

## Municipal Code Regulations Related to Entertainment Activities

### I. Business License (Title 2 "Revenue"; Chapter 2-2)

#### a. Key Requirements

- i. License application completed and related fee must be paid to do business in City
- ii. Separate license for each separate business in same location
- iii. Separate license for each branch establishment or portion of a business is conducted in a separate location
- iv. License conspicuously displayed or carried on body
- v.

#### b. City Actions

- i. Finance Director issues, denies, renews and enforces

#### c. Fines/Penalties

- i. No fines
- ii. Penalties/enforcement = revocation if noncompliant with State/local law or untrue application statements discovered
- iii. Business must cease within 5 days of mailing of notice of revocation by Finance Director
  1. Business may appeal to City Council

### II. Noise Ordinance (Title 4 "Public Welfare"; Chapter 4-1; Article 11)

#### a. Key requirements

##### i. Prohibited noises:

1. animal noises,
2. construction-related near residential,
3. mechanical/electric machines/systems near residential ( 9 pm -8 am),
4. loud music in parks, public streets & public/private open space (10 pm – 9 am),
5. Music (bands, concert), stereos, electronics (10 pm – 8 am) - 50 foot radius

- ##### ii. Exemptions: emergency work (police, fire), live entertainment with reasonable sound from 7 am to 10 pm and with special event permits, federal/State preempted activities, residential maintenance from 8 am to 9 pm), public health/welfare/safety (public CIP projects)

- b. City Actions
  - i. Police enforce the ordinance
  - ii. Exception from immediate compliance to ordinance may be presented to City Manager or designee for approval
    - 1. City Manager or designee may set conditions to permit
    - 2. Conditional permit features include short duration (about 6 months), renewable upon good cause, compliance schedule
    - 3. City Manager decision may be appealed to City Council
- c. Fines/penalties
  - i. Any violation of this ordinance = public nuisance
  - ii. Abated through Code Enforcement Ordinance ( Muni Code Ch. 1-12)
    - 1. Criminal, civil court and administrative enforcement
    - 2. Admin enforcement issues notice of violation
      - a. Fines: \$150 for first offense, \$300 for second within one yr, and \$600 for each additional within one year and/or
      - b. Administrative hearing
    - 3. Unpaid fines or City abatement costs may lead to liens/special assessments on property
    - 4. Defendant may appeal hearing decision to City Manager
      - a. City Manager decision may be appealed to County Superior Court

### III. Dance Halls (Title 4 "Public Welfare"; Chapter 4-4)

- a. Key requirements
  - i. Definition: Dancing plus admission fee (except for charitable, education, religious, or social nonprofit activities) or alcohol service
  - ii. Dance halls require license
  - iii. Dancing in unlicensed dance halls prohibited
  - iv. Rules/regulations
    - 1. Brightly lit at all times
    - 2. No obscene dancing
    - 3. No dancing between 1:45 am and noon
    - 4. No intoxicated persons shall dance
    - 5. No alcohol shall be consumed/permitted on dance floor
    - 6. Persons under 18 yrs must be accompanied by a parent/guardian
    - 7. Rules shall be posted conspicuously
    - 8. No public or marathon dance where persons employed or paid to dance with patrons

- b. City Actions
  - i. Finance Officer supplies and processes license applications
    - 1. Finance Officer refers to Police Chief for recommendation
    - 2. Police Chief has 10 day review/investigation
    - 3. Applicant may appeal to City Council
  - ii. Police Chief may revoke or suspend license
    - 1. Hearing required prior to revocation or suspension
    - 2. Licensee may appeal revocation/suspension to City Council
- c. Fines/penalties
  - i. Revocation/suspension of license (see above), otherwise enforced by Police as public nuisance, public health/safety issue

**IV. Public Meetings, Assemblies and Parades (Title 4 "Public Welfare"; Chapter 4-20)**

- a. Key Requirements
  - i. Any activity (meeting, assembly, block party or parade) on public property must have permit and pay related fee
  - ii. Exemptions are funeral processions, governmental functions, and school district authorized student activities
  - iii. Permit application must be submitted 96 hours (12 days) prior to activity or 14 calendar days prior to activity on State highway
  - iv.
- b. City Actions
  - i. Police Chief approves, denies and revokes permits
  - ii. Police Chief may impose reasonable conditions related to time, place, manner of activity, public safety, & traffic control
    - 1. May not unreasonably impede free speech
  - iii. Appeal of denial to City Manager
    - 1. Appeal process timeframe is short
- c. Fines/Penalties
  - i. No fines established in Code
  - ii. Penalties/enforcement powers = revocation