

ORDINANCE NO. 133

AN ORDINANCE REGULATING PUBLIC DANCING PLACES AND PUBLIC DANCES

The Council of the City of Lambertton ordains:

SECTION 1. Definitions. A public dancing place shall be taken to mean any room, place, or space open to public patronage in which dancing, wherein the public may participate, is carried on and to which admission may be had by the public by payment, directly or indirectly, of an admission fee or price for dancing. A public dance shall be taken to mean any dance wherein the public may participate by payment, directly or indirectly, of an admission fee or price for dancing, or a fee for a membership in a club, and shall include any manner of holding a dance which may be participated in by the public through the payment of money, directly or indirectly.

SECTION 2. Permits. It shall be unlawful for any person to give, hold, or conduct a public dance unless the owner or proprietor of the public dancing place, or the person giving the same or in charge thereof, shall first have procured a permit to hold, give, and conduct such public dance from the Lambertton City Council. The permit shall be issued at a fee and under such conditions as the Lambertton City Council may establish from time to time, not inconsistent with the provisions of Minn. Stat. Section 624.42 to 624.54.

Any person desiring a permit to hold, give, or conduct a public dance shall make application therefore with the City Clerk by filing a verified application, setting forth the name and address of the person, persons,

committee, or organization who are to give, hold, and conduct the same, the time and place where such public dance is to be held, and the area of the dance for where the dance is to be given. The Lamberton City Council may refer the application to the Chief of Police or to the Redwood County Sheriff's Department for investigation and report before granting the same. The Lamberton City Council shall thereupon act upon the application and either grant or reject the same. In case the same is granted, the Council shall fix the fee to be paid by the applicant for such permit and shall direct the City Clerk to issue the same upon the payment of the fee and upon payment of the expense of the investigation herein provided for in case such investigation is made. The permit shall specify the names and addresses of the persons to whom issued, the amount paid therefore, and the time and place where the public dance is to be held. The permit shall be posted in a public place in the dance hall described therein during the time the public dance mentioned therein is being given, and the persons named in the permit shall be responsible under the law for the manner in which the public dance is being held and conducted.

SECTION 3. Applications. All applications for such permits shall be made upon blanks furnished by the City Clerk and shall be accompanied by the Affidavit of two residents and shall affirmatively show by the application and Affidavits that the applicant is a person of good moral character and reputation in the community in which the applicant lives and that the applicant has not, within 5 years prior to the making of the application, been convicted of a felony, gross misdemeanor, or any of the provisions of Minn. Stats. Section 624.42 to 624.54, and no such application shall be granted to any person of bad character or who has been so convicted as aforesaid, nor to any person who is keeper of any

disorderly house of any kind, nor for any place having any so called "private apartments" or "private rooms" furnished or used for any other legitimate business purposes which adjoin such dancing place or which may be reached by stairs, elevator, or passageway leading from such dancing place. No permit shall be issued unless the Lamberton City Council is satisfied that the place where the public dance is to be given or held is properly ventilated and equipped with necessary toilets, washrooms, lighting facilities, and that such place is not likely to become a public nuisance or detrimental to public morals.

SECTION 4. Not to admit certain persons. No person to whom a permit has been issued shall permit to be or remain in any public dancing place any intoxicated person, any prostitute, any person of known immorality, or any unmarried person under the age of 16 years, unless such person is accompanied by a parent or guardian, nor any unmarried person more than 16, and under the age of 18 years, unless such person is accompanied by a parent or guardian or presents the written consent of a parent or guardian to the officer in charge of such dance, and every such written permit shall be retained by such officer.

SECTION 5. Officer must attend all public dances. It shall be encumbrant upon the person to whom such permit is issued to have an officer of the law present at every public dance to be given or held thereunder during all the time the public dance is being held. In the case of a public dance to be held or given in the City of Lamberton the fees and expenses of such officer of the law shall be paid in advance by the person to whom the permit has been issued.

SECTION 6. Hours. No public dance shall be held or conducted between the hours of 1:00 o'clock and 6:00 o'clock A.M. of any day and

no public dance shall be held or conducted on Sunday between the hours of 1:00 o'clock A.M. and 12:00 o'clock Noon thereof.

SECTION 7. Revocation of permit. The Lamberton City Council issuing a permit hereunder may at any time revoke the same and shall revoke any such permit held by any person convicted of violating any of the provisions herein or any of the provisions of Minn. Stat. Section 624.42 to 624.54, provided, any 5 or more freeholders residing in the City of Lamberton may petition the Lamberton City Council setting forth that any dancing place for which a permit has been issued is being conducted contrary to law, whereupon it shall be the duty of the Lamberton City Council to herein act upon such petition within 10 days after the same shall have been filed with the City Clerk and; in case any such petition shall be denied, or not acted upon, within such time, then any 5 freeholders of the City of Lamberton may file a petition with the County Board of the County, setting forth the facts. Thereupon it shall be the duty of such County Board to herein determine such petition, and such Board shall have power, and it shall be the duty of such Board, to revoke any such permit if it finds that such dancing place has been conducted contrary to law.

SECTION 8. Violation a misdemeanor. Any person, firm or corporation violating any of the provisions herein shall be guilty of a misdemeanor.

SECTION 9. Repeal of conflicting ordinances. All conflicting ordinances or sections of ordinances are hereby repealed.

SECTION 10. Effective date. This Ordinance shall take effect immediately after passage and publication according to law.

Passed, approved, and adopted by the Lambertton City Council, this 14th day of August, 1989.

CITY OF LAMBERTON:

Ronald Kasey
Mayor

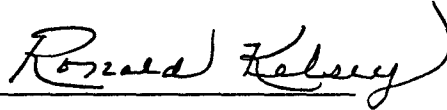
ATTEST:

Steven Flay
City Clerk

AMENDMENT TO ORDINANCE NO. 133

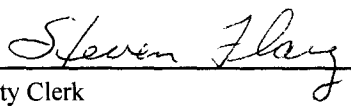
The City Council of the City of Lambertton ordains that Ordinance No. 133 entitled "AN ORDINANCE REGULATING PUBLIC DANCING PLACES AND PUBLIC DANCES" shall be amended by repealing and omitting therefrom Section 5 entitled "Officer must attend all public dances" in its entirety.

Passed and adopted by the City Council of the City of Lambertton on this 14th day of September, 1998



Mayor

Attest:


City Clerk



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