

ORDINANCE NO. 375

AN ORDINANCE RELATING TO NIGHT CLUBS AND CABARETS AND REPEALING SECTIONS 6, AND 7, OF ORDINANCE NO. 68.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. DEFINITION. A cabaret or night club, for the purposes of this ordinance, is hereby defined as any room, place, or space maintained for general public patronage where food and drink are served or dispensed and where the patrons are permitted to engage in dancing; or where vocal, dancing, or other entertainment is offered or furnished in connection with the sale of food and drink.

Section 2. LICENSE REQUIRED. No person, firm, or corporation shall conduct, maintain, or operate, or engage in the business of conducting, maintaining, or operating a cabaret or night club unless the premises wherein the same is conducted, maintained, or operated, is licensed in the manner prescribed hereinafter.

Section 3. APPLICATION FOR LICENSE. The license prescribed aforesaid shall be issued upon the order of the City Council. Application for such license shall be made on a form containing such information as may be deemed necessary by the Chief of Police and shall be sworn to by the applicant. Before granting any such license the City Council shall consider the needs of the community and the desires of the inhabitants. The Chief of Police shall also secure the approval of the Building Inspector regarding zoning and building code regulations, and the Fire Marshall regarding compliance to Fire prevention regulations.

Section 4. HOURS. A cabaret or night club shall not furnish vocal, dancing, or any other entertainment or permit the patrons thereof to engage in dancing prior to the hour of twelve o'clock noon or later than twelve o'clock midnight each day of the week, except on Friday and Saturday, when the closing hour shall be one-thirty o'clock A. M., the succeeding day, and on Sunday when the closing hour shall be seven-thirty o'clock P. M.; provided, however, that any establishment licensed hereunder may serve food and drink at such other hours as may be permitted by law.

Section 5. LICENSE FEE; EXPIRATION DATE. The license fee for a cabaret or night club shall be Seventy-Five dollars (\$75.00) per annum, payable in advance, and said license shall expire on the thirty-first day of December of each year.

Section 6. PRORATING OF FEES; OTHER FEE APPLICABLE. Any person, firm, or corporation thereafter licensed hereunder shall pay such proportionate share of the license as the unexpired months bear to twelve, computed from January 1 of each year. The payment of such fee shall not relieve any licensee hereunder from payment of any other license fees now or hereafter required by law, and any license issued hereunder shall not be transferable.

Section 7. RESTRICTIONS. No license shall be issued by the City Council unless the applicant for the license shall file, together with his application, a written petition, which petition shall be signed by at least eighty per cent (80%) of the owners, or the authorized agents thereof, of property situated within a distance of four hundred feet (400') of such proposed night club or cabaret approving such application and consenting to the granting thereof; provided, however, no such consent shall be necessary except as to property within said four hundred feet (400') occupied or zoned for Residential District uses. The filing of such consent shall be a condition precedent to the right of the City Council to consider such application; provided, it shall not be necessary for any applicant, now engaged in such business, who has heretofore filed a similar consent to file any new consent.

Section 8. REGULATIONS.
A. SEATING AND DANCE FLOOR CAPACITY. No license hereunder shall be issued unless the premises have a seating capacity for fifty (50) or more guests and if public dancing be permitted therein a dance floor with a minimum area of two hundred twenty-five (225) square feet; seating capacity to be over and above the area required for the dance floor. Under no circumstances shall the public be crowded in a space insufficient to seat them comfortably.

B. LIGHTING. The interior and all booths in said cabarets or night clubs shall be sufficiently lighted so that all patrons of said cabarets or night clubs may be readily discernible therein.

C. ENTERTAINMENT AND DANCE SPACE. No vocal, dancing, or other entertainment shall be given, nor shall the patrons of any establishment licensed hereunder be permitted to dance except in that space provided for that purpose.

D. EMPLOYMENT OF MINORS PROHIBITED. No cabaret or night club shall employ minors in any capacity whatsoever, nor shall a minor be allowed to participate as an entertainer or otherwise, for remuneration, commis-