

**CHAPTER XI
BUSINESS AND TRADE REGULATIONS**

Section 1100 - Amusements and amusement devices

1100.01. Public entertainment. Subdivision 1. License. No person may give or maintain a show, circus, carnival, concert, game, or public entertainment to which an admission is charged, or from which private profit is expected whether directly or indirectly, without first securing a license therefor and paying the required fee set by City Council resolution. A license is not required for public entertainment (i) given by amateurs, or (ii) from which the performers do not receive any pay or (iii) which is given by or for the benefit of any school, county agricultural society, church or benevolent institution or for any charitable purpose.

Subd. 2. Application. The application for a license shall state the name and address of the applicant, the nature of the entertainment, the place, time and duration thereof, method of advertising, reference as to financial responsibility of applicant, and such other information as the manager may require.

Subd. 4. Projection equipment. Projection machines shall be housed in a fireproof booth constructed to conform to the requirements of the state law.

Subd. 5. Compliance. Licensees are subject to any other and further orders and regulations as may be promulgated by the state law or by the city health officer, or by any duly constituted municipal or state authority.

Subd. 6. Enforcement. A police officer of the city, or anyone duly designated by the manager, shall be given admittance to any public entertainment of any form licensed hereunder to discover or prevent any violation of the law and shall be given full information upon request by any licensee in regard to any coming attraction.

Subd. 7. Drive-in theaters prohibited. Subdivision 1. Definition. A "drive-in-theatre" means an enclosed area into which patrons drive with motor or other vehicles and view the moving picture screen or stage on which the entertainment is presented from such vehicle. Drive-in theatres are prohibited.

1100.03. Public dance halls. Subdivision 1. Definitions. For the purposes of this subsection, the terms defined in this subdivision have the meanings given them:

- a) "public dance" means the activity of un-chaperoned dancing, admission to which is not based upon personal selection or invitation and which may be attended or performed by minors unaccompanied and unsupervised by parents or guardians.
- b) "public dance hall" means any place, the major area of which is maintained or is available for public dancing, the admission to which is not based upon personal selection or invitation.

Subd. 2. License required. No person shall keep, maintain, conduct or operate any public dance hall, or place for holding public dances, in the city, without first paying the license fee as set out in City Council resolution of this code and obtaining a license therefor from the council.

Subd. 3. Hours. No public dance may be conducted on Sunday, or between the hours of 12:01 A.M. and 6:00 A.M. on other days. (Amended Ord. 2003-899)

1100.05. Roller skating rinks. Subdivision 1. License required. No roller skating rink or roller derby or roller skating exhibition or roller skating hall, or other similar place, may be opened, maintained, exhibited or carried on within the city by any person, unless a license therefor has been obtained from the city and the license fee set by City Council resolution has been paid. A separate license shall be required for each place or premises where the applicant may desire to carry on such business.

Subd. 2. License requirements. The manager may attach reasonable conditions in connection with a license in order to protect the public health, safety, welfare and peace. The conditions must be approved by the council before becoming effective. The violation by any licensee of any such conditions, or of any provisions of this code, or any other laws, rules or regulations, shall be ground for summary revocation by the council of the license without notice.

1100.07. Pool halls and billiard parlors. Subdivision 1. License required. No person may maintain, operate, keep or conduct within the city any billiard or pool room, hall or other quarters of any description in which billiards, pocket billiards or pool are played or which includes any apparatus or paraphernalia for the playing of billiards, pocket billiards or pool and which is conducted as a place of business or public place of amusement, without first obtaining a license therefor.

Subd. 2. License fee. The license fee is set by City Council resolution. The license permits the operation of six or less billiard or pool tables or apparatus. For each additional table or apparatus in excess of six, there is an additional license fee set by City Council resolution.

Subd. 3. License to be displayed. The license must be prominently displayed in the room or quarters in which such billiard or pool tables are maintained and operated.

Subd. 4. Hours. Billiards, pocket billiards, or pool in a licensed location may not be played or permitted on Sunday between the hours of 1:00 a.m. and 12:00 noon, nor on any other day between the hours of 1:00 a.m. and 8:00 a.m.

Subd. 5. Responsibility of licensee. The owner, keeper, or person in charge of any public pool table or billiard parlor operation, room, or public space of business where pool or billiards are licensed is responsible for the conduct of the licensed premises and for conditions of the sobriety and order therein.

1000.09. Bowling alleys. Subdivision 1. License required. No bowling alley shall be kept or used without first having procured a license therefor from the city.

Subd. 2. Fee. The license fee is set by City Council resolution.

1100.11. Mechanical amusement devices. Subdivision 1. Defined. As used in this subsection the term "mechanical amusement device" means a machine or other mechanism, which, upon the insertion of a coin, slug or token, operates or may be operated for use as a game, contest or amusement and which contains no automatic pay-off device for the return of money, coins, checks, tokens or merchandise, or which machine or owner, keeper, lessee, or operator thereof provides for no such pay-off by any other means or manner.

Subd. 2. Exception. This subsection does not prohibit the licensing or the maintaining, keeping, operating or selling of a machine or device which returns slugs or tokens not redeemable in money or merchandise and which slugs or tokens may be used only in licensed machines.

Subd. 3. License; fees. No person may maintain, keep, operate or sell within the city a mechanical amusement device, without first obtaining a license from the city and paying the required fee as set by City Council resolution. No license shall be issued for the maintaining, keeping, operating or selling of any machine or device which is used as a gambling device. The manager may issue a license for the operation, keeping, maintaining or selling of mechanical amusement devices.

Subd. 4. Premises. The owner or lessee of any premises licensed for the operation of mechanical amusement devices must also procure, be responsible for and be the only eligible licensee of and for vending machines, amusement devices or games and all other activities located on the premises for which other city licenses are required.

Subd. 5. License identification; display. An amusement device shall contain suitable identification marks or numbers, which marks or numbers shall be written by the manager upon the license. The license shall be kept posted in full public view.

Subd. 6. Prohibitions. No person shall give any prize, award, merchandise, gift or anything of value to any player or to any operator of a mechanical device. No person shall keep, maintain, operate, sell, or permit a mechanical amusement device which has been converted into an automatic pay-off device which shall discharge coins, money, checks or other tokens to the player or operator of such machine, except as provided in subdivision 1. No person may convert a mechanical amusement device into an automatic pay-off device.

Subd. 7. Music. This subsection shall not apply to a mechanical amusement device, which, upon the insertion of a coin, slug or token, operates solely in the production or playing of music.

Subd. 8. Seizure. A machine, apparatus, contrivance, or device which is or has been operated or used in violation of the terms of this subsection may be seized and destroyed in compliance with the terms and provisions of Minnesota Statutes, section 609.762, relating to garbling devices.

Subd. 9. Exceptions. Nothing in this subsection applies to mechanical amusement devices held in storage or kept in storage or for sale or in transit in interstate commerce, which devices are not actually in use or displayed for use. Nothing in this subsection applies to any food, candy or other merchandise vending machine, or to any coin operated amusement device designed and used for purposes of physical exercise, rides and other similar amusement purposes.

1100.13. Juke boxes. Subdivision 1. License required. No juke box shall be kept or used without first having procured a license therefor from the city.

Subd. 2. Fee. The juke box fee is set by City Council resolution.

Subd. 3. Identification. A jukebox must contain suitable identification marks or numbers, which marks or numbers shall be written by the manager upon such license issued.