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## Chapter 5 – AMUSEMENTS

### Article III. - DANCE HALLS

#### Division 1. - GENERALLY

##### Sec. 5-46. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings provided below:

*Alcoholic beverage* means any beverage containing more than one-half of one percent of alcohol by volume that is capable of use for beverage purposes, either alone or when diluted.

*Dance hall* means any room, place, space or building where a public dance is authorized to be conducted, including but not limited to a nightclub.

*Dance school* means any room, place, space, building or academy in which dance instruction is provided for hire and used by an individual, group, or association for the purpose of educating and instructing its patrons in dance. The term does not include any room, place, space, building, or academy which functions, in whole or in part, as a nightclub.

*Director* means the director of the department of administration and regulatory affairs or the director's designee.

*Licensee* means any person who holds a license issued pursuant to this article.

*Minor* means a person under 18 years of age whose disabilities as a minor have not been removed by a court of competent jurisdiction.

*Nightclub* means any room, space, structure, or building open to the public where:

- (1) Food or any alcoholic beverage is served or consumed on the premises, including restaurants and cafes; and
- (2) Patrons are provided with a designated area for dancing or are permitted to dance.

*Operator* or *dance hall operator* means the on-site representative(s) who conducts, manages, maintains or controls, either directly or indirectly, any dance hall as defined and designated in this article.

*Police chief* means the chief of police or the police chief's designee.

*Private dance* means any dance to which admission is granted to members of a club, group, or similar organization, and their invited guests and from which the general public is excluded, including any dance held:

- (1) At any private residence;
- (2) At a members-only private club (i.e. country club, yacht club, etc.); or
- (3) At a facility that conducts private, invitation-only events where dancing may occur (i.e. wedding reception halls).

*Public dance* means any dance conducted in a dance hall to which the general public may gain admission by payment of a fee, purchase, possession or presentation of a ticket or token, or without payment of a fee, where dancing by the general public is conducted.

*Security officer* shall have the meaning ascribed in section 1702.002 of the Texas Occupations Code.

*Teenage dance hall* means any room, place, space or building where a public dance is conducted exclusively for persons under the legal age established by state law for purchase and consumption of alcoholic beverages and where the sale, consumption or possession of alcoholic beverages is prohibited.

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***Dress code means a set standard of rules specifying the required manner of dress an attendee must comply with for entry.***

(Code 1968, § 36-33; Ord. No. 98-986, § 2, 11-4-98; Ord. No. 09-398, § 2, 5-13-09; Ord. No. 2013-613, § 2(Exh. A), 6-19-2013)

## **Division 2. LICENSE**

### **Sec. 5-80. Posting.**

A license issued under this division shall be posted by the licensee in a conspicuous place at or near the entrance to the dance hall so that it may be easily viewed by the public during the dance hall's hours of operation. ***Additionally, if owner, operator, or license requires a dress code for entry to a night club or dance hall, the complete dress code must be posted in a conspicuous place at or near the entrance of to the dance hall so that it may be easily viewed by the public during the dance hall's hours of operation. If a dance hall or establishment does not have a dress code policy displayed near the entrance, it will be interpreted that there is no dress code, and no dress code policy shall be enforced.***

(Code 1968, § 36-64; Ord. No. 2013-613, § 2(Exh. A), 6-19-2013)