

APPLICATION FOR DANCE HALL LICENSE AND PUBLIC DANCE PERMIT

Pursuant to Chapter 6 Article VI of the Kalamazoo City Code

**City of Kalamazoo
Office of the City Clerk
241 West South Street
Kalamazoo, MI 49007**

APPLICANT INFORMATION (please print or type)

Applicant's Name _____
Address _____ City _____ State _____
Zip Code _____ Telephone _____
Date of Birth _____ Social Security Number _____
Drivers License No. _____

FACILITY INFORMATION (please print or type)

Name of establishment requesting a license or hosting a public dance:

Address _____
Telephone _____

I am applying for:

_____ A Dance Hall License

- For **facilities** that host more than two public dances per year
- Authorizes an unlimited number of events
- Not transferable to another person or location
- Valid for one year from the date of issuance
- **FEES:** \$300.00 for an initial one-year license; \$100.00 for a license renewal

_____ A Public Dance Permit

- For a **specific event** at facilities that host one or two dances per year
- Not transferable from one person to another or one location to another.
- **FEES:** \$100.00 for the first dance permit issued; \$50.00 for the second public dance held at the same facility within one year of the initial dance permit

Date for which a permit is requested: _____

By filing this application, I acknowledge that I understand that the City of Kalamazoo will conduct a background check pursuant to §6-113 thru §6-115 of the City Code before issuing any permits. I also acknowledge that City personnel may enter a dance hall or a public dance at any time to conduct an inspection, and that the City has the authority to shut down any dance event pursuant to §6-118. I understand that I may ask the City Clerk for a copy of the applicable provisions of the City Code.

Applicant's Signature: _____ Date: _____

For Office Use Only

APPLICATION RECEIPT – CITY CLERK’S OFFICE

Application received by: _____ Date received: _____

Fee paid: \$_____ Date paid: _____

PUBLIC SAFETY – CRIMINAL BACKGROUND CHECK

Application received by: _____ Date received _____

Background check performed by: _____

Result: _____ Acceptable _____ Unacceptable

Comments: _____

PUBLIC SAFETY – FIRE MARSHALL INSPECTION

Application received by: _____ Date received _____

Inspection performed by: _____ Date: _____

Result: _____ Acceptable _____ Unacceptable

Comments: _____

ZONING INSPECTION

Application received by: _____ Date received _____

Inspection performed by: _____ Date: _____

Result: _____ Acceptable _____ Unacceptable

Comments: _____

BUILDING INSPECTION

Application received by: _____ Date received _____

Inspection performed by: _____ Date: _____

Result: _____ Acceptable _____ Unacceptable

Comments: _____

City Clerk’s approval: _____ Date: _____

License/permit number: _____

Chapter 6, Article VI of the Kalamazoo Code of Ordinances, as amended 05/13/2002

Sec. 6-111. Definitions.

The term "public dance," as used in this article, shall mean any dance to which admission may be had by payment of a fee or by purchase, possession or presentation of a ticket or token, obtained for money or any valuable thing, or any other dance to which the public generally may gain admission, with or without payment of a fee. The term "public dance hall," as used in this article, shall mean any room, place or space in which a public dance shall be held, except any building owned by the state, by the City of Kalamazoo, by any institution of higher education, or by any public or private school.

Sec. 6-112. Exemptions from article.

The provisions of this article having to do with public dances shall not apply to dances given in private homes. The provisions of this article shall not apply to dances sponsored by an organized fraternal or other society or association, where the attendance is restricted to the members of such fraternal society, organization, or association, nor shall they apply to dances sponsored to any school or church. The provisions of this article also shall not apply to any establishment holding a current license under the Michigan Liquor Control Commission Act with a dance permit.

Sec. 6-113. Dance hall license, generally.

- (a) It shall be unlawful for any person to conduct, operate or maintain a public dance hall within the city without a current license to do so issued by the city clerk issued pursuant to criteria established by the city manager or his or her designee. The owner of such hall shall apply to the city clerk for such license, which application shall be on a form furnished by the city clerk. Upon approval of the application and payment of the fee prescribed by subsection (b), and subject to other applicable provisions of this article, the city clerk shall issue a license for the dance hall.
- (b) The annual fee for a public dance hall license shall be as set from time to time by the city commission by motion or resolution.
- (c) No license fee prescribed by this section shall be prorated. Any license issued shall be valid for one year from date of issuance, and may not be transferred.
- (d) Any license granted by the City, pursuant to this Article, shall expressly reserve to the City the right to enter upon the premises at any time, including at times when dances are being held, to inspect for possible violations of any city, county, or state law, ordinance, or regulation.
- (e) An applicant for a license must be 21 years of age or older, and shall have no convictions for alcohol-related offenses, controlled substance offenses, any crime involving moral turpitude, assault, or criminal sexual conduct, or any violations of Chapters 6, 9, 15, 15A, 17, 22 or any zoning provision pertaining to the operation of any public dance hall or public dance. No dance hall shall be licensed unless it complies with all applicable state laws and City ordinances. The City may refuse to renew the license of any premises found to be in violation of any such law, ordinance or regulation.

Sec. 6-114. Dance permit, generally.

- (a) It shall be unlawful for any person to hold, conduct, promote, or advertise any public dance, whether such dance is held in a licensed public dance hall or not, unless that person has first procured a public dance permit issued pursuant to criteria established by the city manager or his or her designee. Any person desiring a public dance permit shall make application on a form furnished by the city clerk, which application shall set forth the date on which the dance is to be held and the street and number or name of the hall or building in which the dance is to be held. Upon approval of such application by the city clerk and payment of a fee as set from time to time by the city commission by motion or resolution, and subject to other applicable provisions of this article, the city clerk shall issue the public dance permit. Any facility or building that hosts more than two public dances in any twelve-month period must be licensed as a public dance hall, and no person may be issued a public dance permit pursuant to this section at any such location or building until such time as the owner has been granted a dance hall license pursuant to this article.
- (b) No public dance permit shall be transferred from one person to another nor from one location to another.
- (c) Any license granted by the City shall expressly reserve to the City the right to enter upon the premises at any time, including at times when dances are being held, to inspect for possible violations of any city, county, or state law, ordinance, or regulation.
- (d) An applicant for a public dance permit must be 21 years of age or older, and shall have no convictions for alcohol-related offenses, controlled substance offenses, any crime involving moral turpitude, assault, or criminal sexual conduct, or any violations of Chapters 6, 9, 15, 15A, 17, 22 or any zoning provision pertaining to the operation of any public dance hall or public dance. No public dance shall be granted a permit unless the facility where it will be held complies with all applicable state laws and City ordinances.

Sec. 6-115. Investigation as prerequisite to issuance of license or permit.

No license for public dance hall or permit for a public dance shall be issued until the Department of Public Safety and such other city official as the city manager may designate, investigates the hall or other place in which the public dance is to be held, and determines that it complies with all ordinances and health, safety, and fire regulations of the city, the county, and the state, and that it is properly ventilated and supplied with legally adequate toilet conveniences for each sex, and is a safe, sanitary and proper place for the purpose for which it is to be used.

Sec. 6-116. Display of license and permit.

The person to whom a public dance hall license is issued shall display such license in a conspicuous place in the licensed hall. The person to whom a public dance permit is issued shall display such permit in a conspicuous place in the hall, room or other space where the dance is held.

Sec. 6-117. Suspension or revocation of license or permit.

Any license or permit issued under the provisions of this article may be suspended or revoked by the city manager or the Chief of Public Safety for disorderly or immoral conduct, or for the violation of any of the provisions set forth in this article or any other ordinance, law or regulation, including but not limited to those regulating public dance halls or public dances. Any person whose license is revoked may, within 14 days of the issuance of written notice of the revocation, request a hearing before the city manager or his or her designee.

Sec. 6-118. Disorderly or immoral conduct; right of entry for inspection.

No disorderly or immoral conduct shall be permitted in or at any public dance. The city manager, any member of the Department of Public Safety, or any other person duly authorized by the city manager for that purpose may enter any place where a public dance is being held for inspection purposes. The City shall have the authority to immediately shut down any public dance hall or any public dance where violations of any city ordinance or state law are reasonably believed to be occurring, including but not limited to violations of Chapter 21 of the Code of Ordinances and state laws pertaining to controlled substances."

Sec. 6-119. Hours of operation.

No person shall operate a dance hall or hold a public dance during hours other than from 1:00 p.m. to midnight Sunday through Thursday, and from 1:00 p.m. to 2:00 a.m. the following day on Friday and Saturday. The holder of any public dance hall license or public dance permit issued pursuant to this article, and any person or persons found to be in charge of such a dance which operates outside the hours permitted by this section shall be guilty of a misdemeanor. The City shall have the authority to immediately shut down any public dance that operates outside the hours permitted by this section. The City may also revoke the license of any public dance hall that violates this section. Any person or organization that operates a public dance based on a permit issued pursuant to this article shall not be eligible to apply for another dance permit for two years from the date of such violation."