

# **City Code**

## **Chapter 5**

### **Amusements**

**Article 1. General Conditions, § 5-1--5-15**

**Article 2. Bowling Alleys, §§ 5-16--5-51**

**Article 3. Public Dances and Dance Halls, §§ 5-52--5-70**

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#### **Article 1. General Conditions**

##### **Sec. 5-1. Bond, Liability Insurance Required for Amusement Rides.**

A bond or certificate of insurance shall be on file with the City before any person shall conduct, operate, manage or sponsor any ferris wheel, merry-go-round or other amusement ride operated for hire or for the purpose of promoting or advertising any trade or business. The bond or certificate of insurance shall indemnify the public against damages sustained by reason of the operation of the ride. The bond or certificate of insurance shall apply to all persons, whether or not a license or permit is required by any other provision of this Code, State law or City ordinance, rule, or regulation. The amount of the bond or insurance shall be prescribed by resolution. (Code 1966; Code of 1988; Code of 2001)

**Secs. 5-2--5-15. Reserved.**

## **Article 2. Bowling Alleys**

### **Sec. 5-16. Application.**

The provisions of this Article shall apply to any place where one or more bowling alleys are operated or maintained whether such place is a social club or a business enterprise operated for profit. This Article shall not apply to a bowling alley operated for private family use. (Code 1966; Code of 1988; Code of 2001)

### **Sec. 5-17. Hours of Operation.**

No bowling alley shall be open or operated between 1:00 a.m. and 7:00 a.m. (Code 1966; Code of 1988; Code of 2001)

### **Sec. 5-18. Gambling.**

No operator of a bowling alley or employee of such operator shall permit any form of gambling on the premises of a bowling alley. (Code 1966; Code of 1988; Code of 2001)

### **Sec. 5-19. Disorderly Conduct.**

No operator of a bowling alley or employee of such operator shall permit any disorderly conduct or the use of profane, obscene, or indecent language at a bowling alley. (Code 1966; Code of 1988; Code of 2001)

### **Sec. 5-20. Narcotics.**

No operator of a bowling alley or employee of such operator shall sell or possess, or knowingly allow any person in the bowling alley to sell or possess narcotics. The sale or possession of narcotics shall not be allowed at a bowling alley. (Code 1966; Code of 1988; Code of 2001)

### **Secs. 5-21--5-51. Reserved.**

### **Article 3. Public Dances and Dance Halls**

#### **Sec. 5-52. Definitions.**

The definitions in this Section shall apply when these words and phrases are used in this Article.

(1) **Public Dancing Place.** Any room, place, or space open to public patronage in which dancing, wherein the public may participate, is carried on and to which admission may be obtained by the public by payment, directly or indirectly, of an admission fee or price for dancing.

(2) **Public Dance.** Any dance wherein the public may participate by payment, directly or indirectly, of an admission fee or price for dancing, or a fee for a membership in a club, and shall include any manner of holding a dance which may be participated in by the public through the payment of money, directly or indirectly. (Code of 1966; Ord. No. 433, 8-29-78; Ord. No. 556, 12-8-87; Code of 1988; Code of 2001)

#### **Sec. 5-53. Permit Required.**

No person shall give, hold, or conduct a public dance without a permit from the City. Permits may be issued for one or more public dances in a period of time not exceeding one year. A permit shall be required for any dance which involves the blocking or barricading of a public street for the purposes of dancing on or around the streets, whether or not an admission fee is charged. (Code of 1966; Ord. No. 433, 8-29-78; Ord. No. 556, 12-8-87; Code of 1988; Code of 2001)

#### **Sec. 5-54. Application and Issuance of a Permit.**

(1) Application shall be made on forms provided by the City. The applicant shall provide the information requested by the City under oath.

(2) Permit applications may be denied or granted by the City Council.

(3) The permit shall be posted in a public place in the dance hall named in the permit during the time dances are conducted. The permit shall specify the name and address of the permittee and the time and place for which it is issued. (Code of 1966; Ord. No. 433, 8-29-78; Ord. No. 556, 12-8-87; Code of 1988; Code of 2001)

#### **Sec. 5-55. Fees.**

The permit fees shall be established by ordinance. In the case of a street dance, a performance bond shall be furnished to ensure satisfactory cleanup of the area. The amount of the bond shall be specified by resolution. (Code of 1966; Ord. No. 433, 8-29-78; Ord. No. 556, 12-8-87; Code of 1988; Code of 2001, Ord. 751, 11-13-2007)

#### **Sec. 5-56. Ineligible Persons and Public Dancing Places.**

(1) No permit shall be issued to a person who is not of good moral character and reputation, has been convicted within five years of a felony or gross misdemeanor or violation of a law or ordinance regulating public dances, or is the keeper of any disorderly house of any kind.

(2) No permit may be issued to any place:

A. Having private apartments or private rooms furnished or used for any other than legitimate purposes which adjoin such dancing place or which may be reached by stairs, elevator, or passageway, or

B. Which the City Council determines is not properly ventilated and equipped with necessary toilets, washrooms, and lighting, or to any place which is likely to become a public nuisance or detrimental to public morals. (Code of 1966; Ord. No. 433, 8-29-78; Ord. No. 556, 12-8-87; Code of 1988; Code of 2001)

**Sec. 5-57. Conduct at Dances.**

(1) No person shall dance, nor shall any person to whom a permit is issued allow any person to dance in any public dance hall, any indecent or immoral dances or any dance which is characterized by immodest motion of the body. No person shall in any public dance hall act or speak in a rude, boisterous, obscene or indecent manner, and no person to whom a permit has been issued shall permit any person to so act or speak in the dance hall.

(2) Every public dancing place shall be brightly illuminated while in public use and dancing therein while the lights are extinguished, dimmed, or turned low, so as to give imperfect illumination is prohibited.

(3) No person to whom a permit has been issued shall allow in any public dancing place any intoxicated person, any prostitute, any person of known immorality, or any unmarried person under the age of sixteen years who is not accompanied by a parent or guardian, nor any unmarried person between the ages of sixteen and eighteen unless such person is accompanied by a parent or guardian or presents a written consent of a parent or guardian to the Officer in charge of the dance. Such written consent shall be retained by the Officer.

(4) The person to whom a permit is issued shall retain a licensed Peace Officer designated by the City to be present at every public dance to be given or held under the permit during the entire time the public dance is being held.

(5) No public dance may be held or conducted between the hours of one o'clock a.m. and twelve o'clock a.m. on Sunday or between the hours of one o'clock a.m. and six o'clock a.m. on other days. The City Council may further restrict the hours of such dances at the time of issuance of a permit. (Code of 1966; Ord. No. 433, 8-29-78; Ord. No. 556, 12-8-87; Code of 1988; Code of 2001)

**Secs. 5-58-5-70. Reserved.**

#### **Article 4. Bingo**

**Repealed Ordinance No. 786 January 12, 2010**

The City of New Brighton will follow the charitable gambling regulations that are set forth by the State of Minnesota.

#### **Article 5. Gambling**

**Repealed Ordinance No. 786 January 12, 2010**

The City of New Brighton will follow the charitable gambling regulations that are set forth by the State of Minnesota.

**Editor's Notes**  
**City Code-Chapter 5**  
**Amusements**

This Chapter has been renumbered to be consistent with the numbering system used throughout the Code:

The first division within a Section is numbered “(1)” followed by “(2)”, etc.

The next division of a Section is numbered with an “A” followed by “B”, etc.

As with all other parts of the codification, the language in this Chapter has been simplified and made general neutral.

Margaret A. Egan  
Finance Director/City Clerk  
April 20, 2000