

ARTICLE XI. - DANCES AND PUBLIC DANCEHALLS

Footnotes:

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State Law reference— *Amusement places, license regulations, Wis. Stats. § 175.20 et seq.*

Sec. 22-346. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Public dance means any dance to which the public generally may gain admission with or without the payment of a fee, whether or not such dance constitutes all or a part of a program of entertainment, excepting a dance sponsored by a church and held in the facilities of such church.

Public dancehall means any room, place or space in which a public dance is held, excepting church facilities used for a dance sponsored by such church.

(Code 1973, § 22.09.010; Ord. No. 25-91, pt. 1, 10-29-91)

Cross reference— Definitions generally, § 1-2.

Sec. 22-347. - License—Required.

No person shall hold any public dance in any public dancehall within the city unless the public dancehall is licensed for such purpose.

(Code 1973, § 22.09.020; Ord. No. 25-91, pt. 1, 10-29-91)

Sec. 22-348. - Same—Application; fee.

(a) Application for a license under this article shall be made to the city clerk upon prescribed forms and shall include:

(1)

The name, residence and date of birth of the applicant, if an individual, firm or partnership, or the names of the principal officers, their residences and dates of birth, if the applicant is an association or corporation; also, the name and address of one or more persons whom such firm, partnership, corporation or association shall designate as manager.

(2) The date and place of any conviction of an offense under this article or under any similar law, ordinance or regulation.

(3) The name and address of the person owning the premises for which a license is sought.

(b) The annual fee for a dancehall license shall be set forth in the fee schedule as established by the common council.

(Code 1973, § 22.09.030; Ord. No. 25-91, pt. 1, 10-29-91; Ord. No. 44-04, pt. 8, 12-7-04; Ord. No. 0028-19, pt. 36, 11-12-19)

Sec. 22-349. - Investigation of applicant.

The city clerk shall refer an application under this article to the public safety and licensing committee, which shall determine whether the applicant and the premises comply with the regulations, ordinances and laws applicable thereto. The committee shall report its findings and recommendations to the common council.

(Code 1973, § 22.09.040; Ord. No. 25-91, pt. 1, 10-29-91; Ord. No. 33-06, pt. 1, 9-5-06)

Sec. 22-350. - Issuance or denial of license.

(a) The common council shall grant the license applied for under this article, except for a specified reason for the protection of the public safety, health, morals or general welfare. No license shall be granted to a person under 18 years of age, nor renewed without a reinspection of the premises. Licenses granted to natural persons under this article may be issued only to persons who:

(1) Do not have an arrest or conviction record, subject to Wis. Stats. §§ 111.321, 111.322 and 111.335;

(2) Have been residents of this state continuously for at least 90 days prior to the date of application;

(3) Are at least 18 years of age;

(4) Have not habitually been a law offender or have not been convicted of a felony unless the person has been duly pardoned, subject to Wis. Stats. §§ 111.321, 111.322 and 111.335; and

(5) Have not been convicted of violating this article within one year prior to the date of application.

(b)

No corporation or association may be issued a license under this article unless a manager appointed by the corporation or association and the officers and directors of the corporation or association meet the requirements of subsections (a)(1), (3), (4) and (5) of this section.

(Code 1973, § 22.09.050; Ord. No. 25-91, pt. 1, 10-29-91)

Sec. 22-351. - Renewal of license.

Any license granted under the provisions of this article may be renewed annually by the city clerk without action by the common council.

(Code 1973, § 22.09.060; Ord. No. 25-91, pt. 1, 10-29-91)

Sec. 22-352. - Permit for public dance.

No person shall hold a public dance within the city without a permit therefor. Application for such permit must be made upon prescribed forms to the city clerk at least five days before the dance by a person holding a license to conduct a public dancehall. Such permits shall not be required for dances conducted exclusively by the licensee. The fee for such permit shall be set forth in the fee schedule as established by the common council for each public dance.

(Code 1973, § 22.09.080; Ord. No. 25-91, pt. 1, 10-29-91; Ord. No. 44-04, pt. 9, 12-7-04; Ord. No. 0028-19, pt. 37, 11-12-19)

Sec. 22-353. - Operating hours.

All public dances and all public dancehalls shall be closed between 1:00 a.m. and 8:00 a.m., excepting establishments also licensed under chapter 6 and provided, however, that upon the application of the person holding a particular public dance, the chief of police may grant a permit to continue such dance beyond 1:00 a.m. where such extension is found to be consistent with the public interest. Such application shall be made at least three days before the date on which the dance is to be held.

(Code 1973, § 22.09.090; Ord. No. 25-91, pt. 1, 10-29-91)

Sec. 22-354. - Attendance of minors.

No licensee under this article shall permit, during any public dance held in any public dancehall or pavilion, the presence of any person who has not attained the legal drinking age who is not accompanied by his parent, spouse or lawful guardian when intoxicating or fermented malt beverages are available for consumption on the premises.

(Code 1973, § 22.09.100; Ord. No. 25-91, pt. 1, 10-29-91)

Sec. 22-355. - Entertainment restrictions.

No licensee under this article shall, directly or indirectly, furnish entertainment in or at a public dancehall which is prohibited by chapter 6 of this Code.

(Code 1973, § 22.09.110; Ord. No. 25-91, pt. 1, 10-29-91)

Sec. 22-356. - Supervision; notice to police.

Police officers shall have access at all times to all public dancehalls and public dances. No public dance shall be held unless the person holding such dance shall give at least 24 hours' notice of the time and place of such dance to the chief of police.

(Code 1973, § 22.09.120; Ord. No. 25-91, pt. 1, 10-29-91)

Sec. 22-357. - Revocation of license or permit.

The common council may, at any time after giving notice to the licensee and an opportunity to be heard, revoke any license or permit granted under the provisions of this article for violation of any of the ordinances or laws applicable to public dancehalls or public dances, or for any cause which, had it existed at the time of application, would have been grounds for denial of a license, whether it actually existed at that time or not. Whenever any license or permit shall be revoked, no refund of any unearned portion of the fee paid shall be made, and at least six months from the time of such revocation shall elapse before another license or permit shall be given to conduct a public dance in the same premises. Written notice of such hearing, which shall be held by the public safety and licensing committee, and the reason therefor, shall be served upon the person named in the application by mailing such notice to the address given in the application or by delivering a copy to any person named as applicant therein.

(Code 1973, § 22.09.070; Ord. No. 25-91, pt. 1, 10-29-91; Ord. No. 33-06, pt. 1, 9-5-06)

Secs. 22-358—22-380. - Reserved.