

TITLE 6. CABARETS

CHAPTER 6.01. General Provisions.

6.01.010. Definition.

Duly licensed restaurants which permit their patrons to dance and restaurants or premises which entertain their patrons with live performers who sing or dance or which permit their patrons to dance shall be deemed to be "cabarets" and such places shall be subject to the cabaret licensing provisions as hereinafter provided.

6.01.020. License Required.

No cabaret, as herein defined, shall open for business without first obtaining a license, as herein provided, from the city.

6.01.030. Persons Under Twenty-One to be Accompanied by Parent or Guardian; Misrepresentations to Secure Admission of Persons Under Twenty-One.

It shall be unlawful to permit any person who has not reached the age of twenty-one years to attend or remain at any cabaret where beer is sold or served, or cabaret which is licensed to sell beer, unless such person be accompanied by the parent or legal guardian of such person. It shall be unlawful for any person to misrepresent his age for the purpose of gaining admission to a public dance or cabaret or falsely to represent himself to be a parent or legal guardian of any person in order that such person may attend or remain at any public dance or cabaret.

6.01.040. Beer License.

If a licensee desires to operate as herein provided, he shall first obtain an appropriate retail beer license and conform to the provisions of the ordinances of the city concerned with the sale of beer.

6.01.050. Sale or Consumption of Beer By Minor.

The sale to or consumption of beer by any person under the age of twenty-one years is expressly prohibited hereunder.

6.01.060. Separation of Dance Area and Seating Area.

The dance area in a licensed cabaret must be separated from the seating area by a minimum aisle or areaway of three feet.

6.01.070. Access to Rest Rooms.

Access to rest rooms must be by an aisle or areaway of at least three feet in width and in no event shall a cabaret license be issued if it is necessary to cross directly over the dance area to have access to rest rooms.

6.01.080. Aisle or Areaway Between Bar and Dance Area.

If the dance area is adjacent to or in front of a bar where beer or food is served or consumed, there must be a minimum aisle or areaway of five feet between the bar and the dance area.

6.01.090. Entertainers.

Impromptu audience performers or itinerant walk-in guitar players or entertainers are prohibited. It shall be unlawful to furnish live entertainment for patrons of restaurants on premises herein, unless the premises are licensed as a cabaret.

6.01.100. Minimum Size of Dancing Area.

No cabaret license shall be granted unless the premises to be licensed thereunder shall contain at least three hundred square feet of suitable dancing area.

6.01.110. Parking Space.

No cabaret license shall be granted unless there is provided on the premises parking space sufficient to park one automobile for each two patrons for which accommodations are provided on the premises, which total area shall be determined by the maximum seating capacity of the establishment.

6.01.120. Distance From School, Church, Park or Recreation Center.

No premises shall be licensed hereunder which are located within a distance of less than three hundred feet from any public schools, churches, public parks or recreation centers.

6.01.130. Compliance with Chapter.

All cabaret licenses, whether original applicants or renewal applicants, must comply with all the applicable provisions of this chapter.

6.01.140. License Fee.

The license fee for a cabaret license shall be set by resolution of the city council.

6.01.150. Investigation and Recommendation by Police; Licensing Authority.

The police department shall examine and investigate all applicants for licenses and the premises to be licensed under this chapter. Following such examination, the recommendations of the police department shall be made in writing to the council. The council shall be the licensing authority for cabarets.

6.01.160. Access by Police Department; Inspections and Reports.

The police department shall be permitted to have access to all premises licensed. It shall be unlawful to lock the rear door of the premises during the hours that such premises are open to the public so that the police department, operating in compliance with the provisions of this chapter, may have immediate entry to the premises or establishment licensed hereunder and may do so without delay. The police department shall make periodic inspections of the premises and report its findings to the council.

6.01.170. Suspension or Revocation of License.

All suspensions of licenses hereunder shall be for the period of not less than one year and all revocations hereunder shall not be renewable to the persons involved. Any licenses issued pursuant to this chapter may, after a hearing, be suspended or revoked for the violation of any provision of this chapter or any other ordinance or any other law relating to such places. The council shall hear and determine all suspension and revocation matters.

6.01.180. Operation After License Denied or Revoked.

If, at any time, a license under the provisions of this chapter is denied or revoked, it shall thereafter be unlawful for any person to operate, open, maintain, manage or conduct any such business at the same premises until a new license shall be granted by the council. Violation of this provision is a class B misdemeanor.

6.01.190. Lighting; View of Booth, Etc.

Premises licensed pursuant to this chapter shall maintain throughout such premises, during business hours, a minimum of two candle power light measured at a level of five feet above the floor. No booth, blind or stall shall be maintained unless all tables, chairs and occupants, if any therein, are kept open to full view from the main floor at the entrance of such licensed premises.

6.01.200. Premises To Comply With Health and Fire Regulations, Etc.; Ventilation; Toilets.

No license shall be issued pursuant to this chapter until it shall be found that the premises of which it is issued comply with and conform to all laws, ordinances and health and fire regulations applicable thereto. The premises shall be properly ventilated and have available separate and sufficient toilet conveniences for each sex.

6.01.210. Expiration of License.

All licenses issued under this chapter shall be issued for a period not to exceed one year and all licenses shall expire on the thirty-first day of December of each year.