

Chapter 4

PUBLIC DANCE LICENSES

3-4-1: DEFINITIONS:

In addition to the definitions set forth in subsection 3-1-3A of this title, the following words and phrases used in this chapter shall have the meaning herein prescribed:

DURING THE CONDUCT OF A PUBLIC DANCE: The period of time commencing one hour before actual dancing commences and ending one hour after the dance concludes, including all periods of intermission or entertainment in between.

PUBLIC DANCE: Any dance to which admission can be obtained by paying a fee; or by the purchase, possession or presentation of a ticket or token in which a charge is made for caring for clothing or other property at such dance; or by the payment of a fee for music from a music record vending machine or for music from any number of musicians personally present and playing in the presence of those in attendance. (1995 Code § 14-14-1)

3-4-2: LICENSE REQUIRED:

It shall be unlawful for any person to hold, commence, carry on or conduct any public dance in any hall or building within the city until such public dance shall have first been approved and licensed by the city council. (1995 Code § 14-14-2)

3-4-3: EXEMPTIONS:

The provisions of subsection 3-1-3C of this title shall apply to exclude the licensing of dances sponsored by churches, schools, nonprofit associations, etc., as therein specified. (1995 Code § 14-14-3)

3-4-4: APPLICATION FOR LICENSE:

The provisions set forth in chapter 1 of this title shall be controlling as to all matters relating to the requirements for application and issuance of a license, exemptions, prorations, renewals, etc. (1995 Code § 14-14-4)

3-4-5: QUALIFICATIONS OF APPLICANT:

Each individual licensee must be over the age of twenty one (21) years, of good moral character and a citizen of the United States. No license shall be granted to any applicant who has been convicted of a felony or misdemeanor involving moral turpitude. If the applicant is a partnership, association or corporation, each partner, association member or corporate officer or director shall meet all of the foregoing qualifications as if such applicant were an individual. (1995 Code § 14-1-5)

3-4-6: INVESTIGATION OF APPLICANT:

The administrator shall examine all applications and investigate all applicants for licenses under this chapter. Inspectors from the city fire and building departments and the county board of health shall examine the premises wherein any public dance is to be conducted to determine whether or not the same complies with and conforms to all laws, ordinances and health regulations of the city and county applicable thereto. Following such examinations and investigations, the recommendations of the administrator and the said city and county inspectors shall be made in writing to the city council. The administrator shall be permitted access to all premises licensed or under consideration to be licensed pursuant to this article, shall make periodic inspections thereof, and shall report its findings to the city council. (1995 Code § 14-14-6)

3-4-7: FEE FOR LICENSE; LICENSE PERIOD:

A license fee of fifty dollars (\$50.00) shall be paid to the city when the application is submitted for approval. The dance license shall be effective for a dance or dances for one year from July 1 until June 30 of the following year. Applicants must then reapply and be approved by the city council for a new license. (1995 Code § 14-14-10)

3-4-8: TRANSFERABILITY:

Licenses issued pursuant to this chapter shall not be transferable, either to another person nor to another premises. (1995 Code § 14-14-8)

3-4-9: DISPLAY OF LICENSE:

Each license pursuant to this chapter shall at all times be displayed on or in the licensed premises in a place readily visible to the public. (1995 Code § 14-14-9)

3-4-10: ILLUMINATION; VISIBILITY:

The licensed premises, including any adjacent booth, blind, stall or seating area, shall be kept properly illuminated at all times during the conduct of a public dance. Any such adjacent booth, blind, stall or seating area shall also be visible and open to full view from the entrance to the main dance floor. (1995 Code § 14-14-13)

3-4-11: HOURS:

No dancing shall be permitted in or upon the licensed premises between the hours of one o'clock (1:00) A.M. and ten o'clock (10:00) A.M. (1995 Code § 14-14-14)

3-4-12: MINORS:

Minors under the age of twenty one (21) years shall not be allowed to attend any public dance where the possession or consumption of alcoholic beverages or controlled substances, as the same are defined under the Utah controlled substances act, are used, consumed or suspected of being used or consumed upon the licensed premises. (1995 Code § 14-14-15)

3-4-13: PROHIBITED ACTS AND ACTIVITIES:

A. It shall be unlawful during the conduct of a public dance for a licensee under this chapter to:

1. Permit any person to bring, possess or consume beer or other alcoholic beverages of any kind in or upon the licensed premises, except in the case that the applicant is duly licensed as provided in chapter 3 of this title, cabaret licenses.
2. Permit any person to bring, possess, use or consume controlled substances, as the same are defined under the Utah controlled substances act, in or upon the licensed premises.
3. Permit any intoxicated, boisterous or disorderly person to enter, reenter, be or remain in or upon the licensed premises.
4. Permit the commission of any indecent, gross, violent or vulgar act in or upon the licensed premises.

B. It shall be unlawful for any person during the conduct of, or participation in, a public dance to:

1. Bring, possess or consume beer or other alcoholic beverages of any kind in or upon the licensed premises, except as provided in chapter 3 of this title.
2. Bring, possess, use or consume controlled substances, as the same are defined in the Utah controlled substance act, in or upon the licensed premises.
3. Be intoxicated, boisterous or disorderly in or upon the licensed premises. (1995 Code § 14-14-11)

3-4-14: VACATING OF LICENSED PREMISES FOR VIOLATION:

The administrator or other properly constituted authority shall have the power and the duty to cause any licensed premises to be vacated whenever any of the provisions of this chapter has been or is being violated. (1995 Code § 14-14-12)

3-4-15: SUSPENSION OR REVOCATION OF LICENSE:

Any license issued pursuant to the provisions of the chapter may, after a hearing, be suspended or revoked for the violation by the licensee of any provisions of this or any other applicable ordinance or law, or if it shall be determined that the licensee is no longer a fit person to hold a license under the standards set forth in this chapter. The city council shall hear and determine all suspension and revocation matters pursuant to the provisions of section 3-1-5 of this title. (1995 Code § 14-14-7)

3-4-16: PENALTY:

Violation of the provisions of this chapter is a class B misdemeanor and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. (1995 Code § 14-16; amd. 2003 Code)

