

~CHAPTER 19~

PUBLIC AMUSEMENTS

Section 19-1 thru 19-2. Repealed.

Section 19-3. Repealed. [Ord. 998, Eff. 8/12/03]

Section 19-4. Circuses, Carnivals, and Tent Shows - - Licenses.

No person shall give or exhibit any circus or menagerie, or circus and menagerie combined, or any show, performance, or other exhibition of skill or amusement, in any tent or on any vacant lot, without first obtaining a license and paying the required fee. The license fee for each circus shall be Fifty Dollars (\$50) for the first day and Twenty-five Dollars (\$25) for each subsequent day by the same company. The license fee for each street carnival shall be Twenty-five Dollars (\$25) per day. The license fee for each tent show or exhibition shall be Twenty-five Dollars (\$25) per day. The Common Council may waive such license fees where the circus, carnival, or tent show is sponsored by some local charitable, patriotic, fraternal, or civic organization.

Section 19-5. Skating Rinks - - Licenses.

No person shall operate any public skating rink without first obtaining a license therefore. The license fee for operating any public skating rink shall be the sum of fifty Dollars (\$50) per year. The Common Council may waive such license fee where the skating rink is sponsored by some local charitable, patriotic, fraternal, or civic organization.

Section 19-6 thru 19-15. Reserved.

Section 19-16. Public Dance Hall Defined.

A public dance shall mean any building, place, or space open to public patronage in which dancing, wherein the public may participate, is carried on, and to which admission may be had by the public by payment, either directly or indirectly, of an admission fee or price for dancing for the personal gain or profit of the person conducting, maintaining, or operating such public dance hall.

Section 19-17. License Required for Public Dance Hall.

It shall be unlawful for any person to conduct, operate, or maintain a public dance hall within the City limits of the City of Hot Springs without first obtaining a license therefore from the Common Council,

provided that the provisions of this chapter with respect to securing a license shall not apply to any dance given by any church organization, fraternal organization, civic club, or organization within the City of Hot Springs where the net proceeds derived therefrom are intended to be used for religious, charitable, benevolent, educational, or civic purposes, nor shall it apply to any annual ball or dance given by or under the auspices of any educational institution of the City of Hot Springs, nor to any dance or ball given by the Fire Department or Police Department of the City of Hot Springs, nor to any dance given by any military organization or organization of ex-service men where the proceeds of such dance are intended to be used in support or for the benefit of such organization; but nothing herein contained shall be held to exempt any such clubs or organizations above enumerated from any of the provisions of this ordinance with respect to the conduct and supervision of such dance or dance hall in this chapter contained.

The Mueller Civic Center shall not be required to have a dance hall license for public dances held therein. [Ord. 998, Eff. 8/12/03]

Section 19-18. Repealed. [Ord. 998, Eff. 8/12/03]

Section 19-19. Issuance of Public Dance Hall Licenses.

If the Common Council is satisfied that the applicant is a proper person to operate a public dance hall and the place is a proper location at which to conduct public dances, the Common Council may approve the issuance of the license after having the premises inspected by the proper officers of the City in order to make sure that the place conforms to the ordinances of the City and the laws of the State of South Dakota in regard to safety and sanitation.

Section 19-20. Hours of Operation of Public Dance Halls.

The persons owning, controlling, or operating a public dance or public dance hall shall not permit the same to be open for dancing or dancing allowed therein between the hours of 2:00 o'clock a.m. and 7:00 o'clock a.m. on any day of the week, and the same shall be closed for dancing at the hour of 2:00 o'clock a.m. on Sunday and remain closed for dancing until 7:00 o'clock a.m. on the following Monday.

Section 19-21. Reserved.

Section 19-22. Proper Lighting Required in Public Dance Halls.

The person in charge of any public dance or public dance hall shall provide adequate illumination at all times for the dance hall and all stairways, passageways, and rooms connected with the dance hall room.

The person in charge of any such public dance or dance hall shall not allow dancing with extinguished lights.

Section 19-23. Dancing in Business Establishments.

No person owning, controlling, or operating any cafe, soft drink parlor, place where beer or other beverage is sold or served, or other business establishment shall permit any dancing whatsoever within such place of business without first securing a license as provided for in this chapter. The provisions of this chapter shall apply to any such business establishment where dancing is permitted, except that such business establishment shall not be required to have a police officer in attendance at all times when dancing is permitted, but the Chief of Police and any police officer may enter any such business establishment where dancing is permitted at any time and may remove therefrom any person found to be in an intoxicated condition or offending against morality or decency or violating any ordinance or law of the State of South Dakota.

Section 19-24. Certain Dances Prohibited.

The person conducting or operating a public dance or public dance hall shall not permit any person in attendance thereat to dance or participate in any immodest, suggestive, lewd, or immoral dance. No person in attendance at any public dance or public dance hall shall engage in any immodest, suggestive, lewd, or immoral dance.

Section 19-25. Persons Not Permitted in Public Dance Halls or at Public Dances.

No person engaged in conducting a public dance or operating a public dance hall where any alcoholic beverage is sold or served shall permit or allow any person under the age of eighteen (18) years unaccompanied by his or her parent or guardian, to be or remain at such public dance or in such public dance hall. No person under the age of eighteen (18) years unaccompanied by his or her parent or guardian shall be at any public dance or remain in any public dance hall where any alcoholic beverage is sold or served. Provided, however, that the minimum age for persons attending a public dance where no alcoholic beverages are sold or served shall be sixteen (16) years. Violation of the provisions of this section shall be grounds for suspension or revocation by the Common Council of any license issued pursuant to this chapter.

Section 19-26 (Repealed Ord. 1181, 8/29/17)