

CHAPTER 6: AMUSEMENTS AND RECREATION

~~POOL AND BILLIARD HALLS, BOWLING ALLEYS, SHOOTING GALLERIES AND SIMILAR AMUSEMENTS~~

~~**Section 6-101.** License required. It shall be unlawful for any person to engage in the business of operating a pool hall, billiard hall, bowling alley, shooting gallery and other similar places of amusement without first obtaining a license therefore pursuant to the general licensing ordinance 4-101; provided, however, that to constitute a pool hall or billiard hall within the meaning of this ordinance, such business must contain more than three (3) pool or billiard tables.~~

~~**Section 6-102.** License fee. The fee for a license required by this article shall be as follows:~~

~~(1) Pool or billiard hall or bowling alley. The license fee for each pool hall or billiard hall or bowling alley shall be \$10.00 per year for the first table or alley, and \$5.00 per year for each additional table or alley.~~

~~(2) Shooting gallery. The license fee for each shooting gallery shall be \$50.00 per year.~~

~~(3) Other similar places of amusement. The license fee for each similar place of amusement licensed under this article shall be \$50.00 per year.~~

~~**Section 6-103.** Hours of operation. The hours of operation of businesses licensed pursuant to this article shall be as follows:~~

~~(1) Pool hall or billiard hall. No pool hall or billiard hall shall be open or operated on Sundays or between the hours of 12:00 midnight and 7:00 A.M. on weekdays.~~

~~(2) Bowling alleys. No bowling alley shall be open or operated between the hours of 1:00 A.M. and 7:00 A.M.~~

~~(3) Shooting galleries. No shooting galleries shall be open or operated between the hours of 1:00 A.M. and 7:00 A.M.~~

~~**Section 6-104.** Minors not to be allowed on premises in violation of curfew. The owner or person in charge of any business licensed under the provisions of this article shall not allow or permit any minor to enter or remain in this place of business in violation of section 7-201.~~

LICENSE TAX ON THE BUSINESS OF FURNISHING NIGHT CLUB ENTERTAINMENT

Section 6-201 Definitions. When used in this ordinance and unless otherwise distinctly expressed, the following words and phrases shall have the meaning set out herein:

(1) Public Dance Hall. The term "public dance hall" shall mean, as used in this ordinance, any place open to the public for dancing for which admission is charged.

(2) Admission Charge. The term "admission charge" shall mean any charge for the right or privilege to any entertainment or amusement and shall include, among others, the following: all charges for seats, chairs, tables, benches, reserved or otherwise, and other similar accommodations; all charges made for food and refreshment where any free entertainment is provided other than by mechanical means; all

charges made for the use or rental of equipment or facilities for purposes of entertainment and amusement unless persons not using the equipment or facilities are admitted free; and all automobile parking charges where the charge is determined by the number of passengers in an automobile.

(3) Person. The term "person" shall include an individual, firm, corporation, company, partnership, association, an unincorporated association and any person acting in a fiduciary capacity.

Section 6-202. License Required. It shall be unlawful for any person to conduct, operate or maintain a public dance, dance hall or night club entertainment within the town without first obtaining a license therefore pursuant to the general licensing ordinance 4-101.

Section 6-203. License Fee. The fee for a license required by this article shall be \$10.00 for each dance; however, an annual license may be granted upon the payment of a license fee of \$50.00 in advance.

Section 6-204. Hours of Operation. The person owning, controlling or operating a public dance or public dance hall shall not permit it to be open for dancing or dancing allowed therein between the hour of 2:00 A.M. and 7:00 A.M. on any day of the week, and it shall be closed for dancing at the hour of 2:00 A.M. Saturday and remain closed for dancing until 7:00.A.M. on the following Monday.

Section 6-205. Minors Not to be Allowed on Premises in Violation of Curfew. No person engaged in conducting or operating a public dance shall suffer, permit or allow any minor to enter or remain at said dance in violation of section 7-201.

REGULATION OF CIRCUSES AND CARNIVALS

Section 6-301. Regulation of circuses and carnivals. It shall be unlawful for any person, firm, or corporations to erect or cause to be erected, any temporary structure composed wholly or partly of canvas or similar material to be used as a place of amusement or for any religious, educational or recreational purposes or for any other public assemblages whatsoever within the limit of the Town of Tabor without first having made application to and received a license to do so in accordance with Chapter 4 of the Revised Ordinances of Tabor and made compliance with the following regulations.

Section 6-302. Application requirements. The applicant for such permission shall file an application in writing with the Board of Trustees which application shall indicate clearly:

- (1)
 - (a) The type of construction.
 - (b) The location of all electrical wiring.
 - (c) The location of all fire equipment within the structure and the specifications of such equipment.
 - (d) The location, insofar as feasible, of adjacent structures and obstructions which might hinder the free egress of persons.
- (2) Such application shall further specify:
 - (a) Whether any open flame is intended to be used within the structure, and if so, what precautions are to be taken to render it safe.
 - (b) The name of the person, firm or corporation which will use the structure.

- (c) The location of the principal place of business of such person, firm or corporation.
- (d) The names and addresses of the officers of such firm or corporation.
- (e) The length of time the structure is intended to be used for the purposes applied for.
- (f) The hours of the day or night during which such structure is intended to be used as a place of assembly.
- (g) The formula of the solution which is to be used to flame-proof the structure.
- (h) What provisions have been made for sanitary facilities for persons using the premises on which such structure is to be erected or is maintained.
- (i) Such other relevant information as the Board of Trustees may require.

(3) The applicant shall furnish evidence that a public liability insurance policy in amounts of not less than Fifty Thousand Dollars (\$50,000) for one person and One Hundred Thousand (\$100,000) for any one accident, shall be in force and effect at the time such structure is to be occupied as a place of assembly by the public.

~~(4) The applicant shall deposit with the town treasurer a cash bond in the sum of One Thousand Dollars (\$1,000), conditioned upon saving harmless of the Town of Tabor from any and all liabilities or causes of action, which might arise by virtue of the granting of a permit to the applicant and conditioned further that no damage will be done to the streets, sewers, trees or adjoining property and that no dirt, paper, litter or other debris will be permitted to remain upon the streets or upon any private property by such applicant. Such cash bond shall be returned to the applicant upon certification by the town marshal that all conditions of this ordinance have been complied with.~~

Section 6-303. License Fee. The amount of the license fee shall in every case be decided by the Board of Trustees in their sound discretion. However, whenever the board is evenly divided, the license fee shall be \$50 per day.

Section 6-304. Penalty. Any person who violates any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of not less than \$100 or more than \$500, or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment.