

ORDINANCE NO. 366
(AS AMENDED THROUGH 366.11a)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO.
366 REGULATING & LICENSING PUBLIC DANCE HALLS, PUBLIC DANCES &
CLUB DANCES, & PROVIDING FOR THE ISSUANCE & REVOCATION OF
PERMITS, & FIXING PENALTIES FOR VIOLATION OF THIS ORDINANCE

The Board of Supervisors of the County of Riverside, State of California, do ordain as follows:

Section 1. Ordinance Nos. 165, 165-a, 165-b, 165-c, 165-d and 165-e of the County of Riverside, State of California, are hereby repealed.

Section 2. It shall be unlawful for any person, association of persons or corporations to conduct or assist in conducting any public dance hall, dance club or any public dance in the County of Riverside outside of municipal corporations unless under and by authority of a written permit obtained under the provisions hereof. Such permit shall be posted in a conspicuous place on the premises where the dance for which such permit is issued is conducted and shall remain so posted during all the time dancing is taking place.

Section 3.

- a.** Permits to conduct public dance halls, dancing clubs or public dances in the unincorporated portions of Riverside County may be issued by the Sheriff upon the written application of any person for himself, or on behalf of any association or corporation. Every such written application for a permit shall set forth the following facts:
- 1.** The name and residence of the applicant or applicants, and if any applicant be a firm, the names and residences of the partners thereof; if any applicant be an association, the names and residences of the officers and directors thereof; and also the name of any manager or employee who will be in charge of said dance hall, dance club or public dance.
 - 2.** The place for which the permit is desired or in which any dance is to be, or dances are to be held.
 - 3.** The number and date of the dances to be held under the permit.
 - 4.** Other pertinent information that the Sheriff may require.
- b.** The Sheriff before issuing any permit shall first satisfy himself that the conduct of such dance hall, dancing club or public dance will comport with the public welfare, and for such purpose shall consider any facts or evidence bearing on the place where the proposed public dance hall, dancing club or public dance is to be located, the character, reputation and moral fitness of those who will be in charge of it, and any other facts or evidence tending to enlighten the Sheriff in this respect.

Section 4. A license fee of \$3.00 shall be payable with the application for each public dance, or a license fee of \$25.00 may be paid in advance for all public dances at the same location during any one calendar month. If the Sheriff determines that the attendance of one or more Deputy Sheriffs is necessary, the applicant shall in addition pay a supervision fee for each dance, which shall be based on a minimum of 4 hours per dance, or, at the applicant's option, a maximum of 5 hours per dance, for each such deputy, and computed as follows:

- a. For each hour, an amount equal to one and one half times the hourly rate of pay for the ninth step of the salary range applicable to the class of Deputy Sheriff B as set forth in the current County salary ordinance.
- b. Overhead as established by the current determination of the County Auditor-Controller; and
- c. Mileage charges at the current County mileage rates for official travel by County owned vehicle. Such charges shall be computed from the nearest Sheriff's office or substation to the place of the dance.

Section 4.1 If the Sheriff shall deny a permit, the applicant may appeal to the Board of Supervisors by filing written notice thereof with said Board or its clerk within ten days after such denial. Thereafter a hearing shall be held in the manner provided in Section 5 hereof.

Section 5. The Board of Supervisors may make rules and regulations governing the public dance halls, public dances and dancing clubs; and the public dance halls, public dances and dancing clubs shall be conducted in accordance with such rules and regulations and all laws of the State of California, and in such manner as will comport with the public welfare. All permits issued under the terms of this ordinance may be suspended or revoked by the Board of Supervisors for good cause, after hearing by the Board of Supervisors upon notice to show cause why the permit should not be revoked. Notice may be given by mailing a copy of the notice to show cause to the owner or holder of the permit at the place of residence or address given in the application for the permit, at least ten days prior to the date of hearing.

Section 6.

- a. For the purpose of this ordinance a public dance hall is defined as a place where dancing is conducted, whether for profit or not for profit, and to which the public is admitted either with or without charge or at which the public is allowed to participate in the dancing, either with or without charge.
- b. For the purpose of this ordinance the term "public dance" is defined to be a gathering of persons upon any premises, other than premises used primarily as a hotel, where dancing is participated in either as the main purpose of such gathering or incidental to some other purpose, and to which premises the public is admitted.

- c. For the purpose of this ordinance a "dancing club" is defined to be any club or association of persons which conducts dances, other than public dances, for its members or bona fide guests more often than once per month, and a "club dance" is defined to be any dance held by a dancing club.
- d. Provided that the provisions of this ordinance relating to a license fee shall not be construed as applying to any dance held or conducted for the purpose of raising funds for any established or recognized charitable organization, or by any church, Sunday school, student body of any school, established or recognized youth organization, bona fide fraternal organization, labor organization, Parent Teachers' Association, bona fide veteran's organization, bona fide civic or community organization or group, the primary purpose of which is the betterment of the cultural, social, economic, welfare and environment of the community.

Section 7. It shall be unlawful for any minor person under the age of 18 years to enter, be or dance in any public dance hall, public dance, or club dance unless accompanied by his or her parent or legal guardian, or unless said minor is a member of a party which is chaperoned by the parent or legal guardian of at least one member of the party. It shall be unlawful for the proprietor or person in charge of any public dance, public dance hall or club dance to permit any such minor to enter, be or dance in any such dance hall, public dance or dance club, during the time that dancing is in progress, unless so accompanied or chaperoned. It shall not be unlawful for any minor person under the age of 18 years to be in a bona fide hotel, cafe, or other place where meals are regularly served, and where a public dance is being held, in the event that such minor does not participate in the dancing therein.

Section 8. No dance shall be conducted on any day between the hours of 2 a.m. and 6 a.m.

Section 9. All public dance halls or places where public or club dances are held must at all times when open for dancing therein, or when dancing is being held therein, be brightly lighted throughout and the volume of illumination must not vary during the time such dance hall or public dance is open to the public or such club is open to its members or guests.

Section 10. It shall be unlawful for any person in charge or assisting in the conduct of any public dance hall or any public dance or club dance to permit any intoxicated, boisterous or disorderly person to enter, be or remain in, or to assist in any such public dance hall, public dance or club dance; and it shall be unlawful for any person in an intoxicated condition to enter or remain in any public dance hall, public dance or club dance, or for any person to conduct himself in a boisterous or disorderly manner in a public dance hall, public dance or club dance.

Section 11. It shall be unlawful for any person, firm or corporation conducting, maintaining or carrying on a public dance hall, public dance or club dance, or having charge or control thereof, to permit any instructor who is under the age of twenty-one (21) years to give instructions in dancing to persons of the opposite sex in any private room or

booth in such public dance hall, public dance or club dance. For the purpose of this section the term "private room or booth" shall include any room, booth, alcove or enclosure, every part of which is not clearly visible at all times from the main dance floor located upon the same floor upon which such private room or booth is located. Providing that nothing in this section contained shall be deemed or construed as applying to any place wherein classic dancing is the principal subject taught.

Section 12. It shall be unlawful conducting, maintaining or carrying on any public dance hall, public dance or club dance to employ male or female persons for a salary per diem, or on commission, or for anything of value directly or indirectly, to act as dancing partners of the patrons, visitors or guests of any such public dance hall, public dance or club dance.

Section 13. Subject to review by the Board of Supervisors, the Sheriff may make reasonable rules and regulations governing the conduct and operation of any public dance. He may, if he deems it necessary, require that the licensee employ and have present at all times during the public dance an attendant.

Section 14. The Sheriff shall determine the necessity for the attendance of security personnel to preserve order at each public dance. If he determines that such attendance is necessary, he shall assign one or more deputies sheriff to be in continuous attendance at such dance unless he determines that other security personnel can adequately preserve order at such dance. If he determines that other security personnel can adequately preserve order at such dance he shall require that one or more security personnel be in continuous attendance at such dance. The presence of one or more deputies sheriff or other security personnel at any public dance shall not relieve the licensee of any existing obligation to maintain order.

Section 15. This ordinance shall not apply to any dance conducted by the County of Riverside, any city or public district having recreation powers, any public or private school, or any established or recognized youth organization under active adult sponsorship, permanently located within the County of Riverside, as a part of its recreation program or for the exclusive participation of its duly registered pupils or members, including adult sponsors; however, any such organization may elect to apply for a permit and to have one or more deputy sheriffs present, in which event it shall pay the fees prescribed by this ordinance.

Section 16. It shall be unlawful for any person to violate any provision of this ordinance. Any person violating any provision of this ordinance shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, continued, or permitted.

Any person so convicted shall be: (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200.00) for a second violation. The third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00)

or six (6) months in jail, or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person from the responsibility for correcting the violation.

Adopted: 06/12/1950 (Eff.:07/12/1950)

Amended: 366a of 09/29/1952 (Eff: 10/30/1952)

366b of 08/11/1958 (Eff: 09/10/1958)

366c of 09/22/1958 (Eff: 10/22/1958)

366d of 10/23/1961 (Eff: 11/22/1961)

366e of 04/09/1962 (Eff: 04/09/1962)

366f of 10/26/1964 (Eff: 11/25/1964)

366g of 03/08/1971 (Eff: 04/07/1971)

366.8 of 01/31/1978 (Eff: 03/02/1978)

366.9 of 11/14/1978 (Eff: 12/14/1978)

366.10 Item 3.2 of 07/16/1985 (Eff: 08/15/1985)

366.11 Item 3.1 of 03/04/1986 (Eff: 04/03/1986)

366.11a Item 3.6a of 04/25/1989 (Eff: 05/24/1989)

788 Item 3.5 of 10/26/1999 (Eff: 11/25/1999) (Amends Sec. 12 & Sec. 13)