

**CITY OF ST. PETERSBURG  
PROCEDURE FOR ISSUING DANCE HALL PERMITS**

The Chief of Police will have the authorization for issuing, suspending, revoking, or denying **Dance Hall Permits**. Applications for such permits can be obtained at the Police Department, 1300 First Avenue North, St. Petersburg, Florida, 33705. Applications must be submitted to the Special Events Unit of the St. Petersburg Police Department. Permits shall be approved within **sixty (60) days** after receipt of a completed application that has met the requirements of City Code Section 17-334, and receipt of permit fees. This time is necessary as other City departments are involved in the permitting process and review the application prior to permit issuance by the Chief of Police. Permits must be renewed annually, and shall expire on September 30<sup>th</sup>.

A Dance Hall Permit Application Packet will include the following:

- \_\_\_ Dance Hall Application Checklist
- \_\_\_ Dance Hall Application and Exhibits “A” and “B”
- \_\_\_ Dance Hall Ordinance
- \_\_\_ Dance Hall Fee Schedule

The City may deny an application, suspended or revoke an approved permit at any time. If the application is denied, the applicant will be notified of the denial and its justification. Reasons for denial may include, but not be limited to: incomplete application, failure of applicant to obtain required certifications, or meet requirements of City Code Sec. 17-334. Reasons for suspending a permit may include violations of City Code Sec. 17-338. Reasons for revocation may include, but not be limited to: falsification of the application, violation of any one or more of the conditions or standards for issuance, or violations of City Code Sec. 17-339.

**KEEP THIS SHEET FOR YOUR RECORDS**

*Police Special Events Unit: Revised 05/06/11*

**CITY OF ST. PETERSBURG**

**DANCE HALL PERMIT APPLICATION CHECKLIST**

**(1) FIRE MARSHALL INSPECTION**

PLEASE ATTACH COPY OF FIRE INSPECTION

---

INSPECTOR NAME, SIGNATURE, AND DATE

**(2) LAND DEVELOPMENT AND ZONING**

PLEASE ATTACH COPY OF CERTIFICATE OF OCCUPANCY

---

INSPECTOR NAME, SIGNATURE, AND DATE

**(3) POLICE DEPARTMENT REVIEW**

---

CHIEF OF POLICE: SIGNATURE AND DATE

*THIS CHECKLIST MUST ACCOMPANY THE DANCE HALL PERMIT APPLICATION AT ALL TIMES AND CONTAIN THE SIGNATURE'S OF THE FIRE MARSHALL AND LAND DEVELOPMENT/ZONING OFFICIAL PRIOR TO REVIEW BY THE CHIEF OF POLICE.*

05/06/11

**CITY OF ST. PETERSBURG**  
**DANCE HALL PERMIT APPLICATION**  
*(revised 05/06/11)*

Applicant's Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

(Must indicate if applicant is individual or business. If applicant is other than an individual, each person with a 20% or greater interest in the business or if the business, is a non-profit corporation, each person or director must complete and sign the supplement attached hereto as Exhibit A for the permit and meet the qualification requirements set out below)

Is Applicant a business? Yes \_\_\_\_\_ No \_\_\_\_\_

List the names of individuals with 20% or greater interest in the business or if a non-profit corporation, list the names of the directors:

\_\_\_\_\_  
\_\_\_\_\_

Dance Hall Name \_\_\_\_\_

Dance Hall Address \_\_\_\_\_

Dance Hall Phone \_\_\_\_\_

Dance Hall Supervisor(s) \_\_\_\_\_

(each dance hall supervisor must meet the qualification requirements set out below and must complete a supplement sheet attached hereto as Exhibit B)

Juvenile Dance Hall \_\_\_\_\_ Adult Dance Hall \_\_\_\_\_

**Requirements for Issuance of Permit**

(use supplement sheet for each applicant and dance hall supervisor indicated above)

(1) Applicant's race \_\_\_\_\_, sex \_\_\_\_\_, date of birth \_\_\_\_\_  
(Each applicant must be at least eighteen (18) years of age.)

(2) Applicant's Social Security Number \_\_\_\_\_  
(Pursuant to Florida Statute 119.071, your social security number has been requested for *identification purposes only*. The information will not be used for any other purpose.)

- (3) Has applicant been convicted of a violation of any city dance hall regulations within two (2) years immediately preceding the application? Yes \_\_\_ No \_\_\_
- (4) Does dance hall comply with all applicable provisions of Chapter 13, Fire Prevention and Protection, relative to places of assembly, including not limited to maximum permitted occupancy load? Yes \_\_\_ No \_\_\_
- (5) Does dance hall comply with all applicable provisions of the Land Development and Zoning Codes, including but not limited to parking? Yes \_\_\_ No \_\_\_
- (6) Has applicant been convicted of a felony for which less than five (5) years have elapsed since the date of conviction or the date of release from confinement for the conviction (whichever is later)? Yes \_\_\_ No \_\_\_ (If answer is yes, indicate type felony and date of conviction on a separate page).
- (7) Has applicant been convicted of a misdemeanor offense of any of the following Chapters of the Florida Statutes for which less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction (whichever is the later date)?;

Or has the applicant been convicted of two or more of the following misdemeanor offenses or combination of misdemeanor offenses occurring within any 24-month period for which less than five (5) years have elapsed since the date of the last conviction or the date of release from confinement for last conviction, (whichever is the later date)?

- |     |    |  |
|-----|----|--|
| Yes | No | Ch. 784, Assault; battery; culpable negligence;  |
| Yes | No | Ch. 787, Kidnapping; false imprisonment; luring or enticing a child; custody offenses; |
| Yes | No | Ch. 790, Weapons and firearms;   |
| Yes | No | Ch. 794, Sexual battery;   |
| Yes | No | Ch. 796, Prostitution;   |
| Yes | No | Ch. 800, Lewdness; indecent exposure;  |
| Yes | No | Ch. 812, Theft, robbery and related crimes;  |
| Yes | No | Ch. 826, Bigamy, Incest;   |
| Yes | No | Ch. 827, Abuse of children;  |
| Yes | No | Ch. 837, Perjury;  |
| Yes | No | Ch. 847, Obscenity;  |
| Yes | No | Ch. 856, Drunkenness; open house parties; loitering; prowling; desertion               |
| Yes | No | Ch. 859, Poisons; adulterated drugs;   |

- |     |    |  |
|-----|----|--|
| Yes | No | Ch. 870, Affrays; riots; routs; unlawful assemblies;                         |
| Yes | No | Ch. 874, Criminal gang enforcement and prevention;                           |
| Yes | No | Ch. 877, Miscellaneous crimes;   |
| Yes | No | Ch. 893, Drug abuse prevention and control;                                  |
| Yes | No | Any comparable or analogous city or county ordinance or Federal or state law |

(if answer to any of the above is yes, indicate the specific misdemeanor and the date of conviction on a separate page)

- (7) Has applicant been convicted of any violation of Section 16.50.030, St. Petersburg City Code, the Adult Use Ordinance? Yes \_\_\_ No \_\_\_  
 Date of conviction or release (whichever is the later date) \_\_\_\_\_
- (8) Has applicant been convicted of any violation of dance hall regulations of any other city, county, state or government? Yes \_\_\_ No \_\_\_  
 Date of conviction or release (whichever is the later date) \_\_\_\_\_

(The fact that a conviction is being appealed has no effect on the answers given above; an application who has been convicted of an offense listed above may only qualify for a dance hall permit only when the time periods set forth therein have elapsed.)

This application shall be reviewed by the Police Department, the Fire Department and other City departments for compliance with the provisions of St. Petersburg City Code including Chapter 17, Article 10, Dance Halls. Review shall be conducted by the Fire Department and other departments within thirty (30) days from the receipt of the application by the chief of police, and their comments forwarded to the chief of police for consideration in issuance of the permit in accordance with the provisions hereof.

The chief of police, upon approving issuance of a Dance Hall permit, shall send applicant written notice of that action and state where the applicant must pay the permit fee and obtain the permit. Approval of issuance of a permit does not authorize the applicant to operate a dance hall until the applicant has complied with all other requirements of the City Code and obtained possession of all permits.

A permit for a dance hall shall expire on September 30 and must be renewed annually.

The permit must be posted in a conspicuous place at or near the entrance to the dance hall so that it may be easily read at any time.

Application for, and issuance of, any dance hall permit shall constitute consent by the undersigned applicant for representatives of the City of St. Petersburg to enter and inspect the premises of the dance hall at any time it is open for business or occupied for the purpose of verifying compliance with the law. The undersigned applicant, by execution hereof, hereby understands and consents to such requirement. No person who operates a dance hall or a person designated as the dance hall supervisor shall refuse to permit a lawful inspection of the premises of a dance hall by a representative of the City of St. Petersburg at any time it is open for business or occupied.

The undersigned applicant has reviewed the requirements for operation of a dance hall set forth in St. Petersburg City Code Chapter 17, Article X, Dance Halls and by execution hereof agrees to abide by the same.

Applicant signature: \_\_\_\_\_

**FOR AN INDIVIDUAL ACTING IN HIS OWN RIGHT**

\_\_\_\_\_, 20\_\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Signature of Applicant

State of Florida \_\_\_\_\_  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_ day of \_\_\_\_\_  
20\_\_, by \_\_\_\_\_ who is personally known to me or who has produced identification  
and who did (did not) take an oath.

\_\_\_\_\_  
Signature of Notary Public  
Notary Public  
State of: \_\_\_\_\_  
My Commission  
Expires: \_\_\_\_\_

\_\_\_\_\_  
Printed, Typed or Stamped  
Commissioned name of notary public

**FOR A CORPORATION**

\_\_\_\_\_, 20\_\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Signature of Applicant

State of Florida \_\_\_\_\_  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_ day of \_\_\_\_\_  
20\_\_ by \_\_\_\_\_, who is \_\_\_\_\_ of  
\_\_\_\_\_, on behalf of the said corporation. He/She is personally known to me or who has  
produced identification and who did (did not) take an oath.

\_\_\_\_\_  
Signature of Notary Public  
Notary Public  
State of: \_\_\_\_\_  
My Commission  
Expires: \_\_\_\_\_

\_\_\_\_\_  
Printed, Typed or Stamped  
Commissioned name of notary public

**EXHIBIT "A"**  
**Supplement Sheet**

Requirements for Issuance of Permit - Applicant (Persons with 20% or greater interest, or non-profit corporation's directors)

- (1) Applicant's Name \_\_\_\_\_  
Applicant's address \_\_\_\_\_  
Applicant's phone \_\_\_\_\_  
Race \_\_\_\_\_ Sex \_\_\_\_\_  
Date of birth \_\_\_\_\_ (Each applicant must be at least eighteen (18) years of age).
- (2) Applicant's Social Security Number \_\_\_\_\_  
(Pursuant to Florida Statute 119.071, your social security number has been requested for *identification purposes only*. The information will not be used for any other purpose.)
- (3) Has applicant been convicted of a violation of any city dance hall regulations within two (2) years immediately preceding the application? Yes \_\_\_ No \_\_\_
- (4) Does dance hall comply with all applicable provisions of Chapter 13, Fire Prevention and Protection, relative to places of assembly, including but not limited to maximum permitted occupancy load? Yes \_\_\_ No \_\_\_
- (5) Does dance hall comply with all applicable provisions of the Land Development and Zoning Codes, including but not limited to parking? Yes \_\_\_ No \_\_\_
- (6) Has applicant been convicted of a felony for which less than five (5) years have elapsed since the date of conviction or the date of release from confinement for the conviction (whichever is later)? Yes \_\_\_ No \_\_\_ (If answer is yes, indicate type felony and date of conviction on a separate page)
- (7) Has applicant been convicted of a misdemeanor offense of any of the following Chapters of the Florida Statutes for which less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction (whichever is the later date)?;

Or has the applicant been convicted of two (2) or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 24 month period for which less than five (5) years have elapsed since the date of the last conviction or the date of release from confinement for last conviction, (whichever is the later date)?:

- |     |    |  |
|-----|----|--|
| Yes | No | Ch. 784, Assault; battery; culpable negligence;  |
| Yes | No | Ch. 787, Kidnapping; false imprisonment; luring or enticing a child; custody offenses; |
| Yes | No | Ch. 790, Weapons and firearms;   |

Yes	No	Ch. 794, Sexual battery;
Yes	No	Ch. 796, Prostitution;
Yes	No	Ch. 800, Lewdness; indecent exposure;
Yes	No	Ch. 812, Theft, robbery and related crimes;
Yes	No	Ch. 826, Bigamy, Incest;
Yes	No	Ch. 827, Abuse of children;
Yes	No	Ch. 837, Perjury;
Yes	No	Ch. 847, Obscenity;
Yes	No	Ch. 856, Drunkenness; open house parties; loitering; prowling; desertion
Yes	No	Ch. 859, Poisons; adulterated drugs;
Yes	No	Ch. 870, Affrays; riots; routs; unlawful assemblies;
Yes	No	Ch. 874, Criminal gang enforcement and prevention;
Yes	No	Ch. 877, Miscellaneous crimes;
Yes	No	Ch. 893, Drug abuse prevention and control;
Yes	No	Any comparable or analogous city or county ordinance or Federal or state law

(If answer to any of the above is yes, indicate the specific misdemeanor and the date of conviction on a separate page)

- (7) Has applicant been convicted of any violation of Section 16.50.030, St. Petersburg City Code, the Adult Use Ordinance? Yes \_\_\_\_ No \_\_\_\_  
Date of conviction or release (whichever is the later date) \_\_\_\_\_
- (8) Has applicant been convicted of any violation of dance hall regulations of any other city, county, state or government? Yes \_\_\_\_ No \_\_\_\_  
Date of conviction or release (whichever is the later date) \_\_\_\_\_

The fact that a conviction is being appealed has no effect on the answers given above; an applicant who has been convicted of an offense listed above may only qualify for a dance hall permit only when the time periods set forth therein have elapsed.

Application for, and issuance of, any dance hall permit shall constitute consent by the undersigned applicant for representatives of the City of St. Petersburg to enter and inspect the premises of the dance hall at any time it is open for business or occupied for the purpose of verifying compliance with the law. The undersigned applicant, by execution hereof, hereby understands and consents to such requirements. No person who operates a dance hall or a person designated as the dance hall supervisor shall refuse to permit a lawful inspection of the premises for a dance hall by a representative of the City of St. Petersburg at any time it is open for business or occupied.



The undersigned applicant has reviewed the requirements for operation of a dance hall set forth in City of St. Petersburg Code Chapter 17, Article X, Dance Halls and by execution hereof agrees to abide by the same.

Applicant's signature: \_\_\_\_\_

**FOR AN INDIVIDUAL ACTING IN HIS OWN RIGHT**

\_\_\_\_\_, 20\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Signature of Applicant

State of Florida \_\_\_\_\_  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_  
20\_\_, by \_\_\_\_\_ who is personally known to me or who has  
produced identification and who did (did not) take an oath.

\_\_\_\_\_  
Signature of Notary Public  
Notary Public  
State of: \_\_\_\_\_  
My Commission  
Expires: \_\_\_\_\_

\_\_\_\_\_  
Printed, Typed or Stamped  
Commissioned name of notary public

**EXHIBIT "B"**  
**Supplement Sheet**

Requirements for Issuance of Permit - Dance Hall Supervisor

- (1) Supervisor's Name \_\_\_\_\_  
Supervisor's address \_\_\_\_\_  
Supervisor's phone \_\_\_\_\_  
Race \_\_\_\_\_ Sex \_\_\_\_\_  
Date of birth \_\_\_\_\_ (Each supervisor must be at least eighteen (18) years of age).
- (2) Supervisor's Social Security Number \_\_\_\_\_  
(Pursuant to Florida Statute 119.071, your social security number has been requested for *identification purposes only*. The information will not be used for any other purpose.)
- (3) Has supervisor been convicted of a violation of any city dance hall regulations within two (2) years immediately preceding the application? Yes \_\_\_ No \_\_\_
- (4) Does dance hall comply with all applicable provisions of Chapter 13, Fire Prevention and Protection, relative to places of assembly, including but not limited to maximum permitted occupancy load? Yes \_\_\_ No \_\_\_
- (5) Does dance hall comply with all applicable provisions of the Land Development and Zoning Codes, including but not limited to parking? Yes \_\_\_ No \_\_\_
- (6) Has supervisor been convicted of a felony for which less than five (5) years have elapsed since the date of conviction or the date of release from confinement for the conviction (whichever is later)? Yes \_\_\_ No \_\_\_ (If answer is yes, indicate type felony and date of conviction on a separate page)
- (7) Has supervisor been convicted of a misdemeanor offense of any of the following Chapters of the Florida Statutes for which less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction (whichever is the later date)?;

Or has the supervisor been convicted of two (2) or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 24 month period for which less than five (5) years have elapsed since the date of the last conviction or the date of release from confinement for last conviction, (whichever is the later date)?:

- |     |    |  |
|-----|----|--|
| Yes | No | Ch. 784, Assault; battery; culpable negligence;  |
| Yes | No | Ch. 787, Kidnapping; false imprisonment; luring or enticing a child; custody offenses; |
| Yes | No | Ch. 790, Weapons and firearms;   |
| Yes | No | Ch. 794, Sexual battery;   |

- |     |    |  |
|-----|----|--|
| Yes | No | Ch. 796, Prostitution;   |
| Yes | No | Ch. 800, Lewdness; indecent exposure;  |
| Yes | No | Ch. 812, Theft, robbery and related crimes;                                      |
| Yes | No | Ch. 826, Bigamy, Incest;   |
| Yes | No | Ch. 827, Abuse of children;  |
| Yes | No | Ch. 837, Perjury;  |
| Yes | No | Ch. 847, Obscenity;  |
| Yes | No | Ch. 856, Drunkenness; open house parties; loitering; prowling;<br>desertion.     |
| Yes | No | Ch. 859, Poisons; adulterated drugs;   |
| Yes | No | Ch. 870, Affrays; riots; routs; unlawful assemblies;                             |
| Yes | No | Ch. 874, Criminal gang enforcement and prevention;                               |
| Yes | No | Ch. 877, Miscellaneous crimes;   |
| Yes | No | Ch. 893, Drug abuse prevention and control;                                      |
| Yes | No | Any comparable or analogous city or county ordinance or<br>federal or state law. |

(If answer to any of the above is yes, indicate the specific misdemeanor and the date of conviction on a separate page)

- (7) Has supervisor been convicted of any violation of Section 16.50.030, St. Petersburg City Code, the Adult Use Ordinance? Yes \_\_\_ No \_\_\_  
Date of conviction or release (whichever is the later date) \_\_\_\_\_
- (8) Has supervisor been convicted of any violation of dance hall regulations of any other city, county, state or government? Yes \_\_\_ No \_\_\_  
Date of conviction or release (whichever is the later date) \_\_\_\_\_

The fact that a conviction is being appealed has no effect on the answers given above; a supervisor who has been convicted of an offense listed above may only qualify for a dance hall permit only when the time periods set forth therein have elapsed.)

Application for, and issuance of, any dance hall permit shall constitute consent by the undersigned supervisor for representatives of the City of St. Petersburg to enter and inspect the premises of the dance hall at any time it is open for business or occupied for the purpose of verifying compliance with the law. The undersigned supervisor, by execution hereof, hereby understands and consents to such requirements. No person who operates a dance hall or a person designated as the dance hall supervisor shall refuse to permit a lawful inspection of the premises for a dance hall by a representative of the City of St. Petersburg at any time it is open for business or occupied.

The undersigned dance hall supervisor has reviewed the requirements for operation of a dance hall set forth in City of St. Petersburg Code Chapter 17, Article X, Dance Halls and by execution hereof agrees to abide by the same.

Dance Hall Supervisor's signature: \_\_\_\_\_

**FOR AN INDIVIDUAL ACTING IN HIS OWN RIGHT**

\_\_\_\_\_, 20\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Signature of Supervisor

State of Florida \_\_\_\_\_  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_ day of \_\_\_\_\_  
20\_\_, by \_\_\_\_\_ who is personally known to me or who has  
produced identification and who did (did not) take an oath.

\_\_\_\_\_  
Signature of Notary Public  
Notary Public  
State of: \_\_\_\_\_  
My Commission  
Expires: \_\_\_\_\_

\_\_\_\_\_  
Printed, Typed or Stamped  
Commissioned name of notary public

City Code

ARTICLE X. DANCE HALL LICENSING AND REGULATIONS

DIVISION 1. GENERALLY

Sec. 17-331. Legislative findings, intent, and purpose.

(a) The City Council hereby finds and determines that:

(1) Late night and all night dance halls and similar forums of assembly commonly referred to as "raves" are sites for the sale, possession and use of illicit drugs.

(2) Raves expose drug activity to uninitiated youth and such exposure to drug activity occurring at such raves is found to result in drug addiction, overdose and death of both juveniles and adults.

(3) Raves provide an arena for predatory-type sexual crimes, therefore, for the protection of our youth, juveniles should not congregate in such social settings with adults. The regulation of raves is also necessary for the protection of adult victims of such crimes.

(4) Raves are often times the sites for violent criminal activity, as well as street gang activity as defined in Florida Statutes Chapter 874.

(5) The dangerous criminal activity occurring at such raves occurs predominately in the late night/early morning hours.

(6) The actions of rave patrons entering and exiting dance hall establishments has a detrimental effect on nearby residential and commercial properties in terms of excessive noise, traffic and debris, and such impacts are exacerbated by the fact that rave patrons enter and exit such raves at extra-ordinarily late night/early morning hours when citizens have a reasonable expectation of peace and quiet.

(7) The above-referenced problems associated with raves are unique and specific to such dance hall establishments and are not prevalent in other types of unregulated places of assembly.

(b) It is the intent of City Council to address the unique problems associated with raves by implementing dance hall regulations for both juvenile and adult dance halls to prevent dance hall contact between juveniles and adults so as to prevent and/or reduce illicit or undesirable juvenile involvement and exposure to illegal drugs and dangerous criminal activity, and further to protect both juveniles and adults from criminal activity that occurs at such raves;

(c) City Council hereby finds that the following purposes for the dance hall regulations are matters of legitimate, substantial and compelling governmental interests:

(1) To protect juveniles and adults from illegal drug activity, including use and sale of drugs and drug abuse such as overdoses and to reduce or eliminate such activity from occurring in dance halls;

(2) To protect juveniles and adults from violent criminal activity occurring in dance halls;

(3) To protect juveniles and adult victims from predatory-type sexual crimes occurring in dance halls;

(4) To protect juveniles and adults from gang-related activity occurring in dance halls;

(5) To reduce the amount of criminal activity occurring predominately in the late night/early morning hours;

(6) To prevent the detrimental impacts of noise, traffic and debris on adjacent residential and commercial property that occurs in the late night/early morning hours;

(Ord. No. 349-G, § 1, 10-1-98)

Sec. 17-332. Definitions.

For the purpose of this article, certain terms shall have the meanings ascribed to them in this section, unless the context clearly indicates otherwise.

Adult dance hall mean any dance hall whose patrons or admittees are 18 years of age or older.

Conviction or convicted means the finding of guilt for a violation of a municipal or county ordinance or state or federal law, adjudication withheld on such a finding of guilt, an adjudication of guilt on any plea of guilty or nolo contendere or the forfeiture of a bond or bail when charged with a violation of a municipal or county ordinance or state or federal law.

Dance hall means any place, area or property operated as open to the public which:

- (1) Has music either live or electronically produced or transmitted music; and
- (2) Has space available for dancing or dancing is permitted whether such dancing takes place or not; and
- (3) Allows admission by payment of a direct or indirect charge, fee, donation, or any form of consideration, or by the purchase, possession or presentation of a ticket or token; and
- (4) Is not licensed for the sale of alcoholic beverages.

Notwithstanding the foregoing, a "dance hall" as defined herein, does not include:

- a. A private residence or residential facility from which the general public is excluded;
- b. A place owned and operated by the federal, state, or local government;
- c. A public or nongovernmental educational facility, college, or university;
- d. A place owned and operated by a religious organization, created, organized, existing and recognized as such pursuant to all applicable laws; or
- e. An adult use establishment lawfully established, existing, permitted and licensed under the provisions of this Code.

Juvenile dance hall means any dance hall whose patrons or admittees are under 18 years of age.

Knowingly means with actual knowledge of a specific fact or facts, or with reasonable inquiry a reasonable person should have known a specific fact or facts.

Permit means a permit to operate a dance hall issued hereunder.

Permittee means a person in whose name a permit to operate a dance hall has been issued, as well as all individuals listed as an applicant on the application for a permit.

(Ord. No. 349-G, § 1, 10-1-98)

## DIVISION 2. PERMITS GENERALLY

### Sec. 17-333. Permit required; application for permit.

- (a) No person may operate a dance hall without the permit required by this article.
- (b) A notarized application for a permit accompanied with the fee established by the City Council shall be made on a form provided by the chief of police. The applicant must be qualified according to the provisions of this article.
- (c) The applicant shall indicate whether the application is for a juvenile dance hall or an adult dance hall.

(d) A person who wishes to operate a dance hall shall sign the application for a permit as applicant. If a person who wishes to operate a dance hall is other than an individual, each individual who has a 20 percent or greater interest in the business or, if the business is a non-profit corporation, all the directors of a non-profit corporation must be identified in and sign the application for a permit as an applicant. Each applicant must meet the requirements of this article.

(Ord. No. 349-G, § 1, 10-1-98)

Sec. 17-334. Requirements for issuance of permit.

(a) The chief of police shall approve the issuance of a permit within 60 days after receipt of a completed application and fee unless the chief of police finds one or more of the following to be true:

(1) An applicant is under 18 years of age.

(2) An applicant has failed to answer or falsely answered a question(s) or request for information on the application.

(3) An applicant has been convicted of a violation of this article within two years immediately preceding the application.

(4) An applicant has failed to obtain a certification from the fire marshall that the dance hall complies with all applicable provisions of the fire code relative to places of assembly.

(5) An applicant has failed to obtain a certification from the POD that the dance hall complies with all applicable provisions of the Chapters 16 and 29.

(6) a. An applicant has been convicted of a crime involving:

1. Any felony, or

2. Any misdemeanor offense of Florida Statutes Ch. 784, Assault; battery; culpable negligence; Ch.787, Kidnaping; false imprisonment; luring or enticing a child; custody offenses; Ch. 790, Weapons and firearms; Ch. 794, Sexual battery; Ch. 800, Lewdness; indecent exposure; Ch. 812, Theft, robbery and related crimes; Ch. 827, Abuse of children; Ch. 837, Perjury; Ch. 856, Drunkenness, open house parties; loitering; prowling; desertion; Ch. 859, Poisons; adulterated drugs; Ch. 870, Affrays; riots; routs; unlawful assemblies; Ch. 874, Street terrorism enforcement and prevention; Ch. 877, Miscellaneous crimes, or Ch. 893, Drug abuse prevention and control, as said Chapters currently exist or may be amended from time to time, or any comparable or similar municipal or county ordinance or federal law, or a Specified Criminal Act as defined in Section 17-302 City Code or

3. Any violation of dance hall regulations of any other city, county or state;

b. If convicted of a crime described in subsection a., for which:

1. Less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;

2. Less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense; or

3. Less than five years have elapsed since the date of the last conviction or the date of release from confinement for last conviction, whichever is the later date, if the convictions are of two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 24-month period.

(b) The fact that a conviction is being appealed shall have no effect on the disqualification of the applicant. An applicant who has been convicted of an offense listed in this subsection may qualify for a permit only when the required time period has elapsed.

(c) The application shall be reviewed by the police department, the fire department and the POD for compliance with the provisions of this section. Review shall be conducted by the Fire Department and POD within 30 days from the receipt of the application by the chief of police, and their comments forwarded to the chief of police for consideration in issuance of the permit in accordance with the provisions hereof.

(d) The chief of police shall notify the applicant in writing of the approval or denial and, if approved, state where the applicant must pay the permit fee and obtain the permit. The chief of police's approval of the issuance of a permit does not authorize the applicant to operate a dance hall until the applicant has complied with all other requirements of the City Code and obtained possession of the permit required hereunder.

(e) The permit shall state on its face the name of the person to whom it is granted, the expiration date, the address of the dance hall, and whether it is issued for a juvenile dance hall or adult dance hall.

(f) The permit must be posted in a conspicuous place at or near the main entrance to the dance hall so that it may be easily read at any time.

(Ord. No. 349-G, § 1, 10-1-98)

#### Sec. 17-335. Inspection.

(a) Application for, and issuance of, any permit shall constitute consent by the permittee for the POD or police officers to enter and inspect the premises of the dance hall at any time it is open for business or occupied for the purpose of verifying compliance with the law.

(b) No person who operates a dance hall or the dance hall supervisor shall refuse to permit a lawful inspection of the premises of a dance hall at any time it is open for business or occupied.

(Ord. No. 349-G, § 1, 10-1-98)

#### Sec. 17-336. Permits.

(a) All permits shall be annual permits which shall commence running on October 1, on which date they shall have been paid for, and shall expire on September 30 of the following year. If a permit is issued after October 1, but by March 31 of the following year, the applicant shall pay the annual license fee. If a permit is issued after March 31, but before October 1 of the same year, the applicant shall pay one-half the annual license fee.

(b) Renewals.

(1) Permits shall be renewed annually. An application for renewal shall be submitted updating the information supplied with the latest application or certifying that the information supplied remains unchanged.

(2) An application for renewal of a permit may be denied if updated information provided in the application indicates that one or more of the individuals required to be listed pursuant to this article were not listed in the original application and their existence in original application would have resulted in a denial of the application. Removal of that individuals(s) as an applicant will allow approval of the application for renewal.

(3) An application for renewal of a permit may not be denied where the individuals required to be listed pursuant to this article were listed in the original application and, subsequent to issuance of the permit, were convicted of an offense which would have resulted in a denial of the application. Such convictions shall be addressed through the suspension and revocation procedures.

(Ord. No. 349-G, § 1, 10-1-98)



Sec. 17-337. Transfer of permit.

A permittee shall not transfer a permit to another person. A permittee shall not operate a dance hall under the authority of a permit at any place other than the address designated in the application.

(Ord. No. 349-G, § 1, 10-1-98)

Sec. 17-338. Suspension.

The chief of police shall suspend a permit for a period of time not exceeding 30 days if the chief of police determines that a permittee or an employee of a permittee has committed any one or more of the following acts:

- (1) Convicted of violating any provisions of this article other than those violations set forth in subsection (8);
- (2) Engaged in the use of alcoholic beverages on the dance hall premises;
- (3) Refused to allow an inspection of the dance hall premises so authorized in this article;
- (4) Knowingly permitted a person under the influence of alcohol or controlled substances to remain on the premises;
- (5) Knowingly permitted gambling by any person on the premises;
- (6) Knowingly permitted the possession, consumption, or sale of an alcoholic beverage on the premises;
- (7) Convicted of violating any provisions of Article III of Chapter 11 relating to noise pollution on the premises on two occasions within any 12-month period.
- (8) Violating any provision of Sections 17-341 through 17-344.

(Ord. No. 349-G, § 1, 10-1-98)

Sec. 17-339. Revocation.

(a) The chief of police shall revoke a permit if the permit is suspended twice within any 12-month period.

(b) The chief of police shall revoke a permit if the chief of police determines that one or more of the following is true:

- (1) A permittee has given false or misleading information in the material submitted to the chief of police during the application process.
- (2) A permittee or an employee has knowingly allowed possession, use, or sale of controlled substances or any derivative thereof on the premises.
- (3) A permittee or an employee knowingly permitted dancing or a live performance during a period of time when the permit was suspended.
- (4) A permittee:
  - a. Has been convicted of an offense listed in Section 17-334(a)6 for which the time period required therein has not elapsed; or
  - b. Is under indictment for any felony offense while holding a permit.
- (5) While an employee of the dance hall, and while on the premises of the dance hall, a person has committed an offense listed in Section 17-334(a)(6), for which a conviction has been obtained two or more times within a 12-month period,

- (c) The fact that a conviction is being appealed shall have no effect on the revocation of the permit.
- (d) When the chief of police revokes a permit, the revocation will continue for one year. The permittee may not be issued any permit hereunder for one year from the date the revocation became final. If, subsequent to revocation, the chief of police finds that the basis for the revocation action has been corrected or abated, the applicant may be granted a permit if at least 90 days have elapsed since the date the revocation became final.

(Ord. No. 349-G, § 1, 10-1-98)

#### Sec. 17-340. Appeals.

If the chief of police denies the issuance or renewal of a permit or suspends or revokes a permit, the chief of police shall send to the permittee, by certified mail return receipt requested, written notice of the action and the right to an appeal. The permittee may appeal the decision of the chief of police to City Council by following the procedures set forth in Chapter 30 for appeals. The filing of an appeal stays the action of the chief of police in suspending or revoking a permit or denying a renewal until the City Council makes a final decision.

- (1) The City Clerk shall set a date for the hearing within 30 days from the date the written request is received.
- (2) The City Council shall hear and consider evidence offered by any interested person to determine whether the chief of police properly denied issuance or renewal of a permit, or properly suspended or revoked the permit in accordance with the provisions of this article.
- (3) The City Council shall grant or deny the appeal by majority vote. Failure to reach a majority vote will result in denial of the appeal.
- (4) If City Council denies the appeal, the permittee may not apply for another permit until at least 12 months have elapsed since the date of the City Council's action.

(Ord. No. 349-G, § 1, 10-1-98)

### DIVISION 3. OPERATIONAL REQUIREMENTS

#### Sec. 17-341. Persons under eighteen prohibited in adult dance hall.

- (a) No person under the age of 18 years may enter an adult dance hall unless accompanied by a parent or guardian.
- (b) No person shall falsely represent himself to be either a parent or guardian of another person under the age of 18 years for the purpose of gaining the other person's admission into an adult dance hall.
- (c) No permittee or employee of a adult dance hall shall knowingly allow a person under the age of 18 years not accompanied by a parent or guardian to enter or remain on the premises of an adult dance hall.
- (d) No permittee shall maintain or operate an adult dance hall without posting a sign at each entrance that reads: "It is unlawful for any person under 18 years of age to enter the premises without a parent or guardian."

(Ord. No. 349-G, § 1, 10-1-98)

Sec. 17-342. Persons age eighteen and over prohibited in juvenile dance hall.

- (a) No person age 18 or over may enter a juvenile dance hall.
  - (b) No person shall falsely represent himself to be under age eighteen (18) for the purpose of gaining admission to a juvenile dance hall.
  - (c) No permittee or employee of a juvenile dance hall shall knowingly allow a person age 18 or over to enter or remain on the premises of a juvenile dance hall.
  - (d) No permittee shall maintain or operate a juvenile dance hall without posting a sign at each entrance that reads: "It is unlawful for any person age 18 or over to enter this premises."
  - (e) The following persons shall be exempt from the prohibition in this section:
    - (1) A permittee or employee of the dance hall;
    - (2) A parent or guardian of a person inside the dance hall; or
    - (3) A governmental employee in the performance of their official duties.
  - (f) Permittee shall maintain employment records of all employees on-site and shall make such records available to any governmental employee upon request for the purpose of verifying the identity of employees on the premises.
- (Ord. No. 349-G, § 1, 10-1-98)

Sec. 17-343. Hours of operation.

- (a) No person shall operate a juvenile dance hall during any hours other than 4:00 p.m. to 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday, and from 4:00 p.m. on Friday to 12:01 a.m. of the following day, and from 1:00 p.m. Saturday to 12:01 a.m. of the following day.
  - (b) No person shall operate an adult dance hall during any hours other than 1:00 p.m. to 2:00 a.m. of the following day.
- (Ord. No. 349-G, § 1, 10-1-98; Ord. No. 391-G, § 1, 6-17-99)

Sec. 17-344. Public safety.

- (a) Security. The following security shall be provided at all dance halls:
  - (1) Exterior security officers consisting of sworn law enforcement officers of a number as determined necessary by the chief of police which number shall not be less than two.
  - (2) Two immediately adjacent establishments may utilize the same officers if said arrangement is approved by the law enforcement agency assigning said officers.
  - (3) Exterior security officers shall only be required if the number of occupants exceeds 200.
  - (4) When required, exterior security officers shall be provided every day the dance hall is open for business.
- (b) Supervisor.
  - (1) The permittee shall designate a person as the dance hall supervisor and shall register that supervisor's name with the chief of police.
  - (2) The dance hall supervisor shall meet requirements set forth in this article for applicants.

(3) The dance hall supervisor shall remain on the premises of the dance hall during all hours of operation and until 30 minutes after closing to ensure that the dance hall is operated in accordance with this article and all other City Codes.

(Ord. No. 349-G, § 1, 10-1-98)

Secs. 17-345--17-349. Reserved.

## City Code

Sec. 12-11. Fees established; schedule.

It shall be unlawful for any person to fail to pay any fee that is required to be paid by this Chapter. The following fees shall be paid before a permit or certificate of occupancy is issued, an appeal is filed, an inspection is conducted or a service is rendered:

(13) Dance halls.

Dance hall permit application fee . . . 100.00

Plus \$35.00 for each individual's criminal history check which may be increased based on the increases in other amount required by the FDLE

Annual dance hall permit fee . . . 100.00

Appeal of a decision of the Chief of Police or POD . . . 100.00

(Code 1973, § 34-11; Ord. No. 1098-F, § 2, 5-18-89; Ord. No. 1163-F, §§ 1--5, 4-19-90; Ord. No. 45-G, § 1, 9-17-92; Ord. No. 116-G, § 1, 10-21-93; Ord. No. 143-G, § 1, 4-7-94; Ord. No. 145-G, § 1, 4-7-94; Ord. No. 156-G, § 1, 7-7-94; Ord. No. 179-G, § 1, 11-3-94; Ord. No. 274-G, § 1, 3-6-97; Ord. No. 303-G, § 1, 11-20-97; Ord. No. 304-G, § 1, 11-20-97; Ord. No. 309-G, § 1, 1-8-98; Ord. No. 349-G, § 2, 10-1-98; Ord. No. 369-G, § 1, 1-21-99; Ord. No. 397-G, § 5, 7-1-99; Ord. No. 410-G, § 1, 12-16-99; Ord. No. 418-G, § 2, 4-6-00; Ord. No. 453-G, § 1, 12-14-00; Ord. No. 556-G, § 1, 10-3-02; Ord. No. 557-G, § 2, 10-3-02; Ord. No. 564-G, § 1, 11-7-02; Ord. No. 798-G, § 2, 12-14-06; Ord. No. 908-G, § 1, 1-8-09)