

## **ENTERTAINMENT CLUB LICENSE**

To apply for an Entertainment Club License, you can fill out the application online, then print and send it with the fee and other applicable documents to Thornton City Clerk's office, 9500 Civic Center Drive, Thornton, CO 80229. If you have questions, please call 303-538-7230.



# NON-ALCOHOLIC ENTERTAINMENT CLUB

## Checklist

City Clerk's office 303- 538-7230  
 9500 Civic Center Drive  
 Thornton, Colorado 80229-4326

**ALL Documents must be properly executed and correspond with name of applicant exactly.**

**Please type or print legibly in BLACK ink.**

**Clear copies of all other information may be submitted.**

### New License Application

	Completed Application.
	\$800.00 Annual License Fee plus \$200.00 non-refundable Application Fee - OR - \$800.00 Annual License Fee for Liquor/Beer Licensed Establishments.
	Manager's Registration (if applicable).
	City Sales Tax Application - submitted to Sales Tax Division 303-538-7400.
	Zoning Referral Form signed by the City Development Department.
	A copy of the deed or lease which shows that the applicant has legal possession of the premises by virtue of ownership or under a lease. If leased, or under contract to purchase or lease, include the name and address of landlord and term of lease.
	Contact the Building Inspection Division 303-538-7250 to apply for a Certificate of Occupancy. <ul style="list-style-type: none"> <li>➤ If new construction, submit six sets of plans for review before starting construction.</li> <li>➤ If a development permit is required it must be issued before a Certificate of Occupancy can be issued.</li> <li>➤ <b>The City can not issue the license until the Certificate of Occupancy has been issued.</b></li> </ul>
	Diagram of the premises.
	Authorization to Release and Background Investigation forms will need to be completed for investigation of the background, character and financial responsibility of each individual applicant, partner, officer, director and/or holder of the corporate stock, and all managers of the proposed establishment.
	Each individual must be fingerprinted at the Thornton Police Department on Wednesday between 12:30 p.m. and 4:30 p.m.
	Copy of Driver's License for each officer, director, manager, partner, member and/or principal owner listed on the application.
	Affidavit stating establishment is not within 750 feet of another club, school, residential zoned district or public park or public building.

### Renewal Application

	Completed Application.
	\$800.00 Annual License Fee plus \$200.00 non-refundable application fee - OR - \$800.00 Annual License Fee for Liquor/Beer Licensed Establishments.
	Manager's Registration (if applicable).
	Attach a copy of the lease if there have been any changes, assignments or changes in parties to the lease since the date of filing the last license application. Please identify any new parties to the lease and give their address.
	If there are any new individuals (i.e., manager, applicant, partner, officer, director and/or holder of the corporate stock), Authorization to Release and Background Investigation forms will need to be completed for investigation of the background, character and financial responsibility.
	Each new individual must be fingerprinted at the Thornton Police Department on Wednesday between 12:30 p.m. and 4:30 p.m.
	Copy of Driver's License for each officer, director, manager, partner, member and/or principal owner listed on the application.



# NON-ALCOHOLIC ENTERTAINMENT CLUB APPLICATION

## Chapter 42, Article VI

City Clerk's office 303-538-7230

9500 Civic Center Drive

Thornton, Colorado 80229-4326

<b>Application Date:</b>	<input type="checkbox"/> New License Fee (\$800.00 plus \$200.00 non-refundable Application Fee) ( <u>excluding Liquor/Beer Licensees</u> ):
<b>Amount Paid:</b>	<input type="checkbox"/> Renewal Fee (\$800.00 plus \$200.00 non-refundable Application Fee) ( <u>excluding Liquor/Beer Licensees</u> ):
	<input type="checkbox"/> <u>Liquor/Beer Establishment</u> - New/Renewal Fee (\$800.00 Annual License Fee Paid)

<b>Name of Applicant:</b>	
<b>Trade Name of Establishment:</b>	Phone:
Address:	Zip Code:
Are the premises owned or rented?	If rented, by whom?
Colorado Sales Tax Number:	Thornton Sales Tax Number:

<b>Manager of Establishment Name:</b> (if more than one individual, please attach separate sheet)		Phone:
Address:		Zip Code:
Social Security Number:	Driver's License Number:	Date of Birth:

### Complete one of the following sections (Corporation/Individual/Partnership):

<b>Corporation Name:</b>		Phone:
Address:		Zip Code:
<b>President Name:</b>		Phone:
Address:		Zip Code:
Social Security Number:	Driver's License Number:	Date of Birth:
<b>Vice-President Name:</b>		Phone:
Address:		Zip Code:
Social Security Number:	Driver's License Number:	Date of Birth:
<b>Secretary Name:</b>		Phone:
Address:		Zip Code:
Social Security Number:	Driver's License Number:	Date of Birth:
<b>Treasurer Name:</b>		Phone:
Address:		Zip Code:
Social Security Number:	Driver's License Number:	Date of Birth:



**NON-ALCOHOLIC ENTERTAINMENT CLUB APPLICATION**  
 City Clerk's office – Page 2

<b>Individual Name:</b>		Phone:
Address:		Zip Code:
Social Security Number:	Driver's License Number:	Date of Birth:

<b>If more than two Partners please attach separate sheet</b>		
<b>Partner Name:</b>		Phone:
Address:		Zip Code:
Social Security Number:	Driver's License Number:	Date of Birth:
<b>Partner Name:</b>		Phone:
Address:		Zip Code:
Social Security Number:	Driver's License Number:	Date of Birth:

Has the applicant, or any other person holding any type of interest in the proposed business, ever had a License or ever been licensed for any other business enterprise by any city, county or other governmental agency?  Yes  No If yes, complete the following:

Name	Type of Business	Location	When

If the applicant has held a License, or a license for any other business enterprise has the license ever been revoked, suspended or allowed to lapse?  Yes  No If so, explain in detail:

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List Hours of Operation each day:	Beginning Time:	Ending Time:
<b>Monday</b>		
<b>Tuesday</b>		
<b>Wednesday</b>		
<b>Thursday</b>		
<b>Friday</b>		
<b>Saturday</b>		
<b>Sunday</b>		

I declare under the penalty of perjury, that this application, including the background investigation, authorization forms, and any accompanying statements, has been examined by me and to the best of my knowledge and belief are true, correct and complete. I also declare that I have been given a copy of Chapter 42, Article VI of the Thornton City Code pertaining to Entertainment Club Licenses.

<b>Signature of Applicant:</b>	<b>Date:</b>
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**AUTHORIZATION AND CONSENT TO RELEASE INFORMATION**

**Entertainment Club**  
 City Clerk's office 303-538-7230  
 9500 Civic Center Drive  
 Thornton, Colorado 80229-4326

APPLICANTS & MANAGERS – COMPLETE BELOW AND SIGN	
<b>Name of Corporation/Sole Proprietorship/Partnership</b>	
<b>Name of Individual (please print):</b>	
<b>Position:</b>	
<b>Trade Name of Establishment:</b>	
<b>Address of Establishment:</b>	

➤ I fully understand that an investigation of my background, character and financial responsibility is necessary for the approval of said license. I understand that this investigation may solicit information from and include contact with the references listed on my background investigation report, former employers, business associates, police agencies, financial institutions, credit bureaus, neighbors, friends and relatives. Moreover, I request and authorize those people or organizations selected by the Thornton Police Department to release any and all information of a confidential or privileged nature concerning me. However, upon the express condition, that said release is limited to an investigation conducted pursuant to the aforesaid licensing and operation thereunder, but this authorization shall continue to operate so long as above-named licensee shall hold said license, if granted, and for the term or terms of any renewals or extensions thereof.

➤ I hereby release you, your organization or others from any liability or damage which may be incurred as a result of furnishing information to the City of Thornton ("City") as requested. I further waive any claims that I might have against the City arising from this request for information concerning my background investigation or such information and dissemination of information to the appropriate individuals employed by the City.

➤ I hereby release and agree to hold harmless and indemnify the City against any claims that third parties should make against the City based on the City's request for information on my background or its receipt of such information from other individuals or agencies.

<b>Signature</b>	<b>Date Signed</b>
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SEAL	Subscribed and sworn to before me by:
	in the County of Adams, State of Colorado, this                      day of                      , 20
	Notary Public:
	My Commission Expires:



**CONFIDENTIAL BACKGROUND INVESTIGATION REPORT**

**Entertainment Club**

City Clerk's office 303-538-7230

9500 Civic Center Drive

Thornton, Colorado 80229-4326

REFERRAL TO THORNTON POLICE DEPARTMENT	<b>PLEASE TYPE OR PRINT LEGIBLY IN BLACK INK ATTACH SEPARATE SHEET IF NECESSARY</b>
<b>Name of Individual (please print):</b>	
<b>Position:</b>	
<b>Trade Name of Establishment:</b>	
<b>Address of Establishment:</b>	

Pursuant to Chapter 42, Article VI of the Thornton City Code, the Thornton Police Department will investigate the background and character of each individual for the above listed applicant. The Background Investigation Report provides basic information about the applicant which is necessary for the investigation.

**Every answer you give will be checked for its truthfulness. A deliberate falsehood will jeopardize the application, as such falsehood within itself constitutes evidence regarding the reputation and character of the applicant.**

**THE MOST IMPORTANT CONSIDERATION IN THE ANSWERS  
MADE BY YOU IN THE BACKGROUND INVESTIGATION REPORT IS HONESTY.**

I have read and I do understand the above statement. I further acknowledge that I have obtained and examined a copy of Chapter 42, Article VI of the Thornton City Code of the City of Thornton, Colorado, pertaining to Entertainment Clubs.

I further certify the facts contained within this Background Investigation Report are true and correct and I understand that any falsification or misrepresentation will result in a rejection of this application or a revocation of said license.

<b>Signature</b>	<b>Date Signed</b>
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SEAL	Subscribed and sworn to before me by:
	in the County of Adams, State of Colorado, this                      day of                      , 20
	Notary Public:
	My Commission Expires:



**CONFIDENTIAL BACKGROUND INVESTIGATION REPORT**  
**Entertainment Club – Page 2**

**SECTION I - TO BE COMPLETED BY ALL APPLICANTS – INCLUDING MANAGERS**

Home Phone:		Date of Birth:	Place of Birth:
Sex:	Race:	Height:	Weight:
Social Security Number:		Hair Color:	Eye Color:

Home Address:	Zip Code:
How long at current address?	

Driver's License Number:	State Issued:	
Has your driver's license ever been suspended or revoked? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, complete the following:		
Where:	When:	Reason:

Marital Status:	Name of Spouse (include maiden name if applicable):	Spouse's date of birth (if applicable):

Military Service (branch):	From:	To:	Type of Discharge:

List residences and dates lived there within the past five years and all previous states resided within (including military service):	

Current occupation:	
Employer:	Phone:
Address:	Zip Code:

Starting with current employment, list all for the past 10 years	Name	Address	Position	Dates Employed

If ever discharged from a position, complete the following:	Where:	When:	Reason:

List four References - two Professional & two Personal:	Name	Address	Phone	Time Known

List all <b>CONVICTIONS</b> , including traffic:	Violation	When	Where	Final Disposition



**SECTION II - THE FOLLOWING SECTION DOES NOT APPLY TO MANAGERS**

Describe in detail the building containing the premises to be licensed:	
Type of structure:	
What type of anti-theft/burglary devices will be installed for security purposes:	
Specify the floor and room areas where merchandise will be stored:	

Are the premises owned or leased by the applicant?	
Please provide complete details concerning the lease agreement (If business is being purchased, provide a copy of the contract.):	

If the applicant does not reside in Colorado, provide the following for your authorized agent in Colorado upon whom service of process can be made in any proceedings against the applicant pursuant to any statute, ordinance, or regulation applicable to the conduct of said business:

Name:	Date of Birth:
Residence Address:	

Has the applicant agreed to permit any person to receive, or agreed to pay to any employee or other person (by way of rent or otherwise) all or any portion or percentage of the gross or net profits or income derived from the business to be conducted under the license applied for?  Yes  No If yes, please explain in detail: \_\_\_\_\_

\_\_\_\_\_

Complete the following information on loans obtained:	Name & Business of Lender:	Address	Amount of Loan:	Term of Obligation:

Complete the following for bank where business account will be maintained:	Name of Bank:	Address of Bank:	Name on Account & Individuals authorized to draw thereon:





# MANAGER'S REGISTRATION FORM

**Entertainment Club**  
 City Clerk's office 303-538-7230  
 9500 Civic Center Drive  
 Thornton, Colorado 80229-4326

Non-Alcoholic Entertainment Club (Entertainment) Establishments employing a separate and distinct manager or supervisor must have the manager or supervisor complete this form.  
ALL questions must be completed in black ink or typewritten and both the manager/supervisor and Licensee must sign.  
 Any false statement or answer made by the licensee and/or manager constitutes "perjury" and may result in the revocation of the license.

Name of Manager/Supervisor (any aliases):	
Address:	Zip Code:
Effective date of Employment as Manager:	

Name of Licensee (same as on application):	
Trade Name (or DBA) of Establishment:	Phone Number of licensed premises:
Address of Premises:	

Have you ever managed any other Entertainment Establishments in any state?  Yes  No If yes, complete the following:

Name:	Address of Establishment:	Dates of Employment:

Have you ever been a partner, in a partnership or a principal owner in any Entertainment Club?  Yes  No If yes, please explain:


OATH OF MANAGER	
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct and complete to the best of my knowledge.	
Signature of Manager:	Date:

VERIFICATION OF LICENSEE	
The Manager of the above licensed establishment and I have read the foregoing manager's registration form and verify that the contents thereof are true and correct to the best of my knowledge.	
Signature of Licensee:	Date:
Title:	



# ZONING REFERRAL

## Form 5

City Clerk's office 303-538-7230  
9500 Civic Center Drive  
Thornton, Colorado 80229-4326

Applicant - complete the first three questions, check appropriate box, and submit this form with a copy of the site plan of the premises to the City Development Department  
**Return the signed form with your application to the Deputy City Clerk in the City Clerk's office**

### Applicant – Complete this Section Only

<b>Business Name:</b>			
<b>Business Address:</b>			
<b>Type of License applying for:</b>			
<b>Is the existing building going to be expanded/enlarged?</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
<input type="checkbox"/> <b>New License</b> <input type="checkbox"/> <b>Change of Location</b> <input type="checkbox"/> <b>Modification of Premises</b>			

### To Be Completed & Signed By City Development / Zoning Division

Zoning for the property is:		
Is the property zoned for the type of license applied for?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Will the Development Review Process be required for this application?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If so, what type of Development Permit is required?	<input type="checkbox"/> Major	<input type="checkbox"/> Minor

If a review is scheduled, please indicate the anticipated hearing date for the Development Permits and Appeals Board (DPAB)*:	
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Is there sufficient parking for the proposed use?

Comments:

<b>*If this matter goes to DPAB, please attach the staff report and minutes.</b>	
City Development/Zoning Division Signature:	Date:

## **ARTICLE VI. NON-ALCOHOLIC ENTERTAINMENT CLUB LICENSE**

### **DIVISION 1. [GENERALLY]**

#### **Sec. 42-431. [Title.]**

The provisions of this Article VI shall be referred to and may be cited herein as the "Thornton non-alcoholic entertainment club license ordinance", hereafter referred to as "Non-alcoholic entertainment club ordinance".  
(Ord. No. 2641, § 1, 10-9-00)

#### **Sec. 42-432. Purpose.**

The purpose of this article is to regulate the operation of non-alcoholic entertainment clubs to ensure that public health and safety concerns related to these events may be adequately addressed without diminishing public health and safety services throughout the City.  
(Ord. No. 2641, § 1, 10-9-00)

#### **Sec. 42-433. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Applicant** means an individual, any partnership, corporation, limited liability corporation, organization, association or any other business entity which promotes and is therefore applying for a non-alcoholic entertainment club license as herein defined.

**Clerk** means the City Clerk or designee for the City of Thornton.

**Manager** means a manager of a non-alcoholic entertainment club.

**Musical entertainment**, as used herein, shall not mean music provided for a facility only as background for other featured modes of entertainment such as, but not limited to, participatory sporting games, rides, video arcades or a facility that offers other interactive electronic games or rides.

**Non-alcoholic entertainment club** means a building either owned or leased, a part of a building, room or area within such building or any real property either owned or leased, that is not licensed for the sale of alcoholic beverages or if licensed is not serving alcoholic beverages, where musical entertainment, whether live or recorded, vocal, instrumental or otherwise, is provided or occurs as the primary source of entertainment with or without dancing available for customers or patrons, and hereafter referred to herein as "club".

**Non-alcoholic entertainment club license** means the license issued to a business that is or contains a non-alcoholic entertainment club as defined herein and hereafter referred to herein as "club license".

**School** means any public or private educational facility, including but not limited to child day care facilities, nursery schools, preschools, kindergartens, elementary schools, primary schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, special education schools, junior colleges and universities. The term "school" includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school.

(Ord. No. 2641, § 1, 10-9-00; Ord. No. 2685, § 1, 10-22-01)

### **DIVISION 2. NON-ALCOHOLIC ENTERTAINMENT CLUB LICENSE**

#### **Sec. 42-434. License required.**

It shall be unlawful to operate or permit to be operated anywhere within the City a club without having a club license. No club license will be issued for any location in the City that is not held or conducted entirely within a building or structure.

(Ord. No. 2641, § 1, 10-9-00)

#### **Sec. 42-435. Term and renewal.**

(a) **Term.** All non-alcoholic entertainment club licenses shall be granted pursuant to this article for a term of one year unless suspended or revoked. Said term shall commence on the date the license is issued and terminate on the anniversary date of the license.

(b) Renewal. The Clerk shall send each club a renewal notice no less than 90 days prior to the expiration date of the club license. Renewal of the club license shall be on the same terms and conditions as the initial application for such license and shall be submitted no less than 45 days prior to the date of the expiration of the current license.

(c) Fees. An application fee shall accompany any application and renewal application pursuant to this article; provided, however, if the application or renewal is for premises that are also liquor licensed premises, an application fee will not be required. Annual club license fees as well as the application fee shall be in amounts established by resolution of the Thornton City Council.

(Ord. No. 2641, § 1, 10-9-00; Ord. No. 2685, § 2, 10-22-01)

#### Sec. 42-436. Application.

Each application for a club license shall contain the following information:

(1) If the applicant is an individual, satisfactory proof that the applicant is 21 years of age or older, the address and phone number(s) where such individual can be contacted;

(2) If the applicant is a legal entity, satisfactory proof that each of the individual officers, directors, managers, partners, members and/or principal owners of such entity are 21 years of age or older and the name, the address and phone number(s) where such persons can be contacted;

(3) Whether the applicant or any of the other individuals required to be listed in the application have been convicted of any felonies within the last ten years or any crime involving use of or trafficking in illegal substances, or crimes of sexual assault and, if so, the criminal act involved, the date and place of conviction and the disposition;

(4) Whether the applicant or any of the other individuals required to be listed in the application has had a previous license under this or any other similar type of club ordinance from another city or county denied, suspended, or revoked, and, if so, the name and location of the club for which such license was denied, suspended, or revoked, as well as the date of such denial, suspension, or revocation;

(5) Whether the applicant or any of the other individuals required to be listed in the application has been an officer, director, manager, partner, member, and/or principal owner of any legal entity which has had a previous license under this or any other similar type of club ordinance from another city or county denied, suspended, or revoked and, if so, the name and location of the club for which such license was denied, suspended, or revoked, as well as the date of such denial, suspension, or revocation;

(6) Whether the applicant or any of the other individuals required to be listed in the application holds any other licenses under this division or other similar type of club ordinances from another city or county, and, if so, the names and locations of such other licensed businesses;

(7) Satisfactory proof of the applicant's ownership or right to possession of the premises wherein the club will be operated;

(8) If the building wherein the club will be operated is in existence, verification that such building is in compliance with all applicable City ordinances and regulations. If the building wherein the club will be operated is to be built, the application must include proof that all building, planning, code and zoning requirements have been met. This provision shall be satisfied by inspections from applicable departments of the City. The applicant, by submitting an application, implicitly grants permission to all such applicable departments to perform such inspections; and

(9) Prior to the issuance of a club license, the license application shall be submitted to the Police Department for investigation. The Police Department shall provide verification as to whether the applicant and each of the other individuals required to be listed in the license application have been convicted of any felonies within the last ten years or any crimes identified in Subsection 42-436(3). Such review shall be completed within 20 days after the license application is submitted to such Department. The Police Department shall only be required to provide the information specified in subsections (1) and (2) of this section and shall not be required to approve or disapprove the license application.

(Ord. No. 2641, § 1, 10-9-00)

#### Sec. 42-437. Issuance and denial.

(a) If, after investigation, the Clerk finds that the application is complete and all requirements contained in Section 42-436 have been satisfied and that the applicant has not been convicted of any crimes identified in Subsection 42-436(3), then the Clerk may issue a club license.

(b) The Clerk shall issue such club license to the applicant within 30 days following receipt of the license application, for use at the location identified in the license application as the situs of the business, unless any requirements contained in Section 42-436 have not been met. In such case, the application will be returned to the applicant marked denied.

(c) The Clerk, upon receipt of reports from any applicable City department, shall be empowered to place reasonable conditions and restrictions upon any club license.

(Ord. No. 2641, § 1, 10-9-00)

#### Sec. 42-438. Suspension and revocation.

The Clerk shall suspend or revoke a club license if the Clerk finds:

(1) That the licensed premise has been inactive for at least three months;

(2) That the holder of the club license, or manager or any employee thereof is illegally offering for sale or allowing to be consumed or possessed upon the premises or upon any parking area, sidewalk, walkway, access way or grounds immediately adjacent to such premises, illegal narcotics or drugs;

(3) That the holder of the club license or manager is not on the premises at all times that the club is open to the public;

(4) That vinous or spirituous or fermented malt beverages are being consumed on the premises or upon any parking area, sidewalk, walkway, access way or grounds immediately adjacent to such premises; and

(5) That the club is being maintained or is operated in such a way as to violate any ordinances or regulations of the City or that any provision of this article has been violated.

(6) That the club has not been issued or does not possess any permits or licenses required by the City. Operation without such required permits or licenses is hereby declared illegal and, in addition to any citation that may be issued, the City may immediately require the club to cease operation until such permits or licenses are obtained.

(Ord. No. 2641, § 1, 10-9-00)

#### Sec. 42-439. Non-alcoholic entertainment club manager.

(a) Each manager of a club shall submit an application for a manager's registration on a form to be provided by the Clerk. The application shall contain the applicant's name, address, date of birth, telephone number, and the whether the manager has been convicted of a felony in this state or any other state.

(b) Each application for a club, manager's registration, shall be verified by the oath or affirmation of the applicant or the applicant's authorized agent. An individual owner or a partner or a corporate officer may be a manager without the necessity of filing a manager's registration with the Clerk.

(Ord. No. 2641, § 1, 10-9-00)

#### Sec. 42-440. Limitations on operation.

Any club license issued pursuant to this article shall be limited or restricted in its operation as follows:

(1) Supervisor and security personnel shall be provided both inside and outside the club premises during all hours of operation. A minimum of two security persons will be necessary per each 100 patrons to comply with this provision.

(2) The club must notify the Thornton Police Department at least two weeks before any event is scheduled unless the club is holding events on a regular basis in which case a monthly schedule of such events shall be provided to the Thornton Police Department.

(3) No alcoholic beverages shall be served or consumed on the club premises. For liquor licensed premises; all liquor shall be locked up or placed in a storage area inaccessible by patrons. Premises shall include the parking areas, walkways and access ways.

(4) The hours of operation shall be limited to 12:00 noon to 11:00 p.m., Sunday through Thursday, and 12:00 noon to 1:00 a.m. on Friday and Saturday nights.

(5) There must be a club manager present at all times that the club is open for business.

(6) There must be no illegal drugs used or possessed on the club premises. Premises shall include parking areas, sidewalks, walkways, and access ways.

(7) For businesses that wish to obtain a club license subsequent to enactment of this club article, a club cannot be established in any area within 750 feet of any school or within 750 feet of another club, within 750 feet of any type of residential zoned district, or within 750 feet of a public park or public building.

(8) The occupant load determination for any club shall not include calculation of the dance floor or stage area, if any, in such determination. Occupant loads shall also be determined by taking into consideration seating capacity limits, which are that all customers and patrons shall be required to be seated at all times when not entering, leaving or using any facilities including any dance floor.

(Ord. No. 2641, § 1, 10-9-00; Ord. No. 2685, § 3, 10-22-01)

Sec. 42-441. Exemptions.

Exempted from the operation of this club article are events that are sponsored or held by the following:

(1) Any school using school property or leasing public property and the event is a regularly scheduled event for students of the school.

(2) Any private, non-profit club or organization using the club or organization's private property and the event is restricted to members of the club or organization.

(3) The City for special events that use public property and include dancing as only a feature or segment of the event.

(Ord. No. 2641, § 1, 10-9-00)

Sec. 42-442. Remedies; violations.

(a) Any violation of any provision of this article, in addition to revocation and/or suspension of a license, shall, upon conviction, be punished as provided in Subsection 1-8(a). Each day any violation of the provisions of this article occurs is considered a new violation.

(b) Any club operated, conducted or maintained contrary to the provisions of this article or any ordinance or regulation of the City shall be, and the same is declared to be, unlawful and a public nuisance, and the City Attorney may, in addition to or in lieu of prosecuting an action under this article, commence an action or proceeding, for the abatement, removal and enjoinder thereof, in the manner provided by law, and shall take such other steps and shall apply to such court as may have jurisdiction to grant such relief as will abate or close such club and restrain and enjoin any establishment contrary to the provisions of this article.

(Ord. No. 2641, § 1, 10-9-00)

Secs. 42-443--42-470. Reserved.