

CHAPTER 5

AMUSEMENTS

ARTICLE I. PUBLIC DANCES

- 5-1 Definitions
- 5-2 License Required
- 5-3 Application and Fee
- 5-4 Investigation of Premises
- 5-5 Issuance of License
- 5-6 Revocation
- 5-7 Police Supervision
- 5-8 Sanitation and Lighting
- 5-9 Authority to Stop Dance
- 5-10 Laws to be Obeyed
- 5-11 Duties of Floor Manager
- 5-12 Advertisements of Dances
- 5-13 Closing Hours

ARTICLE II. BILLIARDS, POOL AND BOWLING ALLEYS

- 5-14 License Required
- 5-15 Issuance of License
- 5-16 License Fees; Term
- 5-17 Gambling Prohibited

ARTICLE III. RESERVED

- 5-18 Reserved
- 5-19 Reserved
- 5-20 Reserved
- 5-21 Reserved
- 5-22 Reserved
- 5-23 Reserved
- 5-24 Reserved
- 5-25 Reserved
- 5-26 Reserved

ARTICLE IV. RESERVED

- 5-27 Reserved
- 5-28 Reserved
- 5-29 Reserved
- 5-30 Reserved
- 5-31 Reserved
- 5-32 Reserved

ARTICLE V. MINIATURE GOLF COURSES

- 5-33 License Required
- 5-34 Application; Fee; Term
- 5-35 Closing Hours

ARTICLE VI. MECHANICAL ENTERTAINMENT DEVICES

- 5-36 License Required.
- 5-37 Issuance of License; Fees
- 5-38 Hours Restricted

ARTICLE VII. PENALTIES

- 5-39 Penalties.

ARTICLE I. PUBLIC DANCES

SECTION 5-1 DEFINITIONS

- (A) The term "public dance" or "public ball" as used in this Section shall be taken to mean any dance or ball to which admission can be had by the public generally by payment of a fee or by the purchase, possession, or presentation of a ticket or token, or in which a charge is made for caring for clothing or other property, or other dance to which the public generally, without any restriction, may gain admission, with or without payment of a fee.
- (B) The term "public dance hall", as used herein, shall be taken to mean any room, place or space in which a public dance, public ball, live music or entertainment may be conducted, including ice cream parlors where dancing is permitted. The license specified in this article shall not be required for any public or parochial school or church hall when used for public dances under the auspices of the school or church authorities, or of a parent-teachers' association. No less than five teachers or parents shall be present to supervise the dances given by such parent-teachers' association. Nor such license be required of divisions or departments of the City of Oshkosh when such departments or divisions use City of Oshkosh facilities for public dances under their supervision and control.

SECTION 5-2 LICENSE REQUIRED

It shall be unlawful to hold any public dance or public ball within the limits of the City of Oshkosh until the public dance hall in which the same may be held shall first have become duly licensed for such purposes.

SECTION 5-3 APPLICATION AND FEE

The application for such licenses shall be issued by the City Manager as herein prescribed, and the license shall be signed by the City Manager and City Clerk. Each license granted hereunder shall expire on the 30th day of June of each year, and the licenses shall be posted in a conspicuous place within the hall in which the dance is held. The license fee shall be One Hundred Dollars (\$100.00). Each license shall, by its terms, be made subject to revocation as hereinafter provided.

SECTION 5-4 INVESTIGATION OF PREMISES

- (A) Compliance with Health and Fire Regulations
No license for a public dance hall shall be issued until it shall be found that such hall complies with and conforms to all ordinances, health and fire regulations of the City and of the State; that it is

properly ventilated and supplied with sufficient toilet conveniences and is a safe and proper place for the purpose for which it is to be used.

(B) Inspecting Officers

The City Manager shall refer all applications for dance hall licenses to the Chief of Police, the Health Officer, the Chief of the Fire Department, and the Building Inspector, who shall severally inspect or cause to be inspected each application to determine whether the dance hall sought to be licensed complies with the regulation, ordinances, and laws applicable thereto. These officers shall furnish to the City Manager in writing the information derived from such investigation accompanied by a recommendation as to whether a license shall be granted or refused.

SECTION 5-5 ISSUANCE OF LICENSE

The City Manager may issue a license only after such officers have all filed with him a written report of the facts and an affirmative recommendation that the license be granted.

SECTION 5-6 REVOCATION

The license of any dance hall shall be forfeited or revoked by the City Manager for the violation of any of the provisions of this Section or other provisions or laws governing or applying to public dance halls or public dances. Whenever a dance hall license is revoked, at least six months shall elapse before another license shall be issued and before such dance hall shall be used for public purposes.

SECTION 5-7 POLICE SUPERVISION

Any person, association, or corporation intending to hold any public dance or ball in any public dance hall as herein defined may apply to the Chief of Police for the privilege of having a police officer or policewoman in attendance at said public dance or ball to act as a dance inspector thereof. Such dance inspector, when requested of the Chief of Police, shall be appointed by him, subject to the approval of the City Manager, and it shall be the duty of such inspector to see that all rules, regulations, ordinances and laws, whether of City or State, applicable to public dances and public dance halls are strictly enforced. The applicant for the privilege of having such dance inspector on the premises at the time of such public dance or ball shall pay to the chief of Police a suitable fee for each night's service for each such dance inspector. This fee shall be paid over by the Chief of Police to the person acting as such dance inspector as compensation for his or her services rendered as such dance inspector.

SECTION 5-8 SANITATION AND LIGHTING

All public dance halls shall be kept at all times in a clean, healthy and sanitary condition, and all stairways and other passages, and all rooms connected with a dance hall shall be kept open and well lighted.

SECTION 5-9 AUTHORITY TO STOP DANCE

The Chief of Police, or any policeman, or other person of competent authority shall have the power, and it shall be their duty to cause the place, hall or room where any dance or ball is held to be vacated whenever any law of the City or State with regard to public dances and public halls is being violated or whenever any indecent act shall be committed, or when any disorder of a gross, violent or vulgar character shall take place.

SECTION 5-10 LAWS TO BE OBEYED

It shall be the duty of the owner of every hall, room or other space, rented or used for public dances as well as of the person or association giving the dance, to see that the provisions of this Section and all other laws and regulations relating to public dances and public dance halls are complied with.

SECTION 5-11 DUTIES OF THE FLOOR MANAGER

Any person conducting a public dance or renting a public dance hall shall have a floor manager in control of the premises continuously from a half hour before dancing begins until the dance hall is closed. It shall be the duty of the floor manager to see that decency and good taste are maintained, and that disorderly, familiar, or objectionable conduct is not tolerated, and to take efficient steps promptly to remove objectionable persons and stop objectionable practices.

SECTION 5-12 ADVERTISEMENTS OF DANCES

In all circulars, newspaper advertisements, or other announcements of a public dance, the name of the person or organization under whose auspices the dance is to be held shall be printed in a conspicuous manner.

SECTION 5-13 CLOSING HOURS

- (A) All public dances shall be discontinued, and all public dance halls shall be closed as follows:
- (1) On or before one o'clock a.m. during that portion of the year when Central Standard Time is in effect.
 - (2) On or before two o'clock a.m. during that portion of the year when Central Daylight Saving Time is in effect.
 - (3) On or before three o'clock a.m. on January 1st.
- (B) It shall be unlawful for any person conducting a public dance or any manager or other agent of such a person:
- (1) To permit any person under sixteen year of age to enter or remain in a public dance hall during a public dance, unless accompanied by the parents or guardian.
 - (2) To permit any person under the influence of liquor or drugs to participate in or be allowed to remain at any public dance.
- (C) To permit idlers, loiterers, or other hangers-on to be on or about the dance hall premises.
- (D) To permit any person who is reported on a list of objectionable persons to be prepared by the dance hall proprietors, filed with the Chief of Police, to enter or to remain in a public dance hall during a public dance.

ARTICLE II. BILLIARDS, POOL AND BOWLING ALLEYS

SECTION 5-14 LICENSE REQUIRED

No person, firm or corporation shall erect, maintain or permit to be erected or maintained upon his premises, for gain, any billiard or pool tables or bowling alley without first having obtained a license therefor as herein provided.

SECTION 5-15 ISSUANCE OF LICENSE

Each license granted shall be issued by the City Clerk upon payment of the prescribed fee, and signed by the City Manager and City Clerk and shall be sealed with the corporate seal of the City. No license issued pursuant hereto shall be assignable.

SECTION 5-16 LICENSE FEES; TERM

The annual license fee shall be \$10.00 for each individual bowling alley, or nine or ten pin alley in any bowling establishment, and \$5.00 for each billiard table and pool table. Every license shall expire on the 1st day of June next succeeding the granting thereof. No license issued pursuant hereto shall be assignable.

SECTION 5-17 GAMBLING PROHIBITED

No person licensed to keep a billiard table, pool table or bowling alley shall allow or permit any kind of rioting, reveling, drunkenness, lewd or disorderly conduct on the licensed premises, or shall use or permit the use of such billiard table, pool table or bowling alley so kept by him for the purpose of gambling.

ARTICLE III. RESERVED

- SECTION 5-18 RESERVED
- SECTION 5-19 RESERVED
- SECTION 5-20 RESERVED
- SECTION 5-21 RESERVED
- SECTION 5-22 RESERVED
- SECTION 5-23 RESERVED
- SECTION 5-24 RESERVED
- SECTION 5-25 RESERVED
- SECTION 5-26 RESERVED

ARTICLE IV. RESERVED

- SECTION 5-27 RESERVED
- SECTION 5-28 RESERVED
- SECTION 5-29 RESERVED
- SECTION 5-30 RESERVED
- SECTION 5-31 RESERVED
- SECTION 5-32 RESERVED

ARTICLE V. MINIATURE GOLF COURSES

SECTION 5-33 LICENSE REQUIRED

No person, firm or corporation shall operate any miniature golf grounds, or any other similar place of amusement within the City without first having obtained a license as hereinafter provided.

SECTION 5-34 APPLICATION; FEE; TERM

Application for such license shall be made to the City Clerk and shall be accompanied by a license fee of Five Dollars (\$5.00). The application shall be thereafter acted upon by the Council who may grant or refuse such license in their discretion. The term of this license shall be for one (1) year, expiring on December 31.

SECTION 5-35 CLOSING HOURS

No license shall keep open his place of business between the hours of eleven thirty (11:30) o'clock p.m. and eight (8:00) o'clock a.m. All licensees shall conduct their places of business in an orderly and quiet manner. No licensee shall permit his place of business to be illuminated more than thirty (30) minutes after the closing time herein provided.

ARTICLE VI. MECHANICAL ENTERTAINMENT DEVICES

SECTION 5-36 LICENSE REQUIRED

No person, firm or corporation shall operate any device, machine or contrivance for entertainment which is operated by the placing of a coin in said instrument or in any mechanism connected thereto, or by in any manner paying the owner or operator thereof a fee or charge of any kind, without first obtaining a license as herein provided.

SECTION 5-37 ISSUANCE OF LICENSE; FEE

The City Clerk shall issue licenses to persons applying therefor for the operation of a mechanical or electrical entertainment device, or any device or machine mentioned in Section 5-36 above, upon payment of an annual license fee of Twenty Dollars (\$20.00). Said licenses shall be valid for a period of one (1) year from the 1st day of July, unless sooner revoked as herein provided. Radio and television sets placed in hospitals or other charitable institutions are exempt from the license fee provided herein.

SECTION 5-38 HOURS RESTRICTED

No person, firm or corporation shall operate or permit to be operated at any restaurant, soft drink parlor, ice cream parlor, or other place where merchandise of any kind including liquor or fermented malt beverage is sold, any electrical, or mechanical contrivance or device capable of emitting sound for entertainment purposes, except during such hours as said establishment is legally open for business, providing, however, that any such licensee may lose the privilege of operating between the hours of one (1:00) o'clock a.m. and eight (8:00) o'clock a.m. or such license, upon the filing of a written complaint with the City Clerk and after a public hearing thereof before the Common Council and notice of such public hearing given to the licensee.

ARTICLE VII. PENALTIES

SECTION 5-39 PENALTIES.

Any person who shall violate any of the provisions of this Chapter or of any Section thereof, shall upon conviction thereof, be punished by a forfeiture of not less than \$75.00 nor more than \$500.00, together with the costs of prosecution, and in default of payment thereof, by imprisonment in the County Jail for a period not to exceed sixty (60) days. Each day of violation shall constitute a separate offense.