

ORDINANCE BILL NO. 9 FOR 1984

ORDINANCE NO. 922

AN ORDINANCE REGULATING DANCE HALLS WITHIN THE CITY OF SWEET HOME, OREGON, REPEALING ORDINANCE NO. 40, AND DECLARING AN EMERGENCY

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1. Dance Hall Defined. A public dance hall is hereby defined for the purpose of this ordinance to be any building, room, hall, pavilion, tent or other place within the corporate limits of the City of Sweet Home kept and maintained or used for public dancing, and in which, for compensation paid directly or indirectly to the owner, manager, lessee or operator thereof, men and women are permitted to engage in dancing, or where any class is given instruction in dancing for hire, or in which a social club, whether incorporated or not, is operated for profit by the owner, proprietor, lessee or manager thereof. Classes for exercise dancing, such as aerobics, and premises licensed by the Oregon Liquor Control Commission are not subject to the provisions of this ordinance.

Section 2. Application for License. No dance hall, as defined by this ordinance, shall be used for dancing purposes until license therefor has been obtained. An applicant for a dance hall license shall file with the police chief a sworn application in writing on a form to be provided by the city that shall give the following information:

- (a) Name and description of applicant;
- (b) Address, both legal and local, and telephone number of applicant, and address of dance hall;
- (c) A brief description of the nature and the proposed schedule of the proposed public dances;
- (d) The security and crowd control to be provided at the dances;
- (e) The names and addresses of any persons who will share in the operation and/or profits of the dance hall;
- (f) A statement as to whether or not the applicant or any of the persons engaged with him in the operation and/or profits of the dance hall have been convicted of any crime, misdemeanor or infraction, other than minor traffic infractions, and the punishment or penalty assessed therefor.

Section 3. License Fees. At the time of filing the application, the applicant shall pay a fee of \$25.00 to the City of Sweet Home to cover the cost of investigation. When a person makes an application for renewal of an existing license, the investigation fee shall be \$10.00, and the application form shall be brought up to date.

Section 4. Investigation and Issuance of License. Upon receipt of such application, the police chief shall cause such investigation of the applicant's moral character and financial responsibility to be made as he deems necessary for the protection of the public good.

If as a result of such investigation the applicant's character or financial responsibility is found to be unsatisfactory, the police chief shall endorse on such application his disapproval and his reasons for the same, and shall notify the applicant that his application is disapproved and that no license will be issued.

If the character and financial responsibility of the applicant are found to be satisfactory, the police chief shall endorse his approval on the application and shall execute a license to the applicant, authorizing him to conduct public dances at a certain location on a certain date or dates, or for a certain period of time, not to extend beyond December 31st of that calendar year. If an applicant is licensed to conduct the dance as of a particular date, that shall include the early morning hours of the following day until the conclusion of the dance. The said license shall be subject to the requirements and provisions of this ordinance, and also to such further conditions that the police chief may impose, including requirements for security and crowd control as the police chief may deem necessary or desirable.

Section 5. Conditions of Operation. The applicant shall operate his dances in an orderly manner, shall not allow intoxicating beverages or illegal drugs of any kind in the dance hall, and also shall make a reasonable effort to maintain said required conditions in the parking area on the dance hall premises. Persons who are intoxicated or under the influence of drugs shall not be allowed to enter the dance hall. The dances shall be conducted in compliance with the applicable fire and safety regulations.

Section 6. Revocation of License. A license issued under the provisions of this ordinance may be revoked by the police chief if he finds that the applicant has violated any provision of this ordinance or of the conditions imposed on the applicant upon issuance of the license.

Section 7. Appeal. Any person aggrieved by the action of the police chief in denying an application for a license, or in revoking a license, shall have the right of appeal to the City Council of the City of Sweet Home. The applicant or licensee shall file with the Council a written statement setting forth fully the grounds for the appeal within 14 days after the day the notice is mailed indicating disapproval or revocation of a license.

Notice of the hearing for revocation of a license shall be given in writing to the licensee, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his last-known address at least five days before the date set for hearing.

The decision and order of the Council on such appeal shall be final and conclusive.

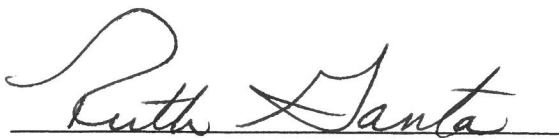
Section 8. Unlawful Dances. It shall be unlawful from and after the date when this ordinance becomes effective for any person to conduct or to attend any dance or class held in any place the licensing of which is herein provided for, unless and until such license has been obtained and remains in full force and effect and unrevoked; and it shall be further unlawful for any person to conduct or attend any dance or class in any such dance hall where such dance is not conducted in strict compliance with the provisions and conditions in this ordinance imposed.

Section 9. Penalty for Violation of Act. Violations of this ordinance constitute an infraction and may be prosecuted under the provisions of Ordinance No. 876.

Section 10. Repeal. Ordinance No. 40, as heretofore amended, is hereby repealed.

Section 11. Emergency. It being deemed by the City Council of Sweet Home, Oregon, that an emergency exists, this ordinance shall be in full force and effect from and after its passage and approval.

Passed by the Council and approved by the Mayor this 12th day of June, 1984.

  
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Mayor

ATTEST:

  
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City Manager - Ex Officio City Recorder