

CHAPTER 12
DANCES AND DANCING PLACES (1)

- 12-1. Definitions
- 12-2. Permit for Dance Required
- 12-3. Application for Permit
- 12-4. Refusal of Permit
- 12-5. Regulations
- 12-6. Officer of Law to be in Attendance at Public Dance
- 12-7. Admission of Certain Minors to Public Dance Prohibited, Exception
- 12-8. Sale or Use of Intoxicating Liquor

Sec. 12-1. Definitions

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

1. "Public Dance" shall mean a dance where the public may participate whether an admission fee is charged or not;
2. "Public Dancing Place" shall mean a room, place or space open to public patronage where dancing in which the public may participate is carried on and to which an admission may or may not be charged.
3. "Person" shall mean a natural person, firm, association or corporation.

Source: NDCC: 53-02-01.

Sec. 12-2. Permit for Dance Required

No person shall give hold or conduct a public dance in the city unless the owner of the place where the dance is given the same or in charge thereof first shall have procured a permit to give, hold and conduct such dance as provided in Sec. 12-3 below.

Source: NDCC: 53-02-02.

Sec. 12-3. Application for Permit

Any person desiring to conduct a public dance in the city shall make an application for a permit to do so with the mayor or such other person or persons as the mayor may designate. Such application shall be accompanied by a fee of one dollar and shall set forth on such application:

1. The name of the applicant
2. The time or period for which the permit is desired
3. The place where such public dance is to be conducted or held

As to State Law regarding dance hall regulation by municipalities see NDCC 40-04-01; for dance halls generally see NDCC: 53-06-01 to 53-06-11.

If a permit is issued to any person to conduct a public dance such permit may be issued at any one time for one or more public dances. Any such permit shall not be transferable as to time or person.

Source: NDCC: 53-02-05.

Sec. 12-4. Refusal of Permits

In the event of the refusal of such permit, the applicant feeling himself aggrieved shall have the right to meet with the city council or may appeal to the District Court within and for such county for such relief as the applicant may deem himself entitled.

Source: NDCC 53-02-04.

Sec. 12-5. Regulations

No person having a permit to hold a public dance shall permit in any public dance or in the vicinity of any public dancing place;

1. An intoxicated person
2. A prostitute or person of known immorality; or
3. Any indecent or immodest dancing

Every public dancing place shall be illuminated brightly while in public use and dancing therein while the lights are extinguished, dimmed or turned low is prohibited.

Source: NDCC: 53-02-07.

Sec. 12-6. Officer of Law to be in Attendance at Public Dance.

It shall be the duty of the Chief Peace Officer of the city to police such dance so that law and order are there maintained. The person conducting any such dance, before the dance shall be held, shall pay to such peace officer the expense of any special officer required for the proper policing such dance and no such dance shall be permitted to proceed unless such officer is present and his fees are paid. No person directly or indirectly interested or concerned in the giving, holding or conducting of such public dance or connected with the person conducting the same shall be eligible to appointment under this section as a special police officer.

Source; NDCC: 53-02-08

Sec. 12-7. Admission of Certain Minors to Public Dance Prohibited: Exception

No proprietor, lessee, manager nor employee of any proprietor, lessee or manager of any hall, room, pavilion, bowery platform or other structure in or to which the public generally is invited to participate by paying an admission fee in money or other taken of value shall admit under the age of eighteen years unless such person is accompanied by a parent or guardian. The provisions of this section shall not apply to dances sponsored and supervised by a municipality school district, or civic fraternal, or religious organization. A copy of this section shall be posted in a conspicuous place at the entrance of every public dancing place.

Source: NDCC 53-02-10

Sec. 12-8. Sale or Use of Intoxicating Liquor

No person shall at any time bring to or sell, dispense give away, use or drink any intoxicating liquor or beverage in any public dancing place within the city.