

ORDINANCE NO. 35

AN ORDINANCE REGULATING CABARET AND DANCE HALLS, REQUIRING A LICENSE THEREFORE AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF.

The City Council of the City of Plato ordains:

Section 1. Definitions: A cabaret or dance hall shall be defined as any building or premises, or any outdoor premises, which conducts any public dance to which the general public is invited, or which caters to dances which are open to selected private parties on a for hire basis whether or not the remuneration be direct or in-direct through the payment of a purchase of a ticket or for which the dance is used as an attraction device to encourage the sales of food or beverage. Dancing at a private residence including only persons invited by the owner of such residence and not for admission shall be excluded from the provisions of this ordinance provided such dance is an informal social gathering and not designed as commercial adventure designed directly or indirectly for gain or profit by the owner of the premises.

Section 2. Minnesota Statutes Section 624.42 to 524.54 inclusive are hereby incorporated into this ordinance by reference. Any provision of this ordinance or any other ordinance which conflicts with said statutory provisions shall be overridden by said statutory provisions.

Section 3. It shall be unlawful to operate any cabaret or dance hall without having obtained an annual license therefor from the City of Plato. All applicants for licenses shall complete an application to the City Clerk on such a form as the City Clerk shall promulgate which shall include the following information: The name of the person or firm applying for the license and if the applicant is a partnership or corporation, the name of all principals involved in the partnership or corporation; all addresses for the past five years of both the premises for which the license is requested and the applicant or the principals involved in such a firm; a description of the premises including the square footage of the area to be used for dancing and the number of persons that can be reasonably seated on any bench, chair, stool, or other devices designed for a human being to sit upon; a description of whether or not the applicant intends to serve intoxicating liquor on such premises, and the description of any intoxicating liquor license held by the applicant for such premises; a general description of the dances to be conducted there and the frequency of such dances; the location upon the premises if they be outdoor, of dances to be conducted; listing of convictions of all felonys or misdemeanors of the applicant or any principal of the applicant and the duration of time for which the permit requested.

Section 4. The following permit fees are to be charged as indicated:
One day permit \$50.00.
Annual permit \$250.00.

All fees shall be paid in advance upon the application for the same. No portion thereof shall be refunded whatsoever, irrespective of whether or not the permit was used.

Section 5. Upon the receipt of any application the City Clerk shall make investigation of the applicant, and the application, and shall report to the City Council concerning such investigation including: The character of the applicant, the criminal record if any of the applicant, and any known past violations of any liquor or cabaret ordinance by the applicant. Upon receipt of the report from the City Clerk the City Council shall determine whether or not to issue such a license. The city shall have the power in its discretion to accept or reject such application for the issuance of such license if for any reason the councils determines that the applicant is not a person of good character or otherwise unlikely to meet the terms and conditions as required of this ordinance.

Section 6. Any violation of this ordinance shall constitute a misdemeanor and be punished accordingly.

This ordinance shall take force and be in effect from and after this passage and publication.

Adopted this 4th day of February 1985.

Approved: Tim Pinske, Mayor

Attest: Kathleen Stuedemann, Clerk

Published in the Glencoe Enterprise February 7, 1985