

Chapter 67 - Dances and Dance Halls

7.141. Definitions.

In the interpretation of this Chapter the following definitions shall apply:

- (1) "Public Dance Halls" shall mean any place enclosed or unenclosed, building, or that portion of any building which is primarily used for public dances or balls; where the public may gain admission with or without payment of a fee.
- (2) "Operator" shall mean any operator, proprietor, lessee, manager or employee of any public dance hall.
- (3) "Special Dance" shall mean any dance or ball conducted or sponsored by any person in a rented or leased building, hall or other location approved by the Police Department.
- (4) "Municipal Dance" shall mean any dance or ball which is sponsored by the Board of Education or the Department of Parks and Recreation of the City of Troy and conducted in a building owned or leased by the City of Troy or the Board of Education.

7.142. License Required.

No person shall conduct or sponsor any public dance or ball for hire without first being duly licensed as hereinafter required; provided, however, that the provisions of this Chapter shall not apply to Municipal Dances, dances or balls conducted by a religious or fraternal organization in a hall which is owned or leased and operated by such organization and such dance or ball is not open to the public. Further, that this Chapter shall not apply to private receptions.

7.143. Operator's Duty.

No operator, as defined herein, shall allow or permit the use of any public dance hall unless a license for such use shall have been obtained from the City Council of the City of Troy.

(Rev. 03-26-1979)

7.144. Application.

- (1) Every person or operator desiring to obtain a license as required by this Chapter shall file a written application at least thirty (30) days prior to the date on which license is desired on forms approved by the Police Chief and the City Clerk of the City of Troy, together with the license fee as hereinafter provided. The application shall include the following information:
 - (a) Name, address and telephone number of each person, co-partnerships, firm, corporation, society, club, association, or organization conducting said public dance hall, public dance or public ball.
 - (b) Location of the public dance hall, or place where dance or ball is to be conducted.

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- (c) Name to be used by applicant.
 - (d) Any other information required by the Police Chief or City Clerk to aid in determining the moral character of the applicant.
- (2) All applicants must be at least twenty-one (21) years of age and shall not have been convicted of a felony or a crime involving moral turpitude for a period of two (2) years prior to the application.

(Rev. 03-26-1979)

7.145. Inspection.

Before any public dance hall license or any license for any dance shall be issued, the Police Chief and City Clerk shall cause an inspection of the place to be licensed or where dance is to be held. Upon full compliance with all pertinent rules and regulations of the Police Department, Building Department and the Fire Department relating to the safety, health, convenience, comfort and morals of the public, the City Clerk, through authority of the City Council, may issue a license for the place to be used as a public dance hall or for a public dance or ball.

(Rev. 03-26-1979)

7.146. Requirements.

Each license shall:

- (1) At all times open each and every portion of the licensed premises for the inspection of the Police Department and/or other City departments for the purpose of enforcing any of the provisions of this Code relating to the health, safety, morals and general welfare of the public.

(Rev. 03-26-1979)

- (2) At all times display the license granted hereunder in a conspicuous place near the entrance to the licensed establishment.
- (3) Provide separate and adequate dressing rooms for male, and female entertainers where entertainment is provided.
- (4) At all times provide adequate lighting in every part of the licensed premises; and provide at least one sanitary drinking fountain for each two thousand (2,000) square feet of floor space or fraction thereof, provided only that no such establishment shall have less than two (2) drinking fountains.
- (5) Provide a minimum of four hundred (400) square feet of unobstructed dance space, which shall be plainly indicated by floor markings.
- (6) All plumbing in dance halls, shall meet the minimum requirements of the Plumbing Code of the City of Troy. All rooms housing sanitary facilities shall be equipped with sanitary towels of a type or types acceptable to the Building

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Department of the City of Troy. Sanitary drinking fountains shall not be located within the toilet rooms.

7.147. Prohibitions.

No licensee, by himself, directly or indirectly, or by any servant, agent or employee, shall:

- (1) Show any motion picture nor use any stage or movable scenery without first obtaining the approval of the Fire Department, nor present any entertainment, talent or amateur show without approval of the Police Department.

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- (2) Permit any indecent, immoral or profane language or indecent, immoral or disorderly conduct.
- (3) Permit the licensed premises to become a resort for thieves, prostitutes or other disorderly persons.
- (4) Permit immoral, vulgar, lewd, obscene, improper or freak dancing.
- (5) Permit smoking in the area designated for dancing.
- (6) Permit gambling or the use, possession or presence of gambling paraphernalia on the premises.
- (7) Permit overcrowding in the area designated for dancing. For the purposes of this Chapter, overcrowding shall mean any number of persons in excess of the maximum approved by the Fire Department.

(Rev. 03-26-1979)

- (8) Permit the employees to dance with the patrons.
- (9) Permit the intoxicated persons to dance or loiter on the premises.
- (10) Employ a person who is under the age of eighteen (18) years, nor shall any person be permitted to participate in any talent or amateur show or other entertainment who is under the age of eighteen (18) years.
- (11) Permit any person under the age of seventeen (17) years to be upon the premises.
- (12) Permit the possession or use of any alcoholic liquor on the premises, including all front yards, side yards, back yards and parking areas, nor shall the licensed premises be accessible in any way with any place where alcoholic liquor is kept, sold, distributed or given away. This prohibition shall not apply while a Michigan Liquor Control Commission special license is in effect at the licensed premises.
- (13) Permit dancing on the licensed premises between the hours of 2:00 A.M. and 7:30 A.M., without having first obtained a special permit from the Police Chief and City Clerk. Application for such special permit shall be filed with the City Clerk at least

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seven (7) days in advance of the date of such dance. No such permit shall be issued less than thirty (30) days subsequent to any special permit issued immediately prior thereto.

(Rev. 03-26-1979)

7.148. License Fees.

License fees shall be in accordance with Chapter 60, Fees and Bonds of the City of Troy Code of Ordinances.

(Rev. 03-17-03)

7.149. Neighbors Consent.

- (1) No license to operate a public dance hall shall be issued until the applicant for such license has filed a petition signed by at least fifty-one per cent (51%) of the persons living or doing business within a radius of five hundred (500) feet of any proposed location or any part thereof.
- (2) There shall be attached to said petition an affidavit signed by the party circulating said petition, which affidavit shall be in the following form:

State of Michigan, County of Oakland, ss: The undersigned, first being duly sworn, deposes and says that the signatures upon the foregoing petition were obtained by him (or her): that the signatures are the signatures of the persons purporting to sign the same: and that he (or she) verily believes that the signers of such petition are persons living or doing business within a radius of five hundred (500) feet of any proposed location or any part thereof.

Subscribed and sworn to before me this _____ day of _____ ,
20 ____ .

Notary Public,
Oakland County Michigan

My Commission expires: _____

- (3) No license shall be granted until the City Council shall have referred the petition to the City Clerk and the Council shall have secured from the City Clerk a certificate certifying that an investigation has been made of the said petition and that the said petition contains the signatures of fifty-one per cent (51%) of persons living or doing business within a radius of five hundred (500) feet of the proposed new location.

(Rev. 03-26-1979)