. This section does not prohibit specific dances for young people under the age of sixteen (16) years, provided the organization or concern sponsoring the specific dances abides by all other sections of this chapter.

129.09 BEER AND ALCOHOLIC BEVERAGES. It is unlawful for a dance hall license holder or operator to allow any beer or alcoholic beverages in any form in a public dance hall, or for any person to bring on the premises or to drink or furnish to others for drinking any beer or alcoholic beverages, unless such licensee or operator has a valid Class B beer permit and/or a valid liquor control license; in such event the beer or alcoholic beverages must be purchased on the premises and in strict compliance with the State laws and the City ordinances regulating the same. It is unlawful for any person to drink any beer or alcoholic beverages outside of the licensee's building, but still on the licensee's premises, including driveways, parkings and parking lots.

129.10 PERSONS AND CONDUCT PROHIBITED. It is unlawful for any licensee or for any person conducting or having charge of a public dance hall to allow or permit any indecent act to be committed therein or any disorder or conduct of a violent or vulgar character or to allow any person known to be of bad moral character to remain therein. It is unlawful for any person to enter, remain or leave the licensee's premises in a noisy, loud, violent or quarrelsome manner whereby such person is deemed a nuisance under Chapter 657.2[1] of the Code of Iowa.

129.11 REFUSAL TO OBEY ORDERS. It is unlawful for any person to refuse to leave a licensee's premises or otherwise to disobey any order of the licensee or a police officer given in the discharge of duties to preserve order at a dance or to otherwise enforce the provisions of this chapter.