



Carl Larkerbrink, City Collector
102 South Holden — Warrensburg, MO 64093
Phone: 660-747-9131 – Fax: 660-747-8927

Dance Hall Application

Fee: \$150.00

Date of Application:

Name of Business:

Type of Business:

Phone#:

Address — Location of Business:

City — State — Zip Code:

Mailing Address (if different from above):

City — State — Zip Code:

Owner — Manager’s Name:

Birth Date:

Social Security#:

Drivers License#:

Home Address:

Phone#:

City — State — Zip Code:

Name of Corporation:
(if applicable “Certificate of Good Standing” required)

Have you ever been convicted or plead guilty to a felony, misdemeanor, or violation of any municipal ordinance? If so, what was the nature of the offense and punishment assessed therefore? Give City and State where the offense occurred.

At the time of the Inspections and Investigations, a Maximum Occupancy Load for the Premises will be established by the City Officials conducting the Investigation. This is in accordance with the Building Codes adopted by the City of Warrensburg.

CITY INFORMATION

Table with 4 columns: License#, Amount Paid, Date Sent, Date Paid

CITY POLICE DEPARTMENT INFORMATION

Granted: Denied:

Investigating Officer Signature & Date:

Affidavit (must be Notarized)

This license is for use in connection with the operation of a business located at _____, Warrensburg, Missouri, and known as _____. The undersigned is (a General Partner) and/or (the Managing Officer) of the license.

The license covenants to fully comply with all the provisions of the City Ordinances, as amended, pertaining to Liquor Licenses. The undersigned states that he/she is a United States Citizen, a Qualified Voter and Taxpaying Citizen, and is not currently obligated in any way to the City of Warrensburg.

Telephone: Home/ Business

Name of Corporation/Partnership

Social Security Number

Owner/Partner/Officer's Signature

Date of Birth

Home Address

State of Missouri County of Johnson

On this _____ day of _____, _____, before me, the undersigned Notary Public, personally appeared _____ to me known to be the person named in and who executed the foregoing instrument and acknowledged that _____ executed the same as _____ voluntary act and deed.

In witness whereof, I have hereunto set my Hand and Seal in Johnson County, Missouri, the day and year last above written.

Notary Public in and for
said County and State

My Commission Expires _____, _____.

ARTICLE II. DANCE HALLS*

Sec. 4-3. License required.

(a) It shall be unlawful for any person, firm or corporation, either as principal, agent or employee, to conduct, pursue, carry on, or operate any public dance in any hall or public place or to permit dancing in such place within the limits of the City of Warrensburg without a license.

(b) No license for a dance hall shall be issued without first paying an annual business license fee in the sum of one hundred fifty dollars (\$150.00) and procuring a license therefore from the city collector of said city.

(c) The collector of the City of Warrensburg shall not issue any such license until the application therefore has been reviewed by the city manager, or his designee, of said city and thereafter the application being approved by the city manager, or his designee, upon finding that (i) granting of the license will not be detrimental to the neighborhood in which it is proposed to be located and (ii) granting the license is for the best interests of the City of Warrensburg and the inhabitants thereof. In making these findings one (1) of the factors, but not the sole factor, to be considered shall be whether the applicant, or anyone acting on the applicant's behalf, including but not limited to the applicant's agent, servant, employee, corporation, partner or trustee, within the previous twenty-four (24) months has violated any provision of this or any other ordinance or laws or regulations relating to such places, including those relating to the possession, consumption, dispensing, or furnishing of alcoholic and/or cereal malt beverages, or other intoxicating substances.

(d) The application shall state the location at which the proposed dances are to be held, the type of building in which any dance is to be operated, and that the building has been approved in writing by the chief of the fire department as being safe insofar as fire hazards are concerned and by the building official as being in compliance with the city building, electrical, plumbing and mechanical codes. (Ord. No. 3612, § 1, 4-9-01)

***Editors Note** – Ord. No. 3612, adopted April 9, 2001, created Art. IV, pertaining to dance halls. Said article was renumbered as Art. II as the editor's discretion to maintain the alphabetical and numerical continuity of the Code.

Sec. 4-4. Application for license.

(a) Applicants for a license under this article shall file with the city collector a sworn application in writing, on a form to be furnished by the city collector which shall give the following information:

- (1) The name and description of the applicant.
- (2) The applicant's legal and local address.
- (3) The applicant's social security number.
- (4) The applicant's date of birth.
- (5) A statement whether or not the applicant has pled guilty to or been convicted of any felony, misdemeanor or violation of the ordinances of the City of Warrensburg and if so, the date and location of the offense.
- (6) All other information necessary to carry out and administer the requirements of this section.

(b) A full investigation of the applicant and proposed location for the purpose of ensuring the safety, health and general welfare of the public shall be conducted in the following manner:

- (1) The city collector shall send a copy of the application to:
 - a. The chief of police who shall ensure that a full background check regarding the applicant is conducted.
 - b. The building official, who shall inspect, or designate a representative to inspect, the proposed location for which the license or permit is being applied for compliance with applicable city building requirements,.
 - c. The chief of the fire department who shall inspect, or designate a representative to inspect, the proposed location for which the license or permit is being applied for the purpose of ensuring the location contains no fire hazard.

- (2) The results of the inspections and investigations pursuant to subsection (1) above shall be filed with the city collector who shall forward them on with the application to the city manager or his designee.
- (3) At the same time as investigations are made pursuant to this section, a maximum occupancy load for the license premises shall be established by the city officials conducting the investigation in accordance with the building codes adopted by the City of Warrensburg.
(Ord. No. 3612, § 4-9-01)

Sec. 4-5. Conditions; license to be posted

No license for a public dance hall shall be issued to any person, firm or corporation until it shall be found that the place for which it is issued complies with and conforms to all the laws, ordinances, health and fire regulations applicable thereto, including but not limited to the city's building, electrical, plumbing and mechanical codes, and is properly ventilated and supplied with separate and sufficient toilet conveniences for each sex, and is a safe and proper place for public dances. Every person, firm or corporation to whom a dance hall license is issued shall post the same in a conspicuous place in the dance hall covered by such license.

(Ord. No. 3612, § 1, 4-9-01)

Sec. 4-6 Suspension, revocation of licenses.

(a) The city manager, or his designee, on hearing, may suspend for a specified period of time or revoke for a period not exceeding one (1) year, any license issued under the provisions of this article:

- (1) If the licensee has failed to begin to use the license within one hundred twenty (120) calendar days from the date of issuance; or
- (2) If the licensee has not kept an orderly place; or
- (3) If the licensee has been convicted of any violation of any provisions of Chapter 3 or Chapter 4 of the Code of Ordinances of the City of Warrensburg, Missouri; or
- (4) If the licensee has violated any of the provisions of the State Liquor Control Law or its regulations as codified in the Code of State Regulations of the State of Missouri, or the Code of Ordinances of the City of Warrensburg; or
- (5) For any other good cause shown,

then in any such event, the city manager or his designee shall hold a hearing in the manner provided in this section to ascertain all facts in the matter.

(b) Notice of such hearing shall be in writing and shall set forth the reason for the hearing or the complaint against the licensee in person or by certified mail sent to the last known address of the licensee. In the event that the notice is not able to be served upon the licensee in person, and any notice sent by mail is returned by the postal service, the city clerk shall cause notice to be published in a local newspaper for three (3) consecutive days, or posted at the entrance to the licensee's principle place of business.

(c) In any instance in this section wherein a hearing is required, the city manager or his designee, shall after no less than ten (10) days written notice to the licensee, hold a hearing to ascertain all relevant facts in the matter.

(d) A licensee shall have the right to be represented by counsel, to produce witnesses and other evidence, and to cross examine all witnesses who appear against him. Oral evidence shall be taken only upon oath or affirmation. All proceedings in such hearing shall be recorded and transcribed as required by law. The city manager or his designee may receive evidence relevant to the issues from any source.

(e) The city manager or his designee shall issue written findings of fact and conclusions of law and an order. The city manager or his designee may suspend the license for a period or revoke the license issued hereunder, and the order shall be served upon the licensee in person or certified mail sent to the licensee's last known address.

(f) Any licensee, managing officer, owner or establishment whose dance hall permit license is suspended or revoked under the provisions of this chapter shall not be granted another dance hall permit during the period of suspension or revocation.

(Ord. No. 6312, § 1, 4-9-01)

Sec. 4-7. Occupancy.

(a) it shall be a violation of this section for a license holder, or that person's agent or employee, to allow more persons upon the licensed premises than the maximum occupancy established at the issuance of the license.

(b) Each establishment holding a license to operate a dance hall shall by means of a manual counting device keep an accurate count of all persons entering and leaving the premises during hours in which the premises is open for operation such that current occupancy may always be determined, and shall given an accurate counting to city officials, upon request.

(Ord. No. 3612, § 1, 4-9-01)

Sec. 4-8. Issuance term.

On approval of an application for a dance hall permit under this article, the city collector shall issue the permit for a term to expire June 30 next succeeding the date of issuance. Of the fee to be paid for such a permit, the applicant shall pay as many as twelfths as there are months, or fractional months, remaining from the date of issuance until the next July 1.

Sec. 4-9. Definitions and application.

(a) *Public dance*, as used in this article, shall mean any dance to which admission can be had by payment directly, or indirectly, of a fee, or any dance to which the public generally can gain admission with or without the payment of a fee.

(b) *Public Dance Hall*, as used herein, shall mean any room, place or space in which a public dance shall be held.

(c) *Public place*, as used in this article, shall mean any location open to access by any member of the general public, whether age restrictions otherwise apply to entrance or not.

(d) the requirements of this article shall not apply to any church, school, civic, service, fraternal, veteran, political or charitable club or organization for any event to be sponsored by the organization and for which no person or entity other than the organization shall receive any money or payment for admission to the event or otherwise, and which organization has obtained exemption from the payment of federal income taxes as provided in Section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United States Internal Revenue Code, as amended.

(Ord. No. 3612, § 1, 4-9-01)

Sec. 4-10. Allocation of fees and refunds.

Fifty (50) percent of all fees required under this chapter shall be for the processing of the application and the remaining fifty (50) percent of the fees shall be for the issuance of the license. In the event the city denies a license for any reason then the applicant shall be entitled to a fifty (50) percent refund of the fees the applicant has paid. No license shall be entitled to a refund if a license is suspended, terminated or placed on probation by the city under the provisions of this chapter or if the licensee voluntarily discontinues operation under the license.

(Ord. No. 6312 § 1, 4-9-01)