

## AMUSEMENTS

### Chapter 5.12

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#### **5.12.010 Application of Sections 5.12.010 through 5.12.130.**

The provisions of Sections 5.12.010 through 5.12.130 shall apply to all public shows, theatricals, circuses and other amusements in this city, whether specifically licensed in another section in this chapter or not. (Ord. 1979-M-44 § 3(a) (part): prior code § 22.101.)

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### **5.12.020 Amusements - Licensing requirements.**

- A. It is unlawful to conduct or operate any amusement which is open to the public and for admittance to which a fee is charged without having first obtained a license therefor; provided, that the provisions of this section shall not be held to apply to those amusements which are specifically licensed by any other ordinance of the city.
- B. Applications for such license shall be made to the clerk and shall comply with all of the general provisions of the ordinances relating to such application.

(Ord. 1979-M-44 § 3(a) (part): prior code § 22.102.)

### **5.12.030 Street shows - Restriction on permit issuance.**

No permit shall be granted or given for any exhibition, show or other amusement to be given on any public street or sidewalk or in such place that the only main accommodation for the public or the audience will be a public place, except on order of the city council. (Prior code § 22.103.)

### **5.12.040 Athletic exhibitions - Licensing requirements.**

- A. It is unlawful to conduct, operate or exhibit any race between persons, animals or vehicles, or any baseball game, boxing or wrestling matches or any other athletic contest or exhibition for admission to which a fee is charged without having first procured a license therefor. The city council shall have the power to waive any such license and fee charges for not-for-profit charitable organizations.
- B. The proprietor of such exhibition shall submit to the clerk a statement verified under oath of the gross receipts of each such game, contest or race, within one week after such exhibition. At the same time, the proprietor or person exhibiting or operating such exhibition shall pay to the clerk a sum equal to three percent of the gross receipts.
- C. Sufficient members of the police department shall be admitted free of charge to all such exhibitions for the purpose of preserving and maintaining order; and the city clerk may post a person or any number of persons at the box office of each such performance; and may examine all the books pertaining to such performance showing or tending to show the gross receipts.

(Prior code § 22.104.)

### **5.12.050 Amusements - Conduct of audiences.**

The audience of any amusement show or theatrical must be orderly and quiet at all times, and it is unlawful for any person attending such amusement, show or theatrical to create a disturbance in the audience. It is unlawful to permit or gather such a crowd to witness any amusement or show as to create a dangerous condition because of fire or other risks. (Prior code § 22.105.)

### **5.12.060 Amusements - Inspection by police and fire department.**

It shall be the duty of the chief of police and fire marshal to see that every exhibition, amusement, theatrical or other public show or amusement is inspected by a member of the police and fire department, and to insure conformity with the provisions concerning such amusements (Prior code § 22.106.)

### **5.12.070 Exhibition of criminals.**

It is unlawful for any person, firm or corporation to exhibit any criminal or the body of any criminal or any person who shall have become notorious because of the commission of a crime, in any theatrical, exhibition, carnival, or other public place. (Prior code § 22.108.)

### **5.12.080 Promoting riots or disturbances.**

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It is unlawful to present any public amusement or show of any kind which tends to or is calculated to cause or promote any riot or disturbance. (Prior code § 22.104.)

### **5.12.090 Assembly hall - Smoking prohibited.**

It is unlawful to smoke or carry a lighted cigar, cigarette or pipe on or beneath the stage or in a dressing room or any building used as an assembly hall with seating accommodations for more than one hundred persons or in which theatricals, shows, amusements, lectures, or other entertainments are offered, presented, operated or exhibited. (Prior code § 22.110.)

### **5.12.100 Assembly hall - No-smoking signs required.**

It shall be the duty of the owner of such premises as described in Section 5.12.090, or of the occupant in charge, to provide and place printed signs on which the words "no smoking" shall appear in letters at least four inches high, in conspicuous places, at least two signs being upon the stage or in the wing thereof and one in each dressing room. (Prior code § 22.111.)

### **5.12.110 Assembly hall - Exit lights.**

It shall be the duty of the owner or occupant in charge of any building or hall used as an assembly hall with accommodations for one hundred persons or more in which theatricals, shows, amusements, lectures, and other entertainment is offered, operated or presented to provide and place a sign on which the word "exit" shall appear in letters at least six inches high, over every door or other opening from such hall to every means of egress therefrom, and a light shall be provided with a red globe and placed at or over such sign, which light shall be kept burning during the entire period that the hall is open to the public and until the audience has left the hall. (Prior code § 22.112.)

### **5.12.120 Premises to comply with building regulations.**

It is unlawful to operate or permit the operation of any amusement licensed in this chapter unless the premises in which such amusement is operated conforms with all the provisions or requirements in this code relating to public buildings and public gatherings. (Prior code § 22.113.)

### **5.12.130 Penalty for violation of Sections 5.12.010 through 5.12.120.**

Any person, firm or corporation violating any of the provisions of Sections 5.12.010 through 5.12.120 shall be fined not less than five dollars nor more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Prior code § 22.114.)

### **5.12.140 Billiard license - Required - Application.**

No person, firm or corporation shall operate, maintain or conduct a billiard or pool table open to the public without having first obtained a license therefor; provided, however, coin-operated billiard or pool tables shall be licensed as "amusement game devices" under Chapter 5.14, "Amusement Game Devices". All applications for such a license shall state thereon the intended location of the place of business and the number of tables to be used therein. (Prior code § 22.201.) (Ord. 1994-M-54 § 1.)

### **5.12.150 Billiard license - Fee.**

The annual fee for any such license shall be twenty-five dollars for each table. (Ord. 1979-M-44 § 3(b); prior code § 22.202.)

### **5.12.160 Billiard hall - Minors prohibited.**

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Minors under the age of sixteen years shall not under any circumstances frequent, loiter, go or remain in any hall licensed under Section 5.12.140 at any time, unless it is upon some lawful errand and sent under the direction and with the consent of and knowledge of the parent, guardian or other person having the lawful custody of such minor; and it is unlawful for the proprietor of any hall so licensed to allow or permit any such minor to frequent, loiter or remain within the hall in violation of this section. (Prior code § 22.203.)

### **5.12.170 Billiard hall - Hours of operation.**

No billiard hall or other hall licensed under Section 5.12.140 shall be open for business or used between the hours of twelve midnight and six a.m. (Prior code § 22.204.)

### **5.12.180 Penalty for violation of Sections 5.12.140 through 5.12.170.**

Any person, firm or corporation violating any provision of Sections 5.12.140 through 5.12.170 shall be fined not less than five dollars nor more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day or on which a violation occurs or continues. (Prior code § 22.205.)

### **5.12.190 Bowling alley - License required - Application.**

No person, firm or corporation shall operate or maintain a bowling alley open to the public without having first obtained a license therefor; application for such license shall be made in writing to the city clerk and shall state thereon the intended location of the place of business and the number of alleys to be used. (Prior code § 22.301.)

### **5.12.200 Bowling alley - License fee.**

The annual fee for such bowling alley licenses shall be \$25.00 for each alley. (Ord. 2001-M-4 § 1; Ord. 1979-M-44 § 3(c); prior code § 22.302.)

### **5.12.210 Bowling alley - Hours of operation.**

No person shall keep open, operate or use any such alley between the hours of 1:00 a.m. and 6:00 a.m. on Monday, Tuesday, Wednesday, Thursday and Friday. No person shall keep open, operate or use any such alley between the hours of 2:00 a.m. and 6:00 a.m. on a Saturday or Sunday. (Ord. 2001-M-4 § 1; Prior code § 22.303.)

### **5.12.220 Bowling alley - Minors prohibited.**

Minors under the age of sixteen years shall not under any circumstances frequent, loiter, go or remain in any bowling alley licensed under this chapter at any time, unless it is upon some lawful errand and sent under the direction and with the consent of knowledge of the parent, guardian or other person having the lawful custody of such minor; and it is unlawful for the proprietor of any bowling alley so licensed to allow or permit any such minor to frequent, loiter, or remain within the bowling alley in violation of this section. (Prior code § 22.304.)

### **5.12.230 Bowling alley - Gambling prohibited.**

It is unlawful for any person to gamble, bet or permit any form of gambling or betting in any premises used for a bowling alley, pin or ball alley. (Prior code § 22.305.)

### **5.12.240 Penalty for violation of Sections 5.12.190 through 5.12.230.**

Any person, firm or corporation violating any provision of Sections 5.12.190 through 5.12.230 shall be fined not less than five dollars nor more than five hundred dollars for each offense; and a separate offense

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shall be deemed committed on each day during or on which a violation occurs or continues. (Prior code § 22.306.)

### **5.12.250 Motion picture or theatrical - License required.**

It is unlawful to give, present or conduct any motion picture, or theatrical, for admission to which a fee is charged, excepting performances given solely for the benefit of and under the supervision of a religious, educational or charitable organization, without having first secured a license therefor as is provided in this chapter. (Prior code § 22.401.)

### **5.12.260 Motion picture or theatrical - License application.**

Applications for such licenses as required in Section 5.12.250 shall be made in conformance with the general provisions relating to such applications, and shall state in addition to the other information required the place of the intended performance and the seating capacity thereof. (Prior code § 22.402.)

### **5.12.270 Motion picture or theatrical - Annual license fee.**

Any person securing an annual license for motion pictures, or theatricals, naming a specific place or building where the performances are to be presented, may present therein any number of performances, including theatricals, during the year for which the license was secured without having to pay any additional fee. The annual fee for such licenses shall be two hundred dollars, except if there is more than one theater screen in the building, in which case, the annual fee for such license shall be two hundred dollars per theater screen. (Ord. 1979-M-44 § 3(d): prior code § 22.403.)

### **5.12.280 Motion picture or theatrical - Fee for unlicensed premises.**

For motion pictures or theatricals, which are to be presented in premises which are not covered by such license fee as provided for in Section 5.12.270, the fee to be paid shall be ten dollars per day; provided, that no such motion picture or theatrical shall be presented in or on any premises or building which does not fully comply with the requirements of the ordinances relating to public gatherings and to maintenance of buildings for this purpose. (Prior code § 22.404.)

### **5.12.290 Crowding in motion picture hall prohibited.**

It is unlawful to permit any person, excepting users or other theater employees, to remain standing in a hall or room in which a motion picture is presented during the time of such performance; and it is unlawful to admit to any such hall more persons than can be accommodated by the seating arrangements for the premises. (Prior code § 22.406.)

### **5.12.300 Use of nonflammable scenery required.**

It is unlawful to use any scenery in any theater other than nonflammable scenery of such as shall have been rendered nonflammable by the application of fire preventive coatings. (Prior code § 22.407.)

### **5.12.310 Building requirements.**

It is unlawful to present any public motion picture in any building or structure which does not contain the number of exits required by the ordinances of the city or by statutes of the state concerning buildings or places intended for motion picture performances or in premises which do not comply with the provisions of this code relating to public gatherings, or in premises in which the electric wiring does not fully comply with the ordinances. All places used for the exhibition of theatricals must be kept adequately ventilated during the performance and for as long a time as the audience remains therein. (Prior code § 22.408.)

### **5.12.320 Outdoor theaters.**

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Outdoor theaters, where the audience is not housed in a building, shall be conducted in full compliance with the applicable provisions of Sections 5.12.250 through 5.12.340. Each outdoor theater shall be equipped with washrooms, separate for men and women. (Prior code § 22.409.)

### **5.12.330 Exits.**

It is unlawful to obstruct or permit the obstruction of any aisles, corridors or exits leading from the room or enclosures in which a motion picture performance or theatrical is being given or in which an audience for such a performance is gathered. (Prior code § 22.410.)

### **5.12.340 Penalty for violation of Sections 5.12.250 through 5.12.330.**

Any person, firm or corporation violating any of the provisions of Sections 5.12.250 through 5.12.330 shall be fined not less than five dollars nor more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day during on or which a violation occurs or continues. (Prior code § 22.411.)