

ORDINANCE NO. 2258

AN ORDINANCE to amend and reordain Section 20-50, Article II, Chapter 20 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Section 20-50 relates to DANCE HALLS, which Article II relates to REGULATORY LICENSES and which Chapter 20 relates to LICENSES.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 20-50, Article II, Chapter 20 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 20-50. Dance halls.

(a) For the purposes of this section, a dance hall shall be construed to mean any place open to the general public where dancing is permitted to which an admission fee is charged or for which compensation is in any manner received either directly or indirectly by cover charge or otherwise provided, however, that a restaurant licensed to serve food and beverages having a dance floor with an area not exceeding ten per centum of the total floor area of the establishment shall not be considered a dance hall. As used in this section, "dance floor" shall mean raised surface or raised area used only for dancing.

(b) Any person conducting a dance hall as herein defined shall pay a license tax of \$50.00 per night; provided, however, that social organizations, fraternities, clubs and similar organizations which hold dances in buildings owned by them may pay in lieu of the above tax, \$100.00 per annum in advance.

(c) Any bona fide religious, charitable, benevolent or civic organization, or any group of responsible citizens of the city, desiring to have or hold a dance where an admission fee is required or where a charge is made for dancing, and all of such fees or proceeds from the charges over actual expenses are to be devoted to and used for bona fide religious, charitable or benevolent purposes, or where no profit is expected and such dance is held for religious, educational, fraternal, social or civic advancement only, may through a member representative apply to the city manager for a permit and exemption of taxes under this section. After such proof as may be necessary, and upon being satisfied as to the character and nature of the applicant and that all of such fees or proceeds from such charges over actual expenses are to be devoted to and used for bona fide religious, charitable or benevolent purposes, or that no profit is expected and such dance is given for religious, educational, fraternal, social or civic advancement only, the city manager shall issue a permit for such dance and exempt the applicant from the license tax herein otherwise imposed.

The director of finance or the city manager, as the case may be, shall immediately notify the chief of police in writing of the issuance of any license or permit under this section.

(d) Any person applying for a license under this section, which license involves the use of a place of assembly as defined in the Fire Prevention Code of the city, shall obtain, before such license is issued, a permit in accordance with the provisions of the Fire Prevention Code of the city.

(e) It shall be unlawful for any person conducting a dance hall to permit dancing in such establishment between the hours of 2:00 A. M. and 9:00 A.M. on any day of the week. It shall further be unlawful for any person conducting a dance hall to hire any orchestra to play music in any such establishment after the hours set forth in this section, or to permit any orchestra to play any musical device in

such establishment after the hours aforesaid, or to permit the playing of music of any kind in such establishment, whether by orchestra or by one or more people playing musical instruments of any kind, or by mechanical devices of any nature after such hours.

(f) It shall be unlawful for any person conducting a dance hall to suffer or permit any person not of good fame or any person under the influence of alcoholic beverages or any person acting in a disorderly manner to enter or to remain in such dance hall, whether participating in the dancing or not.

(g) It shall be unlawful to operate any dance hall unless there is an authorized manager on the premises. Such manager shall be a person at least eighteen years of age who shall be capable of controlling the operation of such dance hall. No person other than the licensee or a person under the control of the licensee shall be considered an authorized manager.

Section 2. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

FRANK E. MANN  
Mayor

FINAL PASSAGE: MAY 9, 1978